



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT Oak Valley Town Center Project

Public Notice/Application No.: SPL-2021-00087-CLB

Project: Oak Valley Town Center Project

Comment Period: 6 October 2021 through 5 November 2021

Project Manager: Crystel Botar; (951) 202-4508; Crystel.L.Botar@usace.army.mil

Applicant

John Ohanian
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Contact

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Location

The proposed Oak Valley Town Center Project site is located northwest of the junction of I-10 and Highway 60. It extends from approximately a quarter mile northwest of the Cherry Valley Boulevard/I-10 crossing to approximately a quarter mile southwest of the Singleton Road/I-10 crossing (Figure 3, *Aerial Photograph*) within the city of, Calimesa, Riverside County, CA (at: 33.973071, -117.045194).

Activity

The applicant is proposing to permanently discharge 1.00 acre (0.88 acre on-site; 0.12 acre off-site) and temporarily discharge 0.04 acre (0.03 acre on-site; 0.01 acre off-site) of fill material into non-wetland Waters of the U.S. (WoUS) for construction of a commercial/industrial development in association with the Oak Valley Town Center Project. 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 drawings. 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.

During the Coronavirus Health Emergency, Regulatory Program staff are teleworking. Please do not mail hard copy documents, including comments to any Regulatory staff. Instead, your comments should be submitted electronically to: Crystel.L.Botar@usace.army.mil. Should you have any questions or concerns about the Corps' proposed action or our comment period, you may contact Crystel Botar directly at (951) 202-4508.

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. The applicant has applied for 401 certification with the California Regional Water Quality Control Board, Santa Ana Region.

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. This review constitutes the extent of cultural resources investigations by the District Engineer, who is otherwise unaware of the presence of such resources.

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 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 provide commercial/industrial development space near Interstate 10 and Interstate 60, in the eastern Inland Empire area of Riverside County, California.

Additional Project Information

Baseline information- Land uses for the Project site were originally planned in the Oak Valley Specific Plan, which consisted of 6,405.5 acres and was approved in October 1988. Subsequently, the project was assessed as part of the 2,590-acre Summerwind Ranch at Oak Valley Specific Plan (Specific Plan) Environmental Impact Report (EIR; EDAW, Inc. 2005; State Clearinghouse No. 2004061035), which was certified by the City of Calimesa on April 18, 2006. The plan revisions were made in recognition of the environmental sensitivity of portions of the Specific Plan beyond the limits of the currently proposed project, including preservation of Garden Air Wash to the north of the site. The Specific Plan area was designated for a variety of residential uses and open space, as well as a Town Center. The project was planned to be located in the east-central portion of the Specific Plan Area, west of I-10 and around the proposed junction of Roberts Road and Singleton Road. In 2020, the land use designations of portions of the project were modified

The approximately 237-acre project site consists primarily of wild oats and annual brome grasslands. The flat portions of the study area have been used for agriculture since at least 1959 and are currently fallow. Disturbed land and vegetation communities dominated by non-native species were also observed throughout the site and were generally associated with existing or historical human use of the site, such as agricultural activities. The steeper hillsides in the western portion of the study area support native upland communities, including coastal scrub, chaparral, and chamise chaparral communities. The study area supports eight drainage features (Drainages A, A1, A1.1, A2, A3, A4, A5, and A5.1). Where vegetated, these drainage features mostly support non-native, upland vegetation, with the exception of mulefat scrub in Drainage A and Drainage A5 and a small patch of wild oats and annual brome grasslands/Goodding's willow riparian woodland and forest in the central portion of Drainage A5.

Project description- The proposed project would be a commercial and industrial development comprised of approximately 751,800 square feet of retail uses, approximately 2,250,000 square feet of short-term and long-term warehouse space, and associated roadways (Figure 5, *Adopted Specific Plan Land Use*). The business park uses would occur at the northeast, northwest, and southwest quadrants of the Roberts Road/Singleton Road intersection, and commercial uses would occur along the I-10 frontage southeast of Singleton Road, at the southeast quadrant of the Roberts Road/Singleton Road intersection. A new fire station would be planned within the Town Center. A planned lift station and water quality pond would be located along the southwestern edge of the Town Center. A planned three-chambered lake in the Town Center would make highly treated wastewater available for reuse as potable water as part of a comprehensive water management plan for the area. This treatment/storage project would be a key element of the Yucaipa Valley Water District's plan to address drought and effectively manage groundwater basins, and also would support climate resiliency initiatives for the region. Additional components include funding for the Singleton Road freeway bridge crossing and freeway access ramps, as well as construction of Singleton Road and Roberts Road within the project area.

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 proposed project would avoid approximately 1.03 acres of WoUS.

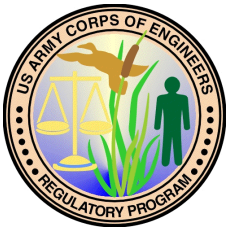
Minimization: Several minimization measures to eliminate or reduce potential impacts to jurisdictional areas would be implemented. These would include measures to control and manage erosion, sedimentation, and pollutants via the implementation of standard Best Management Practices (BMPs).

Compensation: Compensation for permanent impacts to WoUS would likely be required as part of the 404 permitting process and would likely be resolved through the purchase of mitigation credits from an approved mitigation bank or in-lieu fee program and/or implementation of permittee-responsible streambed mitigation.

Proposed Special Conditions

Special conditions providing for the avoidance, minimization, and mitigation for impacts to waters of the United States, would likely be incorporated into any Corps permit authorization, if issued. No additional special conditions are proposed at this time.

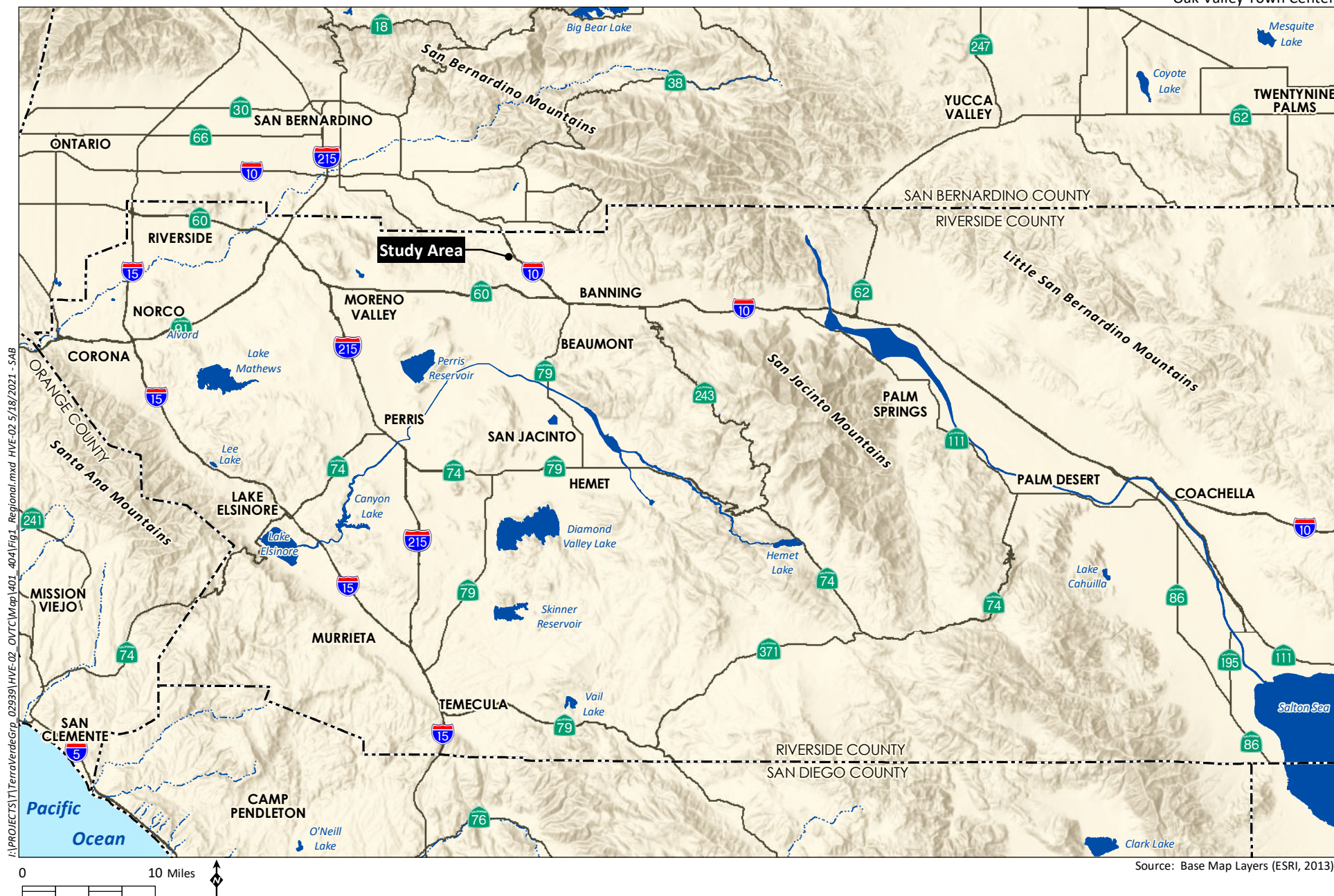
For additional information please call Crystel Botar of my staff at (951) 202-4508 or via e-mail at Crystel.L.Botar@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



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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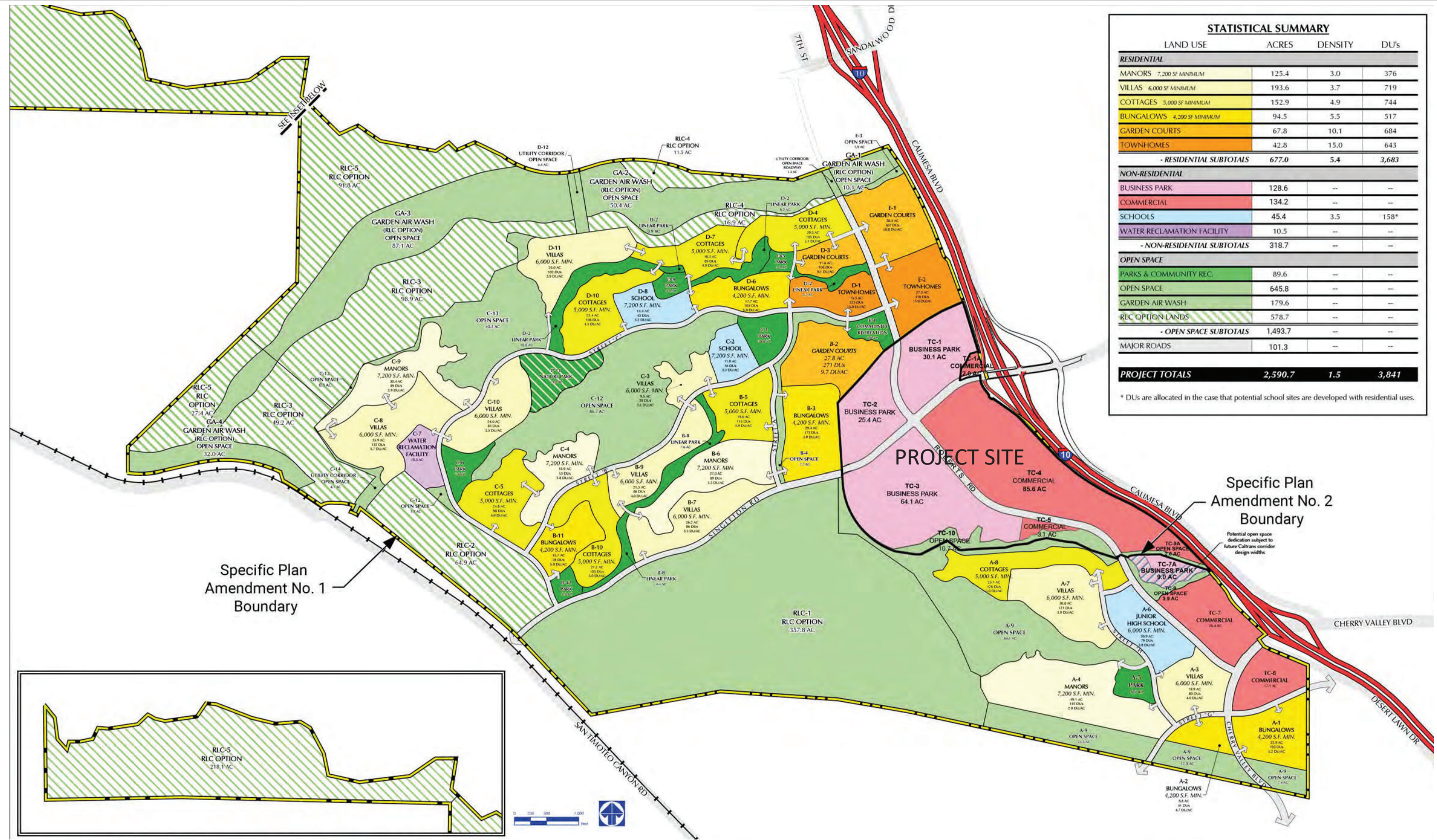


- Project Site
- Off-site Boundary

0 500 Feet

Source: Aerial (NearMap, 2020).

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Source: T & B Planning Consultants (2020)