

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

LOS ANGELES DISTRICT

Public Notice/Application No.: 200401431-JPL

Comment Period: October 12, 2004 through November 11, 2004

Project Manager: Jason P. Lambert (213) 452-3361 jason.p.lambert@usace.army.mil

Applicant

Dave Schaffer
Renaissance Ranch, LLC
2012 Business Center Drive, #206 D
Irvine, California 92612

Contact

Leslie Irish
L&L Environmental, Inc.
1269 Pomona Road, #102
Corona, California 92882

Location

The proposed project site is located near the city of Alberhill, in an unincorporated area of western Riverside County, California. The project site is located immediately south of Interstate 15, and is confined to the east and south by an existing residential neighborhood and Horsethief Canyon Road. Impacts to waters of the U.S. would occur in several unnamed tributaries to Temescal Wash. See the attached drawings for a map of the project location. (at: lat:33-43-53.0040 lon:117-25-14.9880)

Activity

The applicant, Renaissance Ranch, LLC, has applied to the U.S. Army Corps of Engineers, Los Angeles District (Corps), for a section 404 Individual Permit to discharge fill material into "waters of the United States." The applicant proposes to construct approximately 355 single-family homes on a 156.8 acre site. The proposed project would permanently impact 6 ephemeral drainages, for a total of 1.87 acres of impact to jurisdictional "waters of the United States" (see attached drawings). For more information see page 3 of this notice.

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-200401431-JPL

P.O. Box 532711
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: jason.p.lambert@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 has been consulted and this site is not listed. 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 project would permanently impact 1.87 acres of “waters of the United States”, of which, 0.17 acres are considered a jurisdictional wetland. The applicant’s preferred alternative would fill portions of six drainages in order to construct a 355 unit residential development. Based on information provided by the applicant, the affected onsite drainages would be diverted from offsite through underground storm drain facilities. Onsite flows would also be collected into this storm drain system, which would then discharge into several water quality basins before being discharged back into waters of the U.S.

Additional Project Information

Site Description: The proposed project site has been moderately disturbed as a result of a variety of human activities that have occurred onsite. Portions of the site have been graded to provide access to the site. Additionally, western portions of the site were utilized by the Elkmere Duck Club. These portions contain several roads, structures, and associated equipment left by the group. The site was also disturbed by unauthorized off-road use and illegal dumping that occurred on site. Approximately 40 percent of the site is left covered with native vegetation. These areas consist mostly of Riversidean sage scrub vegetative communities.

Avoidance and Minimization: The proposed alternative for the project would involve the avoidance of 24.2 acres of the 156.8-acre site. Additionally, the proposed project would avoid 1.31 acres of the 3.18 acres of jurisdictional waters of the U.S. that occur onsite. This avoidance has been coordinated as a result of the applicant’s completion of the HANS process with the County of Riverside as part of the Western Riverside Multi Species Habitat Conservation Plan.

Mitigation: The Applicant has proposed to enhance 3 acres of waters within the preserved area known as drainage 6 as mitigation for the proposed impacts to 1.87 acres of waters of the U.S., including 0.17 acre of wetland. Additional mitigation measures may be required by the Corps in order to offset the proposed permanent impacts, though no other mitigation proposals have been submitted by the applicant at this time.

Preliminary Alternatives Analysis

Purpose and need as determined by the Corps: The Corps has determined that the basic project purpose is housing. The proposed project is not water dependent. As a consequence, a vigorous evaluation of alternatives, per the NEPA and Clean Water Act guidelines, would be required to demonstrate that the proposed activity is the Least Environmentally Damaging Practicable Alternative (LEDPA). The Corps has determined that the overall project purpose is to create a medium density residential development with supporting infrastructure within western Riverside County, California.

Alternatives Considered: The applicant has provided a preliminary alternatives analysis that examined five on-site alternatives for the proposed action. Off-site alternatives have yet to be considered at this time. The applicant has preliminarily selected alternative 3 as the preferred alternative, although no decision on the LEDPA will be made until after the completion of the comment period. An alternative in which the project could proceed with no impacts to “waters of the U.S.” has not been submitted as of yet. In addition, the Corps may require the applicant to consider other alternatives at a later date.

On-site Alternatives Considered

Alternative 1: Maximum Residential Development: The majority of the site would be impacted. Further impacts to waters of the U.S. would occur than discussed above. The eastern portion of the property would be partially avoided, though impacts would occur in both upper reaches of the drainage designated as "drainage 6". This alternative would allow for the development of 392 homes. This alternative would yield the largest profit for the applicant, as it would yield the most homes.

Alternative 2: Residential Development with reduced impacts: This alternative would include further avoidance than proposed in alternative 1. The easternmost fork of "drainage 6" would be further avoided. As a result of this avoidance, the number of homes proposed is reduced to 377 lots.

Alternative 3: Residential Development with Drainage 6 majority avoidance (Applicant's Proposed Alternative): This alternative would include the development of 355 residential lots. It would impact 1.87 acres of the 3.18 acres of waters on site. Avoidance would include the majority of "drainage 6", and this proposed alternative would include the preservation of 24.2 acres and the creation of detention basins to treat runoff from the site.

Alternative 4: No Project: This alternative would leave the land undeveloped and leave all drainages in their current state. This alternative would not recoup the investment made in the property by the applicant. The applicant does not consider this to be a viable alternative due to economic infeasibility.

Alternative 5 Residential Development with complete eastern avoidance: This alternative would include the development of 215 residential lots. This alternative would entirely avoid drainages 3, 5, and 6. This alternative also precludes access through Bold Court in the southeastern portion of the property. The County of Riverside has mandated access through this point, therefore the applicant considers this alternative not to be a viable one.

Proposed Special Conditions None proposed at this time

For additional information please call Jason P. Lambert of my staff at (213) 452-3361. This public notice is issued by the Chief, Regulatory Branch.

Alberhill, California, USGS Topographic Map 1954 (Photorevised 1973)

117°26'00" W

117°25'00" W

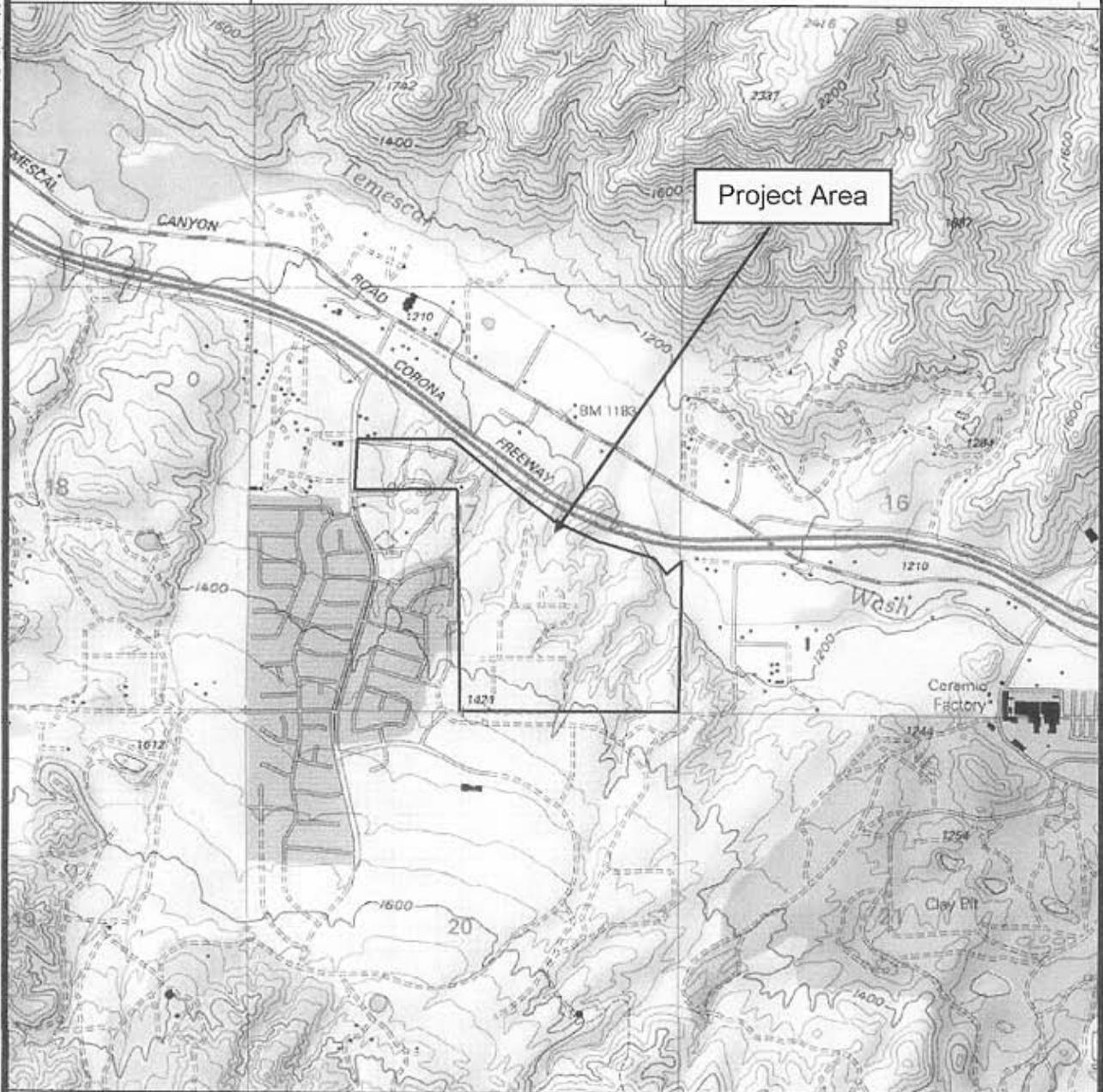
WGS84 117°24'00" W

33°45'00" N

33°45'00" N

33°44'00" N

33°44'00" N

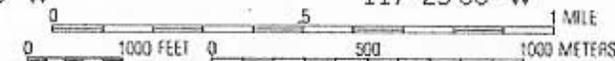


117°26'00" W

117°25'00" W

WGS84 117°24'00" W

TN
MN
13 1/2°



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L&L Environmental, Inc.

BIOLOGICAL AND CULTURAL
INVESTIGATIONS AND MONITORING

RDC-02-181
May 2003

Figure 2

Project Location

158 Acre Site
Renaissance Ranch
County of Riverside, California



L&L Environmental, Inc.

*BIOLOGICAL AND CULTURAL
INVESTIGATIONS AND MONITORING*

*RDC-02-181
February 2003*

Figure 4

Water Resources Map

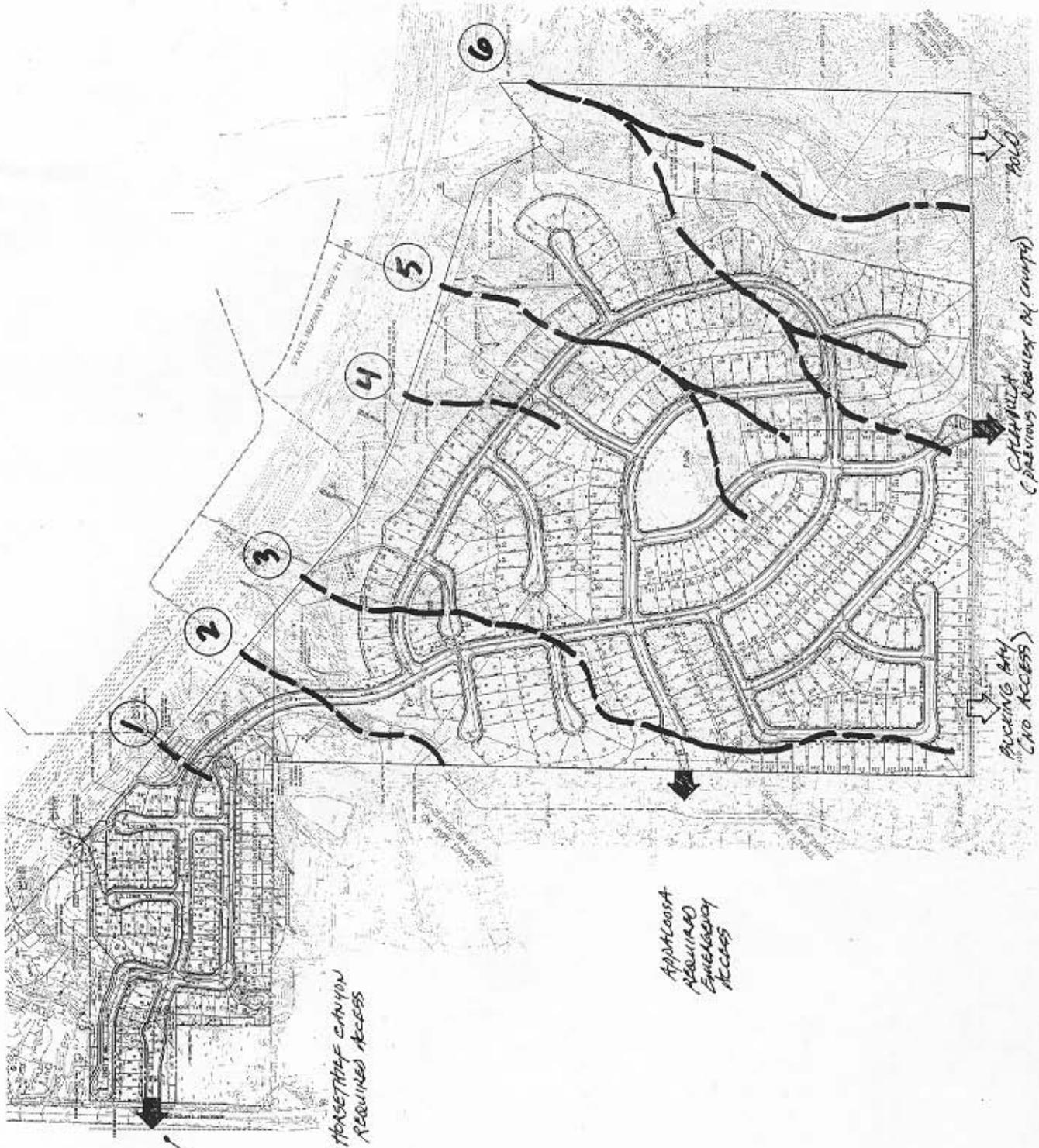
(taken June 4, 2002; Eagle Aerial Imaging)

*Renaissance Development
County of Riverside, California*

Summary of Wetlands Criteria and Jurisdictional Waters Impacts for Proposed Alternative

Feature	Length	State Area (sq. ft.)	Fed. Area (sq. ft.)	Hydro	Veg	Soils	Waters of US	Federal wetland	Calif. Stream-bed	Calif. wetland	Impacts Calif. Stream/wetland (sq. ft.)	Impacts Federal Waters (sq. ft.)	Impacted Waters in Linear Feet
Channel 1 (dry)	200 ft.	1200	800	yes	no	No	yes	no	yes	yes	1200	800	200 ft
Channel 2 (inundated)	200 ft.	8520	4260	yes	yes	Yes	yes	yes	yes	yes	0	0	0
Channel 2 (saturated)	700 ft.	32725	9765	yes	yes	No	yes	yes	yes	Yes (4185 sf)	24,544	7324 (of this, 4185 are wetlands)	525 ft
Channel 3 (dry)	2500 ft.	51,825	17,975	yes	no	No	yes	no	yes	yes	51,058	17,709	2463 ft
Channel 4 (dry)	700 ft.	10,395	4809	yes	no	No	yes	no	yes	yes	8910	4122	600 ft
Channel 5 (dry)	2200 ft.	32,560	14,916	yes	no	No	yes	no	yes	yes	32,012	14,665	2163 ft
Channel 6 (dry)	3600 ft.	202,320	86,040	yes	no	No	yes	no	Yes	Yes (67,440) (1.55 ac)	84,300 (of this, 44,510 are wetlands)	35,850	1500
TOTALS	10,100 ft.	339,545 (7.79ac.)	138,565 (3.18ac)				138,565 (3.18ac)	14025 (.32 ac.)	339,545 (7.79ac.)	339,545 (7.79ac.)	202,024 (4.64 ac)	80,470 (1.87 ac.)	7451 ft.
Quantities from Above Totals that are Wetlands:											162,234 (3.72 ac)	4185 (0.17 ac)	300 ft.

*Note: The impacted totals do not include any area calculations for created wetlands or fuel modification zones.



HOSETHORP CANYON
REQUIRES ACCESS

APPROACH
AROUND
EMERGENCY
ACCESS

ACCESSING BY
(NO ACCESS)

CRENSHAW
(PREVIOUS REQUEST BY COMPANY)

ROAD

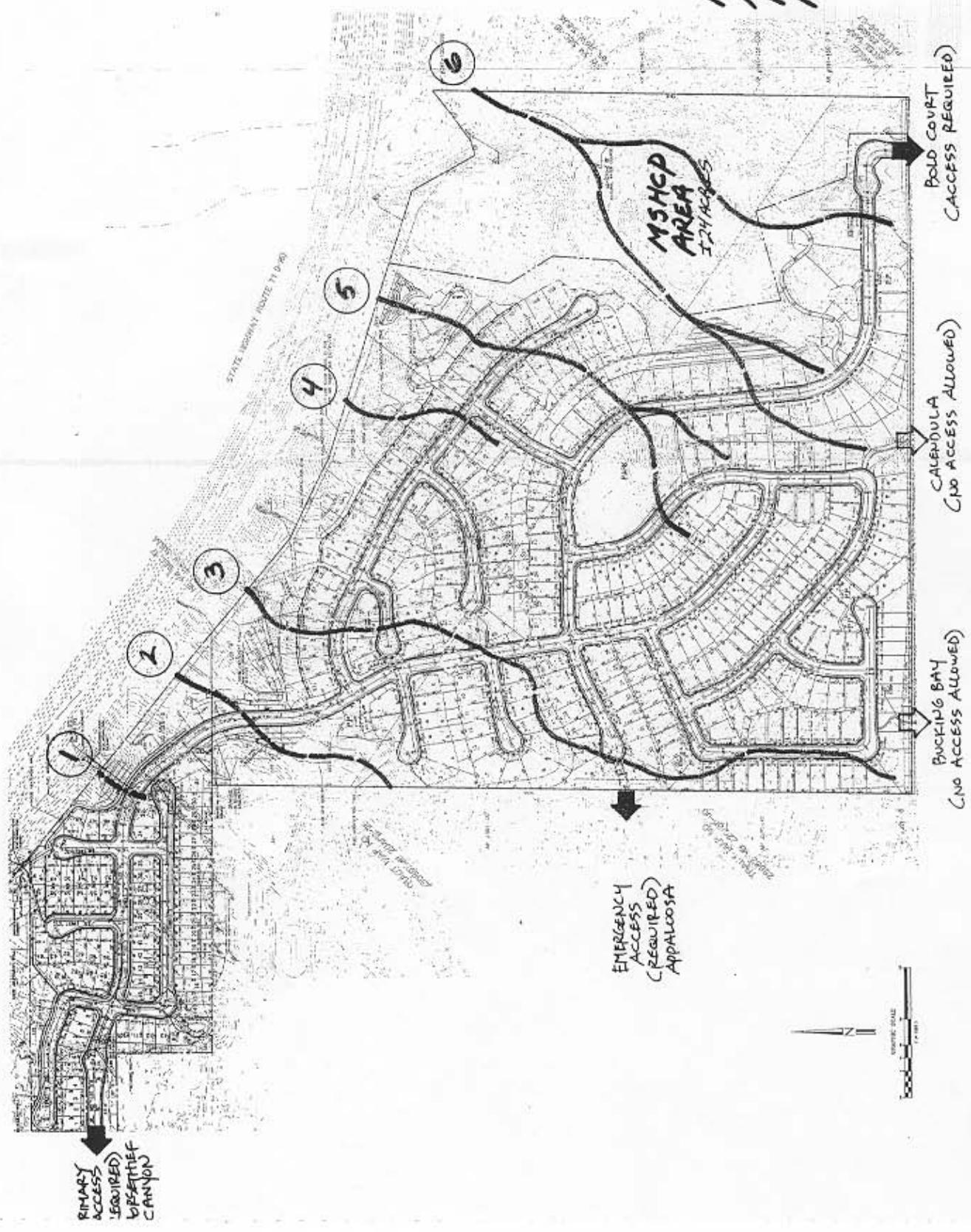
377 lots
PREVIOUS REQUESTED
SECONDARY ACCESS
BY RIVERSIDE CO.

2



355 lots
PREFERRED ALT.
ACCESS POINTS AS
REQUIRED BY
RIVERSIDE COUNTY

3



PRIMARY ACCESS (REQUIRED) BY BENTLEY CANYON

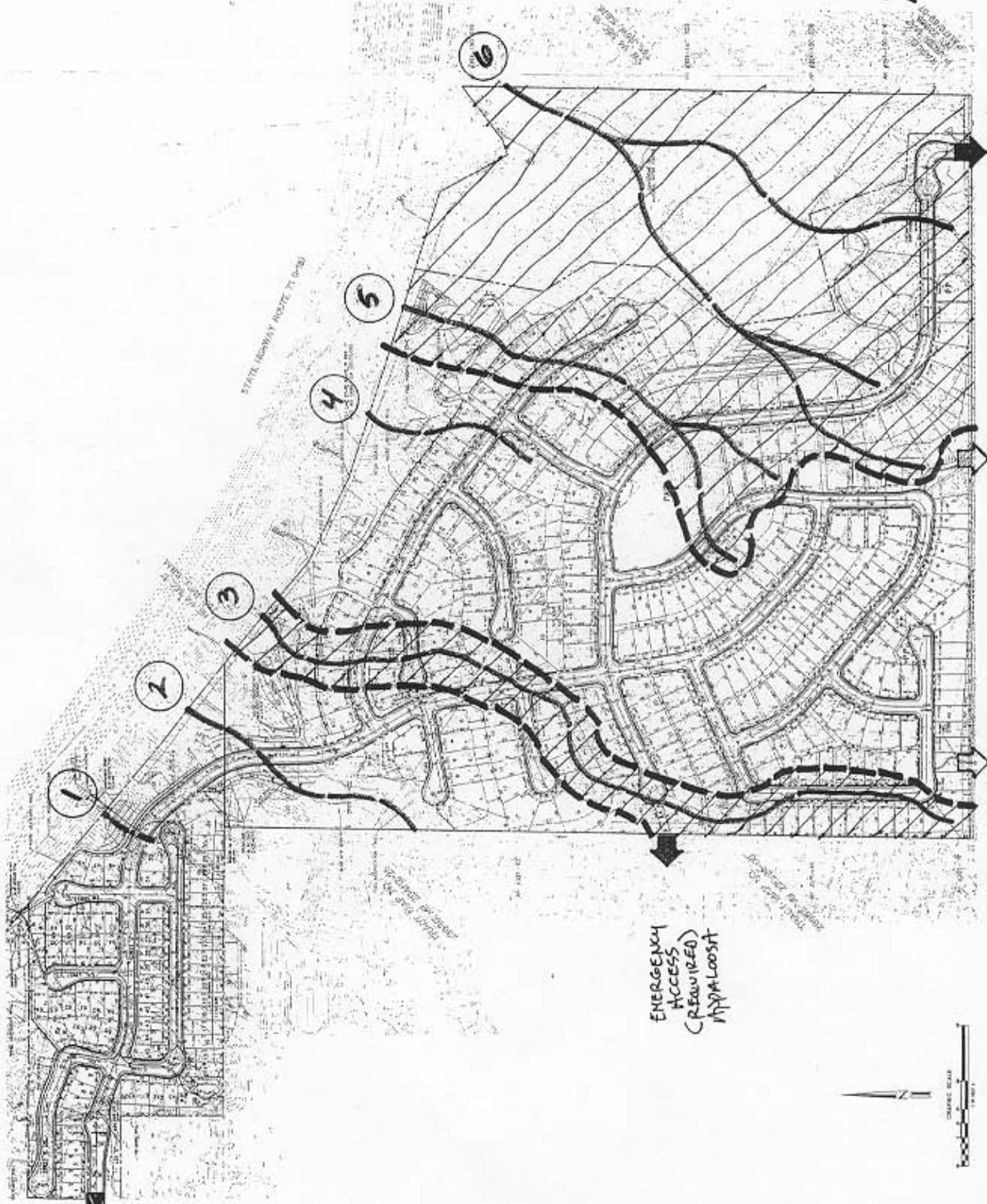
EMERGENCY ACCESS (REQUIRED) APPALCOOSA

BUCKING BAY (NO ACCESS ALLOWED)

CALABULLA (NO ACCESS ALLOWED)

BOLD COURT (ACCESS REQUIRED)





215 lots

AVOID 3,5,6

SECONDARY ACCESS
NOT ALLOWED PER
RIVERSIDE COUNTY