

# PUBLIC NOTICE

**US Army Corps  
of Engineers®**

APPLICATION FOR PERMIT

*LOS ANGELES DISTRICT*

**Public Notice/Application No.:** 200400769-DPS

**Comment Period:** August 16, 2004, through September 16, 2004

**Project Manager:** Daniel P. Swenson (213) 452-3414 [daniel.p.swenson@usace.army.mil](mailto:daniel.p.swenson@usace.army.mil)

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**Applicant**

Joon Kim  
Goldstone Development, Inc.  
511 North Brookhurst St., Suite 200  
Anaheim, California 92801

**Contact**

Manjunath Venkat  
AMEC Earth & Environmental, Inc.  
1 East Anapamu Street  
Santa Barbara, California 93101

**Location**

The proposed project is located within the city of Moreno Valley, Riverside County, California (Figure 1). The site occupies the northeast corner of the intersection of Pigeon Pass Road and Old Lake Drive (33° 58' 7.68"N and longitude: 117° 15' 27.18"W).

**Activity**

Goldstone Development, Inc. proposes to construct a 40-acre residential development (approx. 190 single-family dwellings) (Figure 3). The proposed project would permanently impact 1.291 acre of waters of the U.S., none of which is wetlands. For more information see page 3 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 drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District  
Regulatory Branch  
ATTN: CESPL-CO-R-200400769-DPS  
P.O. Box 532711  
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: [daniel.p.swenson@usace.army.mil](mailto:daniel.p.swenson@usace.army.mil)

## **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 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 California Regional Water Quality Control Board. 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. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

**Coastal Zone Management-** This project is located outside of the coastal zone and will not affect coastal zone resources.

**Cultural Resources-** The latest version of the National Register of Historic Places (NRHP) has been consulted and this site is not listed. In addition, an archaeological records search has been conducted. No sites listed or eligible to be listed on the NRHP were identified on the proposed site. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

**Endangered Species-** Preliminary determinations indicate that 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**

The proposed activity, requiring a permit, is to discharge fill in waters of the U.S. associated with the construction of an approximately 40-acre residential development (Figure 3). The proposed activity (applicant's proposed alternative) would consist of road crossings and fill for building pads. The proposed discharges would result in permanent fill of approximately 1.291 acre of waters of the U.S., none of which is wetlands.

### **Additional Project Information**

**Baseline Conditions-** The proposed project is located within the Santa Ana River Basin. While portions of the 40-acre site have experienced past disturbance (grading and discing), vegetation currently covers most of the site. On-site vegetation is predominantly annual grassland and Southern willow scrub, the latter of which occupies on-site drainages within the central and northwestern portions of the site. Two small patches of Riversidean sage scrub (each less than 50 ft<sup>2</sup>) do occur on the site; however, these were deemed too small to support coastal California gnatcatchers. This site contains three ephemeral drainages, as well as a ditch (Figure 2, Table 1). These drainages discharge into Poorman Reservoir and comprise a total of 1.4159 acre of waters of the U.S., including 0.0099 acre of wetland. The small wetland occurs at the downstream confluence of drainages A and C, at the edge of the site and just before the stream passes under Old Lake Drive. Upstream of the confluence of drainages B and C, the stream flows adjacent to a large area of riparian vegetation. The upstream portion of drainage A (north of its confluence with drainage B) exhibits extreme scour and upland vegetation. No riparian vegetation exists within this portion of drainage A.

**Table 1. On-site waters of the U.S.**

Waterbody	Existing waters of the U.S. (acres)	Length of waters of the U.S. (feet)	Proposed permanent impacts to waters (acres)
A	0.851	1720	0.851
B	0.059	876	0.059
C	0.485	1735	0.370
wetland	0.0099	-	0.000
ditch	0.011	500	0.011

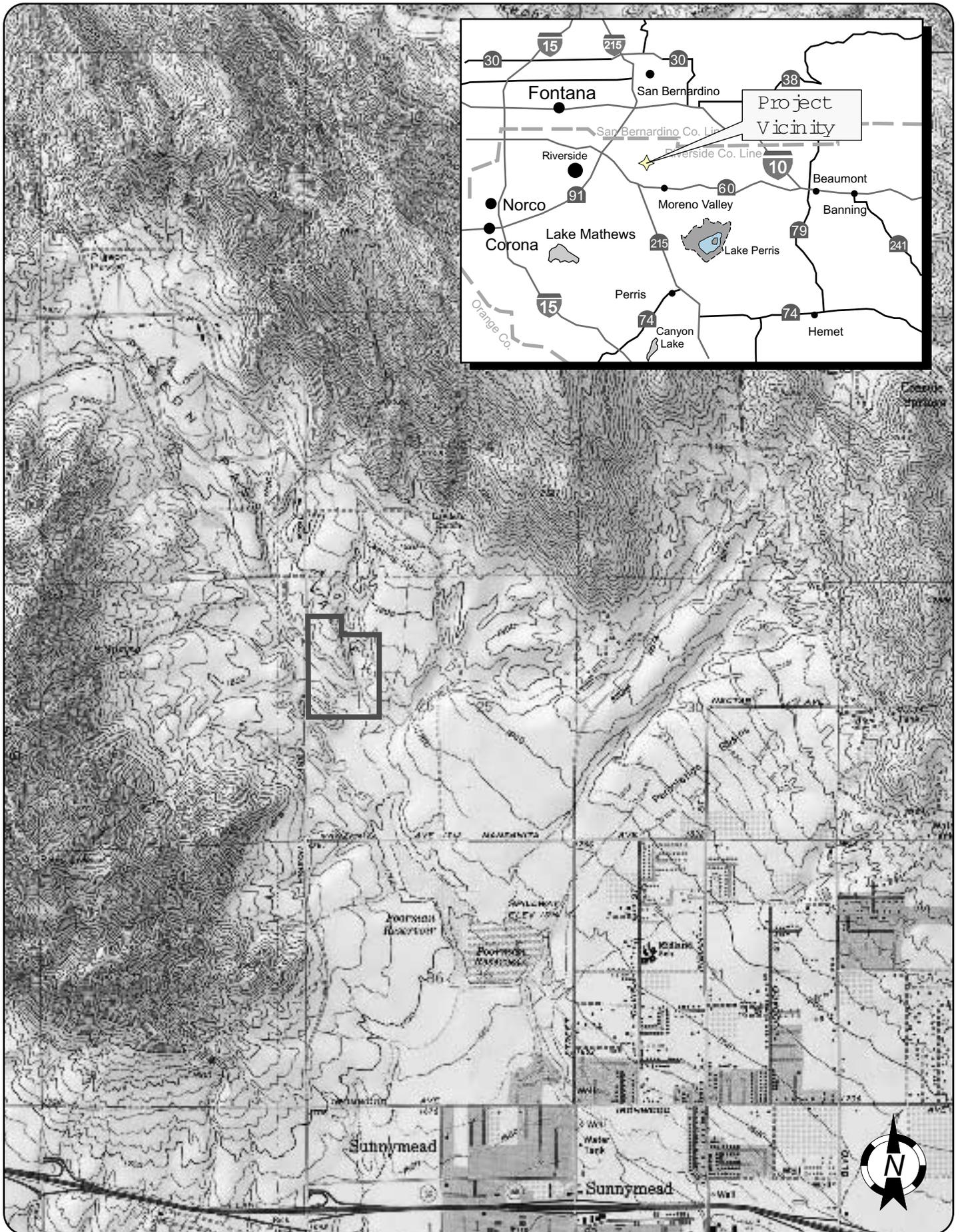
**Project Purpose and Need Statement-** The Corps has determined the basic purpose of the proposed project is housing. The proposed project would meet the private need to generate revenue through development of private land. The proposed project is not water dependent. The overall project purpose is to construct a medium-size residential development located within western Riverside County.

**Alternatives Analysis-** Currently, a full range of alternatives are being developed.

**Proposed Mitigation-** As mitigation for impacts to waters of the U.S., the applicant is proposing to avoid, enhance, and preserve 1.834 acre of riparian habitat, including avoidance of 0.115 acre of waters of the U.S. within drainage C. The applicant would also create and preserve 1.925 acre of riparian habitat, including 1.291 acre of waters of the U.S.

**Proposed Special Conditions-** None at this time.

For additional information please call Daniel P. Swenson of my staff at (213) 452-3414. This public notice is issued by the Chief, Regulatory Branch.



**Figure 1. Vicinity and Location.**

 Project Location

Map Source: USGS 7.5' Series, Riverside East, Photorevised 1980

0 0.5  
MILES



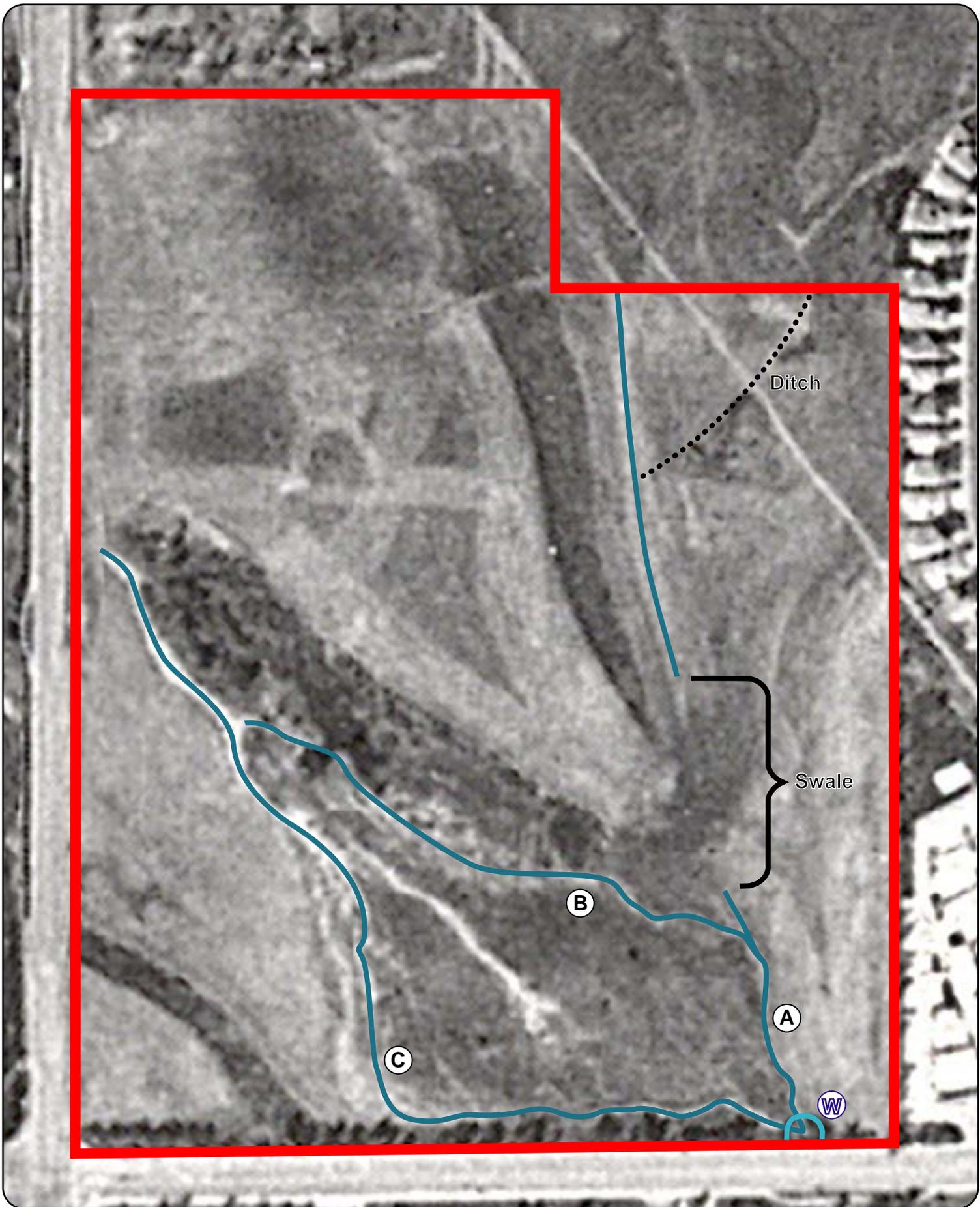


Figure 2. Ephemeral Watercourse Locations

 Project Boundary

 Ephemeral Watercourse Locations  
 Wetland



0 200  
FEET



PORTION OF NW 1/4, NW 1/4 SECTION 26 T2S, R4W S.B.M.  
N.A.P.

TRACT NO. 17047 M.B. 135/35-40  
N.A.P.

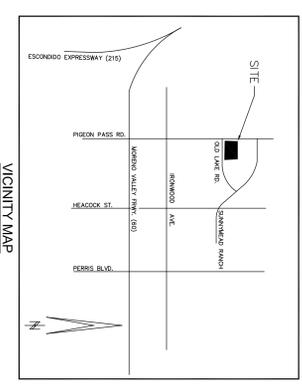
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# TRACT ONLY TENTATIVE TRACT MAP NO. 32515

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA,  
LEGAL DESCRIPTION:

- PARCEL 1, THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN EXCEPTING THE WESTERN 44 FEET THEREOF.
- PARCEL 2, THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN EXCEPTING THE WESTERN 44 FEET THEREOF.
- PARCEL 3, THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN EXCEPTING THE WESTERN 44 FEET THEREOF.
- PARCEL 4, THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN EXCEPTING THE WESTERN 44 FEET THEREOF.



VICINITY MAP  
N.T.S.

TITLE INFORMATION:  
THE FOLLOWING INFORMATION WAS DERIVED FROM NORTH AMERICAN TITLE COMPANY REPORT NO. 38-03388-22  
NO RESPONSIBILITY FOR CONTENT, COMPLETENESS OR ACCURACY OF SAID REPORT IS ASSUMED BY THIS MAP. THE SURVEYOR, OR HALL & FOREMAN, INC. AN ESSENTIAL IN A DOCUMENT RECORDED MARCH 30, 1933 IN BOOK 117 PAGE 488 OF OFFICIAL RECORDS (PLOTTED HEREON)  
AN ESSENTIAL TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES AS OFFICIAL RECORDS (PLOTTED HEREON) 28, 1989 AS INSTRUMENT NO. 28096  
AN ESSENTIAL TO EASTERN MUNICIPAL WATER DISTRICT FOR PUBLIC UTILITIES AND SEWER AS GRANTED IN A DOCUMENT RECORDED DECEMBER 18, 1989 AS INSTRUMENT NO. 44953 OF OFFICIAL RECORDS (PLOTTED HEREON)  
AN ESSENTIAL IN FAVOR OF SUBJECT PROPERTY FOR PONDING OR DRAINAGE WATER AS OFFICIAL RECORDS (PLOTTED HEREON) 23, 1989 AS INSTRUMENT NO. 27947 AND BENEFITS APPROXIMATE LOCATION IS SHOWN HEREON.)

DATE OF BOUNDARY SURVEY:  
DECEMBER 2002  
TOPOGRAPHY AS SHOWN HEREON WAS COMPILED PHOTOGRAMMETRICALLY AND IS BASED ON PHOTOGRAPHY DATED DECEMBER, 2003.

OWNER:  
CHEHO T. SAKAGUCHI AS TO AN UNDIVIDED 3/8 INTEREST;  
ROY A. SUGIMOTO AND MIKE R. SUGIMOTO AS TO AN UNDIVIDED 2/8 INTEREST;  
BO T. SAKAGUCHI AND MIKE SUGIMOTO AS TO AN UNDIVIDED 1/8 INTEREST;  
TOSHIO SUGIMOTO AND KEI HANAFUSA SUGIMOTO AS TO AN UNDIVIDED 2/8 INTEREST  
BASIS OF BEARINGS:  
BEARINGS ARE BASED ON THE CENTERLINE OF PIGEON PASS ROAD BEING N09°02'27"W PER TRACT MAP 17947, BOOK 135 PAGES 35-49.  
LAND AREA:  
1,688,488 SQ. FT. / 38.76 ACRES

FLOOD:  
1,688,488 SQ. FT. / 38.76 ACRES  
PER CITY OF MORENO VALLEY PLANNING DEPARTMENT, SUBJECT PROPERTY LIES WITHIN MAP 025 (UNIMPROVED) PONDING ZONE, FROM TIDEON TIDEON PER FEMA A FLOOD ZONING MAP 025 (UNIMPROVED) WITHIN THE CITY OF MORENO VALLEY, CALIFORNIA.  
ZONING:  
PER CITY OF MORENO VALLEY PLANNING DEPARTMENT, SUBJECT PROPERTY LIES WITHIN COVERAGE 35.00' VARIANCE HEIGHT, CHIMNEYS 10.00' HIGHER.

PROJECT NOTES:	PROJECT SITE SIZE	RAW CUT (CY)
PROJECT SITE SIZE	(38.76 AC) 1,688,488 S.F.	220,923
BASINS AND CHANNELS	285,690 S.F.	361,434
NO. OF RESIDENT UNITS	191 EA.	
LENGTH OF ON-SITE STREETS	3,755 L.F.	140,521
	TOTAL IMPROV (CY)	

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