



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200150248
Date: August 27, 2001
Comments Due: September 17, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act and water quality certification under Section 401 of the Clean Water Act to build a dam and pond adjacent to Holmes Creek, as shown in the attached drawings.

APPLICANT: Scott Hirschi
J.H. Ranches LLC
1095 South Roueche Lane
Kaysville, UT 84037

LOCATION: The project is located approximately 300 yards south of 1095 South Roueche Lane, West Kaysville, in Section 9, Township 3 North, Range 1 West, Davis County, Utah.

PURPOSE: To create a pond for open water habitat, irrigation, and stock watering.

PROJECT DESCRIPTION: The project to create an off-channel pond with the construction of a dam that will back up water to cover approximately 0.5 acre of high quality wetland. The foot print of the dam is approximately 0.2 acre. The total surface area of the pond will be approximately 1.5 acres.

AREA DESCRIPTION: The area is surrounded by pasture and Holmes Creek. The wetland to be impacted is created by an adjacent small pond and the leakage from that pond.

ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected.

This activity would not affect any threatened or endangered species or their critical habitat. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Certification that the proposed work, if permitted, will not violate applicable water quality standards has been requested from the Utah Division of Water Quality. The Utah Division of Water Quality

intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity, and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, PO Box 144870, Salt Lake City, Utah 84114-4870, on or before **September 17, 2001**.

Interested parties are invited to submit written comments on or before **September 17, 2001**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Mr. Scott Hirschi, J.H. Ranches, telephone (801) 552-0777, or Mr. James Thomas, U. S. Army Corps of Engineers project manager, email jthomas@spk.usace.army.mil, or telephone (801) 295-8380, extension 18.

Written comments should reference Public Notice No. 200150248 and should be mailed on or before **17 September 2001** to the U.S. Army Corps of Engineers, Utah Regulatory Office, ATTN: James Thomas, 533 West 2600 South, Suite 150, Bountiful, Utah 84010.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Enclosures: 4 Drawings