



US Army Corps
of Engineers

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 25144S

DATE: 11 August 2000

Regulatory Branch
333 Market Street
San Francisco, Ca. 94105-2197

RESPONSE REQUIRED BY: 11 September 2000

PERMIT MANAGER: Bob Smith Phone:(415) 977-8450/E-mail: rsmith@smtp.spd.usace.army.mil

1. INTRODUCTION: Ms. Jennifer Lin et. al., through her agent, Mr. James Tong, 6601 Owens Drive, Suite 100, Pleasanton, CA 94566 (925) 463-1666, has applied for a Department of the Army authorization to fill 6.06 acres of wetlands, ponds, and other waters of the United States to construct a master-planned residential, commercial and open space development in the City of Dublin, Alameda County, California. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. PROJECT DESCRIPTION: As shown on the attached drawings, the applicant proposes to construct a residential, commercial, and open space development project on a 515 acre site in the City of Dublin (see Figure 3). The proposed project would consist of up to 2,730 residential units and approximately 2.3 million square feet of retail, office, and commercial uses, along with schools and public/semi-public uses on approximately 400 acres. There would be an additional 61 acres of parks, and approximately 45 acres of dedicated open space within the project. Open space areas would include natural and landscaped open space, and reconstructed creek corridors providing enhanced wildlife habitat. The project is expected to be phased over approximately fifteen to twenty years.

The applicant states that the overall purpose of the project is to provide a viable large-scale master-planned community with a mixture of residential, commercial, office, public transportation, education, and recreation components. The project has been designed to meet the needs and goals of the City of Dublin as reflected in the Dublin General Plan and Eastern Dublin Specific Plan.

The project site contains 10.22 acres of waters of the U.S. The project would impact a total of 6.06 acres. This breaks down to 4.66 acres of farmed and/or seasonally ponded wetlands, 0.48 acre of defined, i.e., characterized by a defined bed and bank, drainage channel without wetlands (5,548 linear feet), and approximately 0.92 acre of ponds. The majority of the drainages do not retain moisture from rainfall events and therefore plant species adapted to a balanced supply of water are not present. A few drainages have associated wetlands within the channels. Wetland species also occur in and near seasonal ponds on-site. The vegetation on the project site is comprised primarily of nonnative, annual grasses. Riparian vegetation is sparse and limited to a few mature willows near drainages and stock ponds. All of the jurisdictional areas have been impacted by agricultural and grazing activities and are of low habitat quality.

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 is notified by this Public Notice that, unless he provides the Corps with evidence of a valid request for state water quality certification to the San Francisco Bay Regional Water Quality Board within 30 days of the date of this public notice, the Corps may consider this application withdrawn. 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, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612, 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 documents used in the preparation of this Preliminary Environmental Assessment are on file in the Regulatory Branch, Corps of Engineers, 333 Market Street, San Francisco, California.

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 will permanently alter the existing substrate in the waters to be filled. The material used to fill the existing waters of the United States will be native soils from within the boundaries of the project site. Given the dry conditions on the site and the degraded nature of the existing drainages, adverse impacts to the aquatic substrate are considered to be long term, but minor.

Drainage Patterns - Current drainage patterns typically flow north to south. Development of

the project site will alter the existing drainage channels, but flow patterns will remain relatively the same. Presently and after construction, storm waters flow southerly towards I-580 to the G-3 channel system, an Alameda County Flood Control District (Zone 7) facility. Construction of the project will result in the permanent loss of most of the existing surface drainage features. On-site mitigation for project impacts includes reconstruction of two of the drainage channels on the newly configured site. These two drainages are represented in the Eastern Dublin Specific Plan as being open space corridors. Adverse impacts to drainage patterns are considered to be minor.

Erosion/Sedimentation Rate- Development of the project will modify the existing ground surface and vegetation, alter patterns of surface runoff and infiltration, and could result in short-term erosion and sedimentation during construction of the project. These potential impacts can be reduced by timing grading activities to avoid the rainy season and by implementing the best management practices specified in the Storm Water Pollution Prevention Plan. Implementation of mitigation measures will reduce these potential impacts to a minimal level.

Water Quality - The drainages to be impacted are dry most of the year. The water quality of all drainages on site has been severely degraded by many years of intensive livestock grazing and dryland farming. Proposed changes on site topography and land use will alter the existing hydrology pattern and quality.

Project area development will increase the rate and volume of storm water leaving the site and resultant urbanization of the area would introduce non-point pollutants that could degrade local runoff quality. The conversion of the project area from its present state to that of an urbanized development would likely result in moderate short term adverse impacts to water quality from sediment loading and moderate long-term adverse impacts to water quality due

to runoff from streets, parking lots and other impervious surfaces. The applicant states they will file a notice of intention to adhere to the conditions of the general statewide construction NPDES permit with the Regional Water Quality Control Board.

To address impacts during construction, the applicant will prepare a Storm Water Pollution Prevention Plan (SWPPP) outlining methods to be implemented to minimize degradation of water quality. In addition to complying with the City of Dublin's Water Quality Program, where feasible, the applicant has proposed the use of grass swales and other water quality features to treat post construction water quality issues. Implementation of these additional measures and adherence to existing regulations would result in long-term neutral effects on water quality.

(2) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Wetlands (Special Aquatic Site) - The project would impact 4.66 acres of wetlands (farmed and seasonally ponded wetlands). Wetlands, which have been farmed for decades, occur in swales found in areas C and H, the topographic low on the property. Freshwater marsh is restricted to isolated depressions within deeply incised portions of drainage channels, or stock ponds. The seasonal drainages to be impacted are generally of low habitat value due to the preponderance of nonnative grassland habitat, extensive grazing, and lack of riparian vegetation. Most of these intermittent drainages do not retain moisture from rainfall events for significant periods, and therefore, plant species adapted to more mesic conditions are not present. All drainages are weakly incised for much of their length. Given the degraded nature of the farmed wetlands and drainages, adverse impacts to wetlands are considered to be minor to moderate. Approximately 4.16 acres of on-site wetlands would be preserved.

Mitigation- A minimum of 10.72 acres of new

USACE jurisdictional area would be established within five mitigation areas occurring on- and off-site. The two on-site areas are referred to as the On-site Drainages and the Area H Wetlands (See Figure 6). The three off-site mitigation areas (See Figure 7), are referred to as Tassajara Creek, the Northern Drainage (including Redgewick) and Lin Livermore.

Approximately 2.79 acres of wetlands would be created on-site as mitigation. Approximately 1.00 acre (4,338 linear feet, 10-foot wide channel bottom) of new unlined, earthen channels would be recreated on-site during project construction.

Four of the five mitigation areas provide mitigation for impacts to USACE jurisdictional areas. For the On-site Drainage mitigation, two drainages would be created. A 10-foot wide channel would be graded into each. The combined length of both channels is 4,338 linear feet (Refer to Figures 8 and 9). In the Area H mitigation, 4.59 acres of new seasonally ponded wetlands would be created, of which 2.79 would be claimed for mitigation (Refer to Figures 10 and 11). The Northern Drainage mitigation site would entail the creation of three ponds, an off-channel pond and two ponds located adjacent to the Northern Drainage on the Redgewick parcel (Refer to Figures 12 and 13). At the Lin Livermore mitigation site, the proposed mitigation would include an approximately 3.17 acre pond and four seasonally ponded wetlands (Refer to Figures 14 and 15).

The two proposed ponds located adjacent to the Northern Drainage would be designed to support wildlife species such as the California tiger salamander (*Ambystoma californiense*). The ponds would be designed to hold water seasonally and provide a diverse array of habitat types and hydrologic regimes. The off-channel pond along the Northern Drainage would be designed to support red-legged frogs (*Rana aurora draytonii*). The proposed pond at the Lin Livermore mitigation site would be designed in a way to

support California red-legged frogs.

New USACE jurisdictional areas would be established within the seasonally ponded wetlands in Area H and Lin Livermore and the ponds at the Northern Drainage and Lin Livermore within 3-5 years following construction. New USACE jurisdictional areas would be established in the on-site drainages within the first year following construction of the on-site drainages. Riparian plantings would be placed along the slopes surrounding the wetlands and the banks of the drainages.

The loss of 6.51 acres of California Department of Fish and Game (CDFG) jurisdictional area would be mitigated at three of the five mitigation sites. New bed and bank features would be created at the On-Site Drainages mitigation site. The two drainages would have an average width of 60 feet from top-of-bank to top-of-bank, and native, riparian trees would be planted along the drainages. A portion of Tassajara Creek would be preserved and enhanced as partial mitigation for impacts to CDFG jurisdictional areas (Refer to Figures 16 and 17). A variety of measures would be employed to enhance the creek. These measures include: removing livestock to improve water quality, and promote regeneration of riparian habitat; removing unnatural debris and controlling invasive exotic species. Portions of the Northern Drainage would also be preserved, enhanced, and restored as partial mitigation for impacts to CDFG jurisdictional areas. Similar management techniques utilized for the Tassajara Creek mitigation site would be implemented along the Northern Drainage with the addition of active planting of native riparian vegetation.

The proposed enhancement of both Tassajara Creek and the Northern Drainage would be designed to improve habitat for wildlife species including the California red-legged frog.

New CDFG jurisdictional areas would be established within the on-site drainages within the first year after construction of the drainages is

completed. Intermittent plantings of native riparian vegetation would be installed along the Northern Drainage and Tassajara Creek. These plantings would be self-sustaining within 5 years of installation and would be mature within 25 or more years following planting.

Endangered Species - The threatened California red-legged frog, would be impacted by the project. During intensive surveys for this species conducted over a number of years by H. T. Harvey & Associates herpetologist Dr. Mark Jennings, this species was observed at three locations on the project site: it was somewhat regularly found in a small stock pond and associated drainage along Fallon Road on the eastern edge of the site, while a single individual was observed in a stock pond in the west-central portion of the site (Area F), and a dead individual was located in a springbox in a drainage west of Fallon Road.

Red-legged frogs (including adults and juveniles) were observed in the Fallon Road pond in 1993, 1995, and 1999. However, this species was absent during surveys in 1998, and habitat degradation from grazing, trampling, and sedimentation limits the quality of the Fallon Road pond for breeding. Ponds higher in this drainage (outside of the project area) are likely the source of red-legged frogs in the Fallon Road pond, although in at least some years potentially suitable breeding habitat is present in the on-site pond.

Intensive surveys of other aquatic habitats on the site in 1989, 1993, 1995, and 1998 failed to detect red-legged frogs elsewhere on the project site. However, a single adult was found in a stock pond in Area F in 1999. Recently, a dead frog was found in a springbox near a former stock pond in the drainage immediately west of the Fallon Road drainage. This site had been surveyed numerous times in the past and is not suitable breeding habitat.

The project could potentially impact red-legged

frogs as a result of habitat loss and direct loss of individuals during project implementation. Proposed mitigation for habitat loss includes the creation, enhancement, and preservation of suitable red-legged frog habitat at the Northern Drainage, Redgewick, Tassajara Creek, and Lin Livermore sites described previously. Specific measures include the creation of a 3-acre breeding pond and an extensive complex of seasonally ponded wetlands adjacent to a currently occupied pond on the Lin Livermore site; creation of an off-channel pond along the Northern Drainage (which is currently occupied by red-legged frogs); enhancement and restoration of riparian and instream habitat along the Northern Drainage and Redgewick sites; and enhancement of riparian and instream habitat along the Tassajara Creek site.

The applicant states that measures that would be taken during project construction and mitigation implementation activities to avoid and/or minimize direct take of red-legged frogs include avoidance of construction during the wet season (November-April); seining of impacted ponds for larvae prior to draining; preconstruction surveys for two consecutive days and nights prior to, as well as the morning of, any work within aquatic habitats; removal of vegetative cover (by hand) prior to work in red-legged frog habitat; and continuous monitoring by an experienced biologist of any work being conducted in known red-legged frog habitat. Any red-legged frogs found during these surveys would be transported to mitigation areas off-site (most likely the pond at the upper end of the Northern Drainage)

The Corps will conduct a consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act on impacts to the red-legged frog.

No threatened or endangered vernal pool crustaceans, including the vernal pool tadpole shrimp (*Lepidurus packardii*), Conservancy fairy shrimp

(*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), and vernal pool fairy shrimp (*Branchinecta lynchi*), are known to occur on the project site. The site occurs outside the known range of these species, and habitat on the site is marginal, at best, for these species. Surveys were conducted by H.T. Harvey & Associates in pools on Area C over three winter and spring seasons, beginning in December 1995 and continuing into May 1998, in accordance with the Interim Survey Guidelines issued by the U.S. Fish and Wildlife Service (1996). In addition, surveys were conducted on Area H and Area G in May and June 1998, prior to the drying of these ponds, and again from February to June 1999. Surveys have been repeated in 2000. None of these surveys found evidence of special-status invertebrates on the site.

Habitat for Fish, Other Aquatic Organisms, and Wildlife - Relatively few species of aquatic organisms are present on the project site owing to the small size of the stock ponds, the shallow, intermittent nature of most of the drainages on the site, and the grazing disturbance associated with the shallow, heavily sedimented Fallon Road drainage.

No fish surveys have been conducted on the site, although it is expected that all fish in the Fallon Road drainage and stock ponds on the site have been introduced to the site and consist of exotic species such as the mosquito fish (*Gambusia affinis*) and various centrarchids (sunfish). In addition to the red-legged frog, amphibian species breeding in the aquatic habitats on the site include the Pacific treefrog (*Hyla regilla*), western toad (*Bufo boreas*), and California tiger salamander (*Ambystoma californiense*).

California Tiger Salamander can be found in and adjacent to vernal or temporary pools in annual grasslands or open stages of woodlands. This species, a candidate for protection under the Federal Endangered Species Act, breeds in the stock pond on Area F. In 1998, the first year

that surveys were conducted at this pond, a number of larvae were detected. Adults and juveniles of this species are expected to estivate in mammal burrows and other refugia in upland areas surrounding this pond. Although surveys in other areas, conducted in 1989, 1993, and 1995, failed to find tiger salamanders elsewhere on the site, a few larvae were found in a small pond in the center of Area B in 1998. However, prior and subsequent surveys of this pond failed to find any evidence of tiger salamanders. Because of failure of this pond's dam, the pond can hold no more than a few inches of water, and it therefore cannot provide suitable breeding habitat except possibly in years of extremely frequent rainfall throughout winter and spring (e.g., 1998). Even in such years, successful breeding in this pond is unlikely.

The project would impact California tiger salamanders as a result of the loss of breeding and estivation habitat and the loss of individuals. In accordance with CDFG recommendations for California tiger salamander habitat mitigation, two salvage ponds would be created off-site on the Redgewick parcel associated with the Northern Drainage. An intensive trapping and seining operation would be conducted to salvage individual salamanders from the impact areas and translocate them to the newly created pond. This pond, as well as adjacent estivation habitat commensurate in extent with that impacted, would be preserved in perpetuity. In addition, the breeding and estivation habitat of an existing, off-site tiger salamander population (also on the Redgewick property) similar in size to that on the project site would be preserved.

The San Joaquin kit fox is absent from the project area. Surveys conducted by BioSystems Analysis, Inc., as part of the East Dublin Specific Plan EIR did not detect San Joaquin kit foxes here. Subsequently, in 1991, H.T. Harvey & Associates conducted kit fox surveys on most of the project area at twice the intensity recommended by the CDFG guidelines at the time. These surveys did not detect kit fox activity in or

near the Project. Additionally, two H.T. Harvey & Associates reports summarizing historical records and kit fox surveys in Contra Costa and Alameda counties concluded that Dublin is outside of the historic range of the San Joaquin kit fox. The site was resurveyed in October and November 1996 using the 1993 USFWS protocol. After the USFWS revised its survey protocol in April 1997, surveys were conducted again (in May and June 1997 and July 1998) in the entire project area site using the new protocols. No evidence of kit fox was observed in the project during any of these surveys.

In addition, more than 4,200 acres of lands near the project area were thoroughly surveyed for kit foxes, yet no evidence of kit fox presence was found. These sites lie east of the project site, and therefore lie closer to known kit fox locations than the project site. The historical kit fox record for the region, combined with the findings of intensive kit fox surveys on the project area and surveys conducted in areas even closer to the fox's known range than the project site, provide substantial evidence that no kit fox population exists within this region. The San Joaquin kit fox is considered absent from the project area and is not expected to be impacted by this project.

b. IMPACTS ON RESOURCES OUTSIDE THE AQUATIC ECOSYSTEM

(1) PHYSICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Air Quality - Construction activity is likely to result in local, short-term increases in organic vapor emissions from such construction materials as adhesives, solvents, paints and fresh asphalt. These short-term increases in emissions would result in short-term, moderate, adverse impacts. Clearing and earth moving activities, wind erosion, and traffic at the project site would result in fugitive dust emissions. Additionally, increased vehicular traffic would increase air pollutant levels locally and regionally.

Dust emission during construction phases of the project would be mitigated, including the following ways: (1) Water and/or dust palliatives would be applied to exposed and disturbed soils; (2) The frequency of watering would be increased if wind speeds exceed 15 mph (3) Adjacent streets would be cleaned of mud and debris; and (4) Construction traffic would be limited to 15 mph on unpaved surfaces. With implementation of these measures, impacts to local air quality from dust emissions would be minimal.

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 minimus threshold levels of 40 CFR 93.153. Therefore, the proposed project would conform to the State Air Quality Implementation Plan (SIP) for California.

(2) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Riparian Habitat (Not in Corps Jurisdiction) - The majority of the drainage channels to be impacted do not support riparian vegetation. Project construction would result in the direct loss of widely scattered riparian tree species, including individual specimens of mature willow associated with a stock pond and a drainage channel, totaling 0.5 acre. Adverse impacts to riparian vegetation are considered to be minor.

Other Terrestrial Habitat - The Burrowing Owl (*Athene cunicularia*) has only rarely been observed in the project area. Grassland habitats provide suitable foraging areas, and California ground squirrel (*Spermophilus beecheyi*) burrows provide potentially suitable nesting and roosting sites. Therefore, the applicant states, preconstruction surveys would be conducted to

ensure that no active Burrowing Owl burrows are lost or disturbed during project activities. If Burrowing Owls are found nesting on the site during these surveys, the loss of occupied habitat during the breeding season would be mitigated by the set-aside of suitable off-site habitat (which can be accommodated on the extensive habitat set-aside along the Northern Drainage). In accordance with provisions of the East Dublin General Plan Amendment and Specific Plan FEIR preconstruction surveys for American badger (*Taxidea taxus*) natal dens would be conducted to prevent the loss of active dens.

Several species of raptors are known to nest on the site or close enough to the site to be potentially impacted by the project. The White-tailed Kite, Red-tailed Hawk (*Buteo jamaicensis*), American Kestrel (*Falco sparverius*), Great Horned Owl (*Bubo virginianus*), and possibly other raptors could potentially nest in trees on or adjacent to the site. Although populations of and habitat for these species are sufficiently abundant on a regional scale that project impacts to habitat and populations of these species are not deemed significant, the loss or disturbance of an active nest of any raptor species as a result of project activities would be considered a significant impact. Tree removal during the nonbreeding season, initiation of construction during the nonbreeding season, and preconstruction surveys for any work initiated during the breeding season would prevent impacts to active raptor nests.

(3) SOCIOECONOMIC CHARACTERISTICS AND ANTICIPATED CHANGES

Aesthetic Quality - The project site is visually dominated by expanses of valley grasslands to the south and rolling hills to the north. Few mature trees exist on the site. The project would change the rural, agricultural character of the area. This change could be considered an adverse, impact.

Economics - The proposed project would result

in economic benefits to the applicants, the applicants' vendors and contractors, and future residents, employees and visitors. The project would provide long-term employment (20 years) related to construction and longer-term employment due to the construction of office and commercial facilities. The project would provide substantial tax revenues to the City of Dublin. This is considered a long term beneficial impact.

Employment/Housing - The project would provide short-term employment related to construction and long-term employment due to its retail, commercial, and office uses. The project will ultimately provide housing for approximately 5,575 people and approximately 7,790 jobs, both of which are consistent with the Eastern Dublin Specific Plan. This is considered a long term beneficial impact.

(4) HISTORIC - CULTURAL CHARACTERISTICS AND ANTICIPATED CHANGES

A Corps of Engineers archaeologist is currently conducting 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

Development of the project would result in secondary, or indirect, impacts. These impacts would include further growth within the eastern part of Alameda County, including possible growth-inducement in nearby communities and development of additional agricultural or vacant lands resulting from the extension of infrastructure such as new roads. A potential short-term increase in employment in service sector may

result from project construction activity. Longer-term impacts could include further development of other businesses, such as retail goods and service establishments within the nearby area and immediate region. This situation, in turn, could increase the pattern of land use changes, infrastructure needs, and the growth rate. Within the area, concomitant changes to the physical, biological, and socioeconomic environment could result in further changes to the local character.

d. SUMMARY OF CUMULATIVE IMPACTS

Project development may contribute to future cumulative impacts on traffic and circulation, community services and facilities, solid waste, sewer, water and storm drainage, demand for water, storm drainage, soils, geology and seismicity, biological resources, visual resources, noise, and air quality. The planning and environmental review process for the entire East Dublin Specific Plan area has anticipated these impacts and has defined mitigation measures to address these impacts.

e. CONCLUSIONS AND RECOMMENDATIONS

Based on an analysis of the information available, Corps of Engineers has determined that additional data is needed before the significance of the impacts upon the quality of the human environment can be determined. No decision regarding the need for an Environmental Impact Statement (EIS) can, therefore, be made until the Final Environmental Assessment (EA) has been completed.

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)(1) of the Clean Water Act, 33 U.S.C. Section 1344(b).

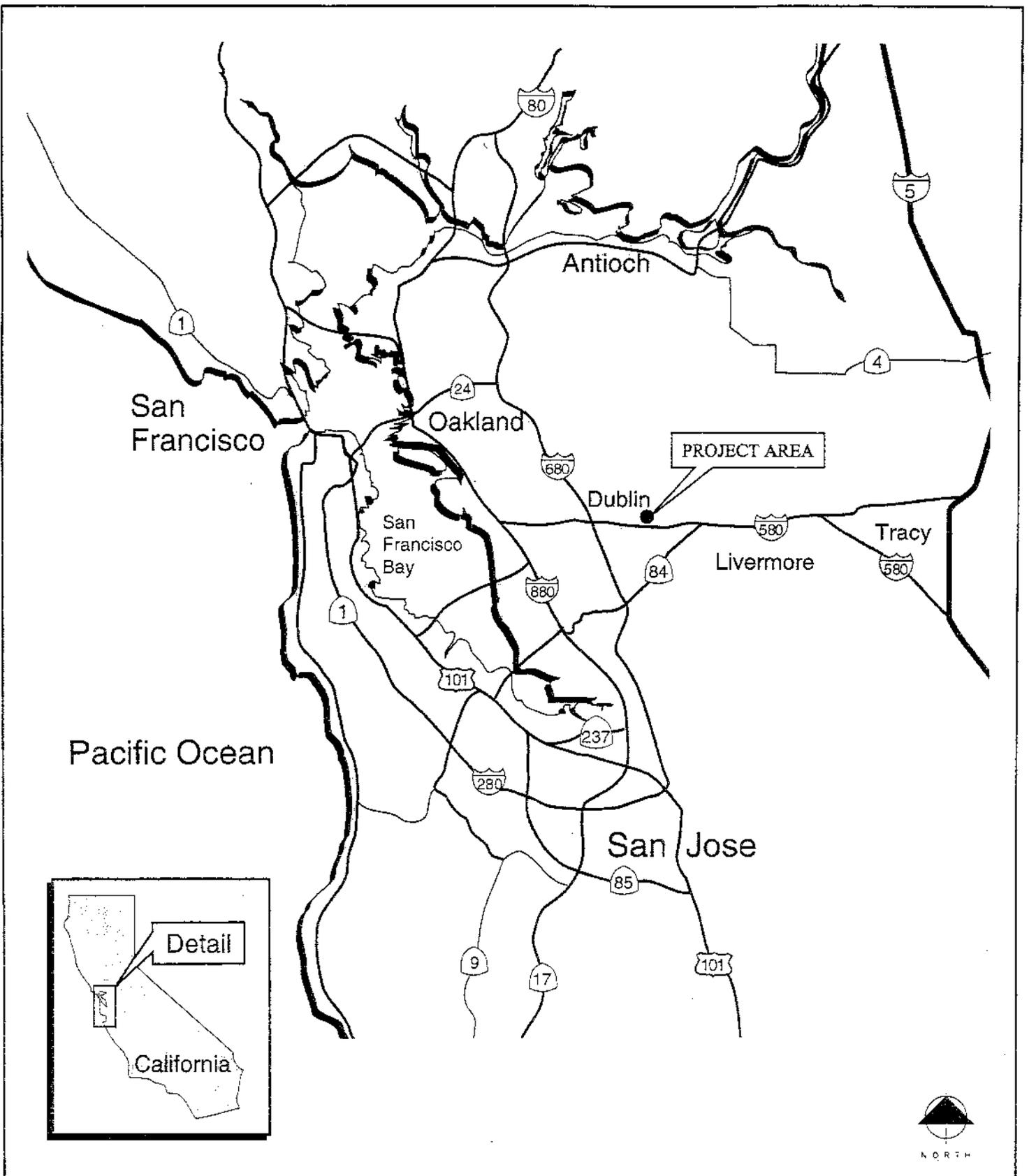
6. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an

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.

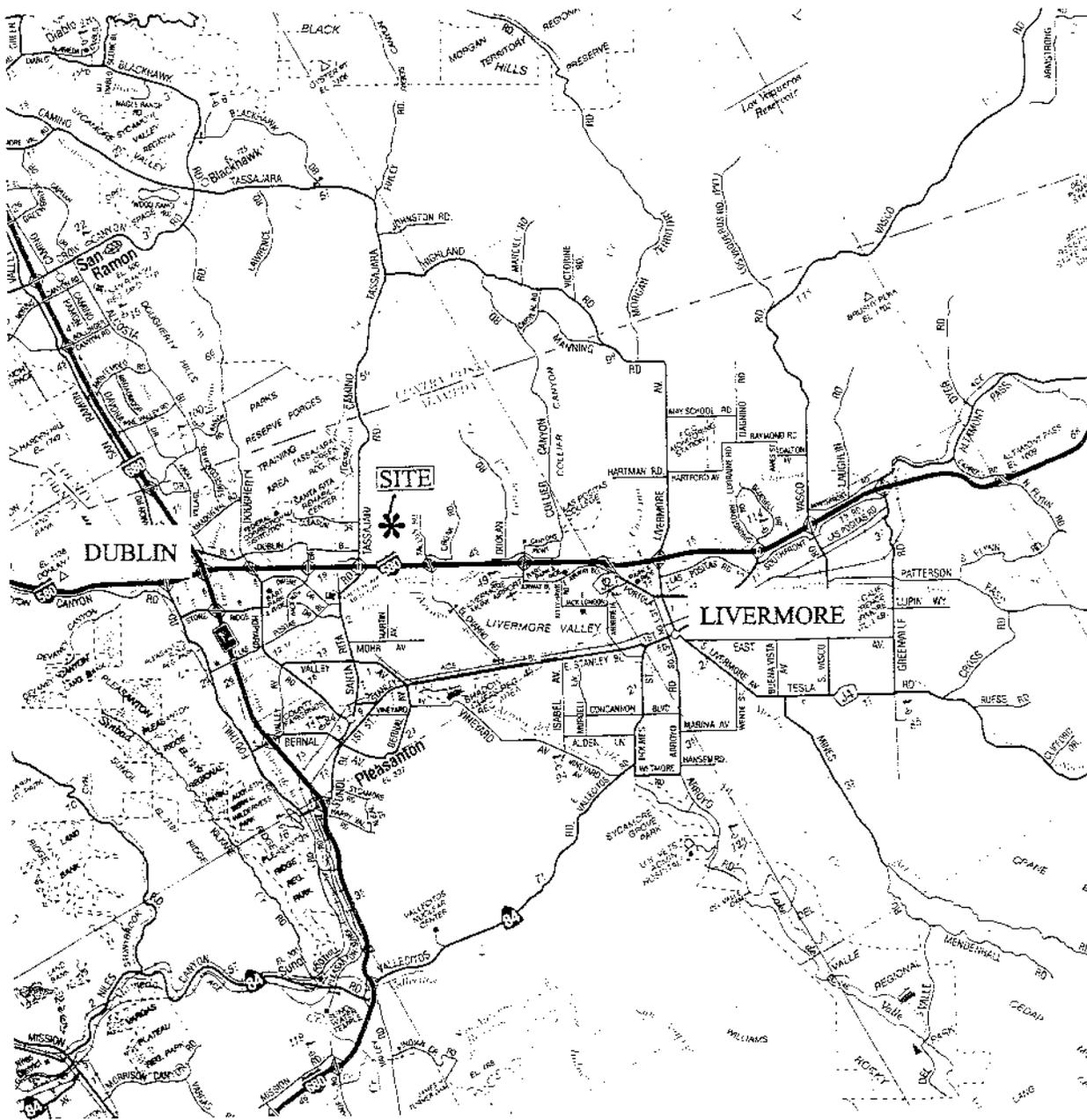
7. **CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered 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 Regulatory Branch. 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 Bob Smith of our office at telephone 415-977-8450 bsmith@smtp.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.



<p>PURPOSE: Residential, Commercial and Open Space Development</p> <p>SOURCE OF BASE: NGVD</p> <p>ADJACENT PROPERTY OWNERS: See Application</p>	<p>VICINITY MAP</p> <p>Scale: 1" = 10 mi</p> <p>APPLICATION BY: Jennifer Lin, et. al. c/o James Tong 6601 Owens Dr., Suite 100 Pleasanton, CA 94566</p>	<p>PROJECT AREA</p> <p>LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.</p> <p>COUNTY: Alameda</p> <p>FIGURE: 1 of 17 DATE: April 17, 2000</p>
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N C R T V

PURPOSE: Residential, Commercial and Open Space Development

DETAIL AREA MAP

PROJECT AREA

SOURCE OF BASE: NGVD

Scale: 1" = 3 mi

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

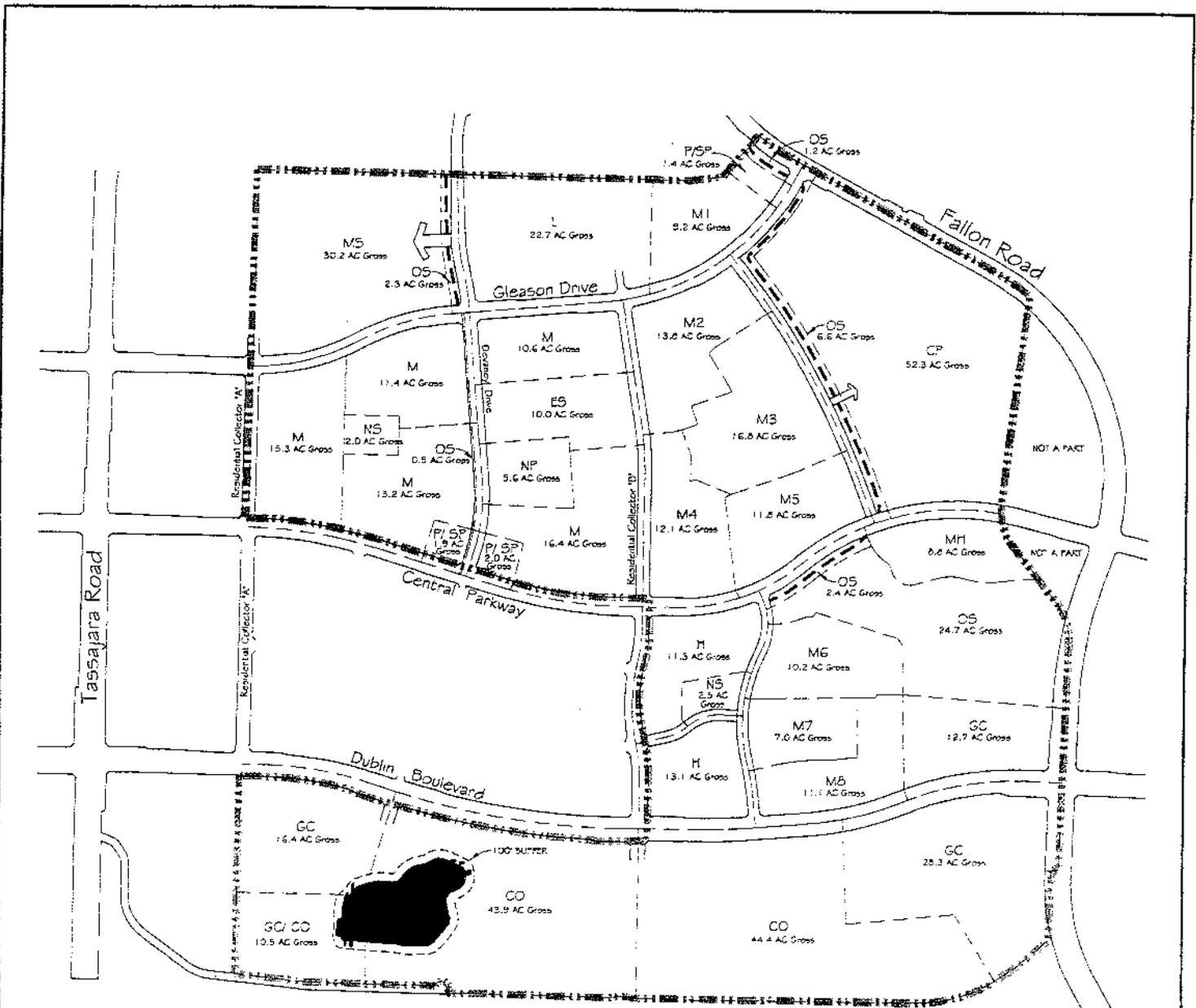
ADJACENT PROPERTY OWNERS:
See Application

APPLICATION BY:

COUNTY: Alameda

Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

FIGURE: 2 of 17 **DATE:** April 17, 2000



LEGEND

- L1 LOW DENSITY RESIDENTIAL
- M MED LOW DENSITY RESIDENTIAL
- MH MEDIUM HIGH DENSITY RESIDENTIAL
- H HIGH DENSITY RESIDENTIAL
- CO CAMPUS OFFICE
- GC GENERAL COMMERCIAL
- GOCO GENERAL COMMERCIAL / CAMPUS OFFICE
- CP COMMUNITY PARK
- NS NEIGHBORHOOD SQUARE
- NP NEIGHBORHOOD PARK
- OS OPEN SPACE
- ES ELEMENTARY SCHOOL
- MS MIDDLE SCHOOL
- P/SP PUBLIC / SEMIPUBLIC
-  CREATED AND AVOIDED WATERS OF THE UNITED STATES

I-580



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

DEVELOPMENT PLAN

0 250 500 1000

SCALE: 1" = 1'000'

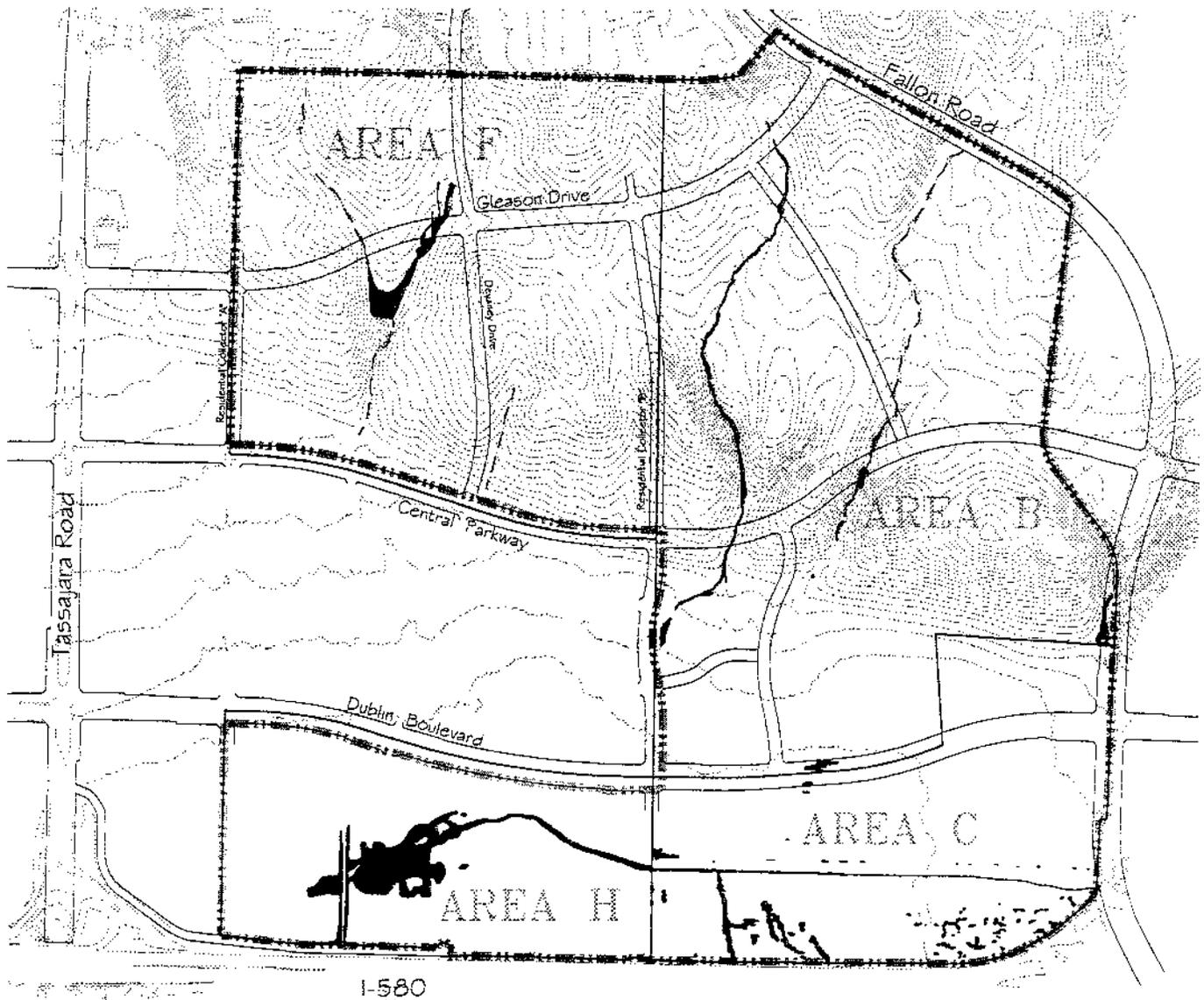
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 3 of 17 DATE: April 17, 2000



JURISDICTIONAL WATERS	
AREA	
Seasonally Flooded Wetland Habitat	0.52 AC
Defined Drainage Channel without Wetlands	0.48 AC
Other Waters of the U.S. - Stockponds	0.92 AC
Total	10.22 AC

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

JURISDICTIONAL WATERS OF THE UNITED STATES

0 250 500 1000

SCALE: 1" = 1000'

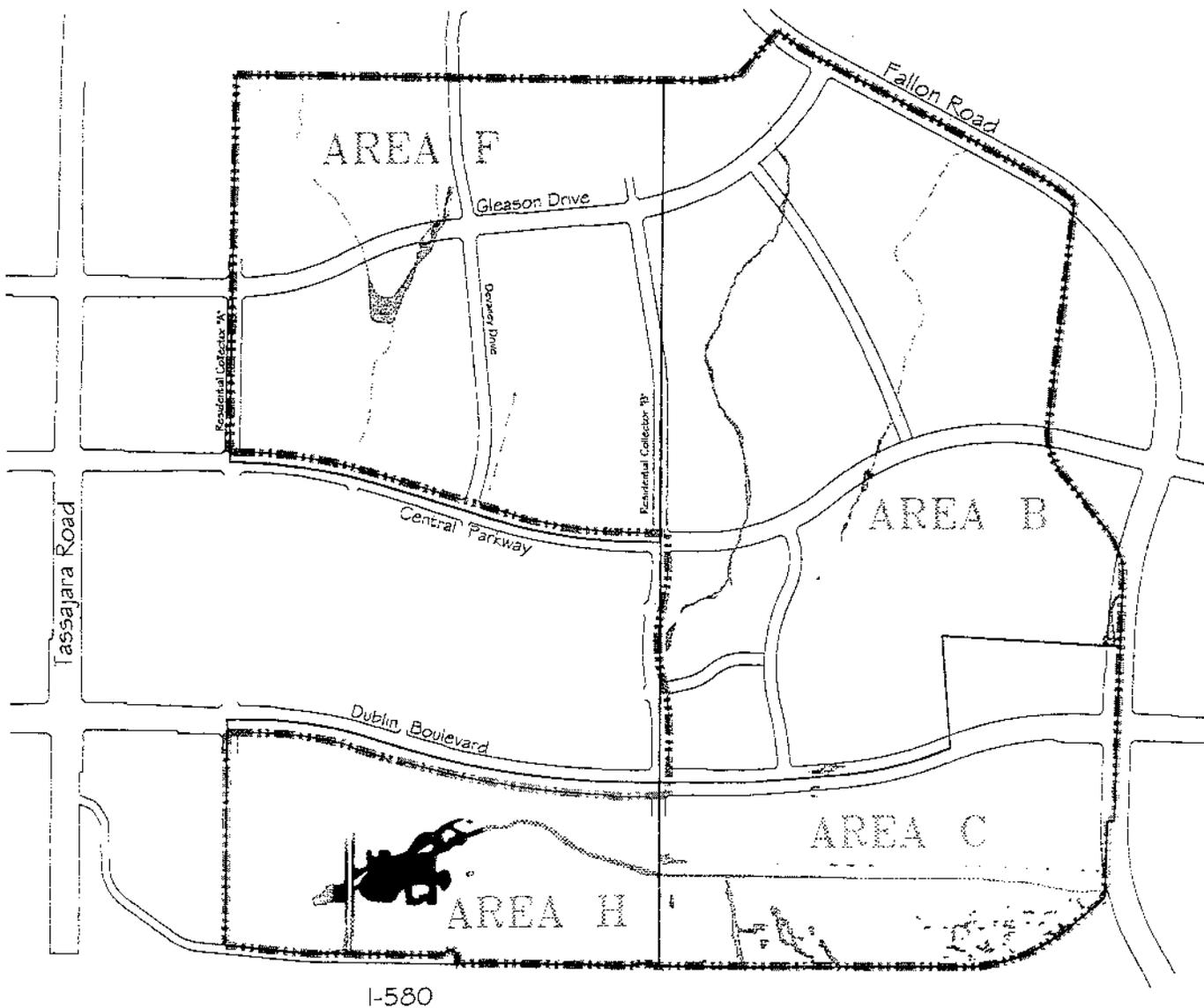
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 4 of 17 DATE: April 17, 2000



LEGEND



WATERS OF THE UNITED STATES TO BE FILLED

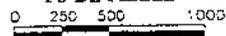
AVOIDED WATERS OF THE UNITED STATES

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

WATERS OF THE UNITED STATES TO BE FILLED



SCALE: 1" = 1000'

APPLICATION BY:

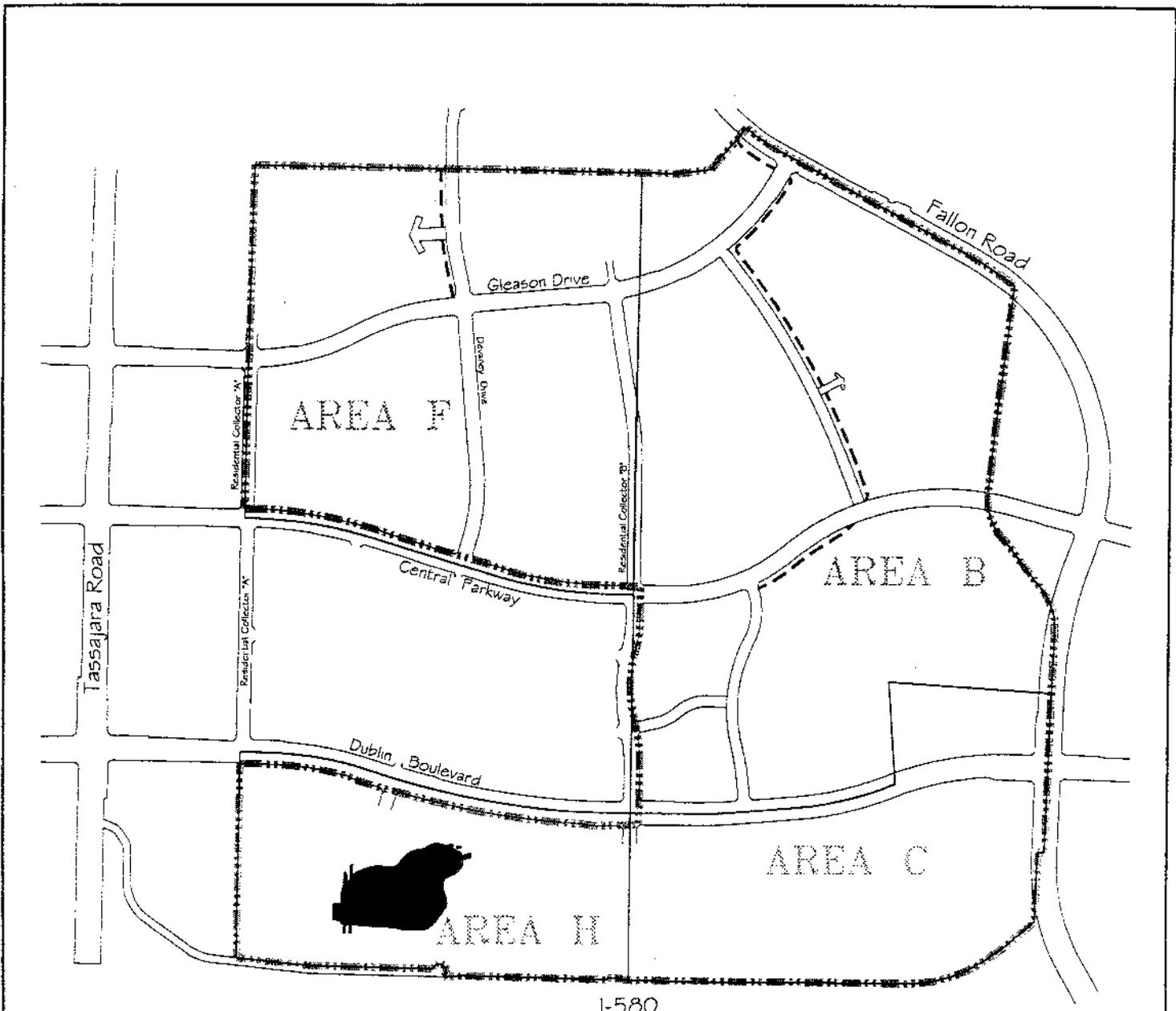
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 5 of 17 DATE: April 17, 2000



LEGEND

-  CREATED AND AVOIDED WETLANDS
-  CREATED DRAINAGES

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

ON-SITE MITIGATION

0 250 500 1000

SCALE: 1" = 1000'

APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 6 of 17 **DATE:** April 17, 2000



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

OFF-SITE MITIGATION

0 1 mile
approximate scale in miles

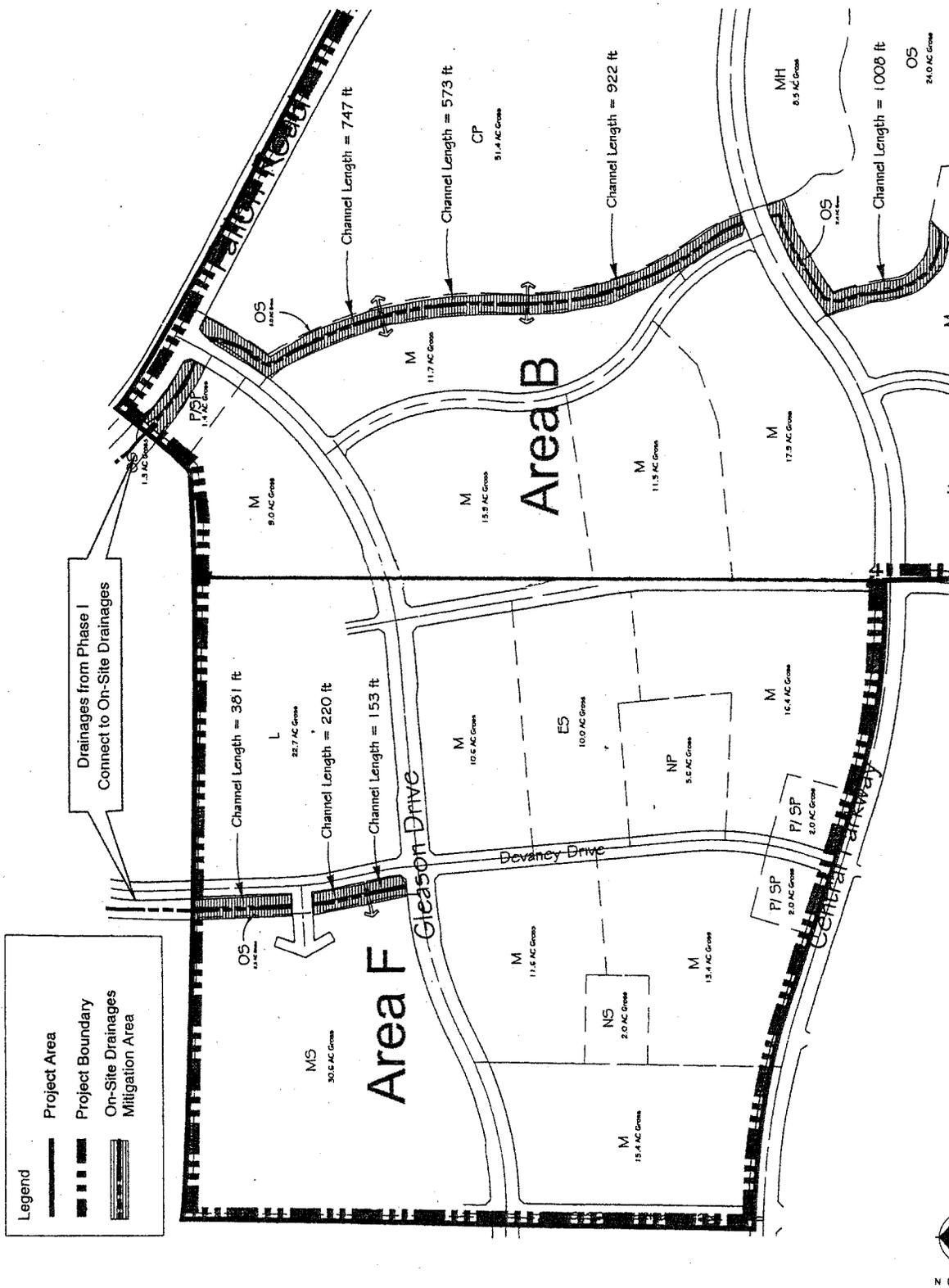
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 7 of 17 DATE: April 17, 2000



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

**ON-SITE DRAINAGES
PLAN VIEW**

0 500 feet

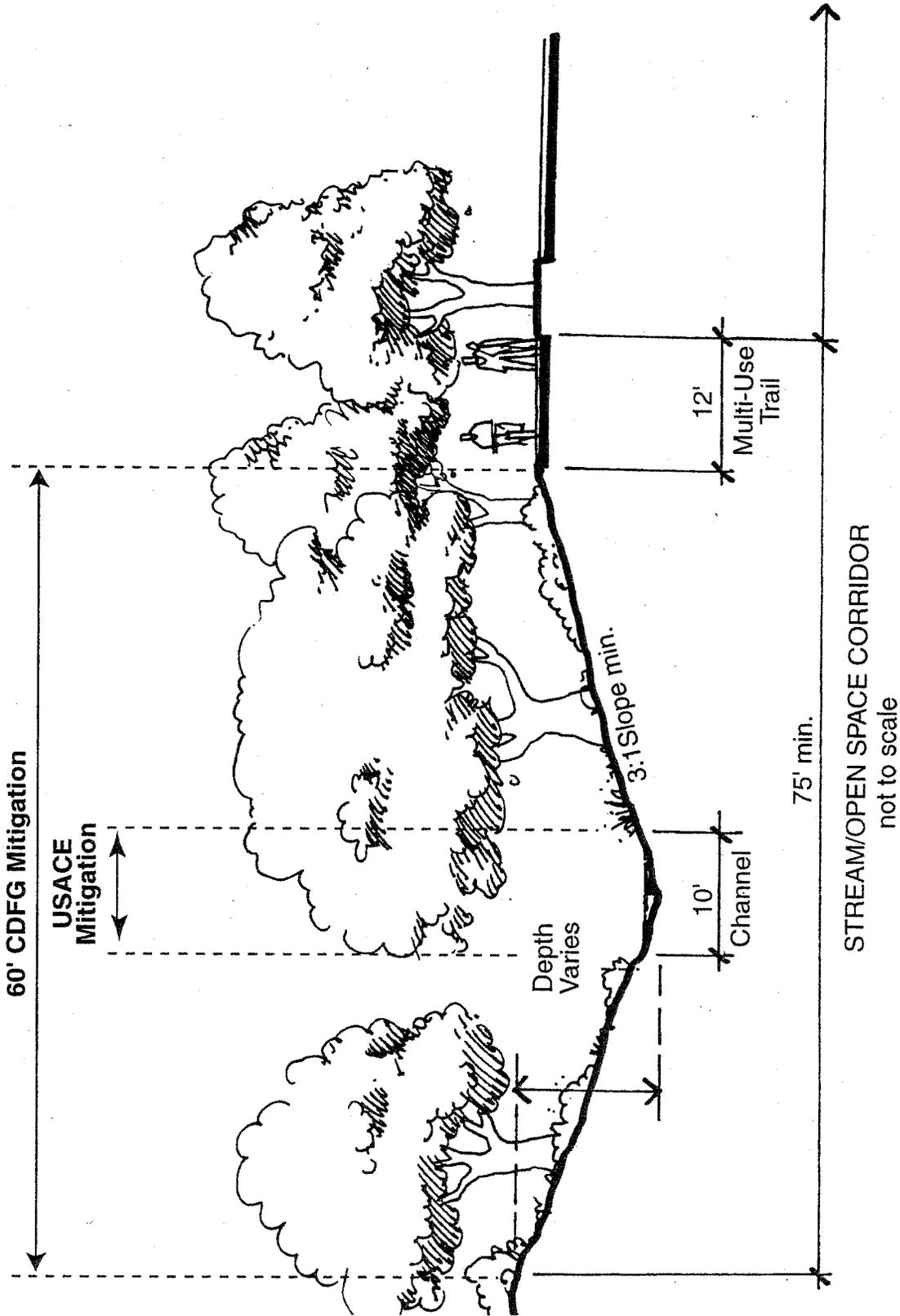
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 8 of 17 DATE: April 17, 2000



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

ON-SITE DRAINAGES
SECTION VIEW

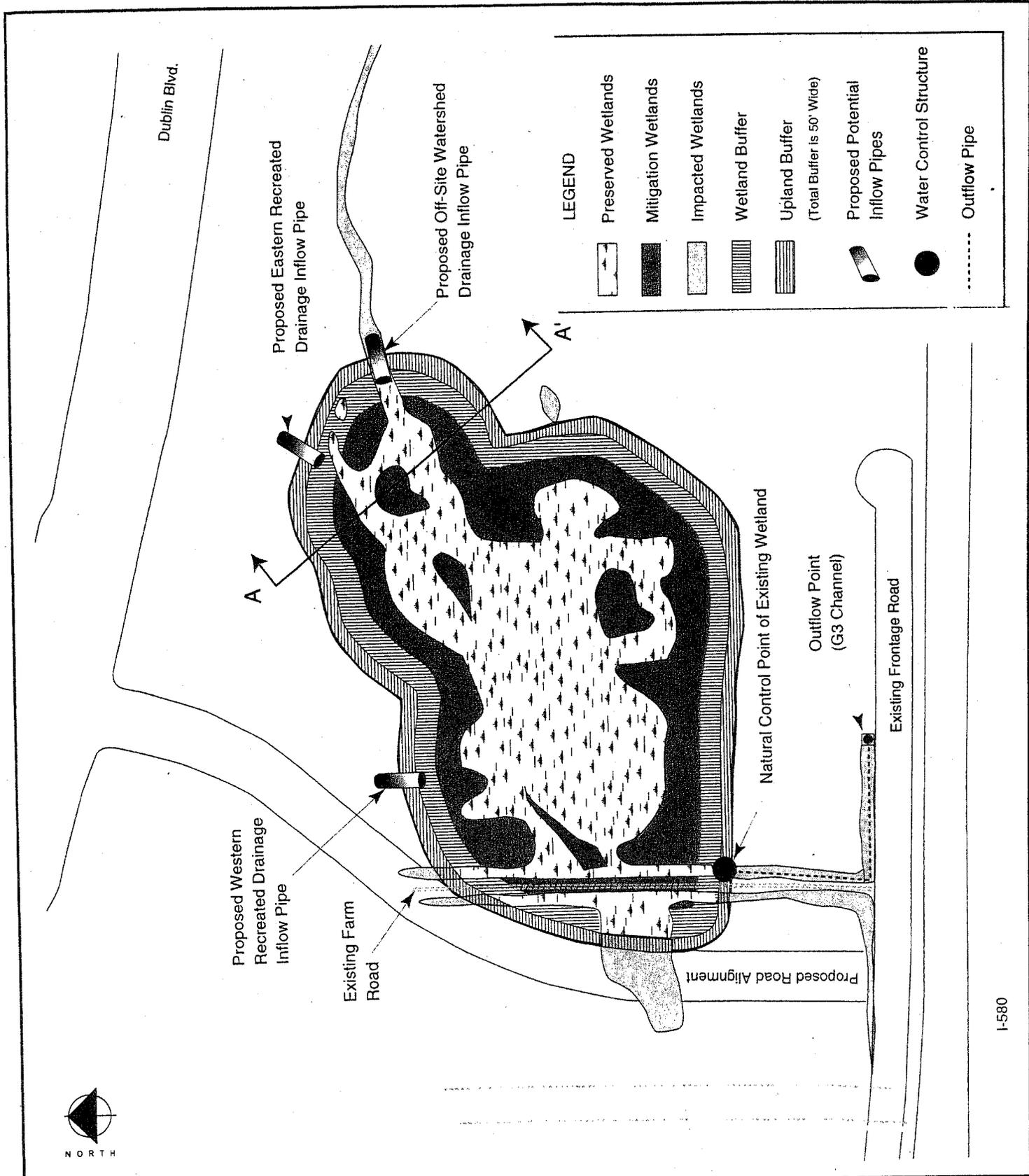
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 9 of 17 DATE: April 17, 2000



I-580

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

AREA H WETLAND
PLAN VIEW

0 200 feet

APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

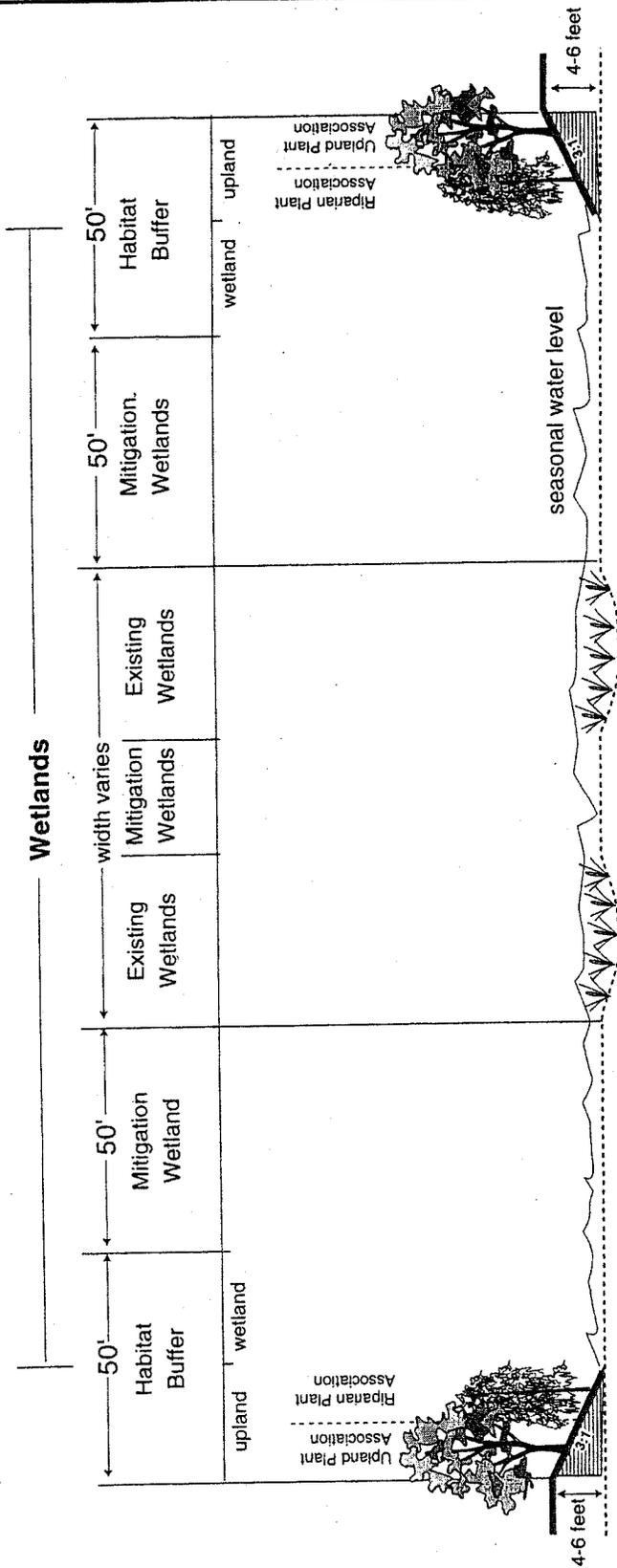
LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

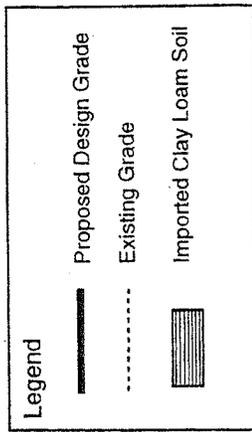
FIGURE: 10 of 17 DATE: April 17, 2000

South
A'

North
A



not to scale



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

AREA H WETLAND SECTION VIEW

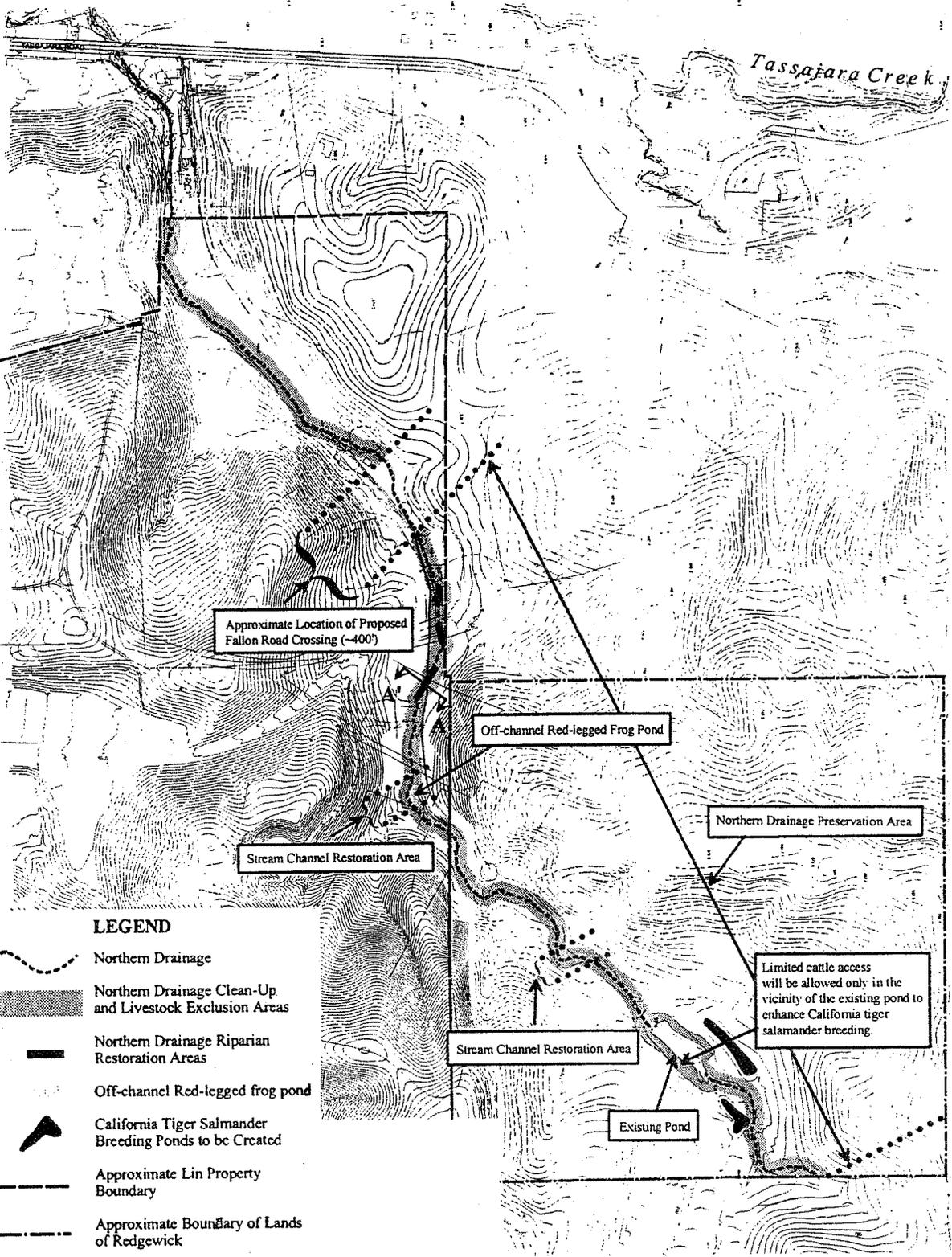
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900± East of Tassajara Road and 200± North of I-580.

COUNTY: Alameda

FIGURE: 11 of 17 DATE: April 17, 2000



- LEGEND**
- Northern Drainage
 - Northern Drainage Clean-Up and Livestock Exclusion Areas
 - Northern Drainage Riparian Restoration Areas
 - Off-channel Red-legged frog pond
 - California Tiger Salamander Breeding Ponds to be Created
 - Approximate Lin Property Boundary
 - Approximate Boundary of Lands of Redgewick

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

**NORTHERN DRAINAGE & REDGEWICK
PLAN VIEW**

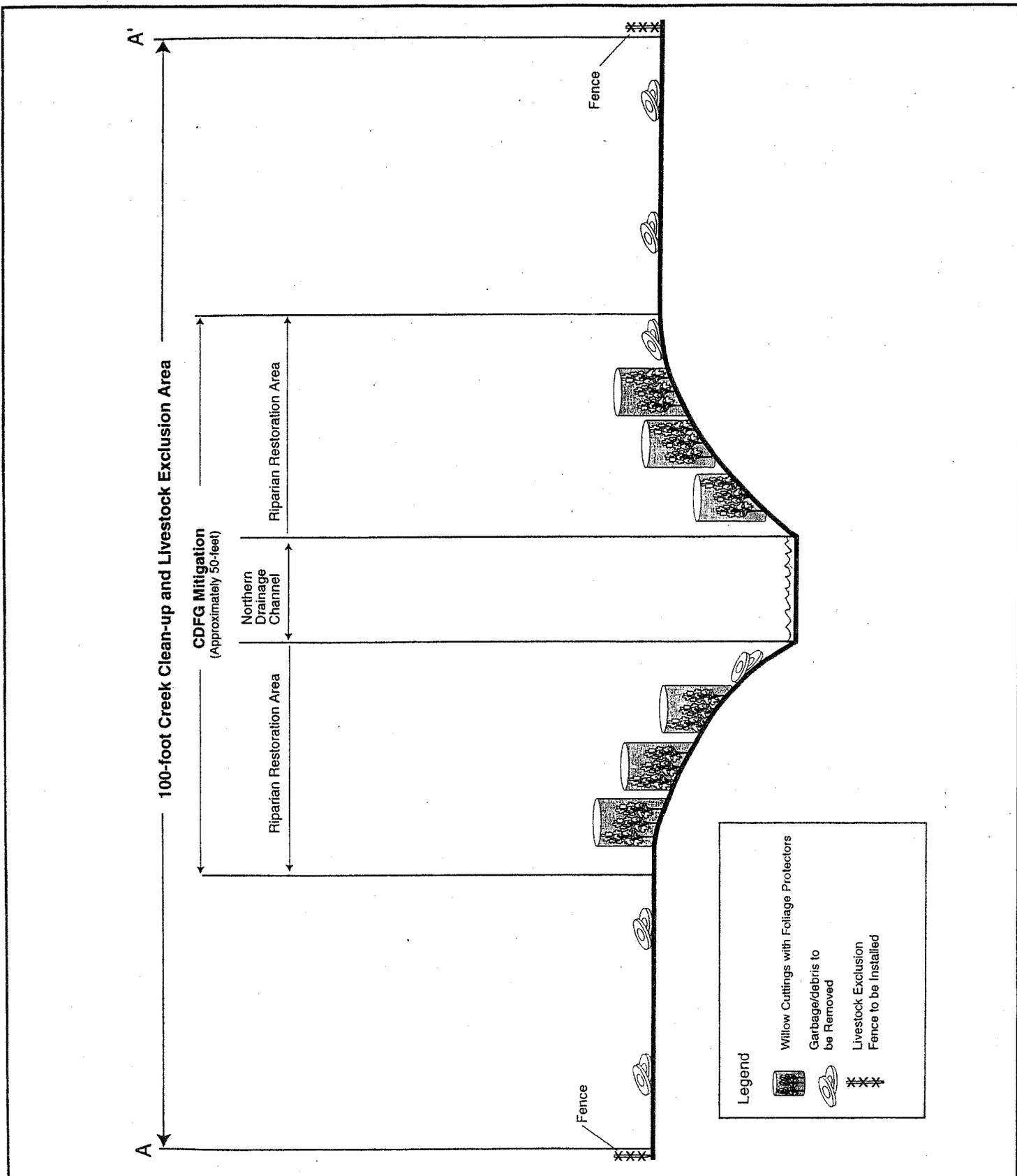
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 12 of 17 **DATE:** April 17, 2000



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

NORTHERN DRAINAGE & REDGEWICK SECTION VIEW

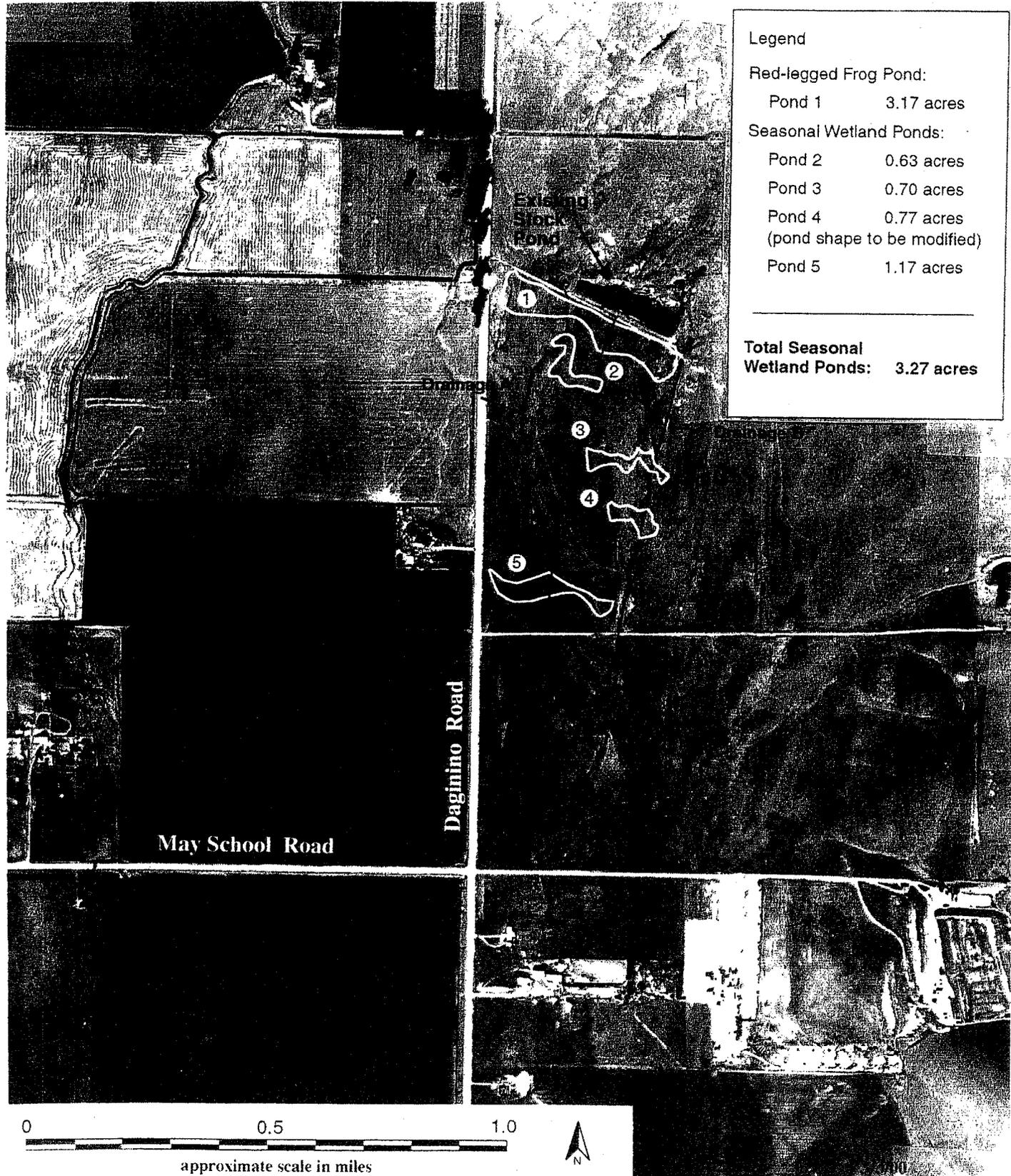
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 13 of 17 **DATE:** April 17, 2000



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
 See Application

LIN LIVERMORE MITIGATION SITE
 PLAN VIEW

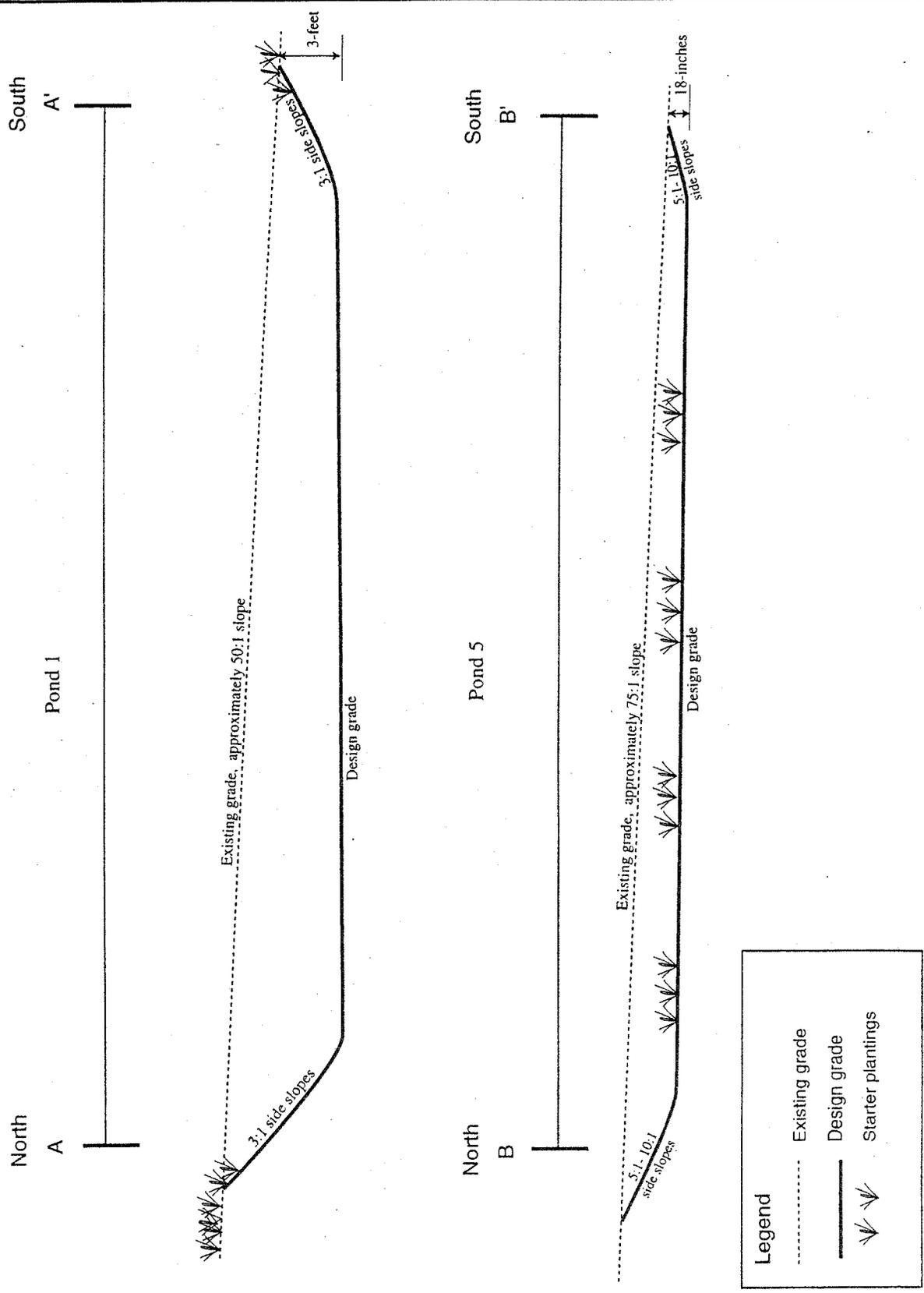
APPLICATION BY:
 Jennifer Lin, et. al.
 c/o James Tong
 6601 Owens Dr., Suite 100
 Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900± East of Tassajara Road and 200± North of I-580.

COUNTY: Alameda

FIGURE: 14 of 17 DATE: April 17, 2000



Legend

- Existing grade
- Design grade
- 🌳 Starter plantings

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

LIN LIVERMORE MITIGATION SITE SECTION VIEW

APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900± East of Tassajara Road and 200± North of I-580.

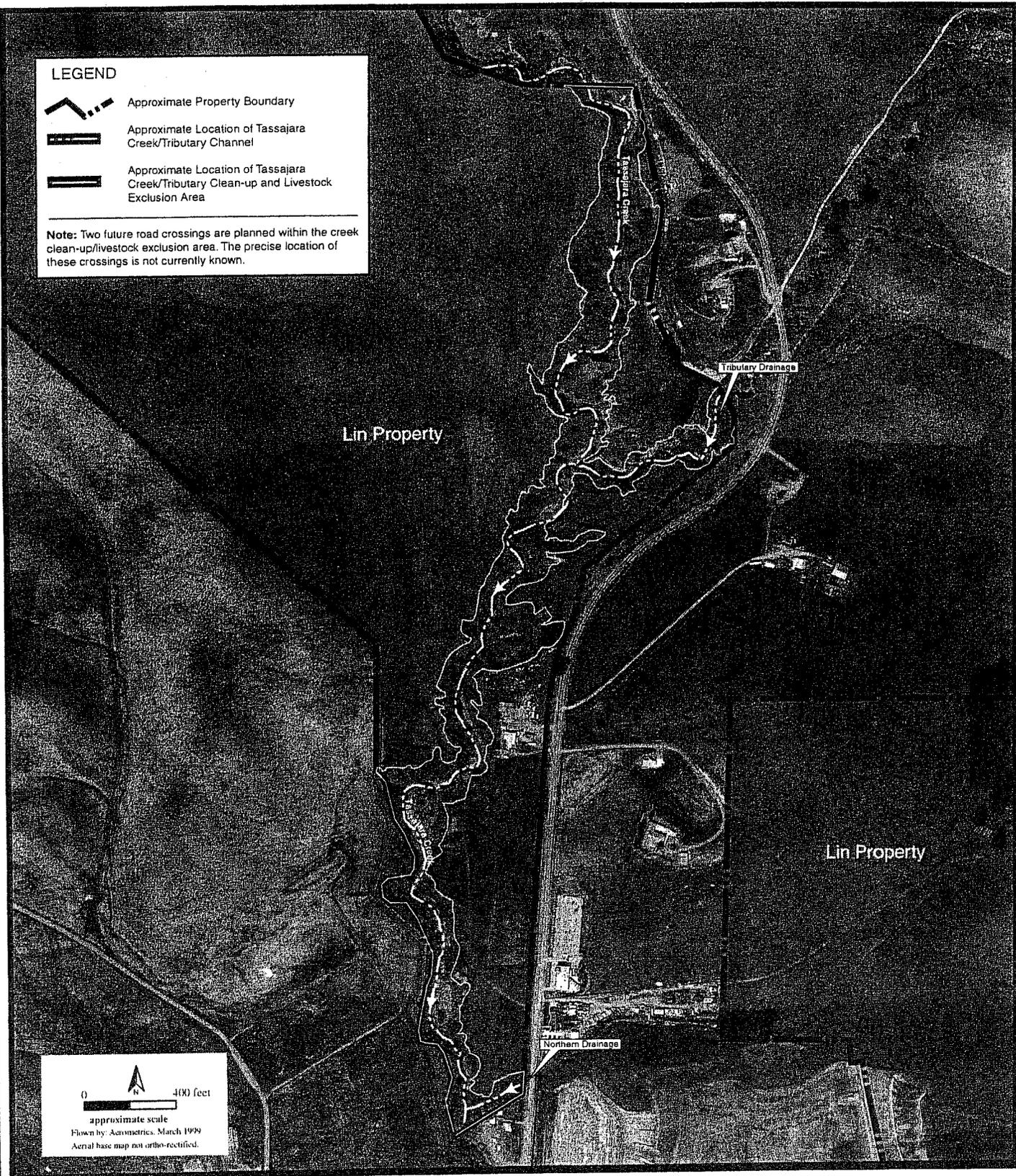
COUNTY: Alameda

FIGURE: 15 of 17 **DATE:** April 17, 2000

LEGEND

-  Approximate Property Boundary
-  Approximate Location of Tassajara Creek/Tributary Channel
-  Approximate Location of Tassajara Creek/Tributary Clean-up and Livestock Exclusion Area

Note: Two future road crossings are planned within the creek clean-up/livestock exclusion area. The precise location of these crossings is not currently known.



PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

**TASSAJARA CREEK
PLAN VIEW**

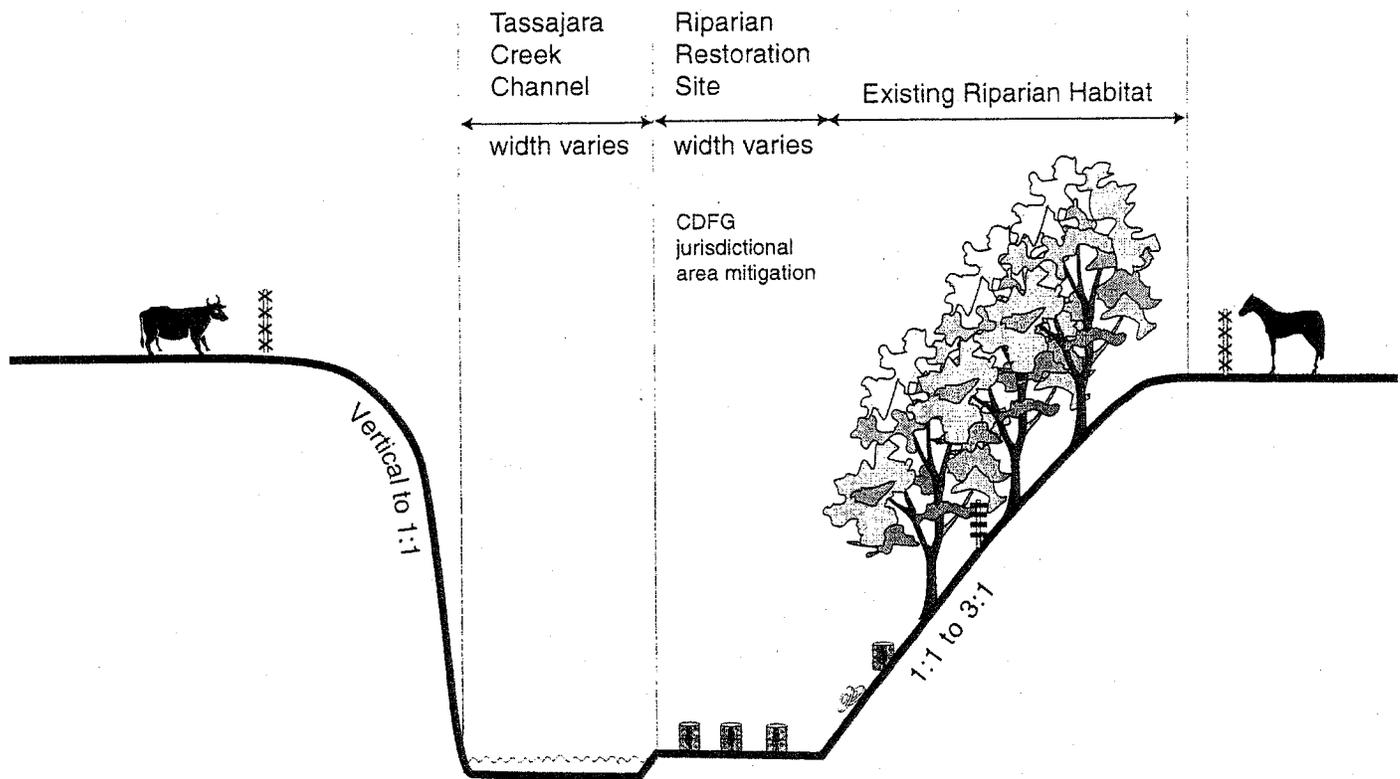
APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 16 of 17 **DATE:** April 17, 2000



LEGEND



Native Willow and Oak Saplings to be Protected



Livestock Exclusion Fence to be Installed



Existing Fence to be Removed



Garbage / Debris to be Removed

PURPOSE: Residential, Commercial and Open Space Development

SOURCE OF BASE: NGVD

ADJACENT PROPERTY OWNERS:
See Application

TASSAJARA CREEK SECTION VIEW

APPLICATION BY:
Jennifer Lin, et. al.
c/o James Tong
6601 Owens Dr., Suite 100
Pleasanton, CA 94566

PROJECT AREA

LOCATION: Dublin, CA. 900'± East of Tassajara Road and 200'± North of I-580.

COUNTY: Alameda

FIGURE: 17 of 17 DATE: April 17, 2000