



# PUBLIC NOTICE

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

**BUILDING STRONG®**

## **APPLICATION FOR PERMIT Lilac Hills Ranch**

**Public Notice/Application No.:** SPL-2014-00595-RAG

**Project:** Lilac Hills Ranch

**Comment Period:** June 17, 2019 through July 17, 2019

**Project Manager:** Stephen Roethle; (760) 602-4835; [Stephen.R.Roethle@usace.army.mil](mailto:Stephen.R.Roethle@usace.army.mil)

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### **Applicant**

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### **Contact**

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### **Location**

The proposed 608-acre Lilac Hills Ranch project (Project) site is located approximately 2 miles from Interstate 15 (I-15) and Old Highway 395 (Latitude 33.29333 N, Longitude -117.13597 W), near the community of Bonsall, San Diego County, California. From the northwest corner of the site, West Lilac Road serves as the northern boundary. The eastern border of the Project extends south almost to Elmond Drive and is bordered by Rodriguez Road on the east and Rodriguez Road on the west. From the southwest corner, the western boundary runs along Shirey Road and Standell Lane (Figures 1, 2 and 3).

### **Activity**

As proposed, the Project consists of a mixed-use development over 608 acres. The proposed project would impact approximately 4.22 acres and 17,296 linear feet of jurisdictional waters of the U.S., of which 1.30 acre (1,918 linear feet) is jurisdictional wetlands and 2.92 acres (15,378 linear feet) is non-wetland jurisdictional waters (ephemeral drainages) for the purpose of constructing road crossings associated with residential development. (Figure 3).

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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 Comments should be mailed to:

DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION

ATTN: Stephen Roethle  
5900 LA PLACE COURT, SUITE 100  
CARLSBAD, CA 92008

Alternatively, comments can be sent electronically to: [Stephen.R.Roethle@usace.army.mil](mailto:Stephen.R.Roethle@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, 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 California Regional Water Quality Control Board. 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.

**Coastal Zone Management**- This project is located outside the coastal zone and preliminary review indicates it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources after review of the comments received on this Public Notice.

**Essential Fish Habitat**- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project.

**Cultural Resources**- Consultation was initiated for this project with the State Historic Preservation Officer (SHPO) on November 20, 2015. The SHPO concurred with the Corps determination that there would be "No Adverse Effects to Historic Properties" for this undertaking.

**Endangered Species**- The Corps has reviewed the biological technical report and biological surveys provided by the applicant, in addition to appropriate geospatial biological datasets. Based on this review it appears, no federally listed or threatened species are present within or near the proposed project site. However, the site is within U.S. Fish and Wildlife Service's (USFWS) designated critical habitat areas for the California gnatcatcher. The Corps will initiate consultation with the USFWS pursuant to Section 7 of the Endangered Species Act.

**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 a mixed-use development. 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 applicant's stated overall project purpose for the proposed project is to provide a compact pedestrian-oriented mixed-use village consistent with San Diego County's Community Development Model and General Plan policies.

### **Additional Project Information**

**Baseline information-** The 608 acre Lilac Hills Ranch project site is comprised of mostly agricultural and disturbed lands (76 percent) with patches of native habitat (coastal sage scrub, southern mixed chaparral) on the steeper slopes to the west; and riparian habitat (coast live oak woodland, coast live oak riparian woodland, willow riparian woodland, and willow scrub) along the major drainage courses. As proposed by the applicant, the Corps jurisdictional waters of the U.S. total approximately 18.13 acres, of which 13.44 acres consist of jurisdictional wetlands. A total of 44,406 linear feet of streambed were mapped on-site. The on-site jurisdictional waters consist of riparian wetlands and mostly un-vegetated or upland vegetated ephemeral drainages that have been partially affected by agriculture.

**Project description-** The proposed project would impact approximately 4.22 acres and 17,296 linear feet of jurisdictional waters of the U.S., of which 1.30 acre (1,918 linear feet) is jurisdictional wetlands and 2.92 acres (15,378 linear feet) is non-wetland jurisdictional waters. The preferred project encompasses approximately 608 acres and would consist of a mix of residential, commercial, and institutional uses, along with parks and open space. Specifically, the project would include: approximately 90,000 square feet of commercial, office, and retail, including a 50-room country inn; 903 traditional single-family detached homes; 164 single-family attached homes; 211 residential units within the commercial mixed-use areas; and 468 single-family detached age restricted residential units within a senior citizen neighborhood; necessary facilities and amenities to serve the senior population (including a senior community center, a group care facility, and a memory care facility); and a 2.0-acre Community Purpose Facilities (CPF) area that would be comprised of a private recreational facility and could include a fire station, with the total area of both not to exceed 40,000 square feet. The project also proposes a school site to accommodate K-8 students, public and private parks, and other recreational amenities. Also planned within the project site are a Recycling Facility (RF), a Water Reclamation Facility (WRF), and other supporting infrastructure. The mixed-use, commercial, and CPF area, with adjacent parks, would form a Town Center and two Neighborhood Centers, to which residents can walk for various social and commercial needs. Open space is proposed that would retain some of the existing citrus and avocado groves and sensitive biological/wetland habitat, as well as cultural resources totaling 104.1 acres.

**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:** As proposed by the applicant, avoidance measures include avoidance of 85 percent of the jurisdictional waters of the U.S. on-site by minimizing impacts to the major drainage courses to road crossings and impacting disturbed narrow non-wetland ephemeral drainages. The avoided areas or biological open space, would be preserved and protected under a covenant of easement. The proposed road crossings minimize impacts to waters of the U.S. by placing the proposed crossings

where wetlands/streambeds are narrow, disturbed, and where existing agricultural road crossings exist (see Attachment A).

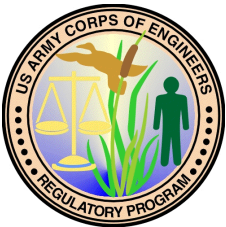
**Minimization:** Measures to minimize indirect edge effects on waters of the U.S. include buffers that range between 50 and 100 feet, incorporation of limited building zone setbacks adjacent to these buffers. In addition, signage and fencing would be installed to restrict access to the biological open space areas except along designated trails to help minimize any potential future impacts to the waters of the U.S.

**Compensation:** Compensatory mitigation for unavoidable impacts to waters of the U.S. will be required. The proposed mitigation includes a combination of on-site restoration for wetland and non-wetland waters of the U.S. The proposed mitigation plan includes 6 acres of creation/establishment of wetland/riparian habitat to be created in the southern portion of the proposed project site. In addition, a total of 12 acres is proposed as preserved wetland/riparian habitat to be enhanced within the biological open space.

### **Proposed Special Conditions**

Permit Special Conditions, will be determined prior to issuance.

For additional information please call Stephen Roethle of my staff at (760) 602-4835 or via e-mail at [Stephen.R.Roethle@usace.army.mil](mailto:Stephen.R.Roethle@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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**LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
5900 LA PLACE COURT, SUITE 100  
CARLSBAD, CA 92008

**[WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY](http://WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY)**



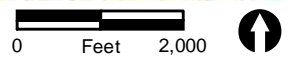
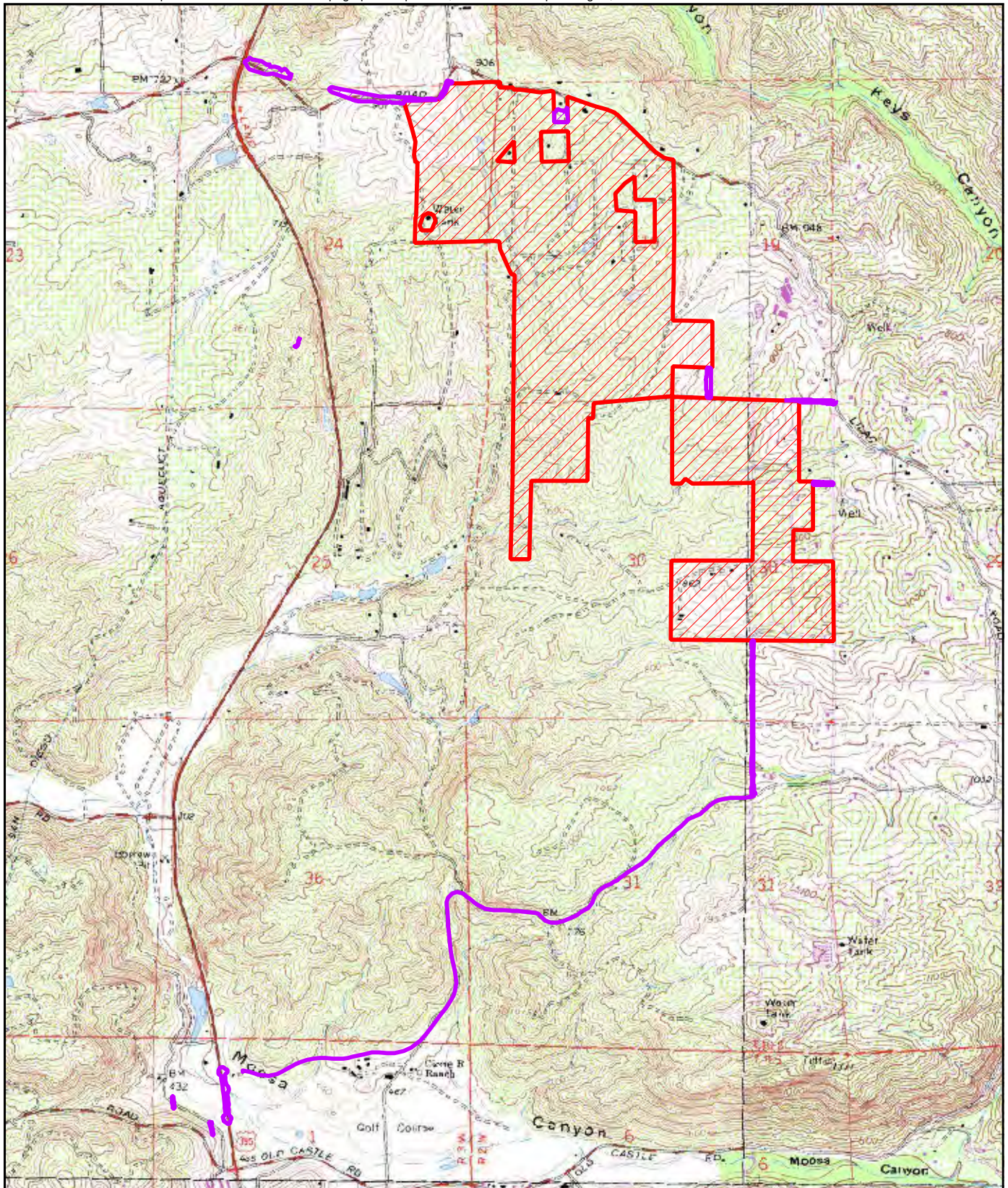


✱ Project Location

FIGURE 1

Regional Location







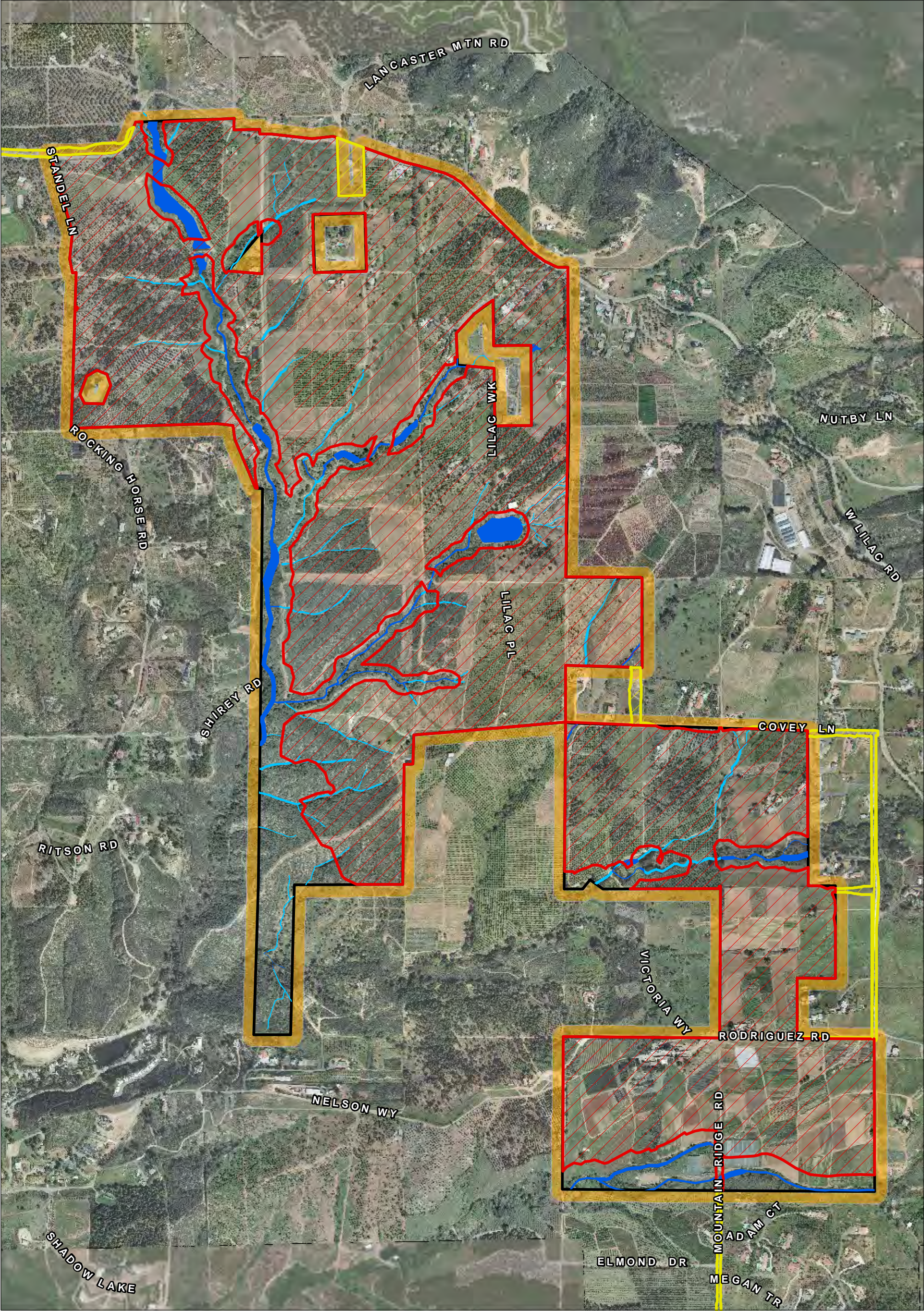
-  Project Boundary
-  Off-site Improvement Areas

FIGURE 2

Project Location on USGS Map





- |                       |                   |                            |
|-----------------------|-------------------|----------------------------|
| Project Boundary      | Wetland           | Project Impacts            |
| 100-ft. Survey Buffer | Non-wetland Water | Off-site Improvement Areas |

FIGURE 3

Impacts to USACE Waters of the U.S.



# WETLAND CROSSING KEY MAP

## LILAC HILLS RANCH

