



# PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT

BUILDING STRONG®

## APPLICATION FOR PERMIT Skyline Heights Residential Development Project

**Public Notice/Application No.:** SPL-2017-00659-CLD

**Project:** Skyline Heights Residential Development Project

**Comment Period:** August 23, 2019 through September 22, 2019

**Project Manager:** James Mace; (951) 276-6624 X 263; [James.E.Mace@usace.army.mil](mailto:James.E.Mace@usace.army.mil)

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### **Applicant**

Mike Byer  
JHB Colony Investments, LLC  
3161 Michelson Drive  
Suite 425  
Irvine, California 92612

### **Contact**

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L&L Environmental, Inc.  
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### **Location**

The proposed Skyline Heights Residential Development Project (Tentative Tract Map 36544) is located within the City of Corona in Riverside County, California within Sections 3, 4, and 9, Township 4 South, Range 7 West, as shown on the U. S. Geological Survey (USGS) Corona South [1982] 7.5' topographic quadrangle map (Figures 1 and 2).

### **Activity**

The applicant is proposing to permanently discharge 1.63 acre (19,943 linear feet) of fill material into five on-site drainage features consisting of non-wetland waters of the U.S. (WoUS) and to temporarily discharge up to 0.34 acre (411 linear feet) of fill material into one off-site drainage feature consisting of non-wetland WoUS, for construction of a single-family residential housing development and associated infrastructure, the Skyline Heights Residential Development Project, in Corona, Riverside County, California. The Project would be built in three (3) phases; however, all grading would be completed during the initial phase.

For more information see Additional Project Information section below.

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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: Crystel Botar  
1451 Research Park Drive, Suite 100  
Riverside, California, 92507-2154

Alternatively, comments can be sent electronically to: [Crystel.L.Botar@usace.army.mil](mailto:Crystel.L.Botar@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**- The latest version of the National Register of Historic Places has been consulted and this site is not listed. The Corps is requiring a records search be conducted as part of this 404 permit process. The Corps will continue to evaluate potential effects on cultural resources and will make a determination on whether consultation with the State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, is warranted.

**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 a 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.

**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 an approximately 300-lot single-family residential housing development to help meet the anticipated housing needs of the City of Corona.

## **Additional Project Information**

### **Baseline information-**

The proposed project consists of the development of 292 Single Family Low Density Residential lots and supporting infrastructure. The Project site consists of two (2) areas. The area north of Mabey Canyon would include 46 Single Family lots and the area to the south of Mabey Canyon would include 246 Single Family lots. The Project would be built in three (3) phases; however, all grading would be completed during the initial phase. Implementation of the project may require rock crushing and blasting.

The site is generally bounded to the north and east by single-family residences or areas that have been graded for lots, and on the south and west by the Cleveland National Forest and large private parcels. Within the general boundaries of the Project site is an undeveloped 10.0-acre parcel that is considered "Not a Part" and is federal land administered by the U. S. Forest Service (USFS). Adjacent to the southeast portion of the Project site is a single-family residential community that is currently graded and under construction (Tract Map 31955). The immediate surrounding area consists of Low Density Residential as well as undeveloped open space within the City of Corona (Figure 3).

Elevation on the site ranges from approximately 1,160 to 1,420 feet above mean sea level (AMSL). Topographic features include steep hills, generally increasing in elevation from the northeast to the southwest. Canyons and ravines on the site receive and transmit natural drainage flows downstream to the Santa Ana River, and ultimately the Pacific Ocean.

The Project hydrology and storm drain system would be designed in accordance with recent City of Corona and Riverside County Flood Control and Water Conservation District design requirements. Seven (7) Drainage Management Area (DMA) basins are proposed within the Project site to detain increased runoff flows from project development.

A jurisdictional delineation identified seven (7) drainages, including tributaries. U.S. Army Corps of Engineers (USACE) jurisdictional areas include 2.16 acres (23,664 linear feet) of non-wetland WoUS. No federal wetlands were found in the survey area.

In addition, the offsite impact area for the southeast access road includes 0.06 acre (142 linear feet) of non-wetland WoUS. No federal wetlands are present. This area has been largely disturbed by construction of a stormwater basin and associated structures; the previous disturbance is unrelated to the Skyline Project. The offsite impact area for the temporary haul road (preferred route) includes 0.34 acre (411 linear feet) non-wetland WoUS. The temporary haul road across Mabey Canyon (alternative route), includes 0.20 acre (268 linear feet) of non-wetland WoUS.

The Project area has rolling hills and valleys traversed by various small tributaries to Wardlow Wash, Mabey Wash, an unnamed blue-line stream, and existing residential storm drain systems. The very northern tip of the survey area intersects with Wardlow Wash. Most of the northern portion of the survey area drains toward Mabey Canyon Wash. Portions of Mabey Canyon Wash were confined by a previous landowner. Near the eastern border, Mabey Canyon Wash enters a large flood control basin. The unnamed blue-line stream traverses the Project site from west to east. This feature becomes a trapezoidal channel near Mangular Avenue and Chase Drive and flows into Oak Hills flood control basin, outside of the project limits.

The Project site includes upland shrublands and woodlands, non-native ornamental vegetation, vegetated drainages, and non-vegetated drainages. Upland areas contain a variety of chaparral habitats on the north-facing slopes and coastal sage scrub habitats on the drier south-facing slopes. Needle grass grasslands are present in previously cleared areas on the ridgelines. California grasslands occur throughout the project site and are composed primarily of non-native species such as brome grasses (*Bromus* species), short-pod mustard (*Hirschfeldia incana*), filarees (*Erodium* species), and Russian thistle (*Salsola tragus*), as well as native species such as doveweed (*Croton setiger*) and deerweed (*Acmispon glaber*).

Drainages contain woody riparian species, woodlands, and alluvial fan species interspersed with expanses of upland scrub or unvegetated sandy or cobbly soils. Vegetation communities present include coast live oak woodland, California sycamore woodland, and mulefat scrub. Alluvial fan sage scrub (scale broom scrub) is located in and adjacent to Feature 3, Feature 6 (Mabey Canyon Wash), and Feature 7 (Wardlow Wash). Non-native eucalyptus and pepper trees are present in the eastern end of Features 3 and 6 (Mabey Canyon Wash) and the associated floodplains.

Project description-

The proposed project includes 292 single-family lots and associated infrastructure. The area north of Mabey Canyon would include 46 Single Family lots and the area to the south of Mabey Canyon would include 246 Single Family lots.

The applicant is proposing to permanently discharge 1.63 acre (19,943 linear feet) of fill material into five on-site drainage features consisting of non-wetland WoUS from grading necessary for construction of the pads for the home sites (Table 3a). Furthermore the applicant is proposing to temporarily discharge up to 0.34 acre (411 linear feet) of fill material into one off-site drainage feature consisting of non-wetland WoUS, for construction of a temporary access road (Table 3b).

<b>Drainage/ Feature*</b>	<b>Sq. Ft.</b>	<b>Acres</b>	<b>Length (ft.)</b>
F-1	38,252	0.88	5,224
F-2	56	0.001	70
F-3	28,678	0.66	13,190
F-4	0	0	0

F-5	1,427	0.03	1,317
F-1 South East Access Rd.	2,600	0.06	142
<b>Total</b>	<b>71,013</b>	<b>1.63</b>	<b>19,943</b>

<b>Table 3b. Temporary Impacts to WoUS</b>			
<b>Feature</b>	<b>Sq. ft.</b>	<b>Acres</b>	<b>Length (ft.)</b>
F-6 Haul Road Preferred Route	14,790	0.34	411
F-6 Haul Road Alternative Route	8,597	0.20	268
<b>Maximum Temporary Impact</b>	<b>14,790</b>	<b>0.34</b>	<b>411</b>

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 applicant proposes to avoid 0.59 acre (3,863 linear feet) of WoUS.

Minimization: During the construction phase of the Project, the applicant proposes to follow Best Management Practices (BMP's) designed to minimize the short-term degradation of water quality. All temporary impacts would be restored to pre-project contours and appropriate native habitat after construction.

Compensation: Proposed compensatory mitigation would be offsite conservation of 10 acres of undeveloped land adjacent to and including a portion of the San Jacinto River.

**Proposed Special Conditions**

Special Conditions may be added as a result of the alternative analysis and comments received.

For additional information please call James Mace of my staff at (951) 276-6624 X 263 or via e-mail at [James.E.Mace@usace.army.mil](mailto:James.E.Mace@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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**DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS**

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**L&L Environmental, Inc.**

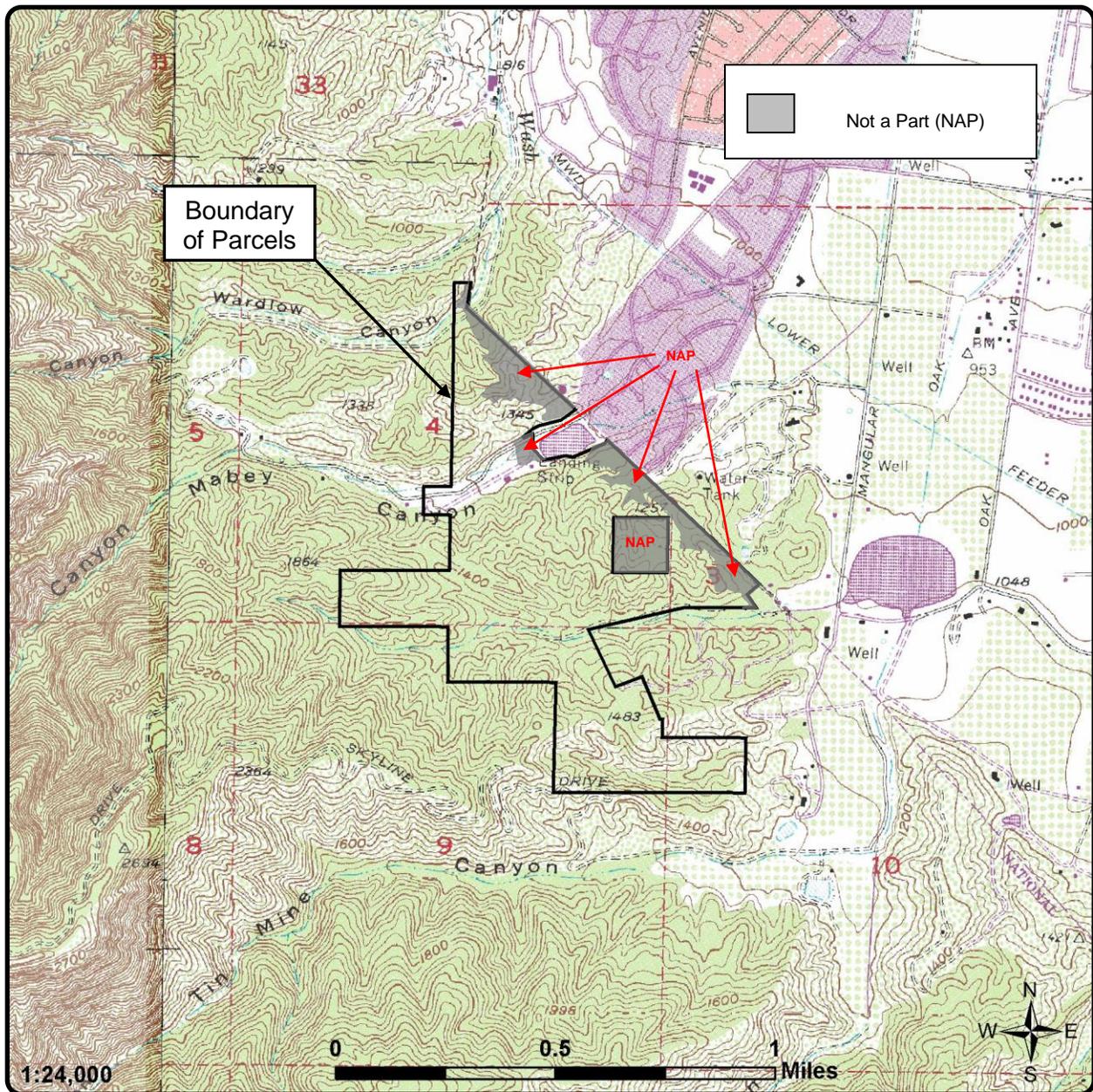
BIOLOGICAL AND CULTURAL  
INVESTIGATIONS AND MONITORING

RLCC-14-458  
August 2017

**Figure 1**

**Project Vicinity Map**

Skyline Heights (TTM 36544), Corona Area  
County of Riverside, California



**L&L Environmental, Inc.**

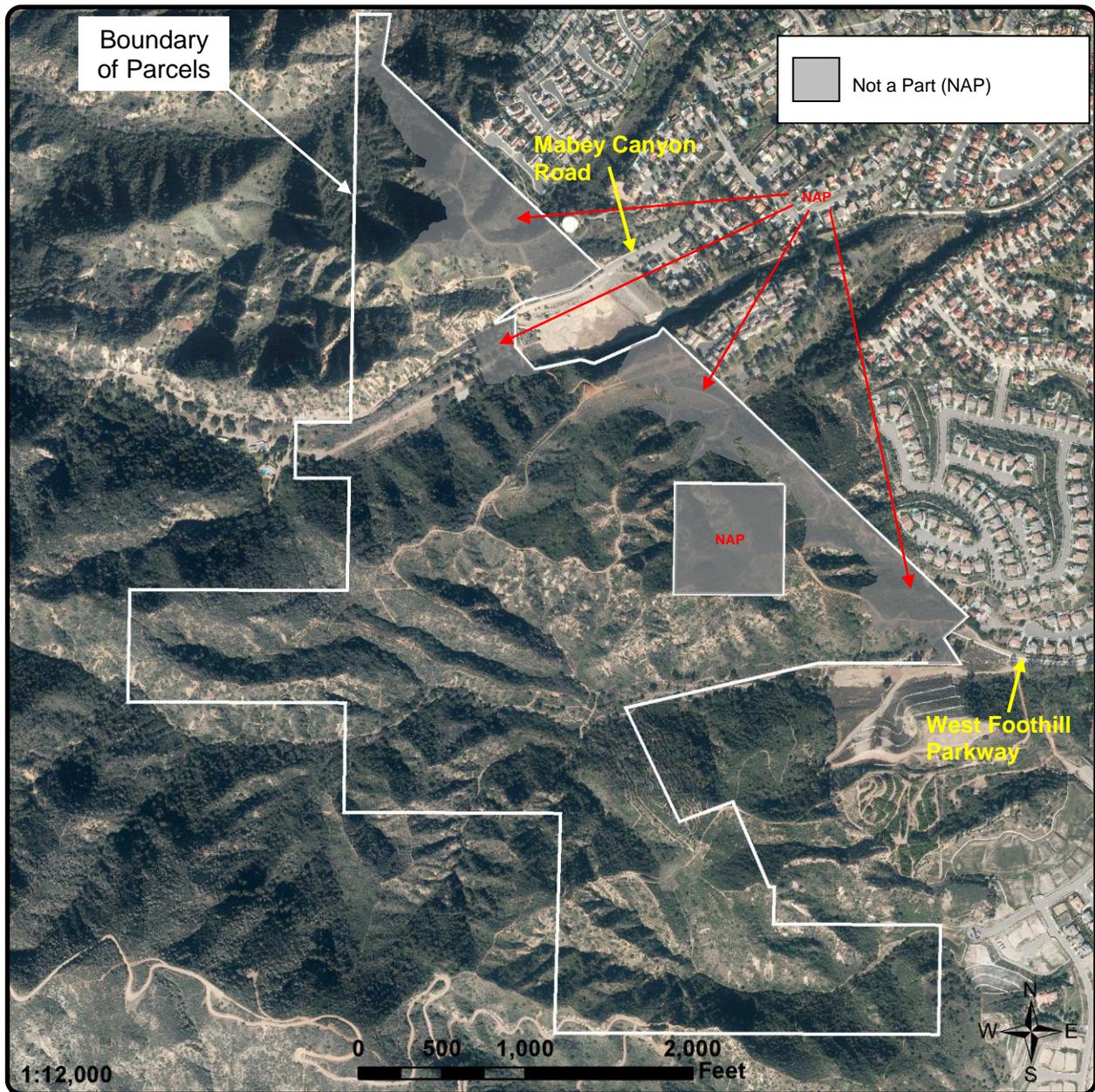
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INVESTIGATIONS AND MONITORING

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**Figure 2**

**Project Location Map**  
(USGS Corona South [1982] quadrangle,  
Sections 3, 4, & 9, Township 4 South, Range 7 West)

Skyline Heights (TTM 36544), Corona Area  
County of Riverside, California



**L&L Environmental, Inc.**

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INVESTIGATIONS AND MONITORING*

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**Figure 3**

**Aerial Photograph**

(Photo obtained from NAIP, February 2011)

*Skyline Heights (TTM 36544), Corona Area  
County of Riverside, California*