



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

Public Notice

Public Notice Number: 200700959

Date: September 24, 2007

Comments Due: October 24, 2007

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 Cache Valley Electric Company Expansion project, which would result in impacts to approximately 1.0 acre of waters of the United States, including wetlands, in or adjacent to an unnamed tributary to the Logan River. 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 and Section 401 for water quality certification.

APPLICANT: Jim Laub
Cache Valley Electric Company
919 North 1000 West
Logan, Utah 84321
435-752-6405

LOCATION: The project site is located in wetlands adjacent to a tributary to the Logan River, within the Logan Special Area Management Plan (SAMP) area at approximately 800 North 1000 West in the City of Logan, Section 29, Township 12 North, Range 1 East, Cache County, Utah, and can be seen on the Logan USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct a new office and warehouse complex to house the company's headquarters on the subject property. Based on the available information, the overall project purpose is to construct a new commercial facility. The applicant believes there is a need to construct a larger office and warehouse complex because they have outgrown their existing facility on the parcel to the north at approximately 900 North 1000 West. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. The area is characterized as a high elevation valley, located at approximately 4500 feet median sea level, surrounded by mountains. The surrounding valley consists predominantly of a rural agricultural area. The City of Logan, however, consists of a small urban area that is rapidly sprawling into the rural areas. The project site is located west of downtown Logan, within the 1000 West Corridor. The 1000 West Corridor is an area that was planned during the 1994 Logan City SAMP to accommodate a large portion of the commercial and industrial businesses within the city. Although large tracts of the corridor have been developed, including in the vicinity of the proposed project, large complexes of springs or spring-supported

wetlands remain in the area as depicted in Figure 1. Cache Valley Electric Company owns the north parcel which was developed for their existing warehouse and office space. A large commercial complex is located to the east of the proposed project site and the parcel to the south is currently under construction for an unknown development.

Within the 5-acre project site, there are approximately 2.63 acres of palustrine wet meadow wetlands. These wetlands are located to the rear (west portion) of the property and encompass this entire back half (see Figure 2). The wetlands are part of a much larger complex as they are contiguous with other wetlands located on parcels to the south and west. The front portion of the property (2.4 acres) adjacent to 1000 West consists entirely of uplands and is currently undeveloped.

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. The applicant has proposed to purchase mitigation credits at the City of Logan Mitigation Bank.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the State of Utah 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 (non-point sources) of wastes which will occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Shelly Quick, Utah Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870, on or before **October 24, 2007**.

HISTORIC PROPERTIES: Based on the available information including a search of the National Register of Historic Places and the Corps' database, no known historic properties are located within the project's area of potential effect.

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. A search of the Corps' database system identified the closest known location of a listed species to the project site is 2.72 miles away. This sighting is of a yellow-billed cuckoo in 1992. The project sight does not contain any riparian habitat, which is the preferred habitat of the cuckoo.

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 200700959 must be submitted to the office listed below **on or before October 24, 2007:**

Jason Gipson, Project Manager
US Army Corps of Engineers, Sacramento District
Utah Regulatory Office
533 West 2600 South, Suite 150
Bountiful, Utah 84010
Email: jason.a.gipson@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, Jason Gipson, 801-295-8380 x 14, jason.a.gipson@usace.army.mil.

Attachments: 3 drawings