



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200400544

Date: June 20, 2005

Comments Due: July 22, 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 Sycamore Glen Mountain Vista Subdivision, which would result in direct impacts to approximately **6.28-acres** of waters of the United States, including wetlands, in or adjacent to the Sycamore 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: Pete Giampaoli, Epick Homes, 901 Bruce Road, Suite 280, Chico, California 95928.

LOCATION: The Sycamore Glen Mountain Vista project site encompasses approximately 168-acres located within the northeastern portion of the City of Chico in northwestern Butte County, California. The project site is located within Section 11 and 12, Township 22 North, Range 1 East, on the USGS 7.5 Minute Richardson Springs & Chico Quadrangle. The project site is generally bounded by Floral Avenue on the west, Ceanothus Avenue on the east, and on the south by an existing Pacific Gas and Electric (PG&E) easement with electrical lines. Sycamore Creek borders the site to the north.

PROJECT DESCRIPTION: The proposed project includes 121.42-acres of development and 56.44-acres of open space, which could potentially be deeded to the City to be preserved in perpetuity. The project site contains **12.70-acres** of waters of the United States. **The overall project purpose** is to develop both single-family and multiple-family housing.

The project purpose would be consistent with densities permitted under the General Plan for the City of Chico. The proposed project includes development of 84.1-acres, approximately 409 single-family residential lots with a density up to 7 units/acre, 16.6-acres of approximately 21 multiple-family residential townhouses, and approximately 25,000 square feet of commercial uses on 1.92-acres neighborhood commercial site. Additional project purposes include, preserve a significant amount of open space, approximately 54.1-acres, on the site that will maximize the value to all biological resources and provide a neighborhood-oriented commercial area to service the surrounding residential neighborhoods, and provide a significant number of multi-family residential units to help meet the City's projected needs for moderately-priced rental housing. An additional 4.3-acres along the northern portion of the site adjacent to Sycamore Creek, would be dedicated to stormwater treatment.

The proposed project will be comprised of two adjacent residential communities, Sycamore Glen and Mountain Vista. Sycamore Glen will be located on the eastern half of the site and the Mountain Vista on the western half of the site. The attached drawings provide additional project details.

Approximately 7.4-acres of the City of Chico's Eaton Road Extension project is located in the southern portion of the Sycamore Glen Mountain Vista Subdivision. This section is between Floral Avenue and Ceanothus Avenue. The Eaton Road Extension project is proposed to begin at Floral Avenue and continue east across Ceanothus Avenue toward the Foothill East Development to the Sycamore Creek Diversion Channel, before turning south to end at Manzanita Avenue. The section within the project site, between Floral Avenue and Ceanothus Avenue is designated Area 3. There are 0.054-acres of waters of the United States located within Area 3.

ADDITIONAL INFORMATION:

Environmental Setting. The proposed project site is currently undeveloped open space and that has been disturbed by continued off-highway usage. Vegetation on the project site consists of grassland interspersed with vernal pools and swales. Land use surrounding the site is primarily established residential development, except north of Sycamore Creek, which is undeveloped open space. Sycamore Creek flows westerly, ultimately confluent with Mud Creek and then the Sacramento River west of Chico. On the southern boundary of the site, Pacific Gas & Electric maintains a small substation.

The site contains a total of 12.70-acres of jurisdictional wetlands, which occur throughout the property. The 12.70-acres includes 1.61-acres of intermittent drainage (Sycamore Creek), 9.21-acres of vernal pools, 0.01-acres of depressional seasonal wetlands, 1.81-acres of riverine seasonal wetlands and 0.006-acres of ephemeral drainage. The remainder, 0.054-acres, is included in the City of Chico's Eaton Road Extension project, which runs east to west along the southern portion of the Sycamore Glen Mountain Vista project.

The project site supports mostly small to medium sized pools. However, one pool in the central part of the project site is very large and is similar to a playa pool. This pool is distinct having its own soil type (100 Anita-Galt Complex, 0 to 33 percent slopes).

Alternatives. The applicant **has** provided information to the Corps, as well as to the Environmental Protection Agency concerning project alternatives. Additional information concerning project alternatives may be available from the applicant's agent, Kevin Derby, Foothill Associates, Environmental Consulting, (916) 435-1202. 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.

Grading of the site and development of the project would result in the fill of 6.28-acres of onsite wetlands. To mitigate for these impacts the project applicant proposes to restore and/or enhance vernal pools and swales within the **onsite** 56-acre preserve in the northern portion of the

project site. In addition to the onsite mitigation, the project applicant proposes mitigate at an **offsite** location in Tehema County known as Hamilton Ranch. At this time, a jurisdictional determination has not been completed for Hamilton Ranch.

The City of Chico's Eaton Road Extension project (Area 3) will potentially be mitigated by the City of Chico. Any direct impacts resulting from the proposed development that overlap into the City's project will be included in the mitigation plan for the proposed development.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification as required under Section 401 of the Clean Water Act is required for this project. The applicant is in the process of applying for the certification.

HISTORIC PROPERTIES: Based on the available information (including applicant's report entitled "A Cultural Resource Study For The Mountain Vista/Sycamore Glen Project", dated May 2004), cultural resources are 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. Potential habitat for species listed under the federal Endangered Species Act occurs within the project vicinity, including the federally listed endangered vernal pool tadpole shrimp (*Lepidurus packardi*), the threatened vernal pool fairy shrimp (*Branchineacta lynchii*), the threatened conservancy fairy shrimp (*Banchinecta conservatio*), the Butte County meadowfoam (*Limnanthes floccosa ssp californica*) and the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). 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: Please submit written comments to **Laura Whitney**, Project Manager, US Army Corps of Engineers, Sacramento District, Sacramento Valley Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, (916) 557-7455 or Email: Laura.A.Whitney@usace.army.mil, or **Kevin Derby**, Foothill Associates Environmental Consulting at (916) 435-1202 on or before **Friday, July 22, 2005**.

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 Laura Whitney, 916-557-7455, Laura.A.Whitney@usace.army.mil.

Attachments: 2 drawings