



**US Army Corps
of Engineers®**
Los Angeles District

PUBLIC NOTICE

APPLICATION FOR PERMIT Mayo Discovery Oasis

Public Notice/Application No.: SPL-2022-00301

Project: Mayo Discovery Oasis

Comment Period: 30 November 2022 through 30 December 2022

Project Manager: Kathleen Tucker; (602) 230-6956; Kathleen.A.Tucker@usace.army.mil

Applicant

Roshanak Didehban
Mayo Clinic
5777 East Mayo Boulevard
Phoenix
Arizona
85054

Contact

Jennifer Simpkins
Kimley-Horn and Associates, Inc.
7740 N. 16th Street
Suite 300
Phoenix
Arizona
85020

Location

The project is located on a 250.9-acre property, the 56th Street right-of-way (ROW), the Mayo Boulevard ROW, and the 64th Street ROW, north of Reach 11 Recreation Area, east of 56th Street, south of State Route (SR) 101, and west of 64th Street within the city of Phoenix, Maricopa County, AZ (at: 33.658798, -111.948885).

Activity

Mayo Clinic is proposing to construct a 250.9-acre biotech and healthcare campus (Mayo Discovery Oasis) (see attached drawings). For more information see Additional Project Information section below.

Submittal of Public Comments

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. Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. Section 10 of the Rivers and Harbors Act. Section 103 of the Marine Protection, Research and Sanctuaries Act and Section 10 of the Rivers and Harbors Act. Section 103 of the Marine Protection, Research and Sanctuaries Act, Section 10 of the Rivers and Harbors Act, and Section 404 of Clean Water Act.

Please do not mail hard copy documents, including comments to any Regulatory staff. Instead, your comments should be submitted electronically to: kathleen.a.tucker@usace.army.mil. Should you have any questions or concerns about the

Corps' proposed action or our comment period, you may contact Kathleen Tucker directly at 602-230-6956.

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 Arizona Department of Environmental Quality. 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. 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.

Cultural Resources- There is an existing Programmatic Agreement and Treatment plan for these resources. The treatment of those cultural resources will be per the stipulations and requirements in those documents.

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). 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 to **healthcare**. 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 biotech and healthcare development in proximity to the existing Mayo Clinic Campus location to increases opportunities for understanding, collaboration and partnership to transform the Practice of Medicine.

Additional Project Information

Baseline information- Review of the USGS map indicates that the project area varies from approximately 1,550 feet above mean sea level (MSL) in the southeast corner of the project area and 1,590 feet above MSL in the northwest corner of the project area. The project area slopes/drains to the south/southwest. The project area is native desert. According to Biotic Communities, Southwestern United States and Northwestern Mexico, the project area is within the Lower Colorado River subdivision within the Sonoran Desertscrub biotic community. PJD 1- PJD 7/7A are considered potentially jurisdictional waters and will be impacted by the project (permanent and temporary impacts). All onsite washes are ephemeral with vegetation present alongside the channels.

Project description- Mayo Discovery Oasis, as currently envisioned, will consist of 17 office buildings, 3 manufacturing buildings, 6 amenity/mixed use buildings, 8 wet lab buildings, 3 plazas, 8 parking structures, parking lots, roadways, drainage channels, and utilities. Primary access for the site will occur along Mayo Boulevard from 56th Street to 64th Street. Roads will consist of a 24' two lane sections with 24' median, a two lane 40' section, or a two lane 26' section. The project will result in 0.66 acres of permanent impact to potential Waters of the U.S. (waters) due to the construction of buildings, parking garages/lots, roadways, storm sewer, and drainage channels. The project will result in 0.12 acres of temporary impacts to potential waters for excavation of drainage channels and associated with temporary access and equipment maneuvering.

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: Avoidance of impacts to PJD 1-PJD 6 was not practicable with the intended use of the site, the required density to make the project financially feasible, and the way washes divide the site creating pods not suitable for this type of development.

Minimization: The applicant is proposing to reroute and expand PJD 5 and PJD 7. PJD 5 has been rerouted and expanded to provide a 60'-wide channel with 10' bottom width (OHWM) through the center of the project site. Additionally, PJD 7/7a has been expanded to a 120'-wide channel with 70' bottom width (OHWM) on the eastern perimeter. Both channels will be stabilized with turf reinforcement mat and hydroseeded. Trees and shrubs will be planted to minimize the habitat destruction in washes 1 through 6. Rerouting and expanding these two washes will result in over 7.0 acres of created waters.

Compensation: The applicant is proposing to purchase 0.66 credits (1:1 mitigation ratio) at the AGFD Arlington in-lieu fee program, to compensate for the loss of functions and values.

Proposed Special Conditions

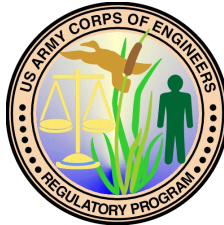
The following list is comprised of proposed Permit Special Conditions, which are required of similar types of projects:

The Permit Special Conditions are in the process of being developed.

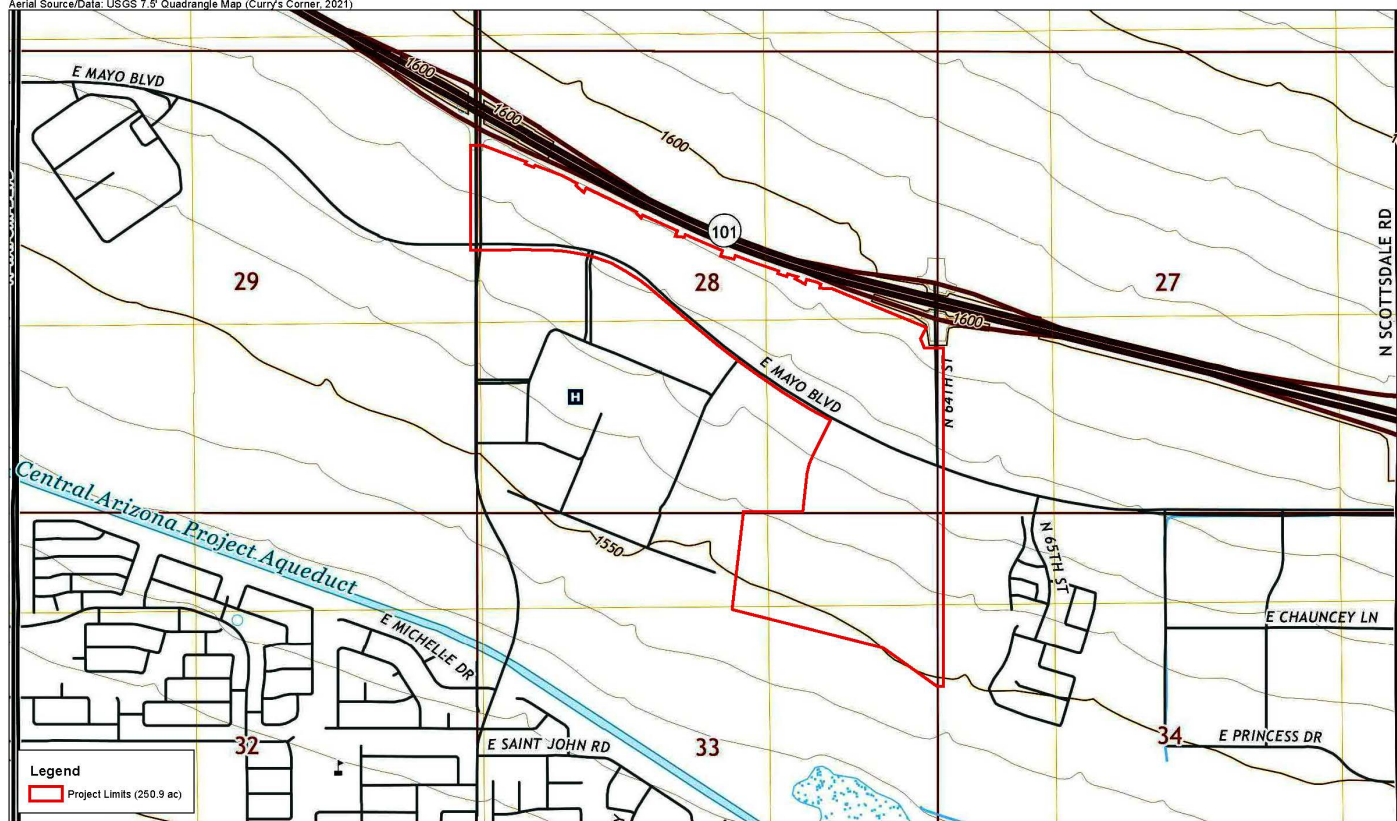
For additional information please call Kathleen Tucker of my staff at (602) 230-6956 or via e-mail at Kathleen.A.Tucker@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

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
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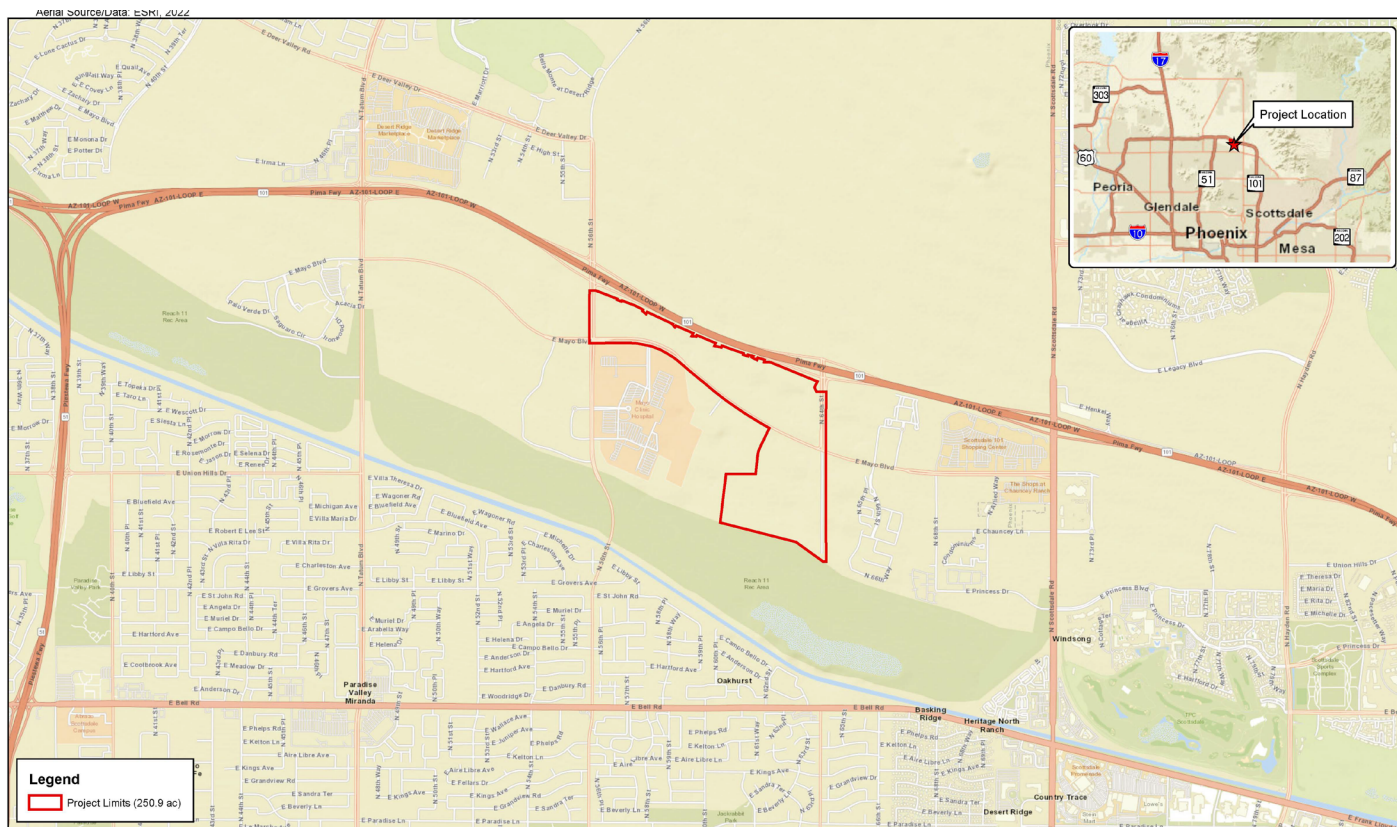


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Figure 2. USGS Map

Mayco Discovery Oasis
City of Phoenix, Maricopa County, AZ

0 1,000 2,000 4,000 Feet
Scale: 1"= 1,000'



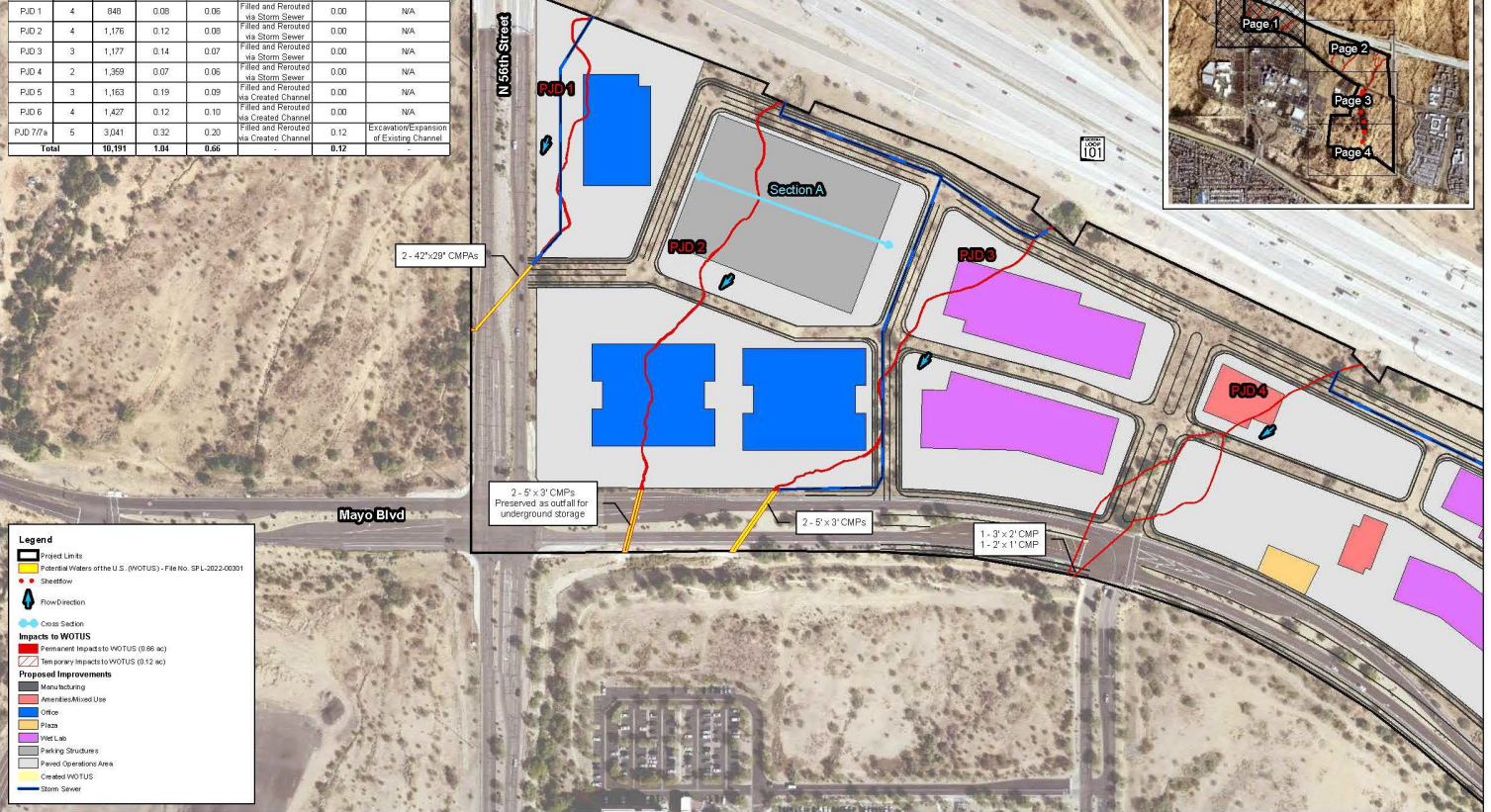
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Figure 1. Vicinity Map

Mayco Discovery Oasis
City of Phoenix, Maricopa County, AZ

0 2,000 4,000 8,000 Feet
Scale: 1"= 2,000'

PJD 1	4	848	0.08	0.06	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 2	4	1,176	0.12	0.08	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 3	3	1,177	0.14	0.07	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 4	2	1,359	0.07	0.06	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 5	3	1,163	0.19	0.09	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 6	4	1,427	0.12	0.10	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 7/a	5	3,041	0.32	0.20	Excavation/Expansion of Existing Channel	0.12	N/A
Total		10,191	1.04	0.66			



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Figure 3. Impacts to Waters of the U.S.

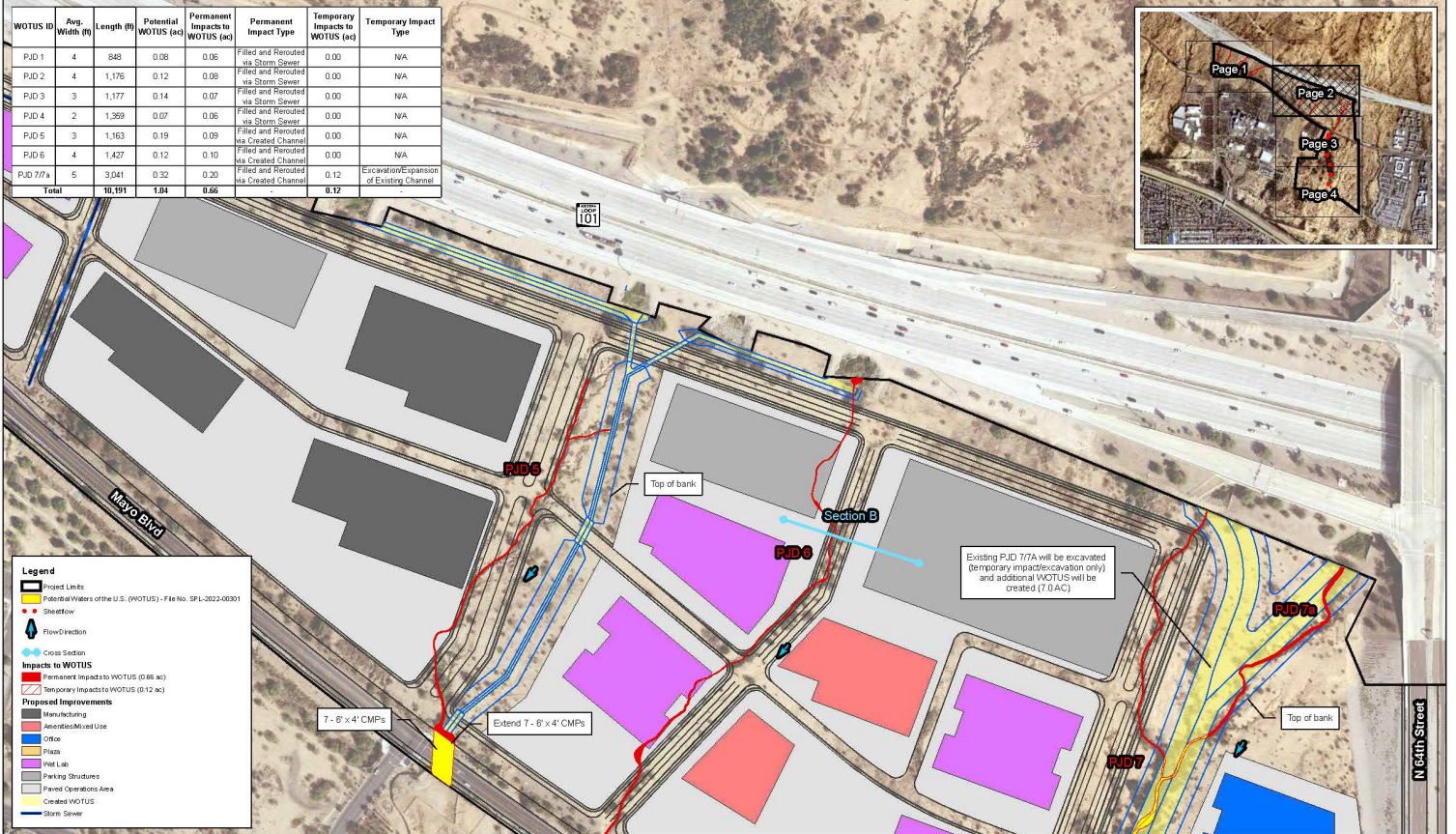
Mayo Discovery Oasis
City of Phoenix, Maricopa County, AZ

0 200 400 800 Feet
Scale: 1"= 200'



Aerial Source/Date: Maricopa County, 2022

WOTUS ID	Avg. Width (ft)	Length (ft)	Potential WOTUS (ac)	Permanent Impacts to WOTUS (ac)	Permanent Impact Type	Temporary Impacts to WOTUS (ac)	Temporary Impact Type
PJD 1	4	848	0.08	0.06	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 2	4	1,176	0.12	0.08	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 3	3	1,177	0.14	0.07	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 4	2	1,359	0.07	0.06	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 5	3	1,163	0.19	0.09	Filled and Rerouted via Storm Sewer	0.00	N/A
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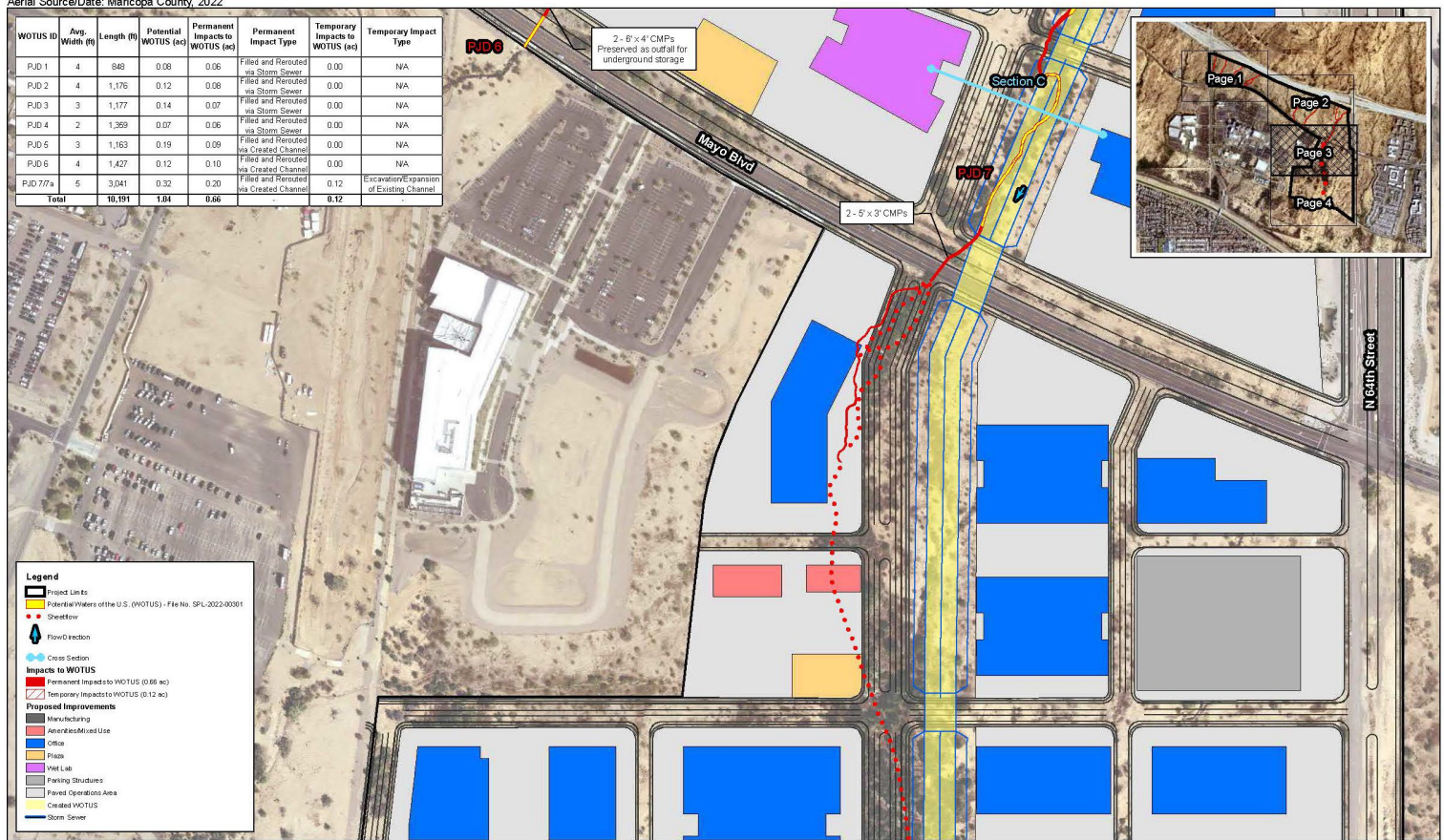
Figure 3. Impacts to Waters of the U.S.

Mayo Discovery Oasis
City of Phoenix, Maricopa County, AZ

0 200 400 800 Feet
Scale: 1"= 200'



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PJD 1	4	848	0.08	0.06	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 2	4	1,176	0.12	0.08	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 3	3	1,177	0.14	0.07	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 4	2	1,359	0.07	0.06	Filled and Rerouted via Storm Sewer	0.00	N/A
PJD 5	3	1,163	0.19	0.09	Filled and Rerouted via Created Channel	0.00	N/A
PJD 6	4	1,427	0.12	0.10	Filled and Rerouted via Created Channel	0.00	N/A
PJD 77a	5	3,041	0.32	0.20	Filled and Rerouted via Created Channel	0.12	Excavation/Expansion of Existing Channel
Total		10,191	1.04	0.66		0.12	



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PJD 2	4	1,176	0.12	0.08	Filled and Rerouted via Storm Sewer	0.00	N/A
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PJD 5	3	1,163	0.19	0.09	Filled and Rerouted via Created Channel	0.00	N/A
PJD 6	4	1,427	0.12	0.10	Filled and Rerouted via Created Channel	0.00	N/A
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Total		10,191	1.04	0.66		0.12	

