



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Number: 200500601

Date: January 30, 2006

Comments Due: March 1, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Sun City Tehama project, which would result in impacts to approximately 9,592 acres of waters of the United States, including wetlands, in or adjacent to Hooker 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: Del Webb/Pulte Homes, Incorporated
Gregg McKenzie
985 Sun City Lane
Lincoln, California 95648
916-434-3400

LOCATION: The project site is located along the West side of Interstate 5 approximately 3 miles South of the Shasta County line, in Section 2, 3, and 4, Township 28 North, Range 4 West, Sections 33, 34, and 35, Township 29 North, Range 4 West, Tehama County, California, and can be seen on the Hooker USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The Del Webb/Pulte Homes' Sun City Tehama project is a proposed 3,700 residential unit active adult community with associated commercial and retail development, an 18 hole golf course, fitness centers, other recreation amenities, walking trails, and parks in northern Tehama County area.

The 3,457 acre proposed development includes 1,538 acres of natural area open space, 232 acres of golf course, and 12 acres of parks. The applicant has submitted a delineation of waters of the United States (waters) for verification which depicts approximately 62.7 acres of potential waters within the project area. The proposed project would permanently impact 9,592 acres of waters of the United States. These impacts consist of 5,566 acres of intermittent and ephemeral channels (13.11 lineal miles), 2,598 acres of seasonal wetlands, 0.381 acres of seep/spring wetlands, 0.192 acres of vernal pools, and 0.855 acres of stock ponds.

Del Webb proposes to mitigate project related impacts to waters of the United States through the construction of two on-site mitigation areas adjacent to the two main drainages within the open space preserve. The applicant proposes to construct a total of 16,774 acres of seasonal wetlands as compensatory mitigation for project related impacts.

The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. There are approximately 62.667 acres of wetlands and other waters within the project area. The site is predominately characterized by rolling grasslands and blue oak woodlands. The site has mainly been used for grazing livestock and a small northern portion has likely been logged. The site is bounded on the west by a railroad right-of-way, on the east by I-5, the north grazing land, and the south by Hooker Creek Road and a small residential subdivision. The nearest towns are Cottonwood and Anderson to the north, 5 miles and 9 miles respectively and the town of Red Bluff, 9 miles to the south.

Alternatives. The applicant has not provided information concerning project alternatives. 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. To offset permanent impacts to waters of the United States the applicant has proposed a replacement ratio of 1.88:1 through the construction of 16.774 acres of wetland mitigation within the on-site preserves. The applicant proposes to mitigate for impacts to vernal pool habitat at a Corps and Fish and Wildlife Service approved mitigation bank. In addition to the on-site compensatory mitigation, the applicant is proposing to establish wetland conservation and open space preserves. These preserves are to be established to protect and maintain avoided and preserved waters of the United States that remain within the project area. Avoided and preserved wetlands and other waters within the wetland preserves are proposed to be protected through the establishment of conservation easements and maintained by a preserve manager. The avoided and preserved waters of the United States not contained within wetland preserves are located within the larger oak woodland preserves that are proposed to meet State and local open space requirements. The oak woodland open space areas are proposed to be protected with deed restrictions and owned and managed by a Home Owners Association.

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 not indicated they have applied for certification. Tehama County is the lead agency for the California Environmental Quality Act compliance and is in the process of preparing a Draft Environmental Impact Report for the Sun City Tehama Specific Plan and Development Project.

HISTORIC PROPERTIES: Based on the available information (including applicant's report entitled Sun City Tehama, Updated Cultural Resources Study, For Specific Plan EIR and NHPA, Section 106 Consultation, Tehama County, California), Potentially eligible cultural resources may be 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 Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

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 200500601, must be submitted to the office listed below on or before March 1, 2006:

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

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's agent, Tom Skordal, Gibson and Skordal, LLC. (916) 569-1830 or the Corps' project manager Matthew Kelley, 530-223-9534, Matthew.P.Kelley@usace.army.mil.

Attachments: 16 drawings