



# Public Notice

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Public Notice Number: 200200427

Date: September 8, 2005

Comments Due: October 8, 2005

In reply, please refer to the Public Notice Number

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Clover Creek Village project, which would result in impacts to approximately 0.853 acres of waters of the United States, including wetlands, in or adjacent to an unnamed tributary to Clover Creek. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** Jon Thomason, Thomason Development Company, 7090 North Marks, Suite 102, Fresno, California 93711-0270, 559-432-1600

**LOCATION:** The project site is located in the City of Redding in Section 10, Township 31 North, Range 4 West, Shasta County, California, and can be seen on the Enterprise, USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to construct a mix use development composed of single family and multi-family residences, general office space and general commercial space. The project area is currently undeveloped except for un-maintained dirt roads. Adjacent to the project site is the City of Redding's Clover Creek detention basin and the Clover Acres subdivision to the North of the project. Portions of the City's detention basin were constructed on lands that were part of the applicant's original parcel. Based on the available information, the overall project purpose is two fold, to construct residential development and commercial development in the southern Shasta County area. The applicant believes there is a need for these two types of development within southern Shasta County. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Environmental Setting.** The 116 acre site contains approximately 1.383 acres of waters and wetlands within the project area. The project area is at an elevation of approximately 530 feet above sea level and is relatively flat. The site is characterized by blue oak woodland interspersed with annual grassland. The site is bisected by two intermittent streams that run North to South through the project area. These features are tributary to Clover Creek and meet Clover Creek just South of the project area. Aside from the two intermittent streams the site contains seasonal wetlands located in two clusters, in the northeast corner of the site and the southern portion of the site. The features contain seasonal wet swale and vernal pool habitat. These type of features provide potential habitat for Federally-listed threatened or endangered species or their critical habitat. Project related impacts are cumulative to the impacts of other projects in the area. Other projects and their associated impacts to waters of the United States include, Clover Acres (0.117 acres), Clover Creek Detention Basin (7.71 acres), and North Airport Business Park (1.16 acres).

**Alternatives.** The applicant has provided information concerning project alternatives. The applicant has identified three potential off-site alternatives, South Bonnyview Road Site, Pleasant Hills site in Anderson, and Shasta View/Palacio Drive site. All three off-site alternatives were rejected by the applicant as not practicable due to need for off-site infrastructure improvements, the time and cost of redesigning the project to fit a new site, and the inability of the alternative sites to meet the desire of the applicant to construct the residential and commercial projects at the same location. Other off-site alternatives may exist including other properties owned by the applicant. On-site alternatives evaluated by the applicant included the project as proposed and previous project for the site that was proposed in 1991 but never developed. This alternative on site design was rejected by the applicant due to a large portion of this previous project design is now occupied by the City of Redding's Clover Creek detention basin and that it would have filled the majority of the two intermittent streams on site. Initial evaluation of on-site alternatives indicate practicable reduced impact alternatives may exist without the loss of any building components. On-site alternatives evaluated by the applicant did not include shifting the commercial development to the southeast portion of the project where less than 0.1 acres of wetlands exist reducing the project's direct wetland impacts by approximately 0.4 acres. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to purchase mitigation credits at Stillwater Plains Mitigation Bank. Additionally, the applicant is proposing to place the remaining portions of the two intermittent creeks into an open space preserve.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Regional Water Quality Control Board, is required for this project. The applicant has indicated they have applied for certification. The applicant has also requested permits from the California Department of Fish and Game and the City of Redding to construct his project.

**HISTORIC PROPERTIES:** Based on the available information, cultural resources are not known to exist within the project's area of potential effect. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Preservation Act, as appropriate.

**ENDANGERED SPECIES:** The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The site is located within the designated critical habitat for vernal pool species. The Corps has initiated consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act.

**ESSENTIAL FISH HABITAT:** The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act. The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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 activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps 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 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 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.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice 200200427, must be submitted to the office listed below on or before October 8, 2005:

Matthew Kelley, Project Manager  
US Army Corps of Engineers, Sacramento District  
Redding Regulatory Office  
152 Hartnell Avenue  
Redding, California 96002-1842  
Email: [Matthew.P.Kelley@usace.army.mil](mailto:Matthew.P.Kelley@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Matthew Kelley, 530-223-9534, [Matthew.P.Kelley@usace.army.mil](mailto:Matthew.P.Kelley@usace.army.mil).

Attachments: 4 drawings