



US Army Corps
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San Francisco District

Regulatory Branch
1455 Market Street, 16th Floor
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

Project: Manuel Campos Parkway Project, Solano County

NUMBER: 2002-27453N

DATE: March 20, 2009

RESPONSE REQUIRED BY: April 20, 2007

PERMIT MANAGER: David Wickens

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1. **INTRODUCTION:** Mr. Erin Beavers, City of Fairfield, Community Development Department, Planning Division, 1000 Webster Street, Fairfield, California 94533, (707) 428-7461, has applied to the United States Army Corps of Engineers (Corps), through his agent Gibson & Skordal, LLC (Point of Contact: Ms. Karen Shaffer, 2277 Fair Oaks Boulevard, Suite 105, Sacramento, California 95825, (916) 569-1830), for a Department of the Army Individual Permit to construct the final phase of the Manuel Campos Parkway Project. The 14.6-acre project proposes to widen 0.85-mile of the existing roadway (Cement Hill Road), from Portland Drive to Walters Road, northeast of the City of Fairfield in Sections 8, 9, 16, and 17; Township 5 North; Range 1 West; Solano County, California (Figure 1).

The project would cause the permanent loss of 1.03-acres of waters of the United States. The duration of authorization, should it be accepted, would be for five years from the date of the permit issuance. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

2. PROPOSED PROJECT:

Project Site: The Manuel Campos Parkway Project (Project) is situated along an approximately 0.85-mile stretch of Cement Hill Road. The project is located on relatively flat terrain at an average elevation of about 75-feet. Rangeland/agricultural fields are adjacent to the proposed project site.

The 14.6-acre site includes Cement Hill Road and the northern and southern shoulders of the roadway. The existing road shoulders are mostly non-native annual upland grasslands with approximately 1.03-acres of waters of the United States dispersed north and south of Cement Hill Road.

The waters of the United States within the work area include; seasonal wetlands, channels, wet swales, and ditches. Table 1 lists acreage totals by aquatic feature type.

The upland grasslands within the proposed project site consist primarily of soft chess (*Bromus mollis*), ripgut brome (*Bromus diandrus*), rat-tail fescue (*Vulpia myuros*), yellow star-thistle (*Centaurea solstitialis*), and tarweed (*Holocarpha virgata*). Additional common species include cut-leaf filaree (*Erodium cicutarium*), winter vetch (*Vicia villosa*), Mediterranean barley (*Hordeum hystrix*), perennial rye (*Lolium perenne*), and purple star-thistle (*Centaurea calcitrapa*).

Project Description: The proposed project entails widening the existing two-lane, unimproved road (currently called Cement Hill Road) to create the Manuel Campos Parkway. The Manuel Campos Parkway would be a four-lane roadway, with two bike lanes, a center median, and sidewalks with landscape corridors. The proposed roadway widening project will take place on the north and south sides of the existing road over an approximately 0.85-mile length. The proposed project would extend from Portland Drive to Walters Road. Figure 1 depicts the work area of the

proposed project and Figure 2 illustrates a typical cross-section of the proposed Manuel Campos Parkway.

Purpose and Need: The basic Project purpose is to widen the existing two-lane roadway. The overall project purpose is to develop a transportation corridor consistent with the City's Circulation Element of the General Plan. The Circulation element of the General Plan is not limited to automobile-related transportation, but addresses the development of a balanced, multi-modal circulation system for the City. It addresses not only roadway development, but also roadway safety and pedestrian and bicycle facilities.

Fairfield is at the convergence point of three growing regions: the San Francisco Bay area, the greater Sacramento area, and San Joaquin County. Population growth in all three of these areas, as well as the growth of Fairfield itself, affects the City's circulation system.

In addition, Manuel Campos Parkway has been planned as an arterial road. Arterial roadways are moderate or high-capacity roads which are immediately below a highway level of service. Arterial roads carry a large volume of traffic between areas in urban centers. The current roadway is used to travel to Fairfield and Interstate 80 from southeastern Vacaville and eastern Fairfield. As such, it receives a very high volume of traffic which travels at high speed. Currently, the narrow, unimproved, two-lane roadway is not adequate to handle the existing volume of traffic or the speeds at which the traffic currently travels.

Impacts to Corps of Engineers jurisdiction: The proposed project would result in the permanent loss 1.03-acres of waters of the United States (Table 2). The applicant proposes to fill all waters of the United States within the Parkway footprint.

Mitigation: To compensate for the direct loss and/or impacts to 1.03-acres of waters of the United States the applicant proposes to purchase a total of 2.57-acres of wetland creation and preservation

mitigation credits from an approved wetland mitigation bank (Table 3).

The proposed wetland mitigation amount conforms with Executive Order 11990, dated May 24, 1977. The amount of proposed mitigation is also in accordance with a Programmatic Formal Endangered Species Act Consultation the Corps completed with the Sacramento Field Office of the U.S. Fish and Wildlife Service in 1996, pursuant to the issuance of Section 404 Permits for projects with relatively small effects on listed vernal pool crustaceans.

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 (Service) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat.

The Corps has made a preliminary determination that the proposed project would have limited environmental impacts on vernal pools within the jurisdiction of the Sacramento Field Office (SFO) of the U.S. Fish and Wildlife Service (Service).

Therefore, the Corps has initiated Section 7 consultation and has requested that the project be appended to the *Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California*, dated, February 28, 1996. In the event the Service disagrees with this determination, a separate formal consultation in accordance with 50 CFR 402.14(e) will be initiated and the Corps shall request preparation of a biological opinion for the project within 135 days thereafter.

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 provided the Corps with evidence that he has submitted a valid request for State water quality certification to the San Francisco Bay 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, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612, 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 not water dependent. The applicant has not submitted an Analysis of Alternatives and has been informed that such an Analysis is required and will be reviewed for compliance with the guidelines.

National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, 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.

Coastal Zone Management Act of 1972 (CZMA): Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1456(c)), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to furnish a certification that indicates the activity conforms with the State's coastal zone management program. Generally, no federal license or permit will be issued until the appropriate State agency has concurred with the certification statement or has waived its right to do so. The project does not occur in the coastal zone, and a preliminary review by the USACE indicates that the project would not likely affect coastal zone resources. This presumption on effect, however, remains subject to a final determination by the California Coastal Commission.

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.

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 David Wickens of our office at telephone 415-503-6787 or E-mail: david.m.wickens@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.

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