



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

Public Notice

Public Notice Number: SPK-2007-01482

Date: July 11, 2008

Comments Due: August 4, 2008

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 El Dorado Residential Development project, which would result in impacts to approximately 1.44 acres of waters of the United States. This notice is to inform interested parties of the proposed activity and to solicit comments. A public notice was previously posted for the El Dorado Residential project in March 2008 but the applicant has revised the project plans. 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 fill material in waters of the United States.

APPLICANT: Pardee Homes
Attn: Dan Hale
650 White Drive, Suite 100
Las Vegas, NV 89119
702-614-1400

AGENT: Glenn Lucas Associates
Attn: Martin Rasnick
29 Orchard
Lake Forest, CA 82630
949-837-0404, ext 20

LOCATION: The project site is located in the community of North Las Vegas at Latitude 36° 14' 31" North and Longitude 117° 9' 42" within Section 21, Township 19 South, Range 61 East, in Clark County, Nevada and can be seen on the Gass Peak Southwest USGS Topographic Quadrangle. The project site is located at the northwestern corner of Revere Street and Centennial Parkway and is bounded by Deer Springs Way to the north, Centennial Parkway to the south, Revere Street to the east, and Gentle Brook Street to the west.

PROJECT DESCRIPTION: The applicant is proposing to construct the El Dorado Residential Development project on the approximately 150-acre project site. The proposed project consists of construction of up to 1677 housing units and associated infrastructures, including 682 single-family residential homes and 995 multi-family units. The current project plans include a minimum of 320 apartments but the remaining 675 multi-family zoning could also be constructed as apartments under the current zoning. The exact number of multi-family units to be used as apartments has not been determined. Based on available information, the overall project purpose is to construct residential housing. The applicant believes there is a need to construct residential housing based on the current population growth trends of North Las Vegas. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. There are approximately 1.55 acres of ephemeral waters of the U.S. within the project area; the project site does not include any wetlands. The site waters include Drainage Complex A, consisting of 1.41 acres tributaries that flow into Drainage A. Drainage A, 0.11 acre, is an intermittent stream that originates offsite and enters the property near the northwest corner where it

traverses the site in a southeasterly direction for approximately 4650 feet before the flows are conveyed into a concrete-sided, soft-bottom ditch to the west of Revere Drive. The jurisdictional width within the Drainage A Complex varies between 1 and 25 feet. Drainage Complex B is comprised of 2 tributaries that flow into Drainage B, an ephemeral stream that originates onsite, northeast of Drainage A, and traverses the site in a southeasterly direction for 1800 feet before flows are conveying into a concrete-sided, open-bottom ditch to the west of Revere Drive. Drainage Complex B ranges between 1 and 3 feet in width and totals 0.03 acre of jurisdictional waters. Vegetation on the project area is characterized as Creosote Bush Scrub which is commonly associated with the Las Vegas Valley and the Mojave Desert and is dominated by honey mesquite (*Prosopis glandulosa*), white bursage (*Ambrosia dumosa*), creosote bush (*Larrea tridentata*), and four-wing salt bush (*Atriplex canescens*). The drainage complexes contain some large cottonwoods and tamarisk. The applicant proposes to fill 1.44 of the 1.55 acres of the jurisdictional waters on the site in order to construct up to 1677 residential units, associated roadways, utilities and other infrastructural improvements.

Alternatives. The applicant has provided information concerning 4 project alternatives. These alternatives are summarized below. 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.

Alternative 1: Under the No Build Alternative (Exhibit 5), the proposed project would not be constructed and there would be no impact to jurisdictional waters. Construction of up to 1677 residential units and Clark County-required infrastructure would not occur to alleviate a housing shortage in the community of North Las Vegas.

Alternative 2: Under the No Federal Action Alternative (Exhibit 6), construction of 317 single-family residences and 647 multi-family residential units would occur on approximately 70 acres of the 150-acre site. Under Alternative 2, approximately 6 span bridges would be installed to preclude impacts to jurisdictional waters. According to the applicant, Alternative 2 would not provide the required 100-year flood protection for the site and would result in construction of very limited infrastructural improvements required by Clark County.

Alternative 3: Under the Full Impact Alternative (Exhibit 7), the applicant would construct a minimum of 1,677 dwelling units on the approximately 150-acre site and would permanently impact all 1.55 acres of jurisdictional waters. Alternative 3 would provide the required 100-year flood protection and infrastructural improvements such as construction of roadways and utilities.

Alternative 4: Under the Preferred Alternative (Exhibit 8), the applicant would construct up to 1,677 dwelling units, consisting of 682 single-family residential units and 995 multi-family units or apartments, on 125 acres of the 150-acre site. A minimum of 320 apartment units would be constructed. The additional 675 multi-family units also could be constructed as apartments under the current zoning. Alternative 4 would provide the required 100-year flood protection and infrastructural improvements (roads and utilities). Alternative 4 would permanently fill 1.44 acres of 1.55 acres of jurisdictional waters and would avoid/preserve 0.11 acre of Drainage Ditch A along the southeastern boundary of the property. Alternative 4 would not require span bridges since the preserved Drainage Ditch A terminates before it would require bridging.

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. As compensatory mitigation for unavoidable impacts, the applicant is proposing payment of a one-time in-lieu fee to a Corps-approved mitigation resource for creation of 3.0 acres of ephemeral waters. The fee payment would occur before impacts.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required, under Section 401 of the Clean Water Act is required for this project from the Nevada Division of Environmental Protection. The applicant is applying for the water quality certification.

HISTORIC PROPERTIES: Based on the available information (including a Class III archaeological reconnaissance conducted by Newfields Consulting in July 2005), cultural resources are not located 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 Historic Preservation Act to affirm that the project will not affect cultural resources.

ENDANGERED SPECIES: The Corps has confirmed that the proposed project site is located within the boundaries of the Clark County Multi-Species Habitat Conservation Plan Area, where there could be potential to affect the federally-listed threatened desert tortoise (*Gopherus agassizii*) (Mohave population). The Corps will initiate 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: Written comments, referencing Public Notice SPK-2007-01482 must be submitted to the office listed below on or before **August 4, 2008**.

Kathleen Anderson, Regulatory Project Manager
US Army Corps of Engineers
Nevada-Utah Regulatory Branch
533 West 2600 South, Suite 150
Bountiful, Utah 84010-7744
Email: kathleen.anderson@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 or the Corps' project manager Kathleen Anderson, 801-295-8380, ext. 10, kathleen.anderson@usace.army.mil.

Attachments: 9 drawings