



**US Army Corps
Of Engineers**

Walla Walla District
201 North Third Avenue
Walla Walla, WA 99362-1876

Notice of Public Hearing

APPLICATION NO.: 2007-908-I01

APPLICANT: The Hosac Company, Inc.

Public Notice Date: June 26, 2008

Public Hearing Date: August 5, 2008

Comment Due Date: August 22, 2008

Interested parties are hereby notified a Public Hearing has been scheduled to solicit public comment regarding an application for a Department of the Army permit by The Hosac Company, Inc.. The Hosac Company, Inc. proposes to discharge fill material into wetlands along Valley Creek to construct a residential subdivision.

DATE and TIME of HEARING: **AUGUST 5, 2008;** 7 p.m. to 11 p.m. If you have any questions concerning the hearing, you may contact Mr. Robert Brochu of my Idaho Falls Regulatory Office at 208-522-1645.

LOCATION: City of Stanley Community Building, located next to the City Office on Highway 21, immediately west of Highway 75, Stanley, Idaho.

PROJECT DESCRIPTION: The Hosac Company, Inc. proposes to discharge fill material into 1.8 acres of wetlands adjacent to Valley Creek in Stanley, Custer County, Idaho. The project is to construct house pads, roads, and buried utilities associated with the sale of building lots in an existing platted subdivision.

The proposed fills would be comprised of clean soil and earthen material placed to raise the ground elevation to facilitate building houses, driveways, parking, garages, utilities, and yard landscaping. A potential fill source is immediately downstream at a proposed compensatory wetland mitigation site identified on the project drawings. Sewer and power lines have already been buried within the preexisting subdivision road. Sewer is proposed to be collected and treated as part of the Stanley Sewer District system.

The project is a consolidation and modification of two previous subdivisions approved by the City of Stanley prior to the Clean Water Act in approximately 1972. The previous subdivisions were known as The Sawtooth Terra Subdivision and the Valley Creek Tract Subdivision. Several homes in each subdivision were built prior to ownership of the subdivisions by The Hosac Company, Inc.

A copy of our February 4, 2007 Public Notice describing the project may be obtained from the Walla District Internet website under Current Public Notices at:
<http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm> or by calling the Idaho Falls Regulatory Office at 208-522-1645 or emailing: cenww-rd-32@usace.army.mil.

The applicant proposes to mitigate project impacts by restoring wetlands and floodplains downstream at the abandoned municipal sewage lagoon site which lies adjacent to Valley Creek, immediately upstream of Highway 93 and the Salmon River. The location is depicted on Sheet 16 of the public notice drawings. The

applicant proposes to develop a detailed plan to restore and create wetlands and floodplains at this site at a later date.

Sheet 2 of the public notice drawings depicts a future phase of the development project which is not part of this application. This future phase was part of the original subdivision plats approved by the City of Stanley. The area is almost entirely wetlands and includes channels of Valley Creek. The applicant has not provided any additional information regarding this potential future development. Potential impacts to the aquatic environment due to development of the future phase will be addressed as part of the Corps' review of the current application.

CONDUCT OF HEARING: The Public Hearing will be conducted in accordance with the procedures outlined in Title 33 of the Code of Federal Regulations, Part 327. All persons will be permitted to submit oral or written statements concerning the subject matter of the hearing; to call upon persons who may then present oral statements; or to present recommendations as to an appropriate decision. All persons may present written statements or other additional information prior to the time the comment period is closed. Rebuttal to statements given during the course of the hearings may be provided by written statement prior to the close of the comment period. At the Public Hearing, any person may appear on his or her own behalf, or may be represented by counsel, or by other representatives. Should commentators choose to submit written material, all comment letters received in regard to this public notice will be made part of the permit application, and will also be considered in the evaluation of granting a permit.

Speakers will be requested to limit their oral presentations to approximately **5 minutes**. Lengthier written presentations may be submitted, but the speaker will be requested to summarize the presentation in the allotted 5 minutes. **Cross-examination of speakers will not be permitted.** Speakers will not be permitted to yield their presentation time to other speakers and/or participants.

A speaker pre-registration form is attached. Pre-registration is not required, however speakers who are pre-registered will be given the first opportunity to speak in a prescribed order. To pre-register, mail the pre-registration form to the address shown on the form, or email the form to: cenww-rd-32@usace.army.mil . We must receive the form on or before July 29, 2008 for pre-registration of speakers. Persons who are not pre-registered may fill out a registration card at the door at the beginning of the Public Hearing and will be allowed to speak in a prescribed order after the pre-registered speakers, as time allows.

Speakers will be called to the podium in the following order:

1. Applicant and representatives
2. Elected officials or their representatives, federal, state, then local
3. Federal agencies
4. State agencies
5. City agencies;
6. Organized group's representatives;
7. Private citizens.

All written statements, charts tabulations, and similar data offered in evidence at the hearings shall, subject to exclusion for reasons of redundancy, be received in evidence and will constitute a part of the hearing file which will become part of the administrative record for this permit action. We request submitted material not exceed 8 ½ inches by 14 inches, if possible, for filing purposes.

AUTHORITY: This permit will be issued or denied under the authority of Section 404 of the Clean Water Act.

COMMENT AND REVIEW PERIOD: Interested parties are invited to provide their comments on the proposed activity, which will become a part of the record and will be considered in the decision. The hearing record will remain open until **August 22, 2008** for the receipt of additional written comments. All comments should be sent to the following address in order to be received prior to the close of the record:

Walla Walla District, Corps of Engineers,
Idaho Falls Regulatory Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402.

The Public Hearing will be reported verbatim. Copies of the proceedings (i.e. transcript) may be purchased from the Corps of Engineers by any person or group. Copies will be available for public inspection at the Idaho Falls Regulatory Office after the close of the comment period. The cost of a copy will correspond directly to the number of pages enclosed within the transcript. Purchase requests may be made by contacting the Idaho Falls Regulatory Office at the above address, by telephone at 208-522-1645 or by email: cenww-rd-32@usace.army.mil.

EVALUATION: The Corps of Engineers neither favors nor opposes the proposed work. The purpose of this public notice and the Public Hearing is to afford the Corps of Engineers the opportunity to hear from the general public on the application which is before the agency in order to acquire information which will be considered in evaluating the proposal. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the activity must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. In addition, our evaluation will include application of the EPA Guidelines (40 CFR 230) as required by Section 404(b)(1) of the Clean Water Act.

CONSIDERATION OF PUBLIC 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.

For a more complete listing of all the issues, concerns, evaluation factors, and laws and regulations through which this application will be evaluated please refer to the February 4, 2008 Public Notice, referenced above.

If you have any questions concerning this application, you may contact Mr. Robert Brochu of my Idaho Falls Regulatory Office at the above address or by telephone at 208-522-1645 or by email at cenww-rd-32@usace.army.mil .

Sincerely,

//signed//
A. Bradley Daly
Chief, Regulatory Branch

SPEAKER PRE-REGISTRATION FORM

August 5, 2008 Public Hearing

The Hosac Company, Inc.

NWW-2007-908-I01

(submit on or before July 29, 2008)

Please file one form per speaker. Registration forms will also be available at the hearing.

Name of Speaker: _____

Organization(s) represented: _____

Address for any project related mailings: _____

Your contact phone numbers: _____

Are you submitting or do you plan to submit written or other non-verbal information for consideration of this matter? ____ YES ____ NO

Please send this form to the following address:

Walla Walla District, Corps of Engineers,
Idaho Falls Regulatory Office
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402.

Or email this form to: cenww-rd-32@usace.army.mil