



# PUBLIC NOTICE

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

**BUILDING STRONG®**

## **APPLICATION FOR PERMIT Rancho Coronado Project**

**Public Notice/Application No.:** SPL-2012-00157-RJV

**Project:** Rancho Coronado Project (Tract 31597)

**Comment Period** November 18, 2014 through December 18, 2014

**Project Manager:** Richard J. Van Sant III; 760-602-4837; [richard.j.vansant@usace.army.mil](mailto:richard.j.vansant@usace.army.mil)

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### **Applicant**

Marvin Howell  
Hanson Aggregates West, Inc.  
P.O. Box 639069  
San Diego, California 92163

### **Contact**

Barry Jones  
HELIX Environmental Planning, Inc  
7578 El Cajon Blvd Ste 200  
La Mesa, California 91941

### **Location**

City of San Marcos, San Diego County, California (at: 33°07'18.19"N, -117°10'37.32"W).

### **Activity**

The 251-acre project proposes grading and construction to develop 52 acres of mixed-use residential consisting of 346 single family detached, single-family detached courtyard, and paired single-family (duplex units) developed in three villages; 17 acres of non-residential mixed use commercial; associated infrastructure improvements, as well as a 35-acre park space, and an approximately 119-acre preserved open space. The project includes relocating an unnamed tributary of San Marcos Creek to the west of the existing location and creating a widened channel bottom and manufactured earthen slopes along both sides. Riparian vegetation is to be installed in the channel bottom; the riparian edge will be planted with coast live oak woodland and the slopes are to be planted with Diegan coastal sage scrub (DCSS) vegetation.

The project proposes to permanently impact 0.87 acre of wetland waters of the U.S. (0.43 acre of disturbed wetland, 0.16 acre of freshwater marsh, 0.02 acre of mule fat scrub, 0.05 acre of southern riparian forest, 0.12 acre of southern willow scrub, and 0.09 acre of southern willow scrub/freshwater marsh habitat) and 0.45 acre of non-wetland waters of the U.S. (0.38 acre of streambed and 0.07 acre of detention basin). Total permanent impacts = 1.32 acre.

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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 U.S. Army Corps of Engineers (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(b)(1) of the Clean Water Act. Comments should be mailed to:

U.S. Army Corps of Engineers  
Regulatory Division, Carlsbad Field Office  
Attn: SPL-2012-00157-RJV  
5900 La Place Court, Suite 100  
Carlsbad, California 92008

Alternatively, comments can be sent electronically to: [Richard.J.Vasant@usace.army.mil](mailto:Richard.J.Vasant@usace.army.mil).

The mission of the Corps 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 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 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 prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

**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 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**- Preliminary determinations indicate the proposed activity would not adversely affect Essential Fish Habitat. Therefore, formal consultation under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is not required at this time.

**Cultural Resources**- The applicant has submitted a cultural resources report prepared by ASM Affiliates (August 2012) for compliance with Section 106 of the National Historic Preservation Act, as amended. The report concluded that no cultural resources had been previously recorded within the Area of

Potential Effect, and no new resources were recorded during the survey. The Corps will determine whether the proposed activity will have any adverse effects on listed historic properties or on potential historical properties eligible for listing in the National Register. In consultation with the State Historic Preservation Officer (SHPO), the Corps will ensure the proposed action complies with Section 106 of the National Historic Preservation Act, as amended, before making a permit decision for the proposed activity. As per Section 106 of the National Historic Preservation Act, as amended, Tribes will also be contacted to request their comments.

**Endangered Species-** Preliminary determinations indicate that 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). The basic project purpose for the proposed project is to construct residential housing. 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 residential housing in the southern San Marcos area. The future sports park is a requirement under the Heart of the City Plan and must be sited within the City of San Marcos

### **Additional Project Information**

**Baseline information-** The project site sits within the boundaries of the former Hanson mining site. The eastern and northern portions of the former Hanson mining site are disturbed from past aggregate mining activities and the remainder of the site contains undeveloped native habitat. The project development is proposed in areas that are disturbed from previous mining. The proposed open space occurs in the southwestern portion of the site and abuts existing open space to the southwest and South Lake to the south.

**Project description-** The 251-acre project proposes grading and construction to develop 52 acres of residential, 17 acres of non-residential mixed use commercial, associated infrastructure improvements, as well as a 35-acre park space, and approximately 119-acres of preserved open space. The project includes relocating an unnamed tributary of San Marcos Creek to the west of the existing



location, and creating a widened channel bottom and manufactured earthen slopes along both sides. Riparian vegetation is to be installed in the channel bottom; the riparian edge will be planted with coast live oak woodland and the slopes are to be planted with Diegan coastal sage scrub (DCSS) vegetation.

All upland habitat impacts associated with the mining and the current residential project have been previously analyzed within the approved Habitat Loss Permit (HLP; HLP 03-08) approved by the City on December 23, 2003 and approved by the wildlife agencies on January 23, 2004.

The project proposes to permanently impact 0.87 acre of wetland waters of the U.S. (0.43 acre of disturbed wetland, 0.16 acre of freshwater marsh, 0.02 acre of mule fat scrub, 0.05 acre of southern riparian forest, 0.12 acre of southern willow scrub, and 0.09 acre of southern willow scrub/freshwater marsh habitat) and 0.45 acre of non-wetland waters of the U.S. (0.38 acre of streambed and 0.07 acre of detention basin). Total permanent impacts = 1.32 acre.

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 site is part of a larger aggregate extraction mining site that has since been reclaimed. That project underwent environmental/biological CEQA review in the mid 1990s, resulting in a Mitigated Negative Declaration (MND) being issued and associated Habitat Loss Permit (HLP) issued by the Wildlife Agencies in 2004. Thus, all impacts on the site to upland habitats have been fully mitigated. However, in the years following the issuance of the MND and HLP, an area of wetlands has emerged on the site, including an area that will be impacted by construction of the project.

Under the HLP the project was conditioned to preserve 81.0 acres of CSS onsite. The original HLP preserve boundary has been modified slightly due to the configuration of the current project design, though no additional impacts are proposed. A total of 110.0 acres are avoided and placed within biological open space in addition to approximately 11 acres of open space along the restored creek channel will add to the regional preserve in this area. The natural drainage in the south-central portion of the site with the highest quality riparian habitat is being avoided by the proposed project and 4 smaller tributaries are also avoided in the HLP open space.

**Minimization:** The project development is minimizing impacts by proposing development within areas that are disturbed from previous mining and cleared following the initial HLP approval, although some natural jurisdictional areas still remain and will be impacted. Impacts have been greatly minimized to stay within already disturbed areas. The project will be relocating the primary drainage to the west of the existing location, creating a widened channel bottom and manufactured earthen slopes along both sides that will be restored to riparian and sage scrub habitat. Two bottomless arch culverts will be used for access across the channel to the future park site. Overall riparian habitat will be increased over the long term following restoration.

Compensation: Mitigation will occur both on and off-site. The on-site mitigation component (creation and enhancement) will be located west of the residential development footprint, adjacent to the HLP preserve lands. The existing flows that enter the property from storm drains under Twin Oaks Valley Road will be collected in an extended storm drain that places the outfall approximately 1,000 feet to the west. This will allow the restoration effort to be contiguous with the HLP preserve and existing riparian habitat below Discovery Lake (Figure 8). The channel will be approximately 40-50 wide at the bottom. Wetland mitigation will occur within the channel bottom and along the lower portions of the graded slopes located on either side of the channel. The remainder of these graded slopes will consist of Diegan coastal sage scrub habitat, which will serve as a biological buffer. This will result in the creation of up to 3.75 acres of USACE jurisdictional areas. In addition, 0.30 acre of riparian enhancement will be conducted. Approximately 4.3 acres of Diegan coastal sage scrub will be restored. Off-site mitigation will occur through purchase of 0.44 acre of creation credits and 1.056 acre of enhancement credits from the North County Habitat Bank (NCHB).

### **Proposed Special Conditions**

Permit Special Conditions will be developed as part of the review process.

For additional information please call Richard J. Van Sant III at 760-602-4837 or via e-mail at [Richard.J.Vansant@usace.army.mil](mailto:Richard.J.Vansant@usace.army.mil). This public notice is issued by the Chief, Regulatory Division.



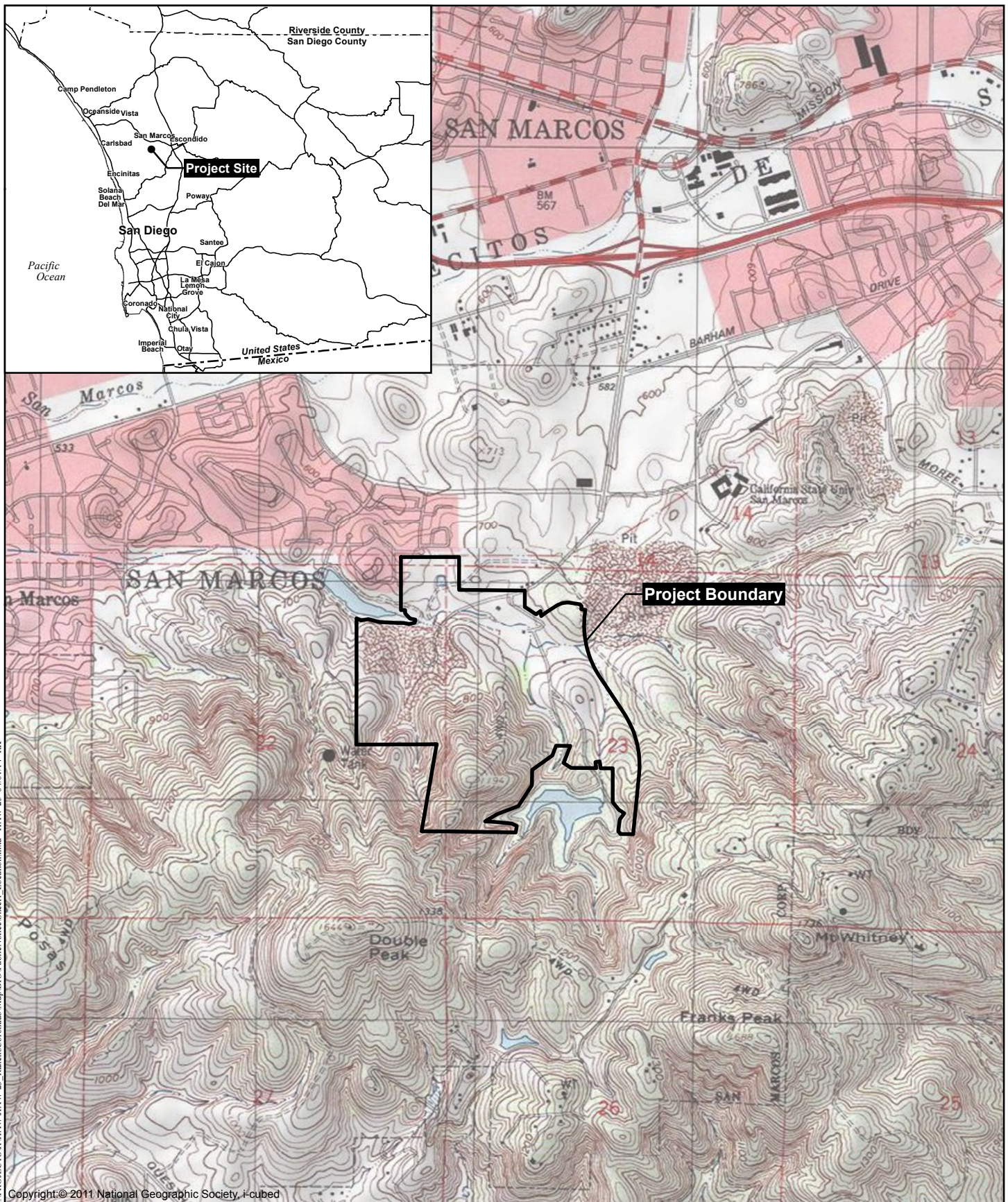
#### *Regulatory Program Goals:*

- 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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**U.S. ARMY CORPS OF ENGINEERS – LOS ANGELES DISTRICT**  
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Carlsbad, California 92008  
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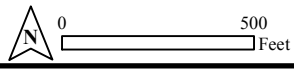
## Project Location Map





# Site Plan

RANCHO CORONADO - SPL-2012-00157-MER







# Waters of the U.S./Impacts

RANCHO CORONADO - SPL-2012-00157-MER

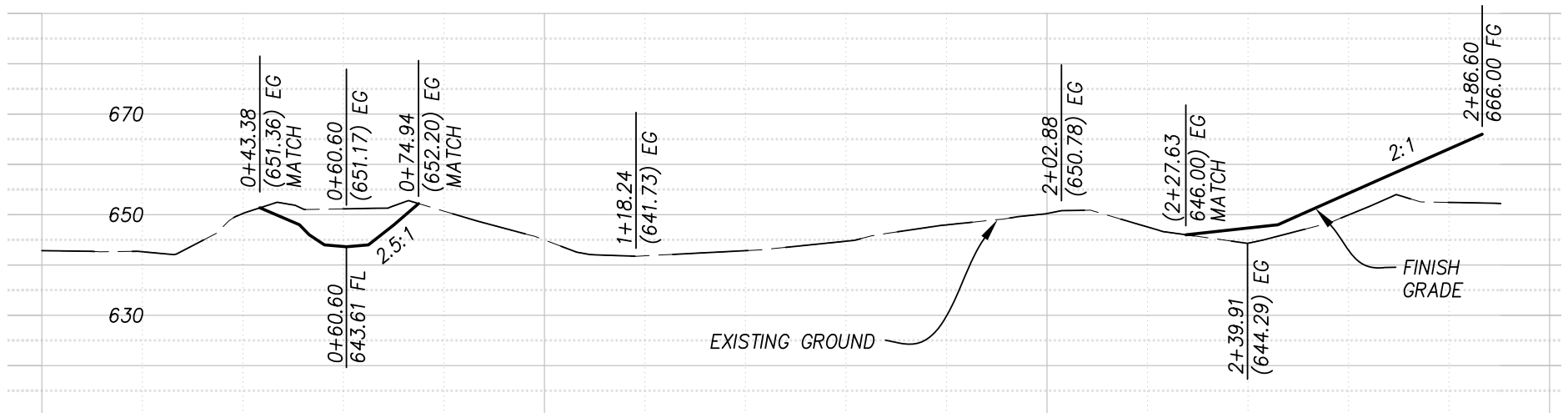




## Mitigation Plan

RANCHO CORONADO - SPL-2012-00157-MER





Source: Fuscoe Engineering 2014

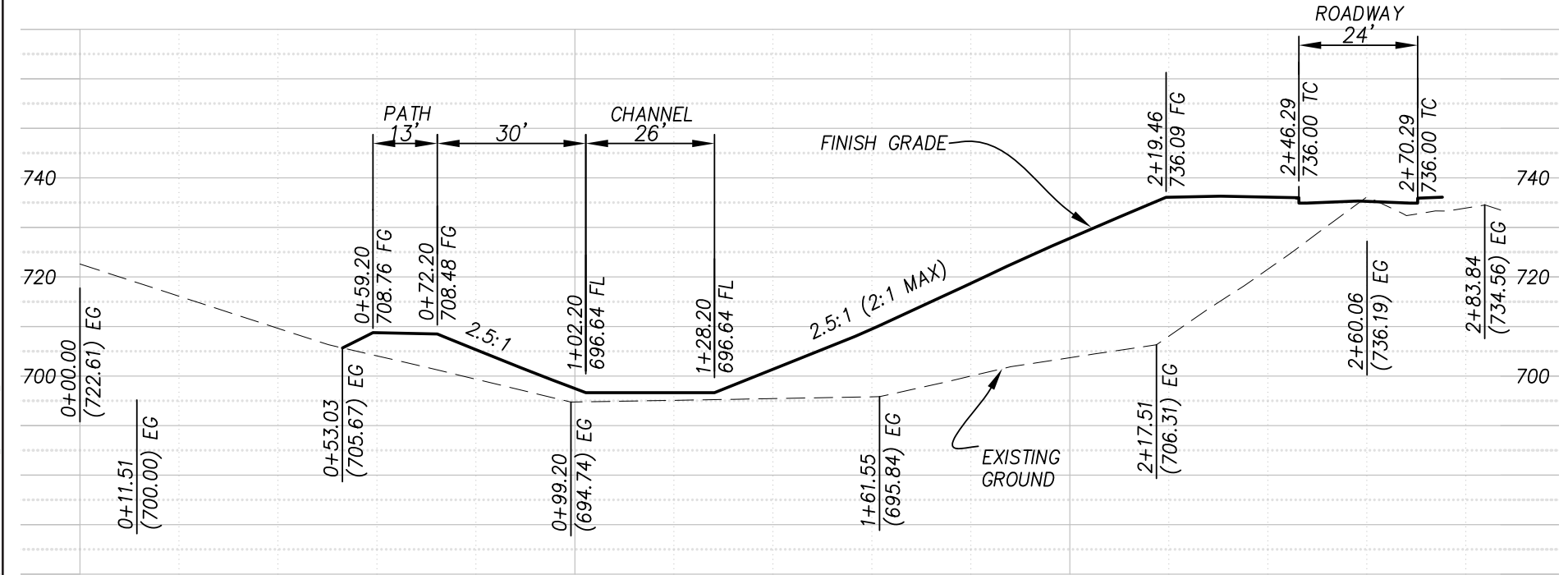
## Mitigation Area Cross-section A

RANCHO CORONADO - SPL-2012-00157-MER





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Source: Fuscoe Engineering 2014

## Mitigation Area Cross-section C

RANCHO CORONADO - SPL-2012-00157-MER

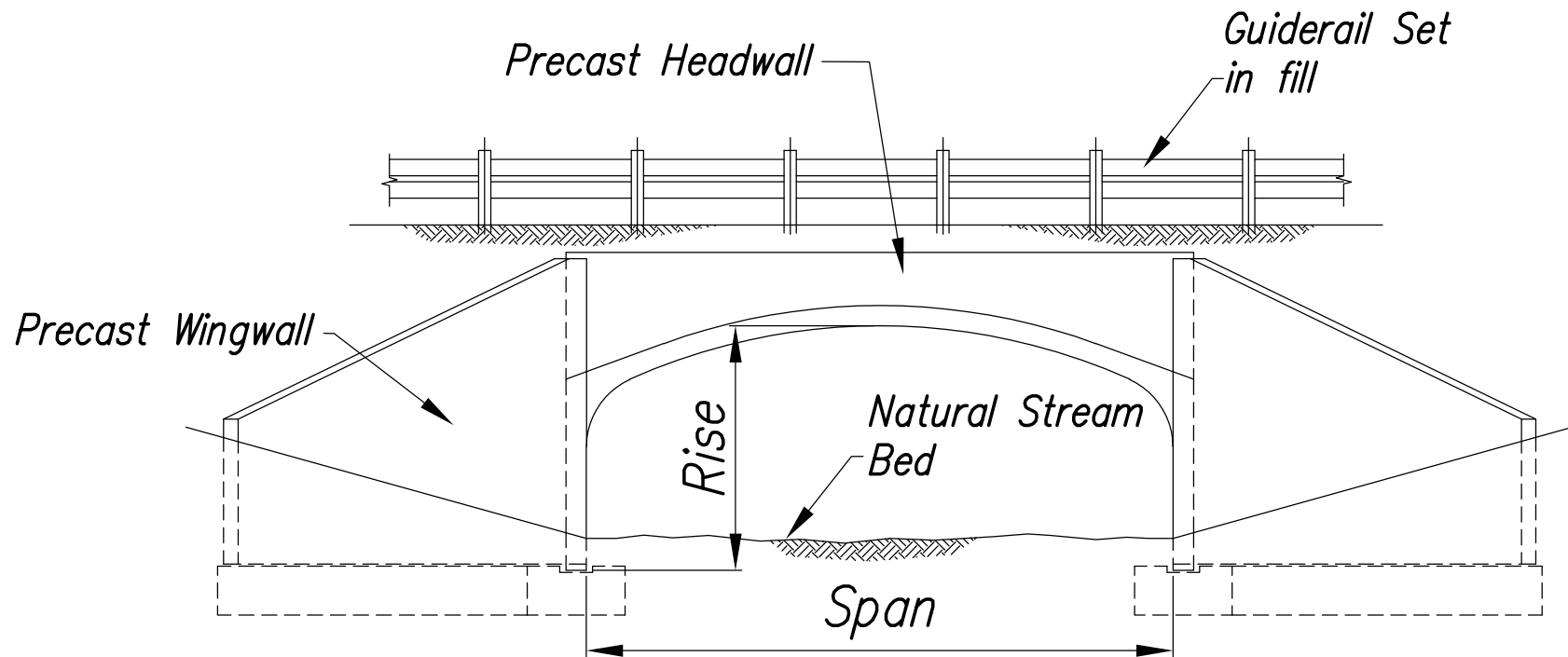
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Source: Fuscoe Engineering 2014



## Mitigation Area Channel Profile

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## Conceptual Arched Culvert Undercrossing

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