



US Army Corps
of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 400230

DATE: August 6, 2007

RESPONSE REQUIRED BY: September 4, 2007

Regulatory Branch

1455 Market Street

San Francisco, CA 94103-1398

PROJECT MANAGER: Paula C. Gill

Phone: (415) 503-6776 E-mail: Paula.C.Gill@usace.army.mil

1. INTRODUCTION:

Subject: The City of Monterey, Public Works Department, has applied for a Department of the Army permit to stabilize a 1,750 foot stretch of creek adjacent to Iris Canyon Road in the City of Monterey, Monterey County, California.

Authority: This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. § 1344 et seq.).

2. PROPOSED PROJECT:

Project Purpose: Iris Canyon Creek has incised to a depth of 3.3 meters adjacent to Iris Canyon Road. Creek incision could result in threats to public safety (i.e. bank collapse, potential driving hazard, or danger to pedestrians). In addition creek instability potentially precludes animal access to the creek, endangers native Monterey Pines located along the banks of the creek, and contributes to creek sedimentation. The purpose of the project is to stabilize the banks of the creek and to improve public safety in this area.

Project Description: The project consists of a series of grade control structures, channel grading, and reinforcement along a 500 m (1,640 ft) portion of Iris Canyon Creek. Work will include (1) grading the side slopes to 2:1 where indicated on the contract plans; (2) installation of Earth Retaining Systems where modified side slopes are steeper than 2:1; (3) installation of five log drop structures; (4) backfilling the incised stream way; (5) stabilization of the modified channel banks with grouted rock protections, flexible channel lining, and planting of

the work area with native trees and shrubs (see drawings below). The project will require 720 cubic meters of fill and will impact 1,640 linear feet of Iris Canyon Creek. Construction equipment will access the project area from Iris Canyon Road.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any federally listed threatened or endangered species or their designated critical habitat.

According to the Biological Resource Assessment completed for the Iris Canyon Creek Improvement Project, the portion of Iris Canyon Creek within the project area does not provide essential habitat components required by the California red-legged frog. A rare plant survey was also completed in May of 2007. Federally listed target plant species included robust spineflower (*Chorizanthe robusta*) and Yadon's rein orchid (*Piperia yadonii*). No vegetative or flowering plants of the target species were observed during the survey. The Corps' initial determination is that the proposed action will have no effect on federally listed species.

Magnuson-Stevens Fisheries Conservation and Management Act: The Magnuson-Stevens Fishery Conservation and Management Act requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions permitted by the agency that may adversely affect Essential Fish Habitat (EFH). The Corps' initial determination is that the proposed action will not have a substantial adverse impact on EFH or federally managed fisheries in California Waters.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. The applicant has submitted a copy of their Section 401 Conditional Water Quality Certification and Waiver of Waste Discharge Requirements application. Certification will be obtained from the Regional Water Quality Control Board. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification 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 issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, Central Coast Region, 895 Aerovista Place, Suite 101, San Luis Obispo, California by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes 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)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is water dependent.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program, if applicable. The proposed project is within the Coastal Zone.

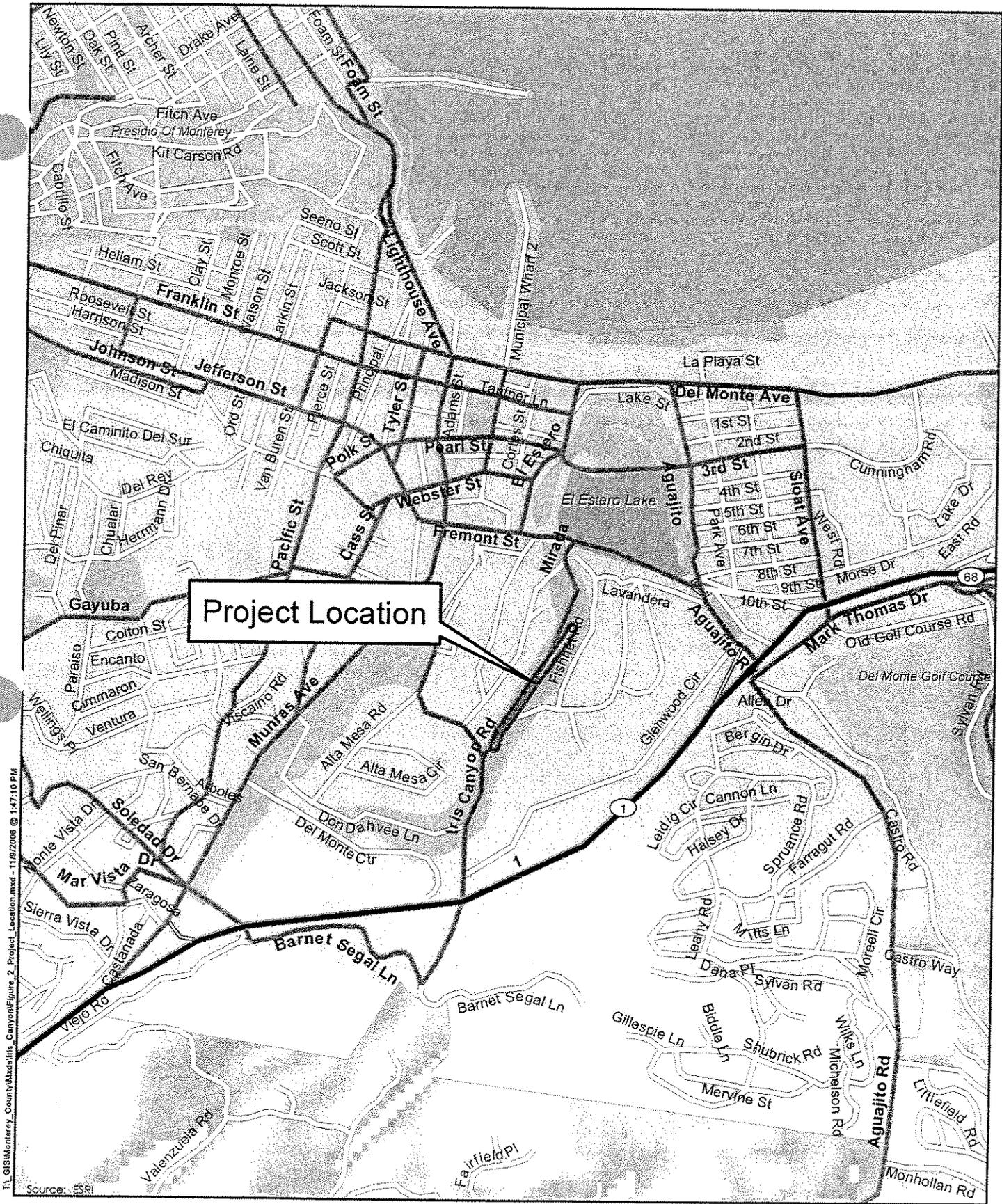
National Historic Preservation Act of 1966 (NHPA): No historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental

concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline 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.

5. 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 to determine whether to issue, 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 in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public 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 name and address are indicated in the first paragraph of this Public Notice or by contacting Paula C. Gill of our office at (415) 503-6776 or E-mail: Paula.C.Gill@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.

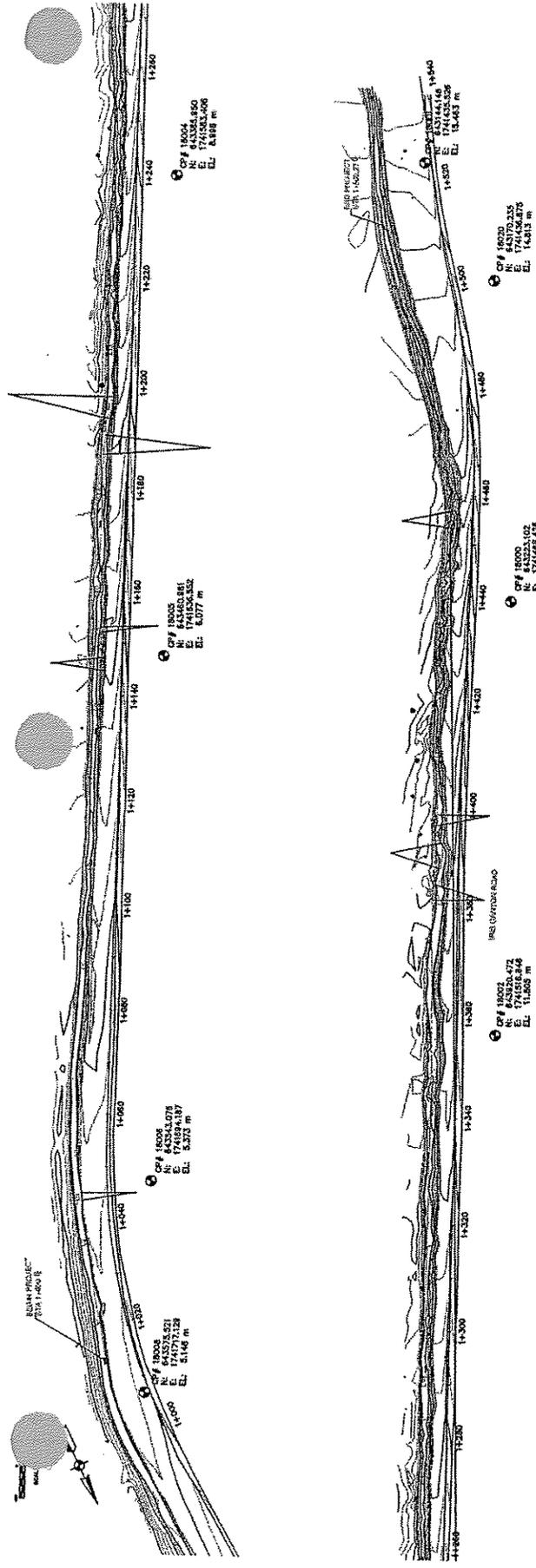


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 Source: ESRI

FIGURE 2
PROJECT LOCATION MAP



7



CHANNEL CENTERLINE (SHEET 2)

CONSTRUCTION REFERENCE LINE (CH) TABLE

LINE	CH	DOWNSTREAM	UPSTREAM	BEARINGS	CH	DOWNSTREAM	UPSTREAM	BEARINGS
1	14260	14260.00	14260.00	76°15'	14260	14260.00	14260.00	76°15'
2	14265	14265.00	14265.00	76°15'	14265	14265.00	14265.00	76°15'
3	14270	14270.00	14270.00	76°15'	14270	14270.00	14270.00	76°15'
4	14275	14275.00	14275.00	76°15'	14275	14275.00	14275.00	76°15'
5	14280	14280.00	14280.00	76°15'	14280	14280.00	14280.00	76°15'
6	14285	14285.00	14285.00	76°15'	14285	14285.00	14285.00	76°15'
7	14290	14290.00	14290.00	76°15'	14290	14290.00	14290.00	76°15'
8	14295	14295.00	14295.00	76°15'	14295	14295.00	14295.00	76°15'
9	14300	14300.00	14300.00	76°15'	14300	14300.00	14300.00	76°15'
10	14305	14305.00	14305.00	76°15'	14305	14305.00	14305.00	76°15'
11	14310	14310.00	14310.00	76°15'	14310	14310.00	14310.00	76°15'
12	14315	14315.00	14315.00	76°15'	14315	14315.00	14315.00	76°15'
13	14320	14320.00	14320.00	76°15'	14320	14320.00	14320.00	76°15'
14	14325	14325.00	14325.00	76°15'	14325	14325.00	14325.00	76°15'
15	14330	14330.00	14330.00	76°15'	14330	14330.00	14330.00	76°15'
16	14335	14335.00	14335.00	76°15'	14335	14335.00	14335.00	76°15'
17	14340	14340.00	14340.00	76°15'	14340	14340.00	14340.00	76°15'
18	14345	14345.00	14345.00	76°15'	14345	14345.00	14345.00	76°15'
19	14350	14350.00	14350.00	76°15'	14350	14350.00	14350.00	76°15'
20	14355	14355.00	14355.00	76°15'	14355	14355.00	14355.00	76°15'
21	14360	14360.00	14360.00	76°15'	14360	14360.00	14360.00	76°15'
22	14365	14365.00	14365.00	76°15'	14365	14365.00	14365.00	76°15'
23	14370	14370.00	14370.00	76°15'	14370	14370.00	14370.00	76°15'
24	14375	14375.00	14375.00	76°15'	14375	14375.00	14375.00	76°15'
25	14380	14380.00	14380.00	76°15'	14380	14380.00	14380.00	76°15'
26	14385	14385.00	14385.00	76°15'	14385	14385.00	14385.00	76°15'
27	14390	14390.00	14390.00	76°15'	14390	14390.00	14390.00	76°15'
28	14395	14395.00	14395.00	76°15'	14395	14395.00	14395.00	76°15'
29	14400	14400.00	14400.00	76°15'	14400	14400.00	14400.00	76°15'
30	14405	14405.00	14405.00	76°15'	14405	14405.00	14405.00	76°15'
31	14410	14410.00	14410.00	76°15'	14410	14410.00	14410.00	76°15'
32	14415	14415.00	14415.00	76°15'	14415	14415.00	14415.00	76°15'
33	14420	14420.00	14420.00	76°15'	14420	14420.00	14420.00	76°15'
34	14425	14425.00	14425.00	76°15'	14425	14425.00	14425.00	76°15'
35	14430	14430.00	14430.00	76°15'	14430	14430.00	14430.00	76°15'
36	14435	14435.00	14435.00	76°15'	14435	14435.00	14435.00	76°15'
37	14440	14440.00	14440.00	76°15'	14440	14440.00	14440.00	76°15'
38	14445	14445.00	14445.00	76°15'	14445	14445.00	14445.00	76°15'
39	14450	14450.00	14450.00	76°15'	14450	14450.00	14450.00	76°15'
40	14455	14455.00	14455.00	76°15'	14455	14455.00	14455.00	76°15'
41	14460	14460.00	14460.00	76°15'	14460	14460.00	14460.00	76°15'
42	14465	14465.00	14465.00	76°15'	14465	14465.00	14465.00	76°15'
43	14470	14470.00	14470.00	76°15'	14470	14470.00	14470.00	76°15'
44	14475	14475.00	14475.00	76°15'	14475	14475.00	14475.00	76°15'
45	14480	14480.00	14480.00	76°15'	14480	14480.00	14480.00	76°15'
46	14485	14485.00	14485.00	76°15'	14485	14485.00	14485.00	76°15'
47	14490	14490.00	14490.00	76°15'	14490	14490.00	14490.00	76°15'
48	14495	14495.00	14495.00	76°15'	14495	14495.00	14495.00	76°15'
49	14500	14500.00	14500.00	76°15'	14500	14500.00	14500.00	76°15'
50	14505	14505.00	14505.00	76°15'	14505	14505.00	14505.00	76°15'
51	14510	14510.00	14510.00	76°15'	14510	14510.00	14510.00	76°15'
52	14515	14515.00	14515.00	76°15'	14515	14515.00	14515.00	76°15'
53	14520	14520.00	14520.00	76°15'	14520	14520.00	14520.00	76°15'
54	14525	14525.00	14525.00	76°15'	14525	14525.00	14525.00	76°15'
55	14530	14530.00	14530.00	76°15'	14530	14530.00	14530.00	76°15'
56	14535	14535.00	14535.00	76°15'	14535	14535.00	14535.00	76°15'
57	14540	14540.00	14540.00	76°15'	14540	14540.00	14540.00	76°15'
58	14545	14545.00	14545.00	76°15'	14545	14545.00	14545.00	76°15'
59	14550	14550.00	14550.00	76°15'	14550	14550.00	14550.00	76°15'
60	14555	14555.00	14555.00	76°15'	14555	14555.00	14555.00	76°15'
61	14560	14560.00	14560.00	76°15'	14560	14560.00	14560.00	76°15'
62	14565	14565.00	14565.00	76°15'	14565	14565.00	14565.00	76°15'
63	14570	14570.00	14570.00	76°15'	14570	14570.00	14570.00	76°15'
64	14575	14575.00	14575.00	76°15'	14575	14575.00	14575.00	76°15'
65	14580	14580.00	14580.00	76°15'	14580	14580.00	14580.00	76°15'
66	14585	14585.00	14585.00	76°15'	14585	14585.00	14585.00	76°15'
67	14590	14590.00	14590.00	76°15'	14590	14590.00	14590.00	76°15'
68	14595	14595.00	14595.00	76°15'	14595	14595.00	14595.00	76°15'
69	14600	14600.00	14600.00	76°15'	14600	14600.00	14600.00	76°15'
70	14605	14605.00	14605.00	76°15'	14605	14605.00	14605.00	76°15'
71	14610	14610.00	14610.00	76°15'	14610	14610.00	14610.00	76°15'
72	14615	14615.00	14615.00	76°15'	14615	14615.00	14615.00	76°15'
73	14620	14620.00	14620.00	76°15'	14620	14620.00	14620.00	76°15'
74	14625	14625.00	14625.00	76°15'	14625	14625.00	14625.00	76°15'
75	14630	14630.00	14630.00	76°15'	14630	14630.00	14630.00	76°15'
76	14635	14635.00	14635.00	76°15'	14635	14635.00	14635.00	76°15'
77	14640	14640.00	14640.00	76°15'	14640	14640.00	14640.00	76°15'
78	14645	14645.00	14645.00	76°15'	14645	14645.00	14645.00	76°15'
79	14650	14650.00	14650.00	76°15'	14650	14650.00	14650.00	76°15'
80	14655	14655.00	14655.00	76°15'	14655	14655.00	14655.00	76°15'
81	14660	14660.00	14660.00	76°15'	14660	14660.00	14660.00	76°15'
82	14665	14665.00	14665.00	76°15'	14665	14665.00	14665.00	76°15'
83	14670	14670.00	14670.00	76°15'	14670	14670.00	14670.00	76°15'
84	14675	14675.00	14675.00	76°15'	14675	14675.00	14675.00	76°15'
85	14680	14680.00	14680.00	76°15'	14680	14680.00	14680.00	76°15'
86	14685	14685.00	14685.00	76°15'	14685	14685.00	14685.00	76°15'
87	14690	14690.00	14690.00	76°15'	14690	14690.00	14690.00	76°15'
88	14695	14695.00	14695.00	76°15'	14695	14695.00	14695.00	76°15'
89	14700	14700.00	14700.00	76°15'	14700	14700.00	14700.00	76°15'
90	14705	14705.00	14705.00	76°15'	14705	14705.00	14705.00	76°15'
91	14710	14710.00	14710.00	76°15'	14710	14710.00	14710.00	76°15'
92	14715	14715.00	14715.00	76°15'	14715	14715.00	14715.00	76°15'
93	14720	14720.00	14720.00	76°15'	14720	14720.00	14720.00	76°15'
94	14725	14725.00	14725.00	76°15'	14725	14725.00	14725.00	76°15'
95	14730	14730.00	14730.00	76°15'	14730	14730.00	14730.00	76°15'
96	14735	14735.00	14735.00	76°15'	14735	14735.00	14735.00	76°15'
97	14740	14740.00	14740.00	76°15'	14740	14740.00	14740.00	76°15'
98	14745	14745.00	14745.00	76°15'	14745	14745.00	14745.00	76°15'
99	14750	14750.00	14750.00	76°15'	14750	14750.00	14750.00	76°15'
100	14755	14755.00	14755.00	76°15'	14755	14755.00	14755.00	76°15'

LEGEND

SYMBOL	DESCRIPTION
—	ROAD-EXISTING PAVEMENT
—	NEW CHANNEL CENTERLINE
—	MAJOR CONTOUR, EXISTING
—	MINOR CONTOUR, EXISTING
—	MAJOR CONTOUR, NEW
—	MINOR CONTOUR, NEW
—	CONTROL LINE
—	SWALE
●	CONTROL POINT
○	TREE
—	TOE OF BANK
—	NEW GUARDRAIL
—	DESIGN
—	SHEET

CITY OF MONTEREY
DEPARTMENT OF PUBLIC WORKS

IRIS CANYON CREEK REPARATION
CONTROL ABREVIATIONS AND SYMBOLS
CREEK ADJACENT TO IRIS CANYON ROAD
410-C01-V011</

