



PUBLIC NOTICE

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

BUILDING STRONG®

APPLICATION FOR PERMIT Seraphina Residential Housing Project

Public Notice/Application No.: SPL-2017-00581-PJB

Project: Seraphina Residential Housing Project

Comment Period: March 13, 2018 to April 13, 2018

Project Manager: Peggy Bartels; Tel: (951) 276-6624 x269;

Email: Peggy.J.Bartels@usace.army.mil

Applicant

David Arnold
Cardinal Investment Properties - Seraphina
375 Bristol Street, Suite 50
Costa Mesa, CA 92626
(714) 838-8612

Contact

Barry L. Jones, Senior Consulting Biologist
HELIX Environmental Planning, Inc.
7578 El Cajon Blvd., Suite 200
La Mesa, California 91942
(619) 462-1515

Location

The proposed project is located in the City of Temecula, in southwestern Riverside County, California (Figures 1 and 2). The site is located east of Interstate 15 and Highway 79 at the northeast corner of Nicolas Road and Joseph Road (at Latitude: 33°32'34.32" North; longitude -117°07'15.90" West). The approximately 30-acre Seraphina project site is located within Section 19, Township 7 South, Range 2 West, of the U.S. Geological Survey (USGS) 7.5 minute Bachelor Mountain quadrangle map (Figure 3).

Activity

To construct 68 single-family homes on 30 acres in association with the Seraphina Project (Figure 4). The permanent discharge of fill material consists of approximately 0.08 acre (153 linear feet) of wetland waters of the U.S. and 0.83 acre (2,058 linear feet) of non-wetland waters of the U.S. in association with construction of the Seraphina Project. For more information see page 4.

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). 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. Written comments should be mailed to the Regulatory project manager at the following address:

LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Peggy Bartels

Los Angeles District, Riverside Field Office
1451 Research Park Drive, Suite 100
Riverside, CA 92507-2154

Alternatively, comments can be sent electronically to: Peggy.J.Bartels@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, floodplain 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 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. A 401 Certification was previously approved for the project and is being amended to reflect the current reduced impact project now proposed.

Coastal Zone Management- This project is located outside the coastal zone and preliminary review indicates that it would not affect coastal zone resources. After a review of the comments received on this Public Notice, the Corps will make a final determination of whether this project affects coastal zone resources.

Essential Fish Habitat- Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, does not occur within the project area and no EFH is affected by the proposed project.

Cultural Resources- A Cultural Resources Assessment Survey and Report prepared by HELIX Environmental Planning, Inc. (2017) was provided to the Corps. The Report will be reviewed by the Corps' archaeologist for compliance with Section 106 of the National Historic Preservation Act, as amended. Compliance with Section 106 of the National Historic Preservation Act is a requirement of a permit decision.

Endangered Species- Preliminary determinations indicate that that proposed activity would not affect federally-listed endangered or threatened species or their designated 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 to develop the site for residential use. 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 build up to 53 single-family homes and provide access to these homes.

Additional Project Information

Baseline information- The vegetation on the site includes buckwheat scrub and ruderal species (Chambers Group 2004), as well as mule fat scrub. On site environs include southern riparian woodland, disturbed wetland, freshwater marsh, and streambed (HELIX 2016). The site is currently vacant. The California Aqueduct crosses the east side of the project site.

The elevation of the site ranges from approximately 1,155 feet above mean sea level (amsl) in the northeast corner to 1,138 feet amsl on the southwest side, with gently rolling topography. It drains from north to south and from east to west, creating 3 distinct drainage areas. Santa Gertrudis Creek crosses the southern portion of the site. Off-site flows generated from existing residential tracts to the north enter the site at two locations along the northern boundary. Flows entering at the northwest boundary pool near the northern boundary; flows entering at the northwest boundary continue to flow southwesterly to Joseph Road, then south into Santa Gertrudis Creek.

Approximately 0.16 acre of wetland waters of the U.S. and approximately 1.77 acres of non-wetland waters of the U.S. occur within the review area and total 2,855 linear feet. The project would result in 0.08 acre (153 linear feet) of permanent impacts to wetland waters of the U.S. and 0.83 acre (2,058 linear feet) of permanent impacts to non-wetland waters of the U.S. (Figure 5 and Table 1) The discharge of fill would include 180 cubic yards of clean fill and 100 cubic yards of riprap.

Table 1 USACE JURISDICTIONAL IMPACTS AND AVOIDANCE*					
Section 404 Waters of the U.S. (WUS)	EXISTING ON SITE**				AVOIDED (Acres)
	Acres	Linear Feet	Acres	Linear Feet	
Wetland WUS					
Wetland Waters of the U.S.	0.16	144	0.08	153	0.05
Non-Wetland WUS					
Waters of the U.S.	1.77	2,576	0.83	2,058	0.93
TOTAL	1.87	2,855	0.91	2,244	1.01

*Acreage is rounded to the nearest 0.01. Linear feet are rounded to the nearest whole foot.

** Including off-site impact areas

Project description- The proposed 30-acre Seraphina Project would develop approximately 22 acres and avoid approximately 8 acres on site. As proposed, the Project would include construction of 68 single-family homes and on-site roads connecting to Joseph Road at Finebrook Road and to Rita Way at Southgate Parkway (Figure 4). The project includes a half-acre park site and road improvements along Rita Way, Joseph Road, and Nicolas Road. A hardened encasement of the California Aqueduct would be constructed to protect the aqueduct from scour within the potentially realigned Santa Gertrudis Creek as a Metropolitan Water District requirement of the proposed project.

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: The project proposes avoidance of 1.01 acre (53 percent) of the waters of the U.S. (WUS) jurisdictional resources on site. The jurisdictional waters to be avoided are in the southern portion of the site in Santa Gertrudis Creek. The majority of the impacts to WUS along Santa Gertrudis Creek would be for road improvements required by the City and could not be avoided because of the creek's location immediately adjacent to Nicolas Road. The project avoids further impacts to the creek by connecting proposed roads to Joseph Road and Rita Way rather than Nicolas Road. Combined, these changes resulted in the loss of 3 of the original 71 homes and a 26 percent reduction in average lot size from the original project. In this way, the project has been designed to avoid impacts to WUS.

Minimization: During construction, Best Management Practices (BMPs) to protect onsite waters not impacted would include, but are not limited to: gravel basins, gravel bag inlet protection, fiber rolls, mulching, silt fencing, offsite sediment control, energy dissipation, and designated maintenance and storage areas for equipment (outside of drainages). Descriptions of the BMPs will be included in the Storm Water Pollution Prevention Plan. Implementation of BMPs and restrictions on construction work areas will result in avoidance and minimization of impacts to upstream and downstream resources.

Compensation: The proposed permanent impacts of 0.08 acre (153 linear feet) to wetland WUS are proposed to be mitigated at a 3:1 ratio while permanent impacts to 0.83 acre (2,058 linear feet) of non-wetland WUS are proposed to be mitigated at a 2:1 ratio through a combination of 1.75 acres of streambed/riparian scrub on-site establishment and re-establishment and through purchase of 1.15 mitigation credit from the Barry Jones Wetland Mitigation Bank. Final mitigation acreage requirements will be determined through the USACE Mitigation Ratio Checklist and may vary from the above.

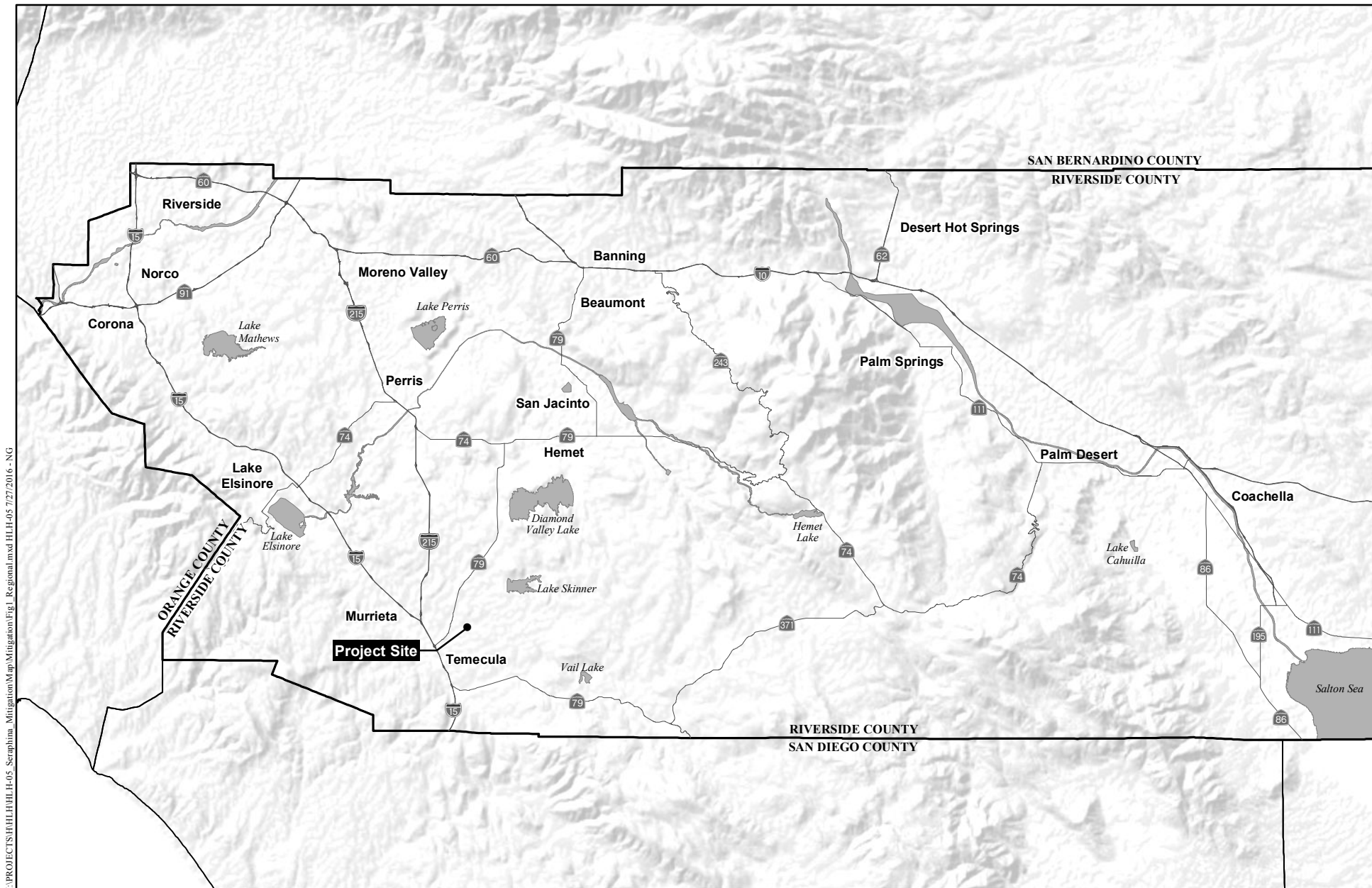
For additional information please call Peggy Bartels at (951) 276-6624 or via e-mail at Peggy.J.Bartels@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



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.

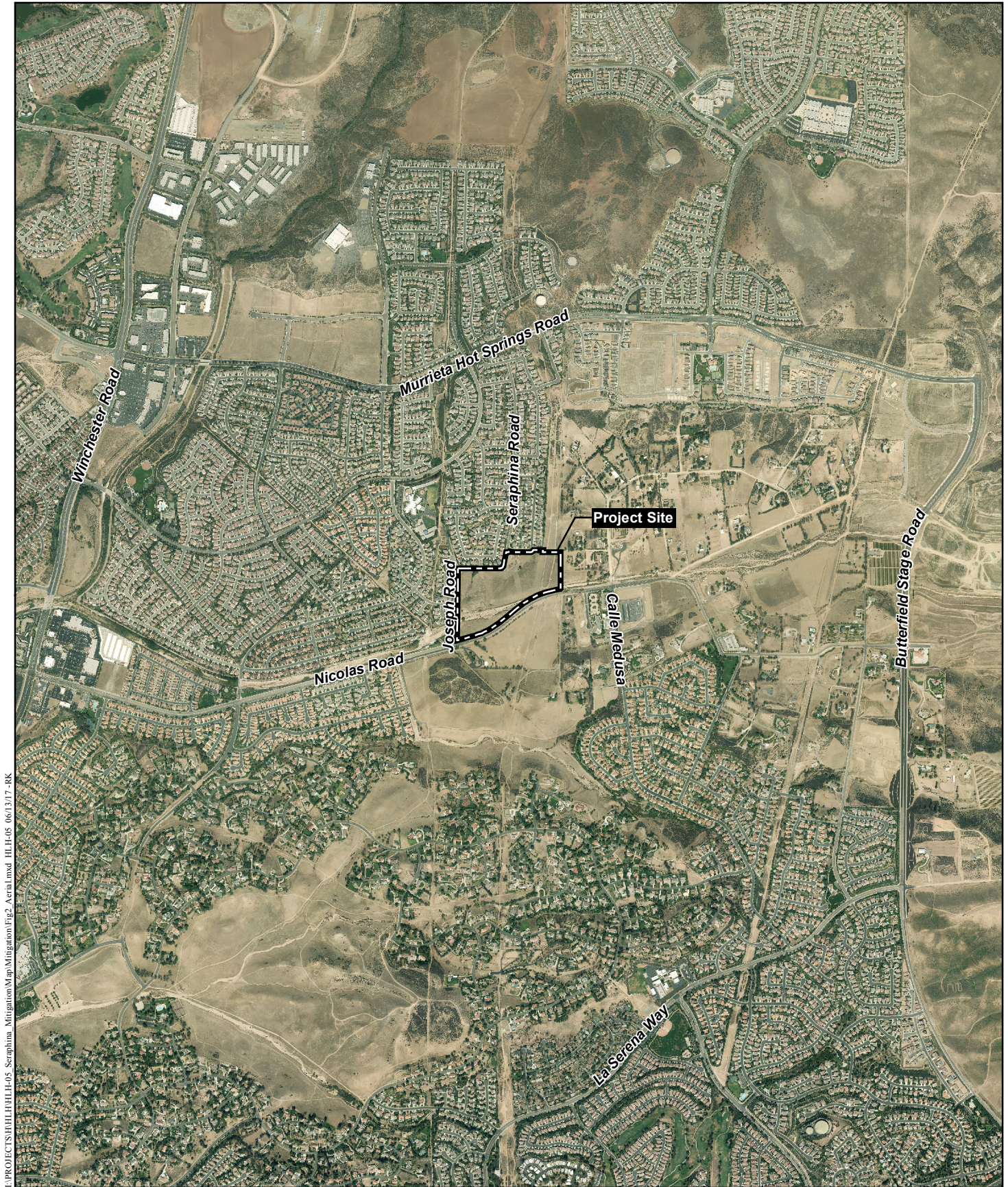
DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1451 RESEARCH PARK DRIVE, SUITE 100
RIVERSIDE, CALIFORNIA 92507-2154
WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY



Regional Location

SERAPHINA

Figure 1

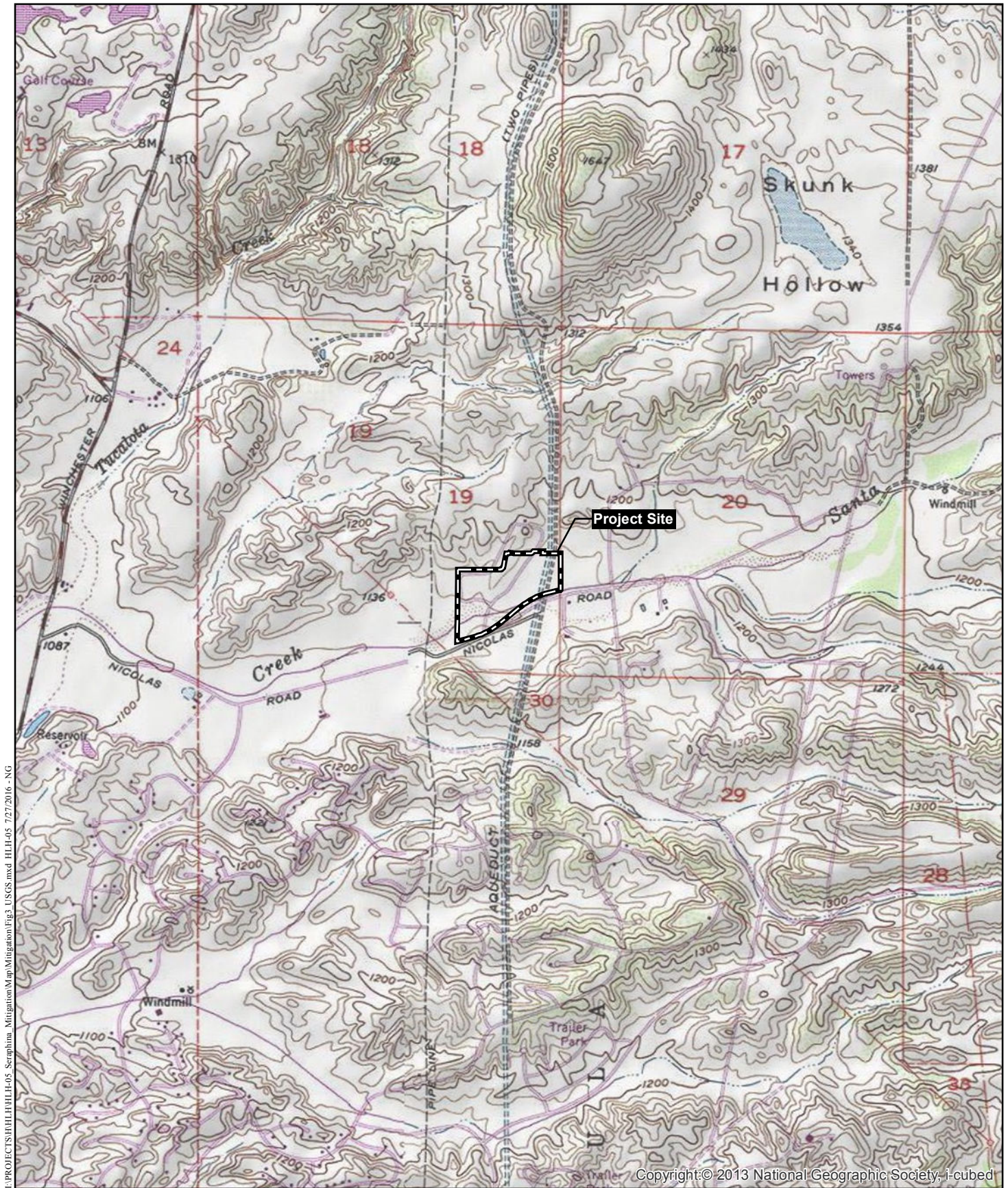


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Project Vicinity (Aerial Photograph)

SERAPHINA

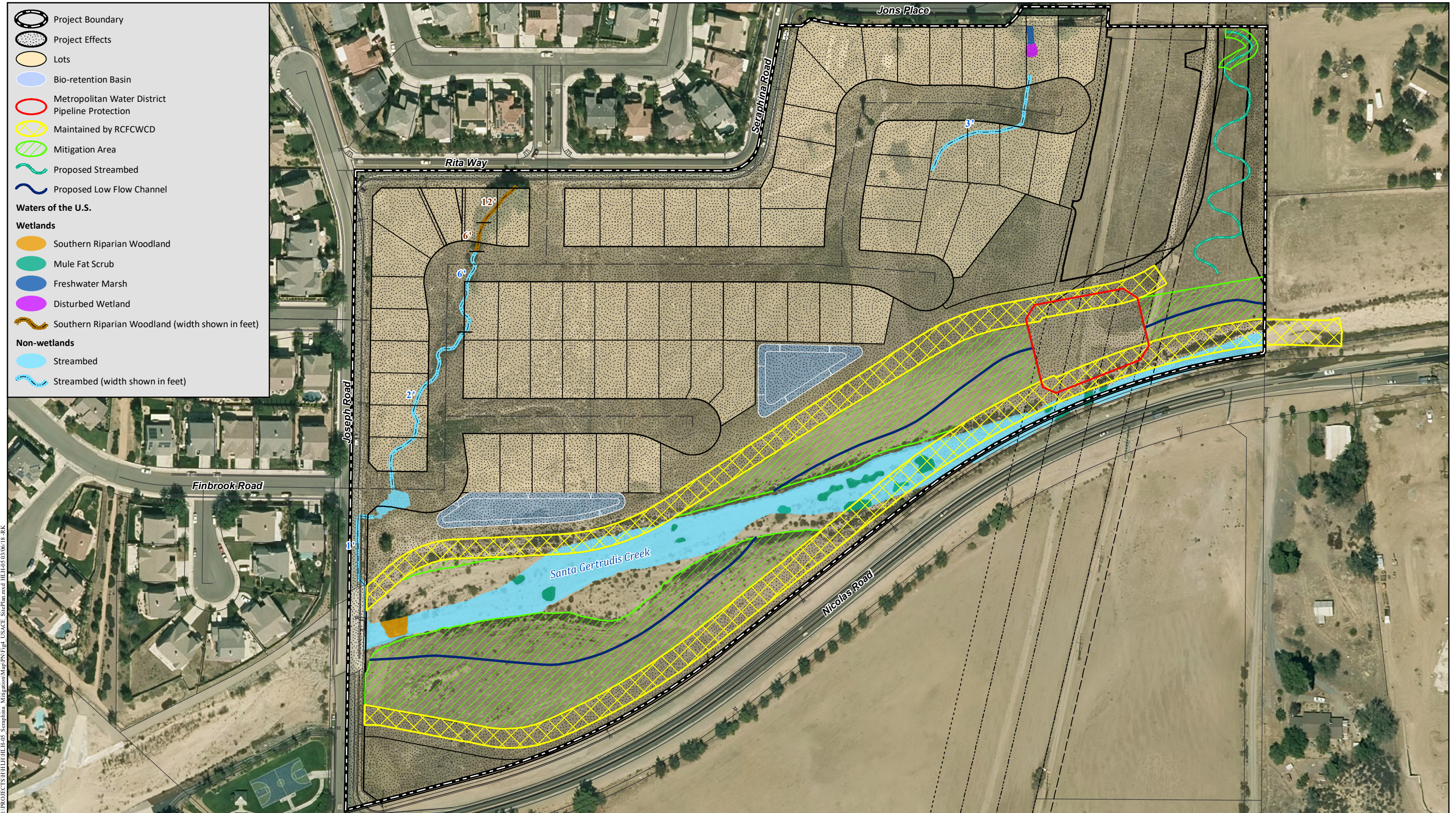
Figure 2



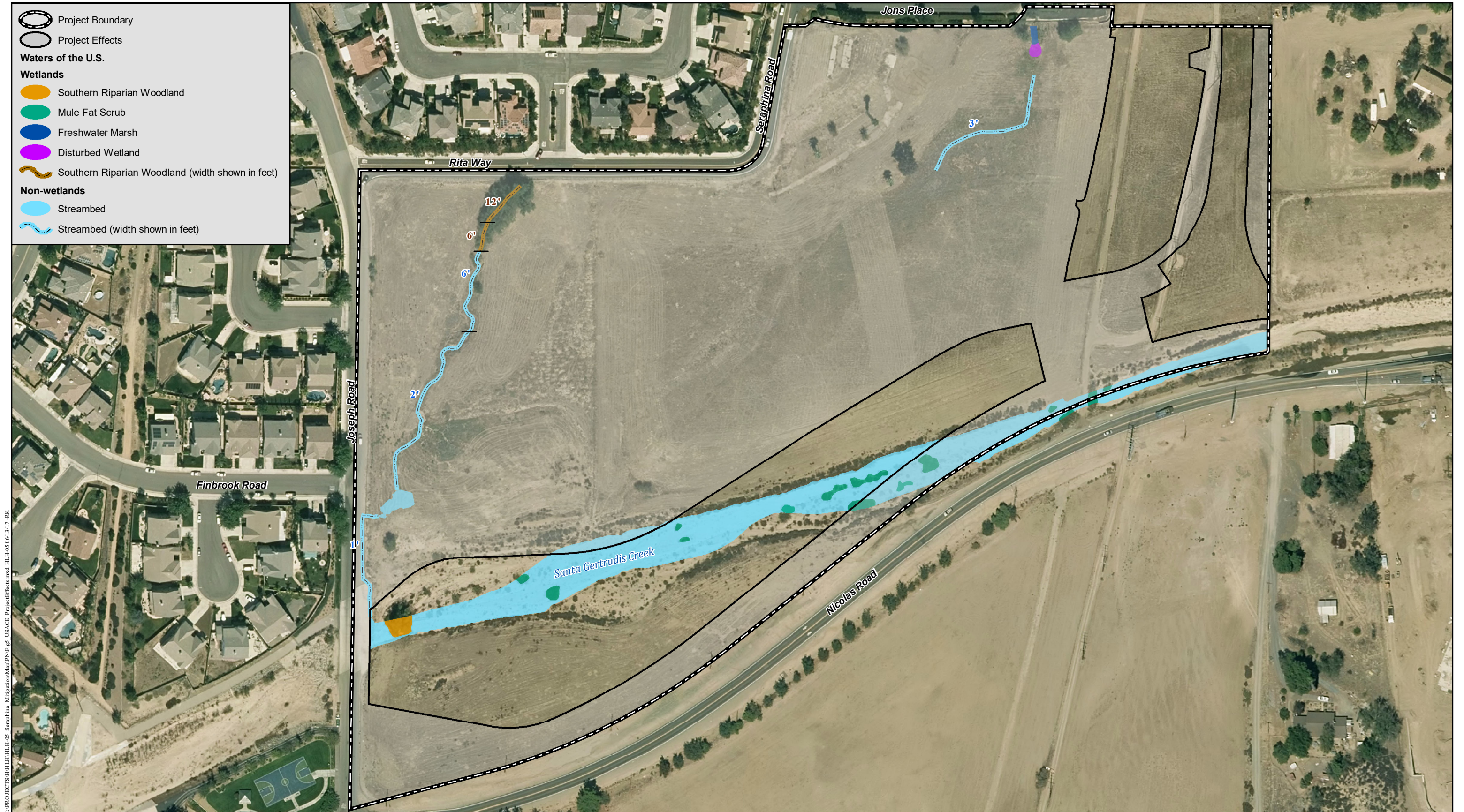
Project Vicinity (USGS Topography)

SERAPHINA

Figure 3



USACE Jurisdictional Delineation/Site Plan



USACE Jurisdictional Delineation/Project Effects

SERAPHINA

Figure 5