

SAN FRANCISCO DISTRICT

US Army Corps
of Engineers

PUBLIC NOTICE

NUMBER: 24898N

DATE: July 26, 2000

RESPONSE REQUIRED BY: August 25, 2000

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

PERMIT MANAGER: David A. Ammerman PHONE: 707-443-0855

E-Mail: dammerman@spd.usace.army.mil

1. INTRODUCTION: The McKinleyville Community Services District (MCSD), P.O. Box 2037, McKinleyville, California 95519, through their agent, Omsberg and Company (Contact: Mary-Jane Ashton, Planner/Project Manager at 707-443-8651) has applied for a Department of the Army permit to place approximately 1,000 cubic yards (CY) of engineered fill on 0.24 acres (less than 1/4 acre), to construct Phase I of the Hiller Park Sport Site (East side of Hiller Park) including playing fields (softball, soccer) concessions stand and related features, located west of Highway 101 on Hiller Road, in McKinleyville, in Humboldt County, California. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344). The project, as described above, does not qualify for either the 1996 Nationwide Permits (61 FR 65874) or the new and modified Nationwide Permits published in the Federal Register of March 9, 2000 (65 FR 12818), despite the small area of wetlands impacted. Therefore, this permit application is being processed as a standard, individual permit.

2. PROJECT DESCRIPTION: As shown in the attached drawings, the applicant plans to perform grading and fill work at the above site to accommodate ballfields, sidewalks and a concession stand. Approximately 15,000 CY of original topsoil would be excavated from the site, of which 8,500 CY would be stockpiled on site. Subgrade soil would also be excavated and replaced with engineered fill. Some imported fill would be added to the site. Of the total volume excavated and filled,

approximately 1,000 CY of engineered fill would be placed onto a 0.24 (less than 1/4 acre) acre wetland depression. The stockpiled topsoil would be used in construction of future park phases (the proposed project is Phase I). The applicant plans to mitigate for the 0.24 acres of wetland loss due to filling by creating wetlands in-kind on a 1:1 ratio. A mitigation plan has been prepared for this project. Please see the section in the Preliminary Environmental Assessment below under "Wetlands - Special Aquatic Site" for discussion of wetland mitigation.

All of the recreational facilities for team sports would be constructed on the east side Hiller Park area. The west side of Hiller Park is currently operated and maintained by the McKinleyville Community Services District. Existing uses of the west side Hiller Park include informal day use including limited picnic facilities.

3. STATE APPROVALS: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification or waiver before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a valid request for State water quality certification to the California Regional Water Quality Control Board, North Coast Region. No Corps permit will be granted until the applicant obtains the required certification or waiver. A waiver shall be explicit, or it will be deemed to have occurred if the State fails or refuses to act on a valid request for

certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act. Those parties concerned with any water quality issues that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403, by the close of the comment period of this public notice.

4. PRELIMINARY ENVIRONMENTAL ASSESSMENT: The Corps of Engineers has assessed the environmental impacts of the action proposed in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineers' Regulations, 33 CFR 230 and 325, Appendix B. Unless otherwise stated, the Preliminary Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers.

The Preliminary Environmental Assessment resulted in the following findings:

a. IMPACTS ON THE AQUATIC ECOSYSTEM

(1) PHYSICAL/CHEMICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Substrate - The proposed project would place fill on 0.24 acre of soil substrate in the wetland area to an average depth of approximately two feet, with a maximum of 4-5 feet at the deepest part of the pond area. The area would then be covered and graded with topsoil and turf to accommodate a softball or baseball field. The impact on substrate at this site would be long-term and moderate. The remaining substrate is on uplands.

To compensate for wetland loss due to the project, a new wetland would be created by excavating the existing ground surface at an upland site to a depth of 2-4 feet, allowing the trapping of surface and

groundwater to support a wetland.

Water Quality - The water quality impacts of the proposed project on the existing wetland would be long-term, moderate and adverse as the wetland would be totally destroyed. There are no other natural drainages or waterways adjacent to the project site.

(2) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Wetlands (Special Aquatic Site) - The wetlands on the project site consist of a small, 0.24 acre depression in the middle of surrounding cow pasture. This depression has been excavated or otherwise disturbed in the past (some evidence of use as a pit to burn slash or other woody debris), but left alone for many years. The vegetation of this depression has been heavily grazed by cattle or horses and the substrate has been heavily trampled by livestock. The project site was described by Winzler and Kelly (Winzler & Kelly, June 25, 1991) in a previous wetlands investigation for Hiller Park. A site investigation by the Corps on January 11, 2000 revealed that the depression ponds water in the precipitation season. The extent and duration of ponding meet the criteria for hydric soils and hydrology (Martel, January 2000). The plant community shifts to wetter species in and around the lower portion of the depression to include Lysimachia sp., Oenante sarmentosa, and possibly Ranunculus lobbii. Other wetland plant species found in smaller amounts in the depression and surrounding pasture (transition zone) include Ranunculus repens, Stachys sp., Carex sp. and Juncus sp. The higher portions of the small depression contain facultative upland or upland plants mixed in with facultative plants. These plant species include Pteridium aquilinum, Smilacina sp., Trientalis latifolia, Gallium aparine, Holcus lanatus, Trifolium repens, Plantago lanceolata, and Taraxacum officinale (Winzler & Kelly, 1991).

The proposed project would completely fill the above described wetland area. Considering the isolated and highly disturbed condition of this wetland area, this would be a long-term, minor,

adverse impact on area wetlands.

Wetland Mitigation: The applicant has proposed on-site, in-kind mitigation to compensate on a 1:1 ratio for the 0.24 acres of wetland to be filled by the project. The mitigation is described in the Wetland Mitigation Plan for Hiller Sports Site East, McKinleyville, California, Corps File No. 24898N, prepared by SHN Consulting Engineers, and dated May 2000. The proposed mitigation site would be located approximately 300 feet northwest of the project site on property owned by the District. The present use of the proposed mitigation site is horse pasture. The horse pasture north of the fence line is also used to spray-irrigate treated wastewater during the summer months. Currently, the site is occupied by a variety of exotic, facultative wetland or upland species typical of wet grazed pasture, including R. repens, H. lanatus, Rumex crispus, Rubus ursinus, Lotus corniculatus, and Geranium dissectum. Various native shrubs are scattered in the pasture, including Rhododendron, Spiraea, and Lonicera. A horse watering trough and water supply tee is also located within the northern portion of the proposed mitigation area. Surrounding the mitigation site is additional horse pasture and Sitka spruce coastal scrub (SHN, May 2000).

The initial task for construction of the wetland mitigation site would include removal and stockpiling of 12 inches of topsoil (i.e., A horizon) from the project site. All facultative wetland native shrubs (e.g., Rhododendron occidentale, Spiraea douglasii, Lonicera involucrata) located at the project site would be salvaged and maintained for replanting within the mitigation site. After the topsoil is removed, approximately 24 inches of the underlying material would be excavated and exported for use as fill elsewhere in the sports complex (on uplands outside of Corps jurisdiction). The topsoil would be replaced at the mitigation site and lightly wheel rolled. The total excavation depth would be approximately 36 inches, and the final grade would be approximately 24 inches below the current ground surface (SHN, May, 2000).

Willow cuttings (Salix hookeriana, S. lucida, and S. lasiolepis) would be collected from surrounding

trees and planted along the south and east margins of the wetland area, to create a vegetation buffer between the sports fields and the interior of the wetland (See Sheet 4 of 4).

To create wetland hydrology, it is tentatively proposed to permanently route storm runoff from the perimeter road and parking lot into the south end of the wetland area. Planting of willow stock and replanting of any salvaged shrubs would be scheduled so that irrigation would not be necessary.

The target jurisdictional acreage to be created from the above mitigation work is 10,330 square feet (0.24 acre) of seasonal wetland. SHN states the final success criteria would be as follows:

1. Not less than 90% of the minimal wetland area would exhibit a predominance of hydrophytic species.
2. Not less than 50% of the total species present within the wetland shall be native to local wetlands.
3. Not less than 90% of the wetland area shall exhibit indicators of wetland hydrology, in accordance with routine Corps wetland delineation methods.

The MCSD would provide annual and periodic monitoring reports to the Corps on the progress of the wetland mitigation and as-built conditions.

Copies of the SHN mitigation plan are available for review in the Eureka Office of the Corps or can be obtained from the MCSD.

With successful implementation of the above mitigation plan, the Corps determines that the proposed Hiller Park East sports complex project would have no effect on seasonal wetlands. However, the constructed wetlands when completed would be an improvement over the existing wetlands to be impacted by the project. The new wetlands would be fenced off from livestock and human activity to remove disturbances. Wetland functions and values within the new wetland area would exceed those of the existing wetlands.

Endangered Species - No impacts to any federally listed endangered species have been indicated at this time. However, should such an impact be identified, the Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service as required by Section 7 of the Endangered Species Act.

Habitat for Fish, Other Aquatic Organisms- No effect provided wetland mitigation is successful.

b. IMPACTS ON RESOURCES OUTSIDE THE AQUATIC ECOSYSTEM

(1) PHYSICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Air Quality - Project activity would have minor, short-term impacts on air quality in the vicinity of the project site. Based on the relative minor size of the proposed project and limited to an evaluation of air quality impacts only within Corps of Engineers' (Corps) jurisdictional areas, the Corps has determined that the total direct and non-direct project emissions would not exceed the de minimis threshold levels of 40 CFR 93.153. Therefore, the proposed project would conform to the State air quality implementation Plan (SIP) for California.

Noise Conditions - During project construction, there would be a temporary increase in noise levels due to use of heavy grading equipment and backhoes. This would be a short-term, minor adverse impact on local human residents with housing nearby and on resident mammal/bird species. The actual operation of Hiller Park when completed may cause an increase in noise associated with team sports during the playing season. This would be a minor to moderate adverse impact for the duration of the playing season to adjacent property owners.

(2) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Other Terrestrial Habitat - Upland horse pasture would be replaced by developed ball playing fields. This would be a minor, long-term adverse impact on

other terrestrial habitat.

(3) SOCIO-ECONOMIC CHARACTERISTICS AND ANTICIPATED CHANGES

Aesthetic Quality - The quiet, passive aesthetic quality of horse pasture and scattered shrubs would be replaced by the groomed turf and layout of ballfields and the high activity of recreational users of the park, which would offer a different kind of aesthetic quality to the area. The pasture and Sitka spruce setting would still surround the ball fields, so the aesthetic quality would probably not be considered by park users to be a decline. Completion of the wetland mitigation area would be a beneficial enhancement to the Hiller Park area aesthetic quality, a long-term, moderate beneficial impact.

Agricultural Activity - No effect

Economics - The proposed project may provide an increased opportunity for park concessionaires, if allowed (hot dog stands, etc.), to realize some income from the ball playing spectators.

Employment - The proposed project would provide short-term, minor increases in employment for heavy equipment operators, and contractors for both ball field construction and wetland mitigation, a beneficial impact.

Public Health and Safety - No effect

Recreational Opportunities - No effect

Traffic/Transportation - The proposed project may generate increased vehicle traffic to the area by park users with an increase in car parking. This would be a minor, long-term, adverse impact on area traffic on local roads.

(4) HISTORIC - CULTURAL CHARACTERISTICS AND ANTICIPATED CHANGES

A Corps of Engineers archaeologist will be

requested to conduct a cultural resources assessment of the permit area, involving review of published and unpublished data on file with city, State, and Federal agencies. If, based upon assessment results, a field investigation of the permit area is warranted, and cultural properties listed or eligible for listing on the National Register of Historic Places are identified during the inspection, the Corps of Engineers will coordinate with the State Historic Preservation Officer to take into account any project effects on such properties.

c. SUMMARY OF INDIRECT IMPACTS

None have been identified.

d. SUMMARY OF CUMULATIVE IMPACTS

None have been identified.

e. CONCLUSIONS AND RECOMMENDATIONS

Based on an analysis of the above identified impacts, a preliminary determination has been made that it will not be necessary to prepare an Environmental Impact Statement (EIS) for the subject permit application. The Environmental Assessment for the proposed action has however, not yet been finalized and this preliminary determination may be reconsidered if additional information is developed.

5. EVALUATION OF ALTERNATIVES: Evaluation of this activity's impact on the public interest will also include application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act, 33 U.S.C. Section 1344(b).

6. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant

in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. CONSIDERATION OF COMMENTS: 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.

8. SUBMISSION OF COMMENTS: Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on

page one of this notice. Comments should be sent to the Eureka Office of the Corps at the address below. It is Corps policy to forward any such comments which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice, or by contacting David A. Ammerman of our Eureka Office at telephone 707-443-0855 or email dammerman@spd.usace.army.mil. Details on any changes of a minor nature which are made in the final permit action will be provided on request.

File No. 24896N

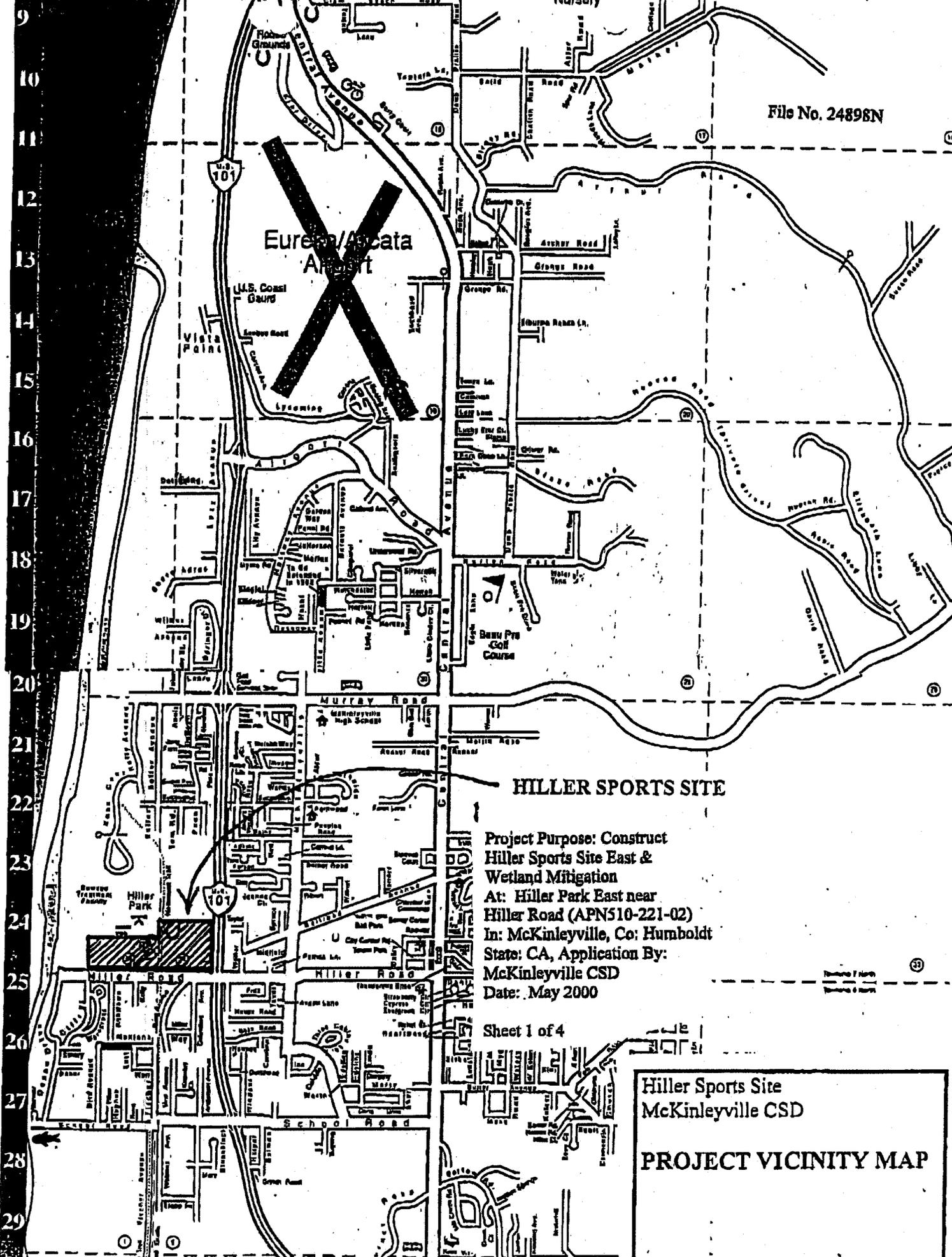
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Airport

HILLER SPORTS SITE

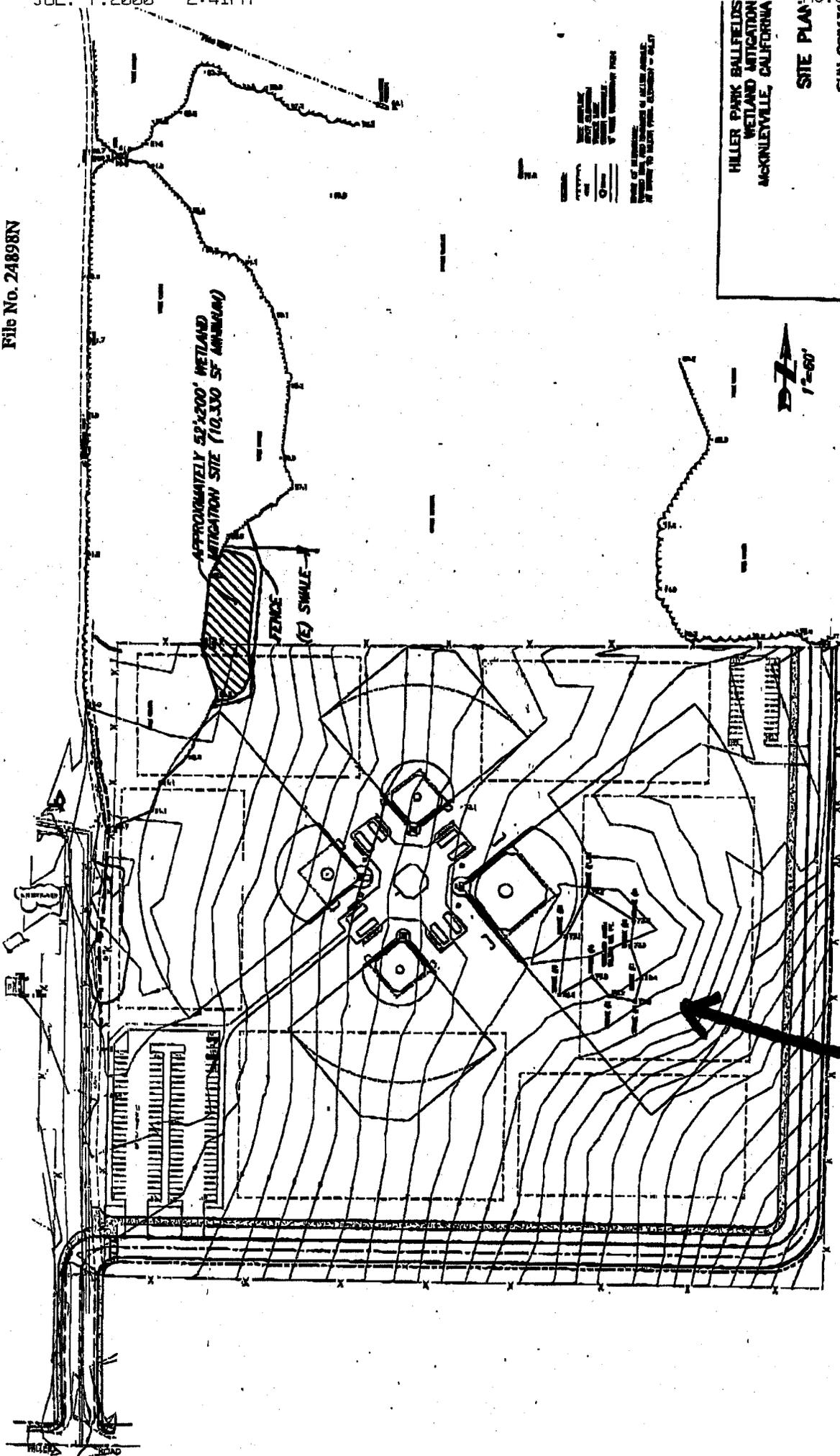
Project Purpose: Construct
Hiller Sports Site East &
Wetland Mitigation
At: Hiller Park East near
Hiller Road (APN510-221-02)
In: McKinleyville, Co; Humboldt
State: CA, Application By:
McKinleyville CSD
Date: May 2000

Sheet 1 of 4

Hiller Sports Site
McKinleyville CSD
PROJECT VICINITY MAP



File No. 24898N



1. EXISTING WETLAND
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HILLER PARK BALLFIELDS
 WETLAND MITIGATION
 MCKINLEYVILLE, CALIFORNIA

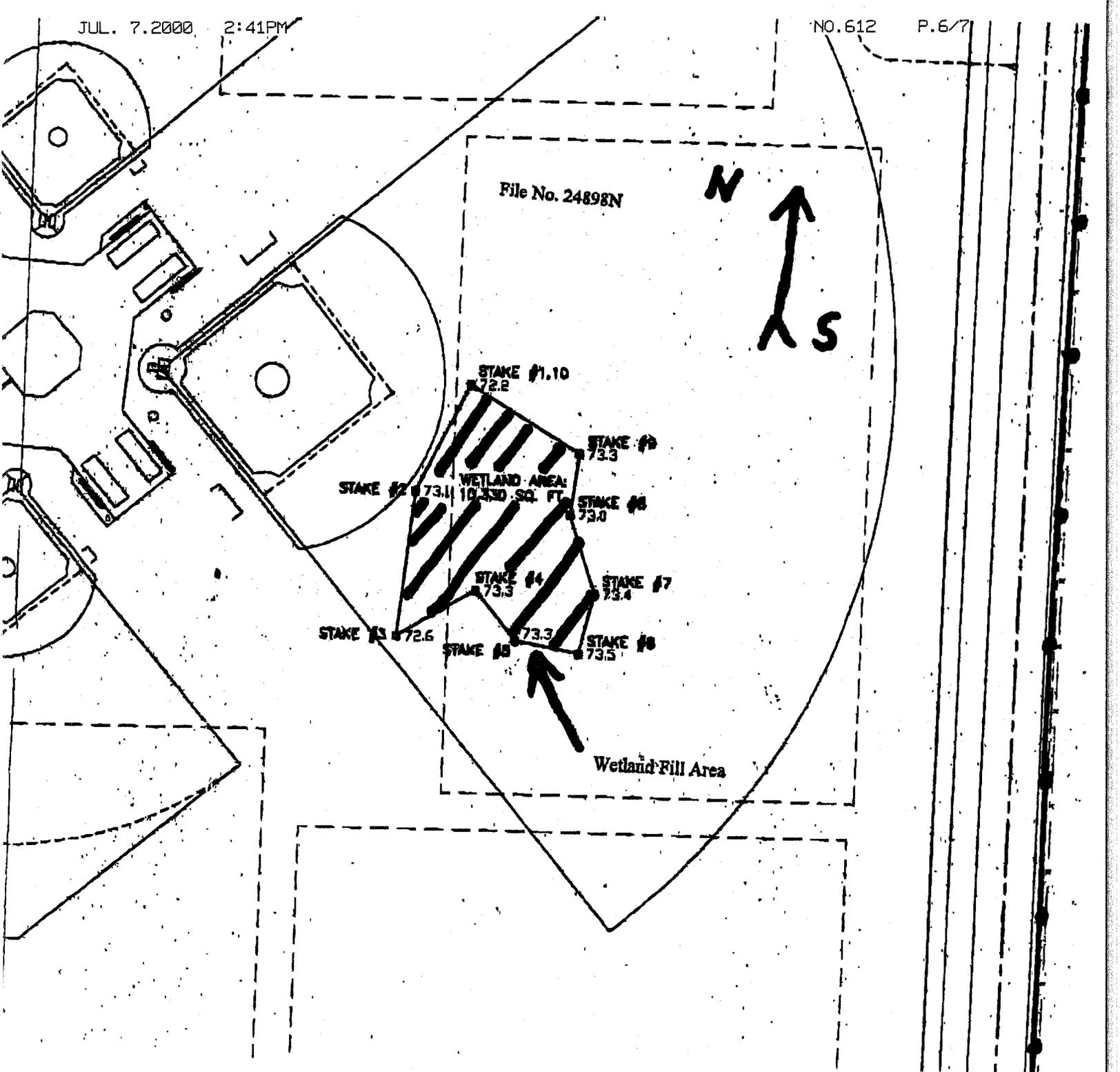
SITE PLAN No. 612
 SHN 00013C
 MAY, 2000
 FIGURE 2



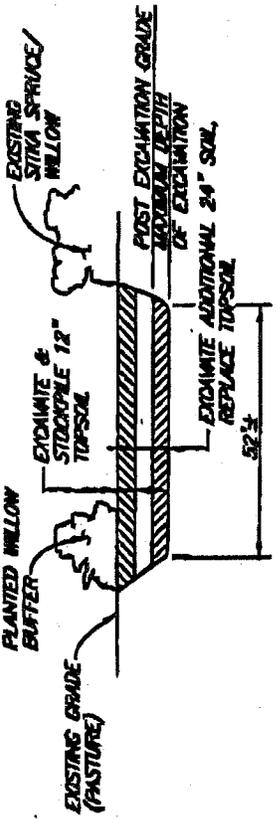
Project Purpose: Construct
 Hiller Sports Site East &
 Wetland Mitigation
 At: Hiller Park East near
 Hiller Road (APN510-221-02)
 In: McKinleyville, Co: Humboldt
 State: CA, Application By:
 McKinleyville CSD
 Date: May 2000

Sheet 2 of 4

Wetland Fill Area
 (Inset on Sheet # 3)

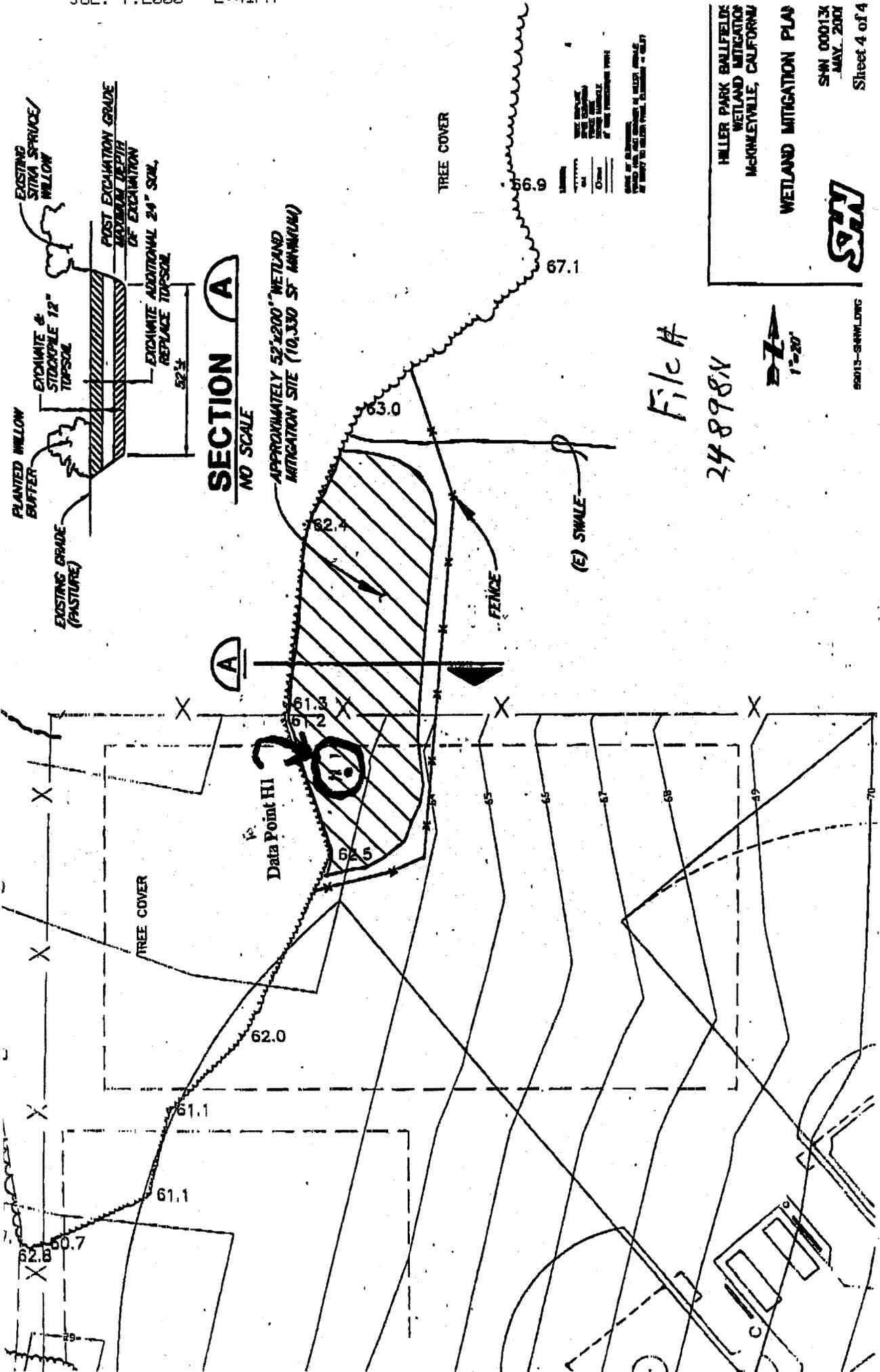


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 In: McKinleyville, Co: Humboldt
 State: CA, Application By:
 McKinleyville CSD
 Date: May 2000



SECTION A
NO SCALE

APPROXIMATELY 52,200' WETLAND MITIGATION SITE (10,330 SF MINIMUM)



File #
24898N

- DATE: 7/7/00
- BY: [Signature]
- FOR: [Signature]
- PROJECT: [Signature]
- SCALE: 1" = 20'
- DATE OF FIELD WORK: [Signature]
- DATE OF PHOTOGRAPHY: [Signature]

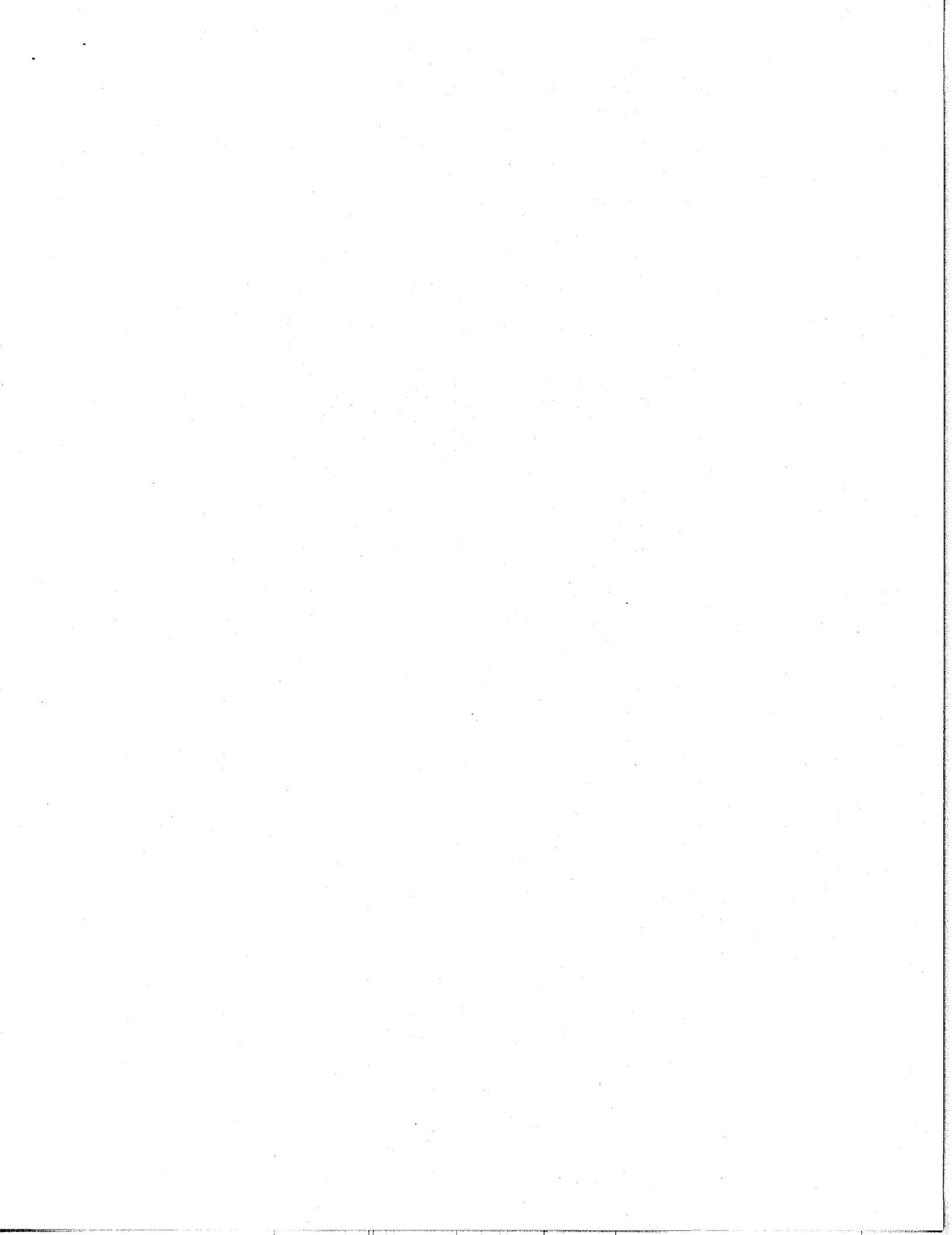
HILLER PARK BALLFIELD
WETLAND MITIGATION
MCKINLEYVILLE, CALIFORNIA

WETLAND MITIGATION PLAN

SMN 00013X
MAY 2001
Sheet 4 of 4

DZ
1" = 20'

6013-S&B/LONG



CHIEF, PERMITS SECTION _____

PUBLIC NOTICE WORKSHEET

PN/APPLI. NO 24898M - DATE PN DRAFTED _____

PROCESSOR David Ammenman NO. OF DAYS COMMENT PERIOD 30

MAILING LIST RECORD

Applicant: McKinleyville
Community Services District
P.O. Box 2039
McKinleyville, CA 95519

Applicant's Agent: Omsberg + Company
1864 Myrtle Avenue
Eureka, CA 95501

Adjoining Property Owners:

Basic Mailing List.

Alameda

Contra Costa

Del Norte

Humboldt

Lake

Marin

Mendocino

Monterey

Modoc

Napa

County Mailing Lists:

San Benito

San Francisco

San Luis Obispo

San Mateo

Santa Clara

Santa Cruz

Siskiyou

Solano

Sonoma

Trinity

Nearest Post Office McKinleyville CA 95519

City in which activity takes place, or nearest city McKinleyville, CA

6

To: Jane Kelly, CESOPD-ORCA

ADDITION TO PUBLIC NOTICE NO. 24898N MAILING LIST
PLEASE ADD TO THE LIST THE FOLLOWING (2 PAGES):

24898N

JAMES E. & DORIS E. STONE
805 HILLER ROAD
MCKINLEYVILLE, CA 95119

GEORGE & MERRI-LU MCALLISTER
851 HILLER ROAD
MCKINLEYVILLE, CA 95119

LESLEY E. HULL
899 HILLER ROAD
MCKINLEYVILLE, CA 95119

JAMES M. & ANGELA L. MCCULLOUGH
905 HILLER ROAD
MCKINLEYVILLE, CA 95119

JEFFREY B. & CHIEKO WILSON
921 HILLER ROAD
MCKINLEYVILLE, CA 95119

KAREN A. GLINDEN
824 HILLER ROAD
MCKINLEYVILLE, CA 95119

RONALD A & MARTHA R. BARONI
812 HILLER ROAD
MCKINLEYVILLE, CA 95119

DOLLY M WHITMORE
MALVINA ZIMMERMAN
894 HILLER ROAD
MCKINLEYVILLE, CA 95119

Please have PA circulated ASAP
(after supervisor review complete)

RANDALL C. & BONNIE K. BROWN
2446 PENN AVE
MCKINLEYVILLE, CA

95519

NANCY W. KODY
2444 PENN AVE
MCKINLEYVILLE, CA

95519

FRED L. & THESTLE MAYS
2443 PENN AVEN
MCKINLEYVILLE, CA

95519

EUGENE R. HARRISON
2447 PENN AVE
MCKINLEYVILLE, CA

95519

DIANA GRAHAM-LAVELLE
P.O. BOX 2927
MCKINLEYVILLE, CA

95519