



PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT**

BUILDING STRONG®

**APPLICATION FOR PERMIT
Sand Canyon Plaza**

Public Notice/Application No.: SPL-2016-00274-AJS

Project: Sand Canyon Plaza, Tract no. 050374

Comment Period: August 2, 2017 through September 1, 2017

Project Manager: Antal Szijj; 805-585-2147; Antal.J.Szijj@usace.army.mil

Applicant

Tom Clark
Sand Canyon Plaza, LLC
28504 Soledad Canyon Road
Santa Clarita, California 91350

Contact

Glenn Adamick
JSB Development
27451 Tourney Road, Suite 250
Santa Clarita, California 91355

Location

Sand Canyon Channel within the city of Santa Clarita, Los Angeles County, CA (at: 34.4318°N latitude, 118.4197°W longitude). See attached Figures 1 and 2.

Activity

To discharge fill into approximately 1.56 acres of waters of the United States, including 0.09 acre of wetlands, for drainage improvements associated with the construction of "Sand Canyon Plaza, Tract no. 050374," a mixed-used residential and commercial development (see attached drawings). For more information see Additional Information section below.

Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act. Comments should be mailed to:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Antal Szijj
Ventura Field Office
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

Alternatively, comments can be sent electronically to: Antal.J.Sziji@usace.army.mil

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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 proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers 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 of Engineers 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 the 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.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made an environmental impact statement is not required for the proposed work.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

Coastal Zone Management- This project is located outside the coastal zone and preliminary review indicates it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources..

Essential Fish Habitat- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH would be affected by the proposed project.

Cultural Resources- The latest version of the National Register of Historic Places (NRHP) has been consulted and this site is not listed. A Phase 1 inventory was completed on behalf of the applicant including archival research at the South Central Coast Information Center, a search of the Native American Heritage Commission's (NAHC) Sacred Land File and a pedestrian survey of the entire project site (including areas within and outside the Corps' area of potential effect). The records search indicated previous documentation of 5 recorded sites and 2 isolated sites within a one-mile radius of the project site. No sites have be documented within the project site and results of the pedestrian survey were also negative. The Corps has solicited input from the Native American contacts provided by the NAHC and will be consulting with the State Historic Preservation Office pursuant to our implementing regulations for Section 106 of the National Historic Preservation Act.

Endangered Species- A Biological Assessment was prepared by Impact Sciences in November 2015 that included a records search and field surveys for sensitive plant and animal species, including federally listed threatened and endangered species. The project site supports approximately 38 acres of California sagebrush-California buckwheat scrub habitat and approximately 25 acres of chamise chaparral, which may provide suitable habitat for the threatened California gnatcatcher (*Polioptila californica*). Focused surveys for the California gnatcatcher following U.S. Fish and Wildlife Service protocol were completed in 2014 and 2015, which did not detect the presence of this species. Similarly, focused plant surveys in the spring of 2014 and 2015 did not reveal any federally listed plant species on the project site. Additionally, the project site is not within designated critical habitat for any federally listed threatened or endangered species. Preliminary determinations indicate the proposed activity would not affect federally listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

Basic Project Purpose- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). The basic project purpose for the proposed project is residential and commercial development. The project is not water dependent.

Overall Project Purpose- The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the proposed project is to construct a mixed use community development on approximately 100 acres which could support mixture of commercial and residential units, including an assisted-living facility, compatible with surrounding land uses in the City of Santa Clarita.

Additional Project Information

Baseline information- The 87-acre project site is located in the City of Santa Clarita, at the intersection of Soledad Canyon Road and Sand Canyon Road (see Figure 2). The southwest corner of the property is occupied by an existing mobile home park covering approximately 15 acres. The remainder of the property is dominated by steep-gradient slopes primarily supporting chamise chaparral and sagebrush scrub vegetation communities. Surrounding land uses include residential development and associated infrastructure to the east and west, Soledad Canyon Road and Highway 14 to the south and open space to the north.

The project site includes an unnamed tributary to the Santa Clara River running north to south along the western edge of the property and adjacent to Sand Canyon Road (Figure 3), with a drainage basin of approximately 500 acres. The drainage supports an ephemeral flow regime, augmented in portions where discharge points from storm drain outfalls convey urban runoff into the channel. The upper section of the unnamed drainage includes an outfall under Sand Canyon Road at the northwest corner of the property, which supports an arroyo willow thicket of approximately 0.5 acre. The remaining upstream half of the unnamed tributary predominantly supports a holly leaf cherry-buckwheat scrub vegetation community. The lower half of the unnamed tributary on the project site has been modified for flood control purposes where it meets the existing mobile home park. A small basin and inlet structure convey flows from the natural channel into a culvert under the existing mobile home park for approximately 700 feet, which transitions to an open channelized section for an additional 700 feet before being conveyed off site through a culvert under Soledad Canyon Road and adjacent developed areas, eventually discharging to the Santa Clara River. A total of 1.56 acres of waters of the U.S. occur on site, of which 0.09 acre within the channelized section is wetland. No other drainage features exhibiting an ordinary high water mark are evident on the project site.

Project description- The Applicant proposes to impact all jurisdictional waters on the 87-acre project site (1.56 acres of waters, 0.09-acre of which is wetlands) for the construction of a storm drain system associated with a mixed-use development, including a mix of residential housing (580 units, including 312 apartment units, 122 multi-family units and 146 single family condominiums), private

recreation areas, 55,600 square feet of retail commercial uses (including restaurants) and a 75,000 square-foot (up to 120-bed) assisted living facility. The project would require mass grading of the site to develop in accordance with the attached site plan (Figure 3).

Proposed Mitigation– The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. The applicant proposes to compensate for the removal of 1.561 acres of waters of the United States, including 0.09 acre of wetlands by preserving approximately 14 acres of riparian habitat, including approximately 5.9 acres of waters of the U.S., and recording a conservation easement over approximately 40 acres of upland habitat on a portion of Bee Canyon, an ephemeral drainage tributary to the Santa Clara River, located 3.7 miles east of the subject property (Figure 4). The conservation easement would also protect a known population of slender horned spineflower, a state and federally listed endangered plant species.

Proposed Special Conditions

None proposed at this time.

For additional information please call Antal Szijj of my staff at 805-585-2147 or via e-mail at Antal.J.Szijj@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

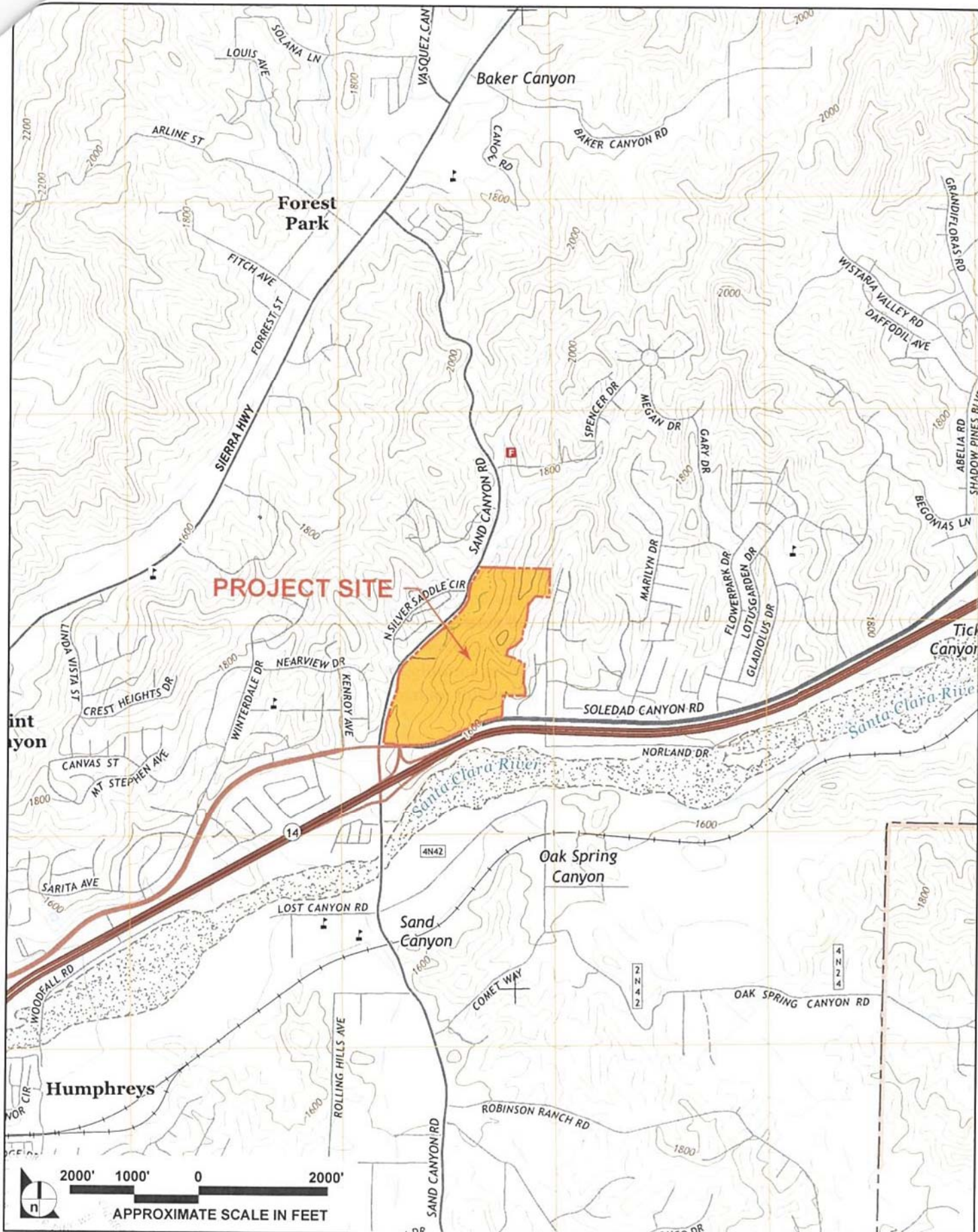
DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
Ventura Field Office
2151 Alessandro Drive, Suite 110
Ventura, CA 93001
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SOURCE: E. Read and Associates, Inc., September 2014

FIGURE 1

Regional Location



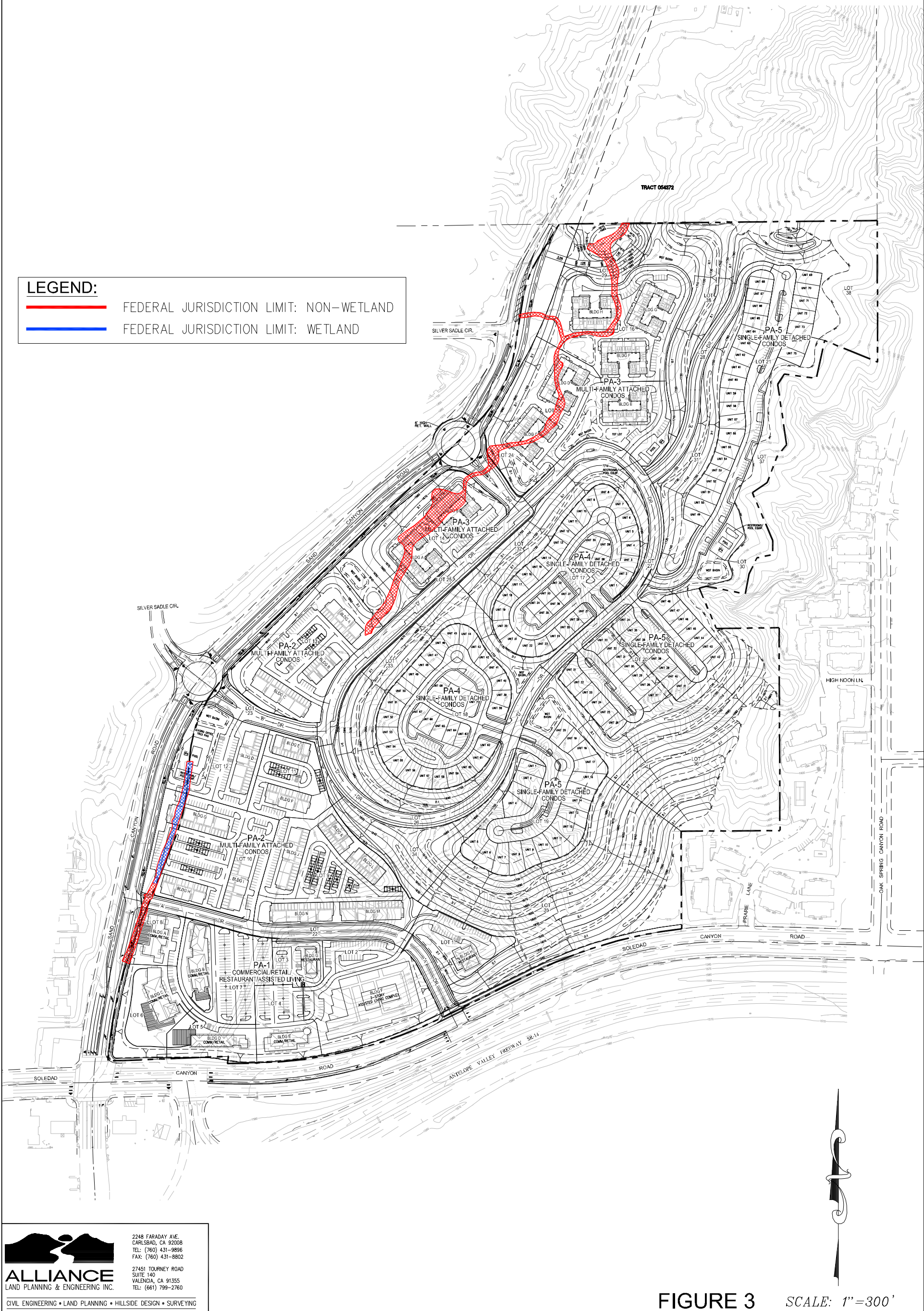
SOURCE: USGS 7.5 min. Mint Canyon Quadrangle, 2015.

FIGURE 2

Site Location

SAND CANYON PLAZA

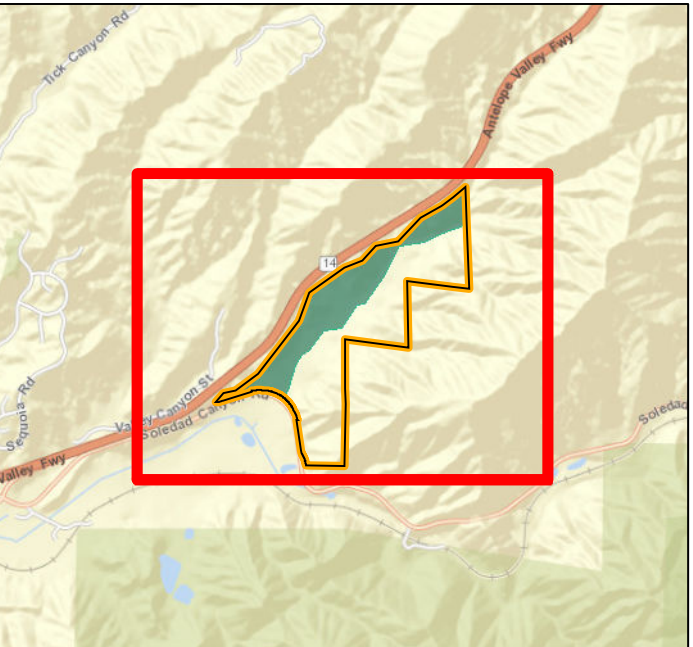
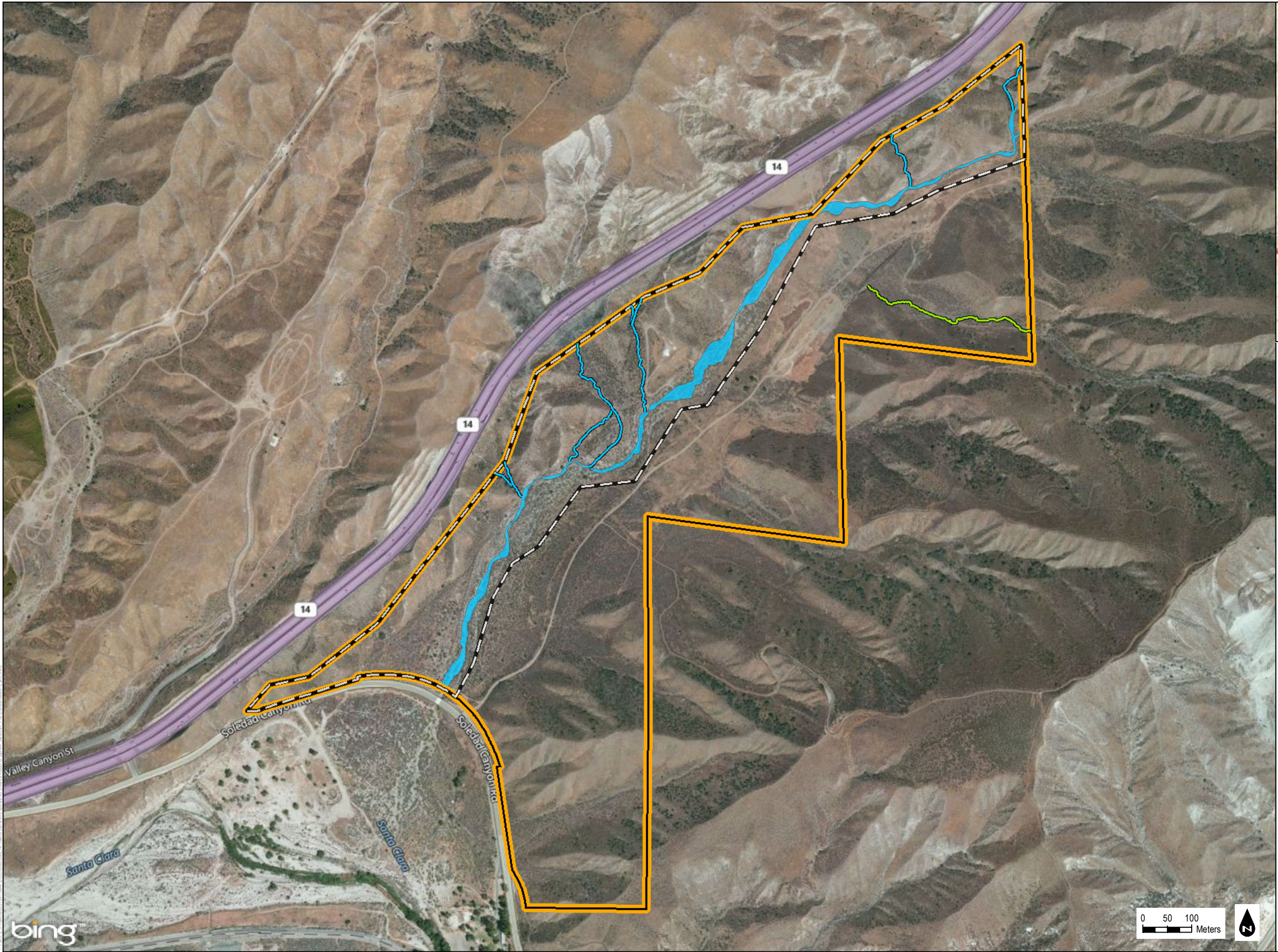
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ACOE JURISDICTION
3/13/17



2248 FARADAY AVE.
CARLSBAD, CA 92008
TEL: (760) 431-9896
FAX: (760) 431-8802

27451 TOURNEY ROAD
SUITE 140
VALENCIA, CA 91355
TEL: (661) 799-2760

CIVIL ENGINEERING • LAND PLANNING • HILLSIDE DESIGN • SURVEYING



- Project Boundary
- Conservation Easement (78.58 Acres)
- Jurisdiction**
 - ACOE/RWQCB/CDFW