



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200350589

Date: January 30, 2004

Comments Due: March 5, 2004

In reply, please refer to the Public Notice Number

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 to impact 1.50 acres of wetlands adjacent to Barnard Creek, as shown in the attached drawings.

APPLICANT: Joel Anderson
57 West 600 North
Farmington, UT 84025

LOCATION: The proposed Chase Lane Village Phase III project is located at 1100 North Frontage Road (750 West), Centerville, in Section 6, Township 2 North, Range 1 East, Davis County, Utah. Latitude is 40 -55-48.6374, longitude is 111-54-52.4351. UTM coordinates are Zone 12, 423000 North, 4531200 East.

PURPOSE: The applicant's stated purpose is to provide single-family attached residential units for moderate income households in an area of high demand.

PROJECT DESCRIPTION: The preferred alternative is to develop the 3-acre site for 8 twinhomes for a total of 16 single-family residences. Waters of the United States on the parcel total 1.67 acres including 0.17 acres for the Barnard Creek channel. Development will require filling 0.5 acre of wetland for buildings and roadways and 1 acre of wetland would be converted to landscaped areas. The Barnard Creek channel, a total of 0.17 acre, will be maintained in its current location and a 20-foot wide buffer of existing vegetation will be left on its banks. At project completion, 2.4 acres will be developed and the remaining 0.6 acres will be deeded to the Centerville city. The project applicant would purchase 1.67 acres of wetland complex habitat from Bailey's Meadow Wetland Mitigation Bank as compensatory mitigation for wetland impacts on the site. Excessive runoff will flow to an offsite retention pond and culvert located south of the site, and base flows will continue through the Barnard Creek channel located on the site. The project is the third and final phase of site development. Phases I and II were completed without need for a Section 404 permit.

AREA DESCRIPTION: The wetland consists primarily of wet meadow that supports Baltic rush and saltgrass. Water seasonally ponds in some areas primarily due to channel restrictions downstream. These areas support species such as reed canary grass and cattail. Stormwater runoff, drainage and rainfall provide surface water for the wetlands. The overall wetland quality is low due to surrounding housing on the north and east, a frontage road and Interstate 15 to the west, and fill to the south.

ALTERNATIVES: One alternative is to develop and minimize impacts to the wetland areas. The eastern uplands on the site could be developed with impact to approximately 0.5 acres of wetlands, however, a preliminary analysis indicates that this limited development would not be economically feasible. This alternative would also result in a further reduction of the limited functions of the wetlands on the remainder of the site. A similar alternative is to develop and provide on-site mitigation. This alternative is not practicable due to the limited size of the wetlands and the site. A third option is the preferred alternative of development as proposed and offsite mitigation. Complete wetland avoidance would not be economically feasible due to the land costs for the project and the size of the property that is being dedicated to the city for open space. No alternative access is available and no other configurations were identified that would permit this development to proceed with wetlands avoidance. The existing Barnard Creek channel will be maintained in its current condition.

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.

Interested parties are invited to submit written comments on or before **March 5, 2004**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. 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.

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 **March 5, 2004**.

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 the applicant Joel Anderson at (801) 628-8781 or Mr. James Thomas of the Utah Regulatory Office, telephone 801-295-8380, extension 18, or email Jim.Thomas@usace.army.mil. Written comments should reference Public Notice Number 200350589 and should be mailed to the U.S. Army Corps of Engineers, Utah Regulatory Office, ATTN: Mr. James Thomas, 533 West 2600 South, Suite 150, Bountiful, Utah 84010. Comments are due **March 5, 2004**.

Michael Conrad
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawings