



Public Notice

US Army Corps
of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Number: 200450469
Date: July 18, 2005
Comments Due: August 17, 2005

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) and Utah Division of Water Quality are evaluating a permit application to construct Station Park, a transit oriented development (TOD) next to the proposed Farmington City commuter rail station. The Station Park TOD would impact approximately 5.91 acres of waters of the United States, including wetlands, adjacent to Farmington 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>.

An application for the Utah Transit Authority (UTA) Weber County to Salt Lake City Commuter Rail Project to construct tracks and 9 commuter rail stations, is being concurrently reviewed. The project and impacts are described in a separate public notice 200250461.

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 and Section 401 for water quality certification.

APPLICANT: Richard Haws
Station Park LLC
1353 North Highway 89, Suite 202
Farmington, Utah 84025
801-447-4700

LOCATION: The project site is located on the south side of Park Avenue and on the west side of the existing railroad tracks in Farmington City near the I-15 interchange in Sections 13 and 24, Range 1 West, Township 3 North, SLM (Figure 1). The interchange for US 89, I-15, and the proposed Legacy Parkway is adjacent to and east of the train station and commuter platform area. Included in this interchange is the extension of Park Lane from east of US 89 to Clark Lane (100 North) southwest of the interchange. Primary access to the site would be from Park Lane and its connections to I-15 and US 89; secondary access would come from Clark Lane south of the site.

PURPOSE: The purpose of the project is to construct a mixed use transit-oriented development that will promote commuter rail ridership

PROJECT DESCRIPTION: The 62-acre project site has two components: 1) the commuter rail tracks and platform that will be built by UTA; and, 2) Station Park TOD that will be built by Station Park LLC in cooperation with UTA. (Wetland impacts associated with the construction of the commuter rail tracks and platforms are described in a separate public notice 200250461.) Station Park, the subject of this public notice, includes a train station building, residential units, commercial offices, retail, recreational and entertainment facilities, and shared parking. The commuter train station will be built on the west side

of the existing railroad tracks, and will provide a portal for pedestrian access via a sky bridge to the UTA commuter platform, which must be located on the east side of the existing railroad tracks for logistical and safety reasons. The commuter platform is the location where the train will stop for riders to enter and exit the train. The train station will be within walking distance for 1,000 shared-use parking spaces, which is UTA's projected need for accommodating park and ride commuters in 2030. The train station will also be within walking distance for on-site residents living in the TOD. The train station will provide public information kiosks and restroom facilities. The train station and adjacent buildings will also accommodate a mixed-use of professional office space, food services and retail development. See Figure 3, Proposed Action.

AREA DESCRIPTION: The Station Park TOD project site consists of several parcels of undeveloped farmland separated by fences. Historically, the separate parcels were used as irrigated pastures for livestock grazing. Irrigation water has been removed from the site since 2003. The site is bordered by I-15 and the Union Pacific Rail Road and UTA rail line easements to the east and northeast; Park Lane to the northwest; other privately-owned irrigated pastureland to the west; and Clark Lane to the south.

The majority of the site is upland pasture. In the low lying areas, a total of 7.81 acres of wetlands were delineated on the site. Wetland communities consist of 4.86 acres of wet meadow and 2.95 acres of emergent marsh. A 0.04-acre channelized segment of Farmington Creek flows through the southeastern corner of the site Figure 2, Wetland Delineation.

The species composition of the wet meadow is variable and includes both wetland and upland plant species, including Nebraska sedge (*Carex nebrascensis*), beaked sedge (*Carex rostrata*), smooth scouringrush (*Equisetum laevigatum*), baltic rush (*Juncus balticus*), Olney's bullrush (*Scirpus americanus*), common plantain (*Plantago major*), common reed (*Phragmites australis*), reed canarygrass (*Phalaris arundinaceae*), unidentified spikerush (*Eleocharis* sp.), narrow-leaf cattail (*Typha angustifolia*), curly dock (*Rumex crispus*), barnyard grass (*Echinochloa crusgalli*), little barley (*Hordeum pusillum*), foxtail barley (*Hordeum jubatum*), poison hemlock (*Conium maculatum*), black medic (*Medicago sativa*), creeping buttercup (*Ranunculus repens*), Kentucky fescue (*Festuca arundinacea*), common cocklebur (*Xanthium strumarium*), Kentucky bluegrass (*Poa pratense*), Canada thistle (*Cirsium arvense*), whitetop (*Cardaria draba*), orchard grass (*Dactylis glomerata*), and teasel (*Dipsacus sylvestris*). The emergent marsh are found in the drainage ditches adjacent to the existing railroad tracks and are dominated by cattail (*Typha latifolia*), common reed (*Phragmites australis*), reed canary grass (*Phalaris arundinaceae*), and bulrushes (*Scirpus* sp.).

PROJECT IMPACTS: The project would impact 5.91 acres of jurisdictional wetlands. (The remaining 1.9 acre of wetlands on the site are proposed for impact by the UTA commuter rail project and are considered in a separate public notice 200250461.)

ALTERNATIVES: The applicant has provided information concerning project alternatives. See Attachment 1 and Figures 4 & 5. 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.

MINIMIZATION: The applicant has stated that the Station Park TOD needs a high-density of mixed-use development within a 1,000 foot radius of the train station and commuter platform. The location of the commuter platform dictates the location of the train station. The platform location cannot be moved due to logistical constraints in the railroad tracks design. This precludes opportunities to avoid and minimize wetland impacts due to the location of the wetlands relative to the required locations for the commuter platform and train station.

MITIGATION: UTA has agreed to be responsible for implementing all wetland mitigation requirement. To mitigate for impacts to 5.91 acres of wetlands, UTA proposes to use a parcel of land that the Utah

Division of Wildlife Resources has identified for incorporation into the Farmington Bay Wildlife Management Area. The parcel (Wilcox property) is approximately 61 acres in size (Figure 6). Farmington Bay, consisting of several thousand acres of managed wetlands and dike systems west of Farmington along the Great Salt Lake, is owned and operated by the Utah Division of Wildlife Resources.

The Wilcox piece is "L" shaped and is adjacent to the Farmington Bay access road (1325 West) and Glover Lane. The majority of the property sits at 4215 feet in elevation or higher. There are some wetlands present, approximately 40% (24 acres). Currently the property is grazed and farmed. Farmington Bay is interested in this piece because it provides a buffer between the proposed Nature Center and the road, ensuring preservation of their viewshed and separation from the road. There is a small pond adjacent to this property that can be manipulated so that portions of the property will flood in the spring creating habitat and feeding opportunities for migrating waterfowl.

To increase the function and value of the wetlands UTA s proposes to:

- Remove grazing
- Fence of property to keep out grazing, trespassing, etc. All internal fences would be removed.
- Control weeds in order to favor native species. UTA would be responsible for control of noxious weeds during the monitoring period.
- Enhance hydrology to promote wetland growth and/or waterbird habitat. Some on-site pond manipulation may be required to ensure seasonal flooding. It is anticipated that no additional water would be required. The property already has a network of ditches and diversion structures from historical flood irrigation practices.
- Monitor the site for a period of five years. Monitoring would ensure success of noxious weed control and growth of native plants. UTA would turn over 100% control of site to Utah Division of Wildlife Farmington Bay Waterfowl Management Area after successful five-year period.

ADDITIONAL INFORMATION:

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Utah Division of Water Quality, is required for this project. 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, Post Office Box 144870, Salt Lake City, Utah 84114-4870, on or before August 17, 2005.

HISTORIC PROPERTIES: The Corps has not made a determination whether potentially eligible historic properties may be affected by the proposed project. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Preservation Act, as appropriate.

ENDANGERED SPECIES: The project will not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act.

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 200450469, must be submitted to the office listed below on or before August 17, 2005:

Nancy Kang, Project Manager
US Army Corps of Engineers, Sacramento District
Utah Regulatory Office
533 West 2600 South, Suite 150
Bountiful, Utah 84010-7744
Email: Nancy.Kang@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 Nancy Kang, 801-295-8380, extension 14, Nancy.Kang@usace.army.mil.

Attachments: Attachment 1 (3 pages)
Figures 1-6