



# PUBLIC NOTICE

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

**BUILDING STRONG®**

## **APPLICATION FOR PERMIT Cascada Master-Planned Development**

**Public Notice/Application No.:** SPL-2004-00459-MWL

**Project:** Cascada Master-Planned Development

**Comment Period:** December 17, 2012 through January 16, 2013

**Project Manager:** Michael Langley; 602-230-6953; Michael.W.Langley@usace.army.mil

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### **Applicant**

Larry Kreis  
Red Point Development, Inc.  
8710 North Thornydale Road  
Suite 120  
Tucson, Arizona 85742

### **Contact**

Russell Waldron  
SWCA Environmental Consultants  
343 West Franklin Street  
Tucson, Arizona 85701-8294

### **Location**

Within the city of Marana, Pima County, Arizona in portions of sections 9, 10, 11, 14, 15, and 22 in T12S, R12E (Figures 1 and 2).

### **Activity**

To construct a 1,490-acre mixed-use, master-planned development known as Cascada, resulting in the development of 877 acres for residential and commercial uses and 83 acres of Enhanced Open Space (EOS). The project would also set aside 530 acres of Natural Undisturbed Open Space (NUOS). Cascada would result in a total of 35.6 acres of permanent impacts to jurisdictional waters of the U.S. (WUS) (31.0 acres direct and 4.6 acres indirect) to accommodate new roadways, pads, and utilities. This application presents amendments to a previously permitted project under this file number. For more information see page 4 of this notice.

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawings. 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 support 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:

LOS ANGELES DISTRICT CORPS OF ENGINEERS  
ARIZONA-NEVADA OFFICE  
3636 NORTH CENTRAL AVENUE, SUITE 900  
PHOENIX, AZ 85012-1939

Alternatively, comments can be sent electronically to: [Michael.W.Langley@usace.army.mil](mailto:Michael.W.Langley@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 WUS. 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 that 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 Arizona Department of Environmental Quality. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

**Cultural Resources**- Formal consultation under Section 106 of the National Historic Preservation Act was completed for the previous permit application between the Corps, State Historic Preservation Office, and appropriate Native American Tribes regarding the project's effects on cultural resources. A Memorandum of Agreement (MOA) was executed and a Historic Properties Treatment Plan was previously completed. The Corps will ensure that all requirements of the existing MOA are met and that any additional requirements are identified and executed.

**Endangered Species**- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, the Corps has determined that the project would have no effect on any proposed or currently listed threatened or endangered species.

**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). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary. The basic project purpose for the proposed project is shelter. 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 develop a mixed-use, master-planned community that would provide a wide variety of residential housing, employment centers, and commercial facilities that would be served by existing and planned infrastructure and integrated into the existing and planned developments in the northwest Tucson metropolitan area, which includes Marana, Oro Valley, Catalina, and unincorporated Pima County.

## Additional Project Information

Background- The Corps first issued a Public Notice for the original project on April 26, 2006. However, because there were three revisions to the proposed project after the original notice, a new Public Notice was issued on February 27, 2007. The three changes were: a) removal of some property from the project area because of a land sale, b) modification of the original plan to incorporate a regional wildlife corridor into the plan in response to public comment, and c) modification of drainage plans to reduce off-site impacts to WUS. A Standard Individual Permit was issued for this revised project that is valid for the project through February 13, 2013.

The current proposal differs from the existing permitted project in a number of ways and requires a new public notice. The following summarizes these differences:

- The total project size increased from 1,177 to 1,490 acres.
- NUOS increased from 360 acres to 530 acres.
- EOS decreased from 96 to 834 acres.
- Developed areas increased from 721 to 877 acres.
- Direct impacts to WUS increased from 24.2 to 31.0 acres
- Indirect impacts to WUS increased from 3.9 to 4.6 acres
- Total impacts to WUS increased from 28.1 to 35.6 acres

Project description- The applicant is planning to develop Cascada, a mixed-use, master-planned development, on an approximate 1,490-acre property located north of the intersection of Interstate 10 (I-10) and Twin Peaks Road in the town of Marana, Pima County, Arizona (Figures 1 & 2). The project would result in the development of 877 acres for residential and commercial uses and 83 acres of EOS. The project would also set aside 530 acres of NUOS. Cascada would result in a total of 35.6 acres of permanent impacts to WUS (31.0 acres direct and 4.6 acres indirect) to accommodate new roadways, pads, and utilities, and would avoid 30.4 acres of WUS within the project area. Cascada is divided into two main development areas (Cascada North and Cascada South) and is separated by the proposed Lambert Land roadway alignment. Key features of development area are detailed below:

### Cascada North (North of Lambert Lane):

- Gross area of approximately 622 acres
- Development of approximately 249 acres (40% of gross area)
- Medium-density residential on approximately 179 acres and medium high-density residential on approximately 70 acres
- Proposed residential yield of 1,387 units
- Approximately 530 acres of NUOS and 6 acres of Open Space Utilities

### Cascada South (South of Lambert Lane):

- Gross area of approximately 868 acres
- Moderate- to high-density residential and commercial development on approximately 628 acres (72% of gross area)
- Approximately 83 acres of EOS

WUS in the northern development area would be impacted by building pads or pad fills and road and utility crossings. Road crossings throughout the northern development area would generally be at-grade crossings and would be designed under current standards for the Town of Marana (Figure 3). A typical cross section of utility crossings north of Lambert Lane is provided as Figure 4.

All crossings would be 50-foot easements granted to the public and used for below-grade construction of utilities such as water, electricity, gas, telephone, and possibly sewer. A typical utility drainageway crossing cross section is provided as Figure 5.

Open space areas are to be enhanced with plantings of native trees and shrubs to improve their habitat value; no waters would be impacted in these areas except for planned road, trail, or utility crossings. Side slopes of these open space drainage areas would be reinforced, where necessary, with gunite or some other method to prevent lateral erosion into developed areas (Figure 6).

The construction of interceptor and collector channels is required to control the sheetflow condition on the property and to remove the constructible areas of the property from the 100-year floodplain. Several interceptor channels would be constructed along the eastern project boundary and along Lambert Lane. The conceptual locations of the collector and interceptor channels within the project area are provided in Figure 2.

The interceptor and collector channels would collect stormwater and convey it to the nearest EOS drainageways. Figures 7 and 8 provide typical cross sections for the project interceptor and collector channels, respectively. The open space drainageways would convey the stormwater flows downstream through the project area to retention/detention structures, which would meter stormwater flows into the Santa Cruz River via the existing culverts beneath the Union Pacific Railroad tracks and I-10. Figure 9 provides a cross section of a typical retention/detention basin. Prior to discharge of stormwater to the retention/detention basins, the water would flow through 400-foot transition zones at the downstream end of four of the EOS drainageways (see Figure 2). The transition zones would act to control sediment discharge to the retention/detention areas though surface water flows would remain generally unchanged. Regular maintenance of these areas would be required after construction in order to remove excess sediment.

Figure 10 depicts where off-site indirect impacts would occur, due to the severing of upstream tributaries from the project area. Where WUS are impacted by building pad/pad fills, the WUS would be rerouted around the fill to discharge into the same downstream flow channels (Figures 11-12).

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. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

**Avoidance:** Planning efforts included consideration of whether some impacts to WUS could be avoided by constructing all crossings of jurisdictional waters above the Ordinary High Water Mark (OHWM), so that no discharge of fill occurred in WUS at these crossings. The applicant determined that such a design was not feasible. Construction of this project would avoid impacts to 30.4 acres of WUS.

**Minimization:** Proposed discharges into WUS have been designed to be the least amount necessary to construct the project, and protective measures would be taken during

construction to minimize impacts to WUS. The applicant has designed the project such that approximately 530 acres would be left as NUOS, which includes creating a wildlife corridor along the north side of the project between the project and the adjacent Arizona State Land Department trust lands.

Compensation: Compensation for loss of WUS would consist of payment of an in-lieu fee, with a mitigation ratio (proposed by the applicant) of 3:1, payable to an approved In-Lieu Fee Program. In addition, existing vegetation would be retained along WUS within the EOS areas. This would occur to the greatest extent practicable, and these areas would be enhanced with additional plantings. The drainage channels within the EOS areas are designed to provide functions and values (e.g., wildlife usage) that are higher than those that currently exist within this portion of the project area (i.e., Cascada South).

### **Proposed Special Conditions**

To be developed.

For additional information please call Michael Langley of my staff at 602-230-6953 or via e-mail at Michael.W.Langley@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



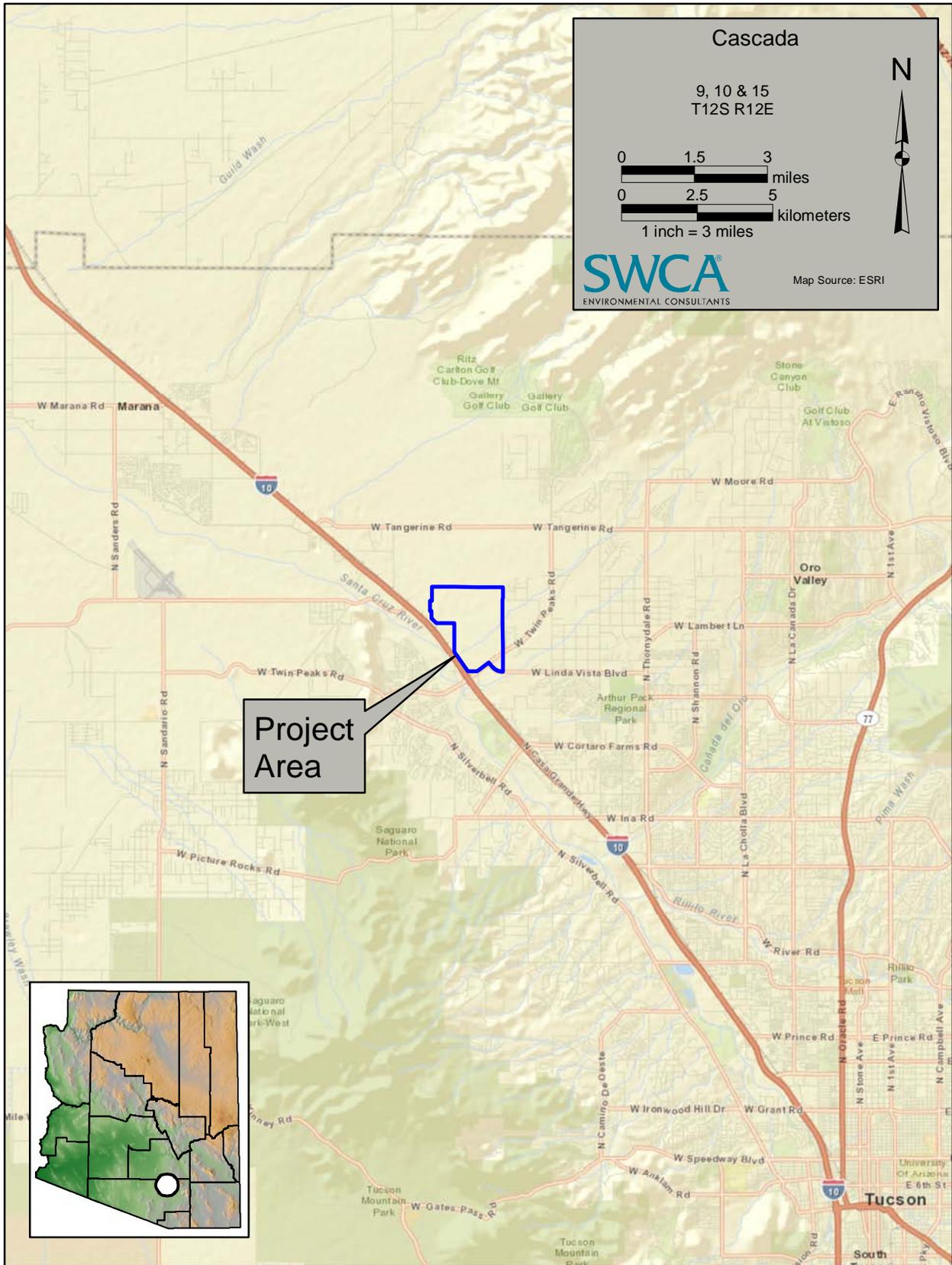
#### *Regulatory Program Goals:*

- 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.

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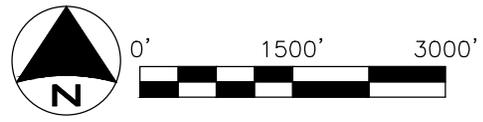
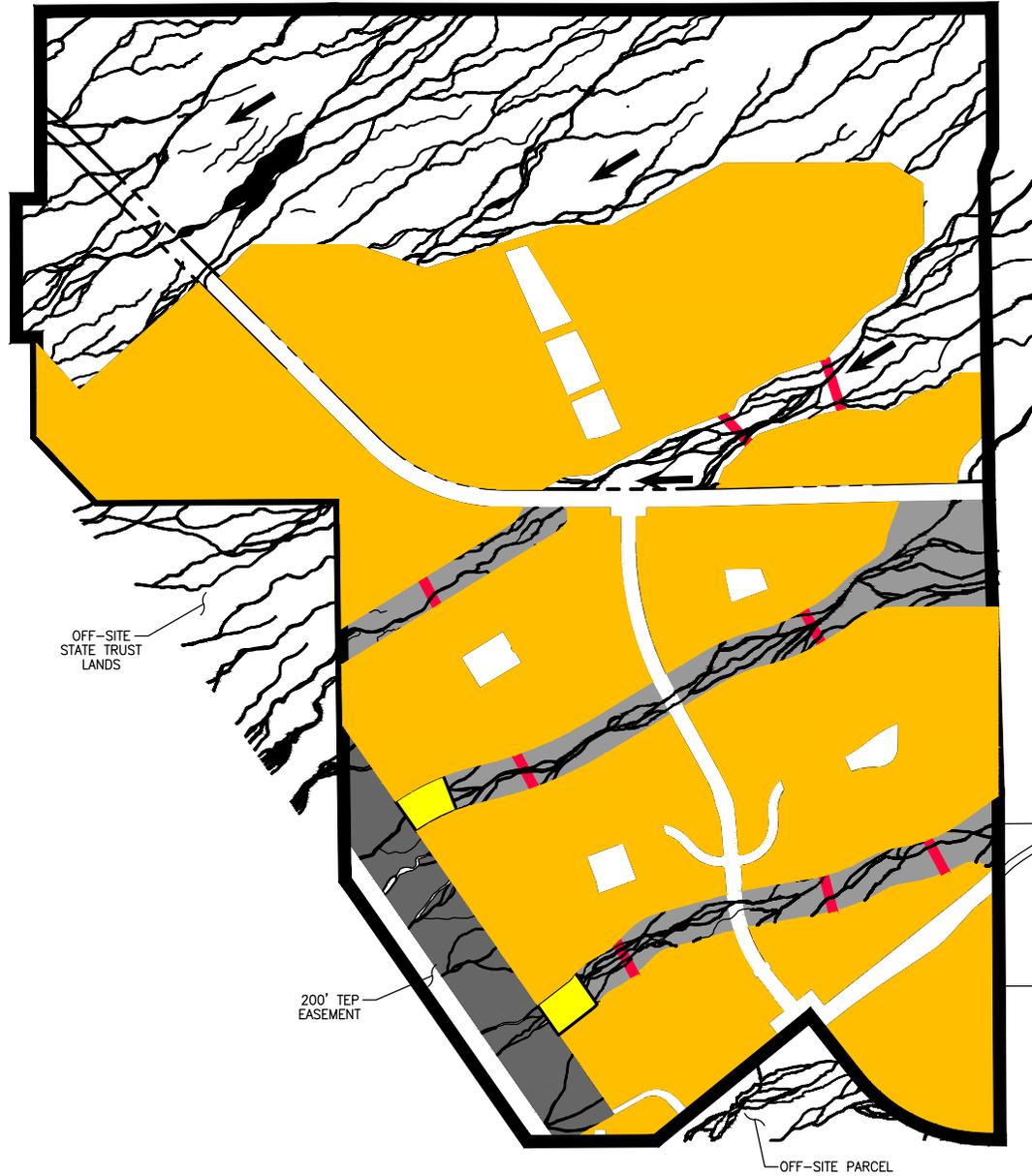
**U.S. ARMY CORPS OF ENGINEERS – LOS ANGELES DISTRICT**  
LOS ANGELES DISTRICT CORPS OF ENGINEERS  
ARIZONA-NEVADA OFFICE  
3636 NORTH CENTRAL AVENUE, SUITE 900  
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**Figure 1.** General location of the project area.



**LEGEND**

-  **DEVELOPMENT AREA**  
(100% SURFACE DISTURBANCE)
-  **ENHANCED OPEN SPACE CORRIDORS**
-  **MULTI-USE AREAS**  
(WILDLIFE CATCHMENT AREAS [50-FOOT VEGETATED BUFFER], STORMWATER RETENTION/DETENTION AND RECREATION)
-  **ENGINEERING TRANSITION ZONE**
-  **50-FOOT WIDE UTILITY CROSSINGS**  
(LOCATION CONCEPTUAL & SUBJECT TO CHANGE)
-  **404 DELINEATED WASH AVOIDED**
-  **404 DELINEATED WASH IMPACTED**
-  **DIRECTION OF FLOW**

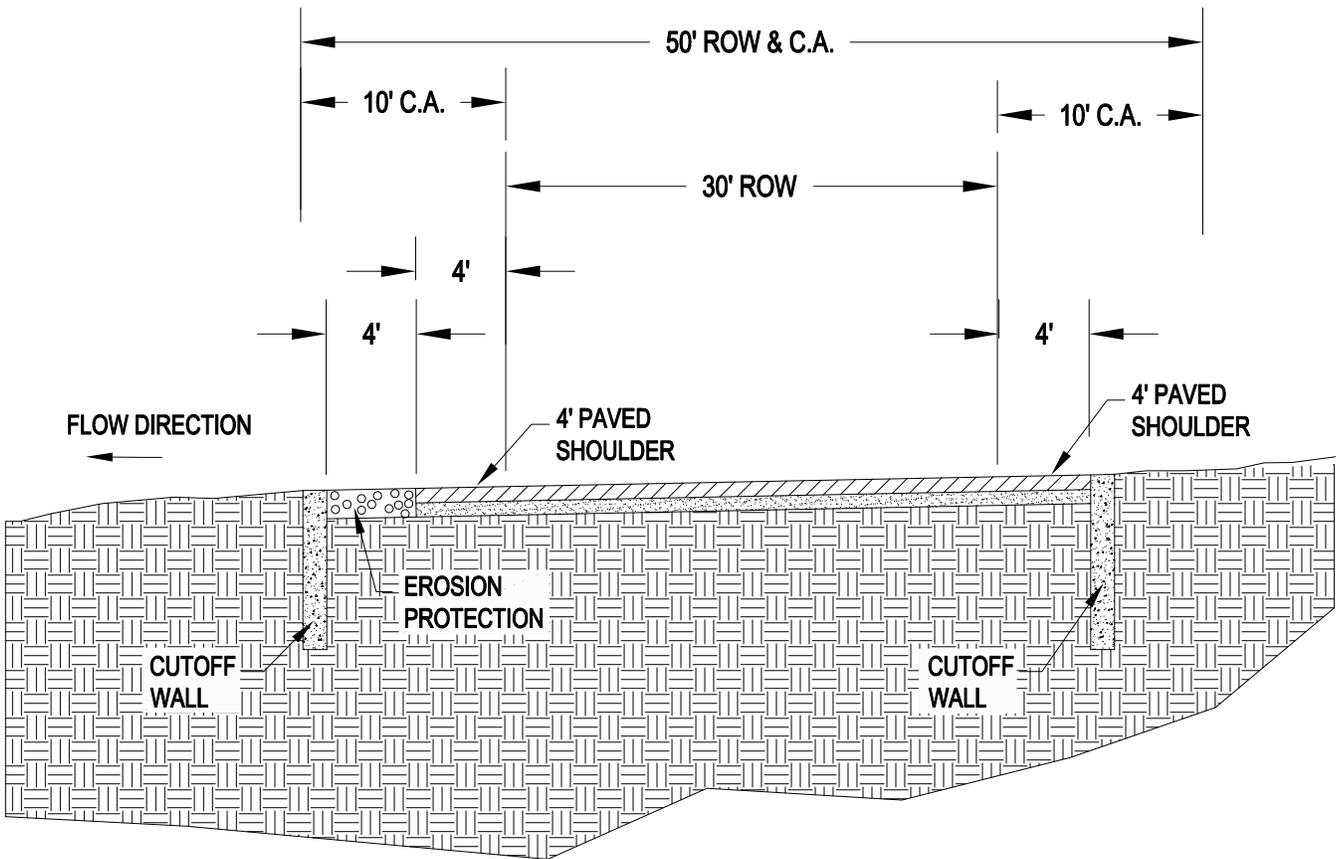
T-12-S, R-12-E, PORTIONS OF SECTIONS 9, 10, 11, 14, 15 & 22 PIMA COUNTY, ARIZONA  
 MARANA AND RUELAS CANYON 7.5 MINUTE USGS QUADRANGLES  
 PROPERTY BOUDARY BY ASHBY SURVEYING / AMERSON SURVEYING

**RED POINT DEVELOPMENT  
 CASCADA & CASCADA NORTH**  
 ACOE FILE NO. \_\_\_\_\_

**PROJECT PLAN  
 FIGURE 2**

SOURCES: CASCADA SPECIFIC PLAN AND CASCADA NORTH SPECIFIC PLAN AS MODIFIED BY RED POINT DEVELOPMENT





## RED POINT DEVELOPMENT CASCADA

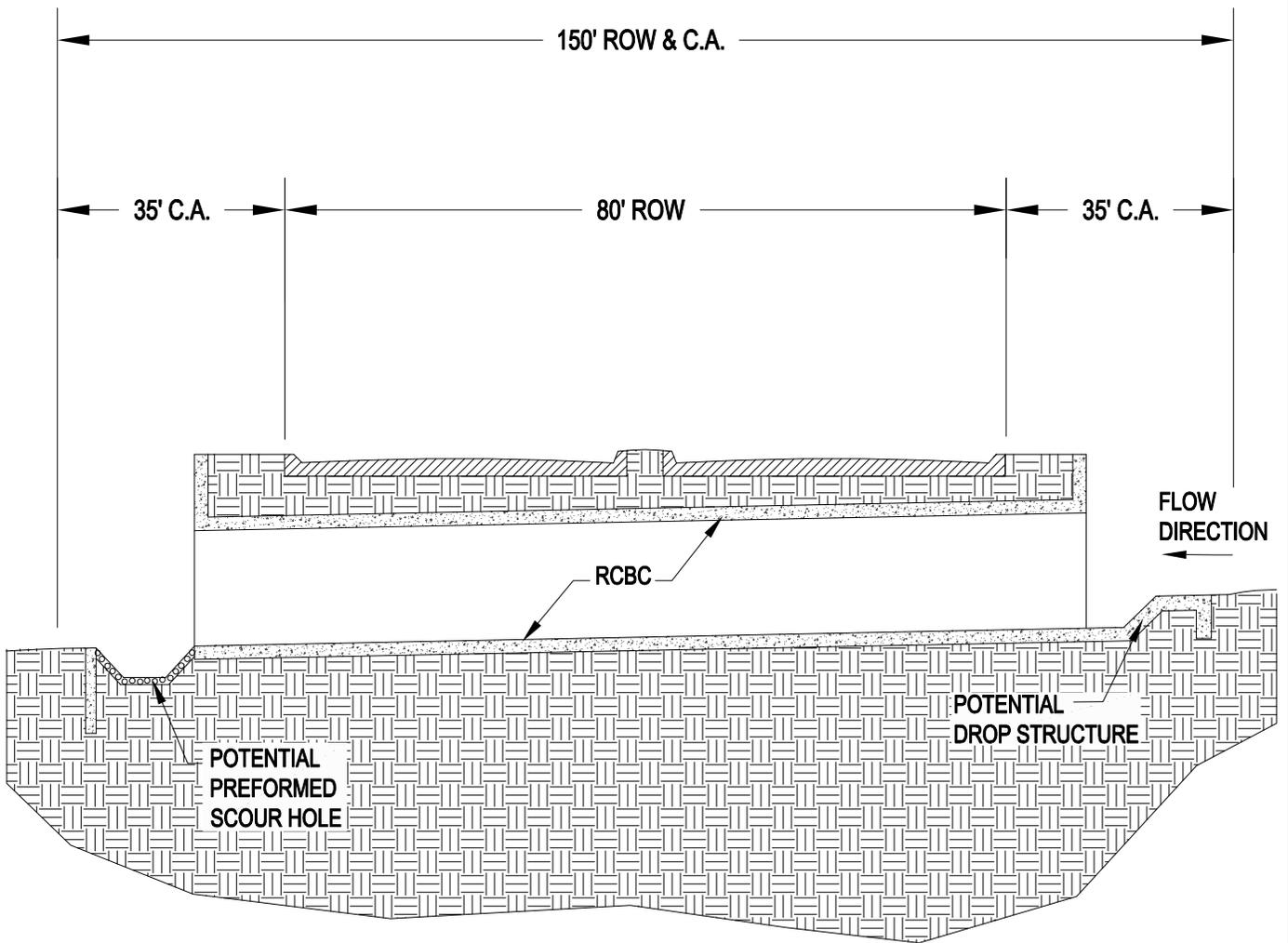
ACOE File No. 2004-00459-MB

Typical Roadway / Drainageway Crossing  
North of Lambert

Figure 3

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DWG FullPath: M:\projects\391.10\404-application-Jan.-2006\PN-April-06\fig-4-x-section south.dwg

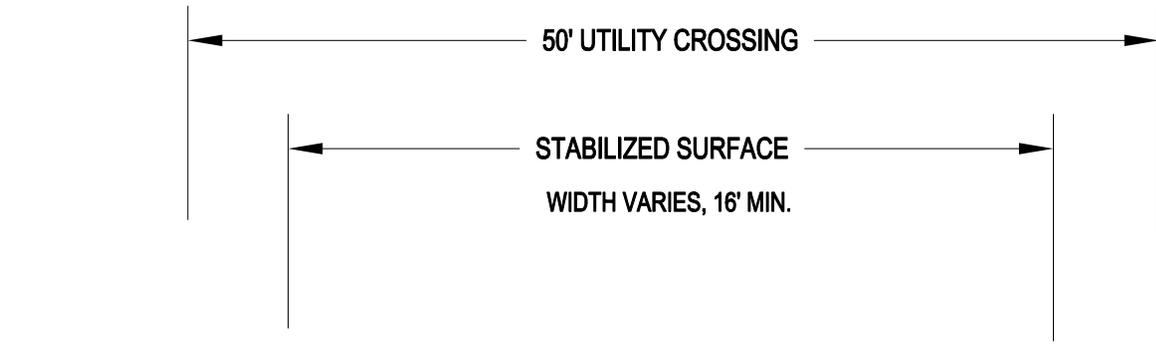


## RED POINT DEVELOPMENT CASCADA

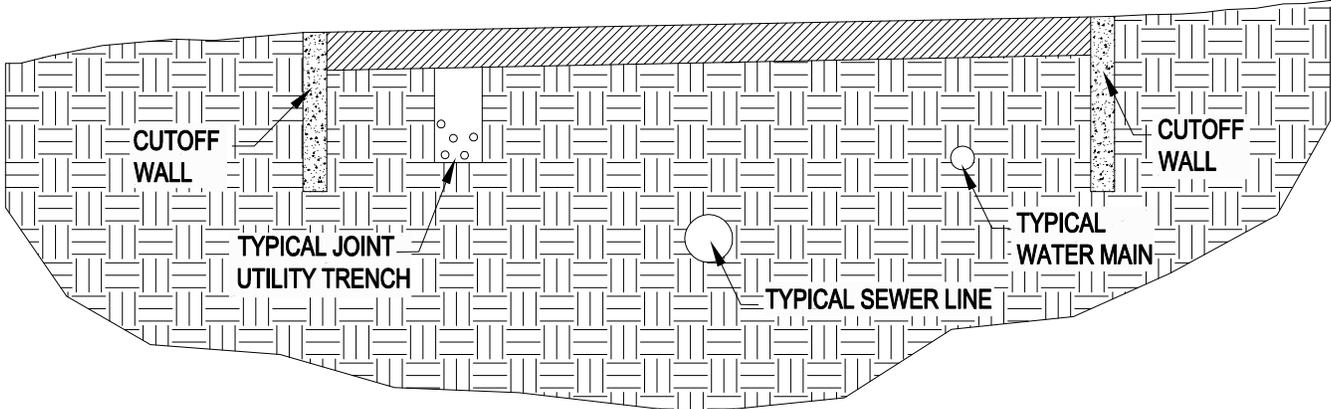
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Typical Roadway / Drainageway Crossing  
South of Lambert

Figure 4



FLOW DIRECTION  
←



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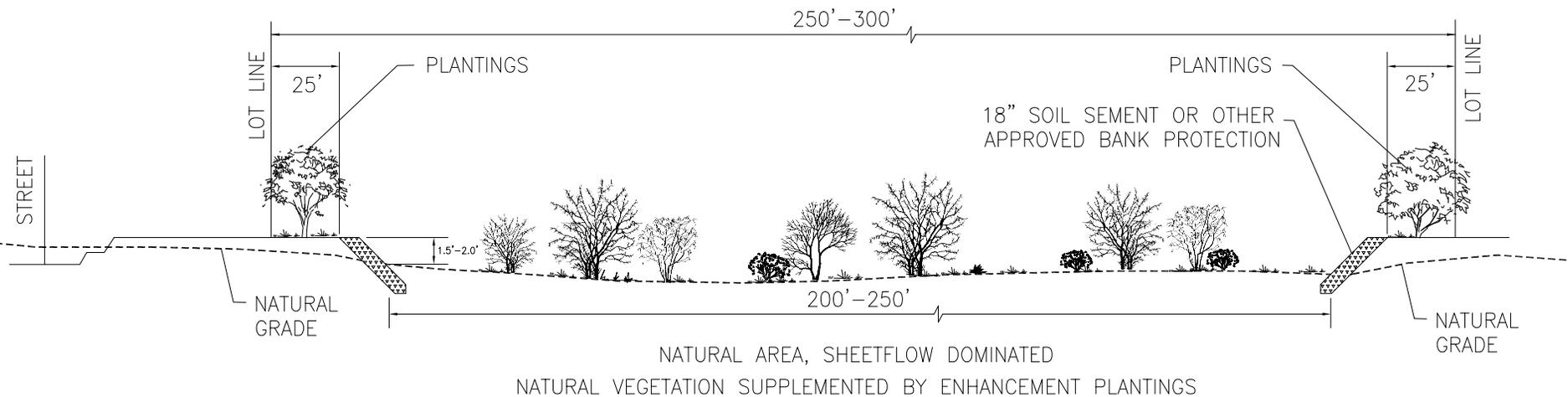


**WestLand Resources Inc.**  
Engineering and Environmental Consultants  
2343 E. Broadway Blvd, Suite 202  
Tucson, Az 85719 (520) 206-9585

**RED POINT DEVELOPMENT  
CASCADA**  
ACOE File No. 2004-00459-MB  
Typical 50' Utility / Drainageway Crossing

Figure 5

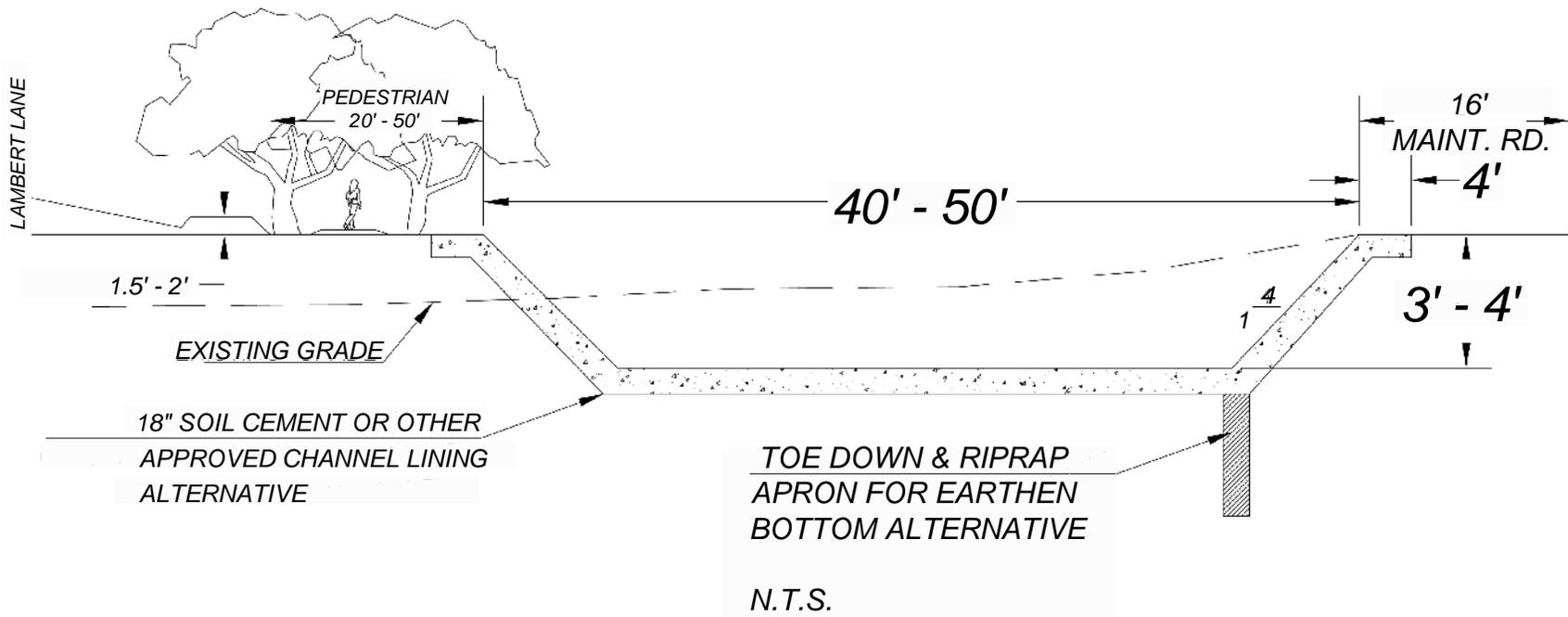
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**TYPICAL WASH CROSS SECTION**  
N.T.S.

  
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Engineering and Environmental Consultants  
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Tucson, Az 85719 (520) 206-9585

**RED POINT DEVELOPMENT**  
**CASCADA**  
ACOE File No. 2004-00459-MB  
Typical Enhanced Drainageway Cross Section  
Figure 6

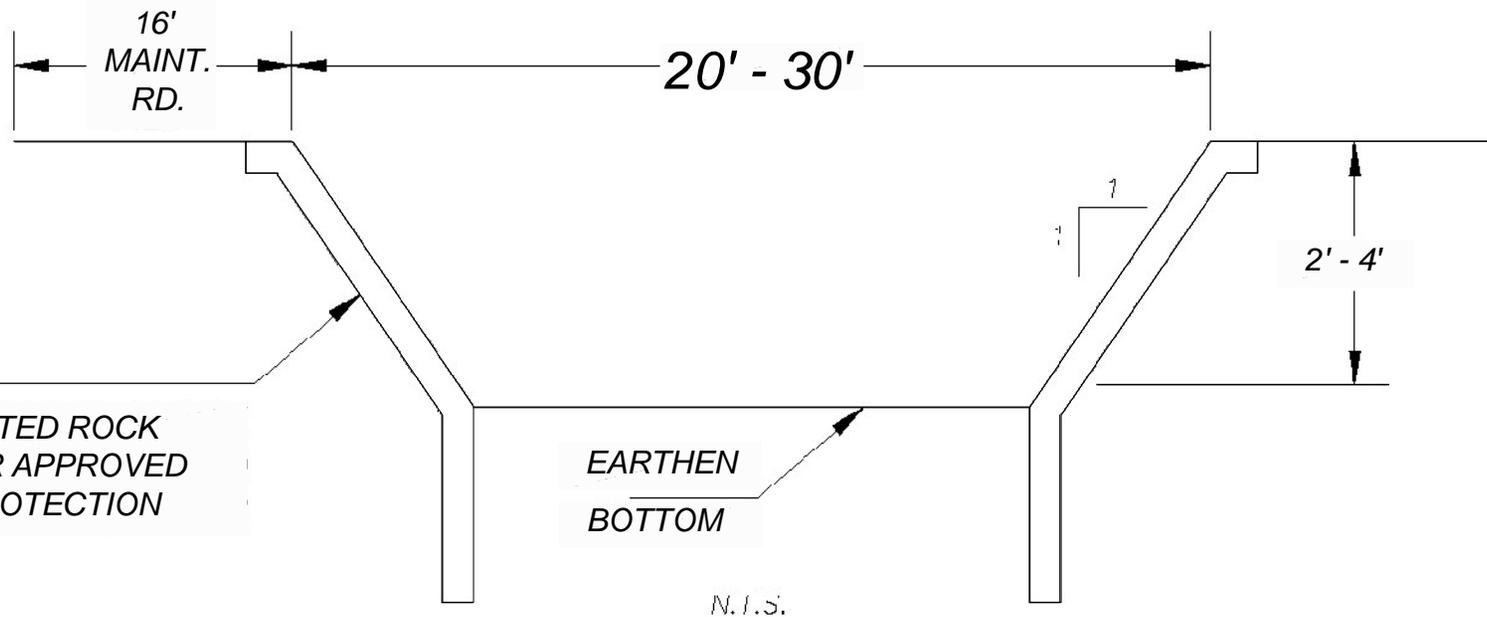


RED POINT DEVELOPMENT  
CASCADA

ACOE File No. 2004-00459-MB

Interceptor Channel Typical Cross Section

Figure 7

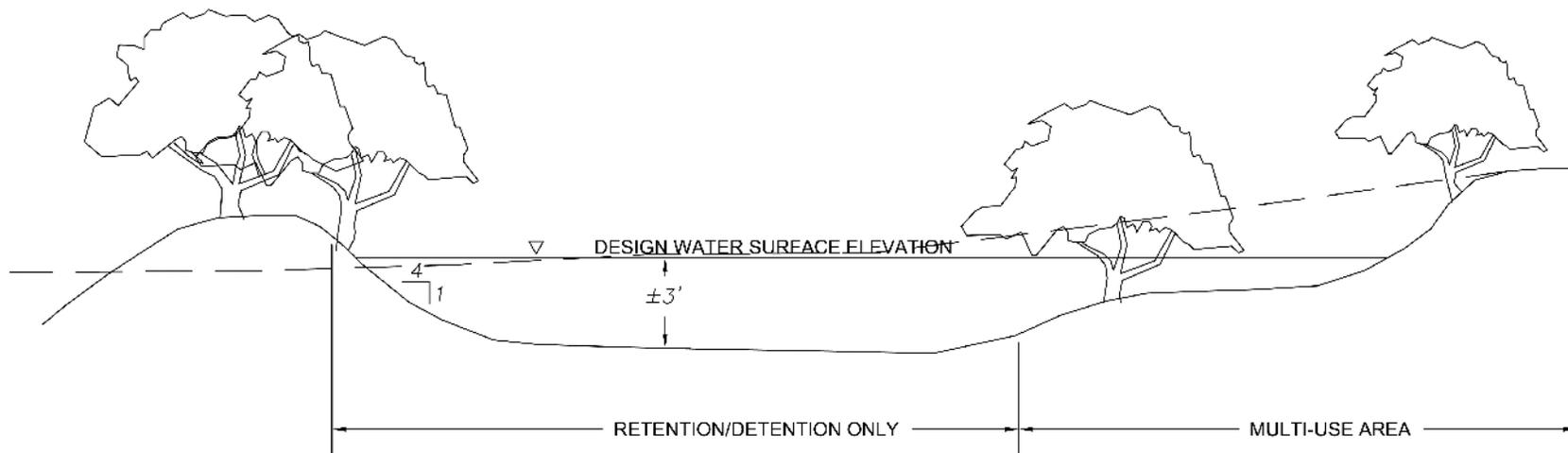


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Collector Channel Typical Cross Section

Figure 8



N.T.S.

**RED POINT DEVELOPMENT  
CASCADA**

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Retention Basin Typical Cross Section

Figure 9

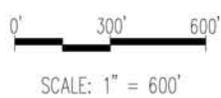
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Photo Source: Landiscor 2003

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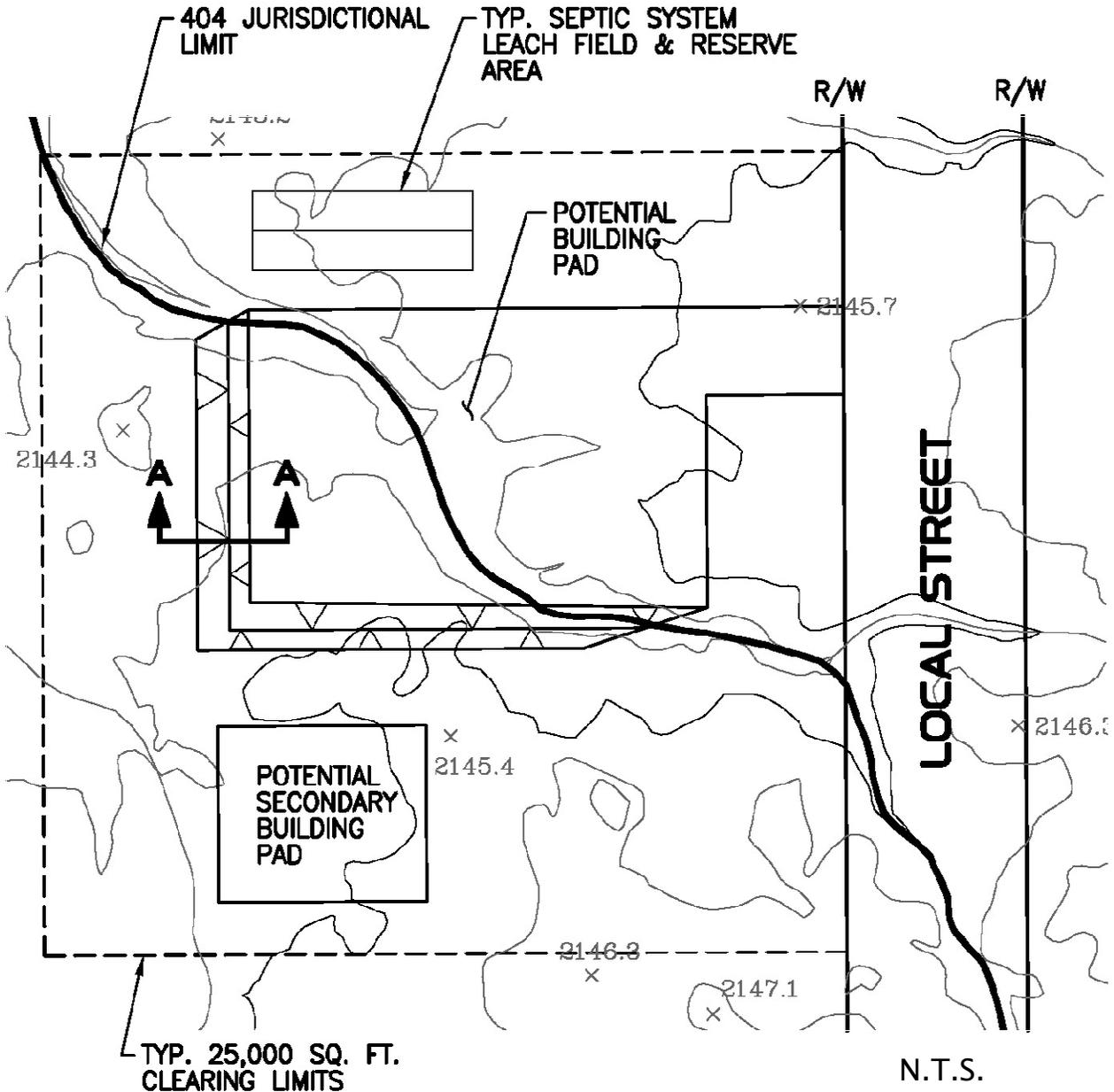


**Legend**

-  Jurisdictional Waters of the U.S. (ACOE File No. 2003-01181-MB)
-  Impacted Jurisdictional Waters of the U.S.
-  Subject Property

**RED POINT DEVELOPMENT**  
**CASCADA**  
 ACOE File No. 2004-00459-MB

Offsite Impacts  
 Figure 10



**NOTES:**

1. DRAWING NOT TO SCALE. TOPO SHOWN IS FOR GRAPHIC REPRESENTATION ONLY.
2. BUILDING PADS TO BE OUTSIDE 100-YR FLOODPLAIN LIMITS.
3. USE OF DIVERSION SWALE NOT ANTICIPATED AT TIME OF FINAL DEVELOPEMENT.

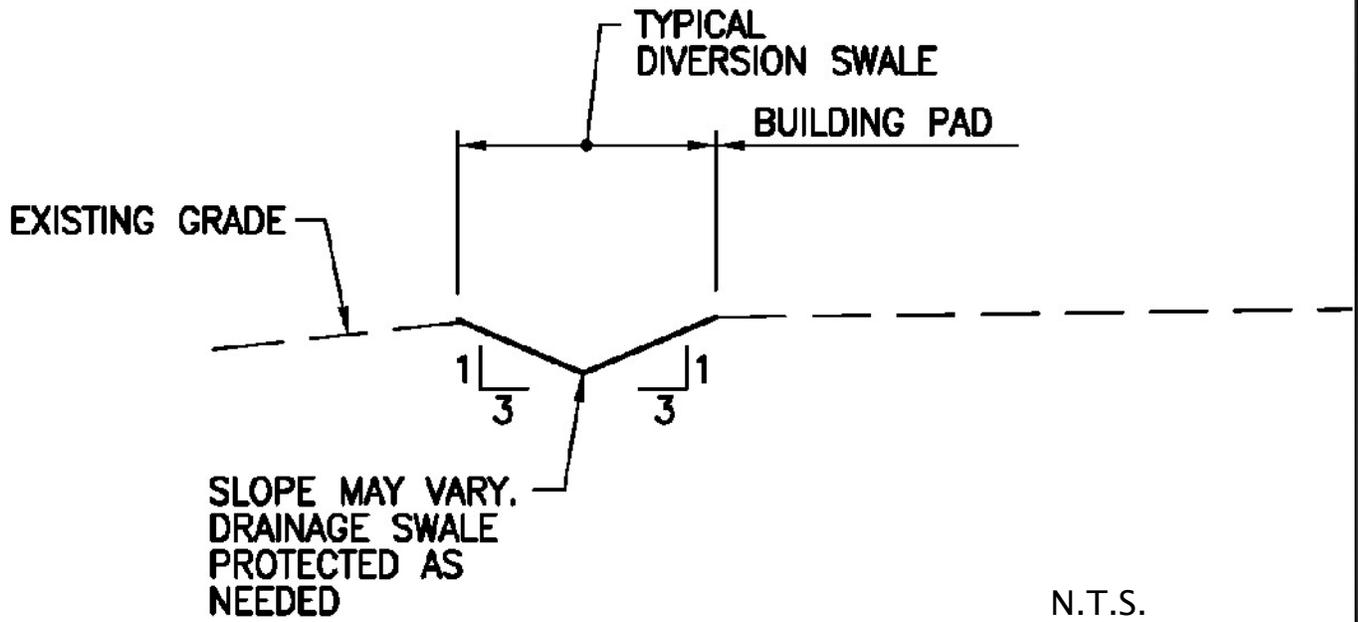
**RED POINT DEVELOPMENT  
CASCADA**

ACOE File No. 2004-00459-MB

Typical 404 Diversion Plan View

Figure 11

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RED POINT DEVELOPMENT  
CASCADA

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Typical 404 Diversion Cross Section

Figure 12

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