



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

Public Notice

Public Notice Number: SPK-2007-01482

Date: March 3, 2008

Comments Due: April 3, 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 direct impacts to approximately 1.44 acres of waters of the United States. No wetlands would be impacted as a result of this proposed project. 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: Pardee Homes
Attn: Dan Hale
650 White Drive, Suite 100
Las Vegas, Nevada 89119
Telephone: (702) 614-1400

AGENT: Glenn Lukos Associates
Attn: Martin Rasnick
29 Orchard
Lake Forest CA 92630
Telephone: 949-837-0404, ext 20

LOCATION: The El Dorado Residential Development Project (Project) is located at Latitude 36° 14' 31" North and Longitude 117° 9' 42" West within Section 21, Township 19 South, and Range 61 East, and can be seen on the Gass Peak Southwest, Nevada USGS Quadrangle. The Project is bounded by Centennial Parkway to the south, Revere Street to the east, Clayton Street to the west, and undeveloped land near the Interstate 215 Freeway to the north. The Project is located in the Community of North Las Vegas, Clark County, Nevada and is bounded by recent development to the east, south and west.

PROJECT DESCRIPTION: The applicant is proposing to construct approximately 825 single-family homes in the El Dorado development. Based on the available information, the overall project purpose is to construct residential housing. The applicant believes there is a need to provide residential housing based on the current population growth trends of North Las Vegas, which is one of the fastest growing communities in the United States. 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. Wetlands are not present within the project area. The site is characterized as creosote bush scrub which is commonly associated with the Las Vegas Valley and Mojave Desert and dominated by honey mesquite, white bursage, creosote, and four wing salt bush. The property contains 3 jurisdictional drainage complexes which contain some large cottonwoods and tamarix vegetation.

Alternatives. The applicant has 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.

Alternative 1- No Project Alternative: Alternative 1 consists of not constructing the proposed residential housing project and leaving the project area undisturbed. This would not result impacts to waters of the U.S.

but would not allow the construction of 825 single-family residential housing units. Additionally, alternative 1 would not authorize infrastructure improvements consisting of roadway construction north of Centennial Parkway, 100 year flood protection, and water and sewer line construction within the project area. Alternative 1 would not authorize impacts to waters of the U.S. and would not require a permit from the U.S. Army Corps of Engineers.

Alternative 2- No Federal Action Alternative: Alternative 2 consists of constructing approximately 700 single-family housing units and would not result in impacts to waters of the U.S. Alternative 2 would consist of approximately 165 less single-family housing units, than the applicant's preferred alternative and would require the installation of approximately 7 span bridges, each costing approximately \$500,000 extra. This alternative would further not provide the required 100-year flood protection.

Alternative 3- Full Impact Alternative: Alternative 3 consists of constructing approximately 825 single-family residential houses and would permanently fill 1.55 of 1.55 acres of jurisdictional waters. Alternative 3 would result in no loss of residential housing units and would not require span bridges since all drainages features on site would be filled. Alternative 3 would provide 100-year flood protection within the project area.

Alternative 4- Applicant Preferred Alternative: Alternative 4 consists of constructing approximately 825 single-family residential houses and providing 100-year flood protection for the proposed development. Alternative four would permanently fill 1.44 of 1.55 acres if jurisdictional waters, and would avoid the 0.11 acre of existing jurisdictional concrete lined ditch on the southeastern boundary of the property.

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 not proposed a specific compensatory mitigation plan at this time.

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

HISTORIC PROPERTIES: Based on the available information, the project would not affect Historic Properties. The applicant conducted a Class III archeological reconnaissance of the project area in July 2005, of which no Historic Properties were located. Should additional information become available, the Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

ENDANGERED SPECIES: The proposed activity may affect the Federally-listed endangered desert tortoise (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 April 3, 2008**.

Kiel Downing, Project Manager
US Army Corps of Engineers, Sacramento District
St. George Regulatory Office
321 North Mall Drive, Suite L-101
St. George, Utah 84890
Email: kiel.g.downing@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, Kiel Downing, 435-986-1961, email kiel.g.downing@usace.army.mil.

Attachments: 7 drawings