

The ROD may be published no earlier than 30 days after publication of the Notice of Availability of the final EIS. The final step in the State EIR process is certification of the EIR, which includes preparation of a Mitigation Monitoring and Reporting Plan and adoption of its findings, should the project be approved.

8. Scoping Process. Participation of affected Federal, State and local resource agencies, Native American groups and concerned interest groups/ individuals is encouraged in the scoping process. Public participation is important in defining the scope of analysis in the FS/EIS/EIR, identifying significant environmental issues and impact analysis in the FS/EIS/EIR and providing useful information such as published and unpublished data and personal knowledge of relevant issues.

The Corps and City of Los Angeles conducted a public scoping meeting on April 18, 2007 for both the Feasibility Study and the LARRMP PEIR/PEIS (2007). Public input and comments received during the scoping meeting as well as other comments received during public outreach efforts associated with the LARRMP will be considered during preparation of the FS/EIS/EIR.

A second public scoping meeting will be held on December 4, 2008, from 7—8:30 p.m. at the Metropolitan Water District, 700 North Alameda Street, Los Angeles, CA 90012, to solicit additional comments on the environmental effects of the range of potential actions and the appropriate scope of the FS/EIS/EIR. The public is invited to comment on environmental issues to be addressed in the FS/EIS/EIR during this meeting. Public input and comments received during the scoping meeting will be considered during preparation of the FS/EIS/EIR.

Those interested in providing written comments, information, or data relevant to the environmental or social impacts that should be included or considered in the environmental analysis can furnish this information by writing to the point of contact (see **ADDRESSES**). Requests to be placed on the mailing list for announcements and the Draft FS/EIS/EIR also should be sent to Ms. Bostwick (see **ADDRESSES**).

Dated: November 13, 2008.

**Anthony G. Reed,**

*Lieutenant Colonel, U.S. Army, Acting District Commander.*

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## DEPARTMENT OF DEFENSE

### Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement for the Proposed Preserve at Sunridge, in Rancho Cordova, Sacramento County, CA, Permit Application Number SPK-2004-00707

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) will prepare an Environmental Impact Statement (EIS) for The Preserve at Sunridge project, a mixed-use residential and commercial development in Rancho Cordova, Sacramento County, CA. K. Hovnanian Homes has applied for a Department of the Army permit to fill approximately 14.5 acres of waters of the United States, including wetlands, to construct the project.

**ADDRESSES:** Please send written comments to Michael Jewell, U.S. Army Corps of Engineers, Sacramento District, 1325 J Street, Room 1480, Sacramento, CA, 95814-2922.

**FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action and EIS can be answered by Michael Jewell, (916) 557-6605, e-mail: [michael.s.jewell@usace.army.mil](mailto:michael.s.jewell@usace.army.mil), address: 1325 J Street, Room 1480, Sacramento, CA 95814-2922.

**SUPPLEMENTARY INFORMATION:** K. Hovnanian Homes has applied for a Department of the Army permit under Section 404 of the Clean Water Act to construct a mixed-use development on a 530-acre parcel within the Sunrise Douglas Community Plan (SDCP) area in the southeastern portion of the City of Rancho Cordova in eastern Sacramento County, CA. The proposed action includes 2,415 single-family residential units of varying densities on 292 acres, 288 high-density multi-family residential units on 11 acres, between 147,000 and 165,000 square feet of commercial space spread over 15 building pads, an elementary school, stormwater management facilities, and a neighborhood park. The proposed action also includes realigning Morrison Creek through an existing transmission corridor that traverses the site and establishing a 92-acre open space and wetland preserve.

Approximately 20.8 acres of water of the United States have been identified on the proposed project site, including 15.2 acres of vernal pools, 2.8 acres of depressional seasonal wetlands, 1.7

acres of riverine seasonal wetlands and 1.1 acres of intermittent drainage. The applicant has applied for a permit to fill 14.5 acres of these waters. The 92-acre open space and wetland preserve would contain approximately 6.3 acres of wetlands not directly impacted by the project.

The EIS will include an evaluation of a reasonable range of alternatives. Currently, the following alternatives are expected to be analyzed in detail: (1) The no action alternative (no permit issued), (2) the applicant's preferred project (proposed action), (3) a "Conceptual-Level Strategy" alternative, (4) a reduced development footprint alternative, and (5) a different location (off-site) alternative. The no action alternative assumes limited development would occur on the site with all waters of the United States avoided. The Conceptual-Level Strategy alternative assumes development consistent with the June 2004 "Conceptual-Level Strategy for Avoiding, Minimizing, and Preserving Aquatic Resource Habitat in the Sunrise-Douglas Community Plan Area", a guidance document prepared by the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers. A reduced development footprint alternative will have a smaller development footprint than the applicant's preferred project but with more direct impacts to waters of the United States than the Conceptual-Level Strategy alternative. The off-site alternative assumes the proposed project would be developed at a different but suitably-sized site in the region.

The Corps' scoping process for the EIS includes a public involvement program with several opportunities to provide oral and written comments. In addition to public meetings and notifications in the **Federal Register**, the Corps will issue public notices when the draft and final EISs are available. Affected federal, state, and local agencies, Native American tribes, and other interested private organizations and parties are invited to participate.

Potentially significant issues to be analyzed in the EIS include, but are not limited to: Hydrology, water supply, water quality, cultural resources, biological resources, traffic and transportation, and air quality. The Corps is the lead agency for preparation of the EIS under the requirements of the National Environmental Policy Act (NEPA). The U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service and California Regional Water Quality Control Board have

agreed to be cooperating agencies. The Corps will also coordinate with other agencies, such as the City of Rancho Cordova.

Other environmental review and consultation requirements for the proposed action include the need for the applicant to obtain water quality certification under Section 401 of the Clean Water Act from the California Regional Water Quality Control Board. In addition, because the proposed project may affect federally-listed endangered species, the Corps will formally consult with the U.S. Fish and Wildlife Service in accordance with Section 7 of the Federal Endangered Species Act. The Corps will also be consulting with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act concerning properties listed, or potentially eligible for listing, on the National Register of Historic Places.

Two public scoping meetings for the EIS will be held on December 11, 2008, with the first from 4 p.m. to 6 p.m. and the second from 7 p.m. to 9 p.m. The meetings will be held at the Rancho Cordova City Hall, 2729 Prospect Park Drive, American River Room—South, Rancho Cordova, CA 95670. Interested parties can provide oral and written comments at the meetings. Interested parties may also submit written comments on this notice. Scoping comments should be submitted before February 1, 2008 but may be submitted at any time prior to publication of the Draft EIS.

Interested parties may register for the Corps' public notice e-mail notification lists at: <http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pnlist.html>.

Dated: November 17, 2008.

**James A. Porter,**

*Lt. Colonel, Corps of Engineers, Acting District Engineer.*

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Public Hearing for the Draft Environmental Impact Statement for the Laurelwood Housing Area Access, Naval Weapons Station Earle, Colts Neck, NJ

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** Pursuant to section (102)(2)(c) of the National Environmental Policy Act (NEPA) of 1969, and regulations

implemented by the Council on Environmental Quality (40 CFR Parts 1500-1508), the Department of the Navy (Navy) has prepared and filed with the U.S. Environmental Protection Agency (EPA) a Draft Environmental Impact Statement (EIS) which evaluates the potential environmental consequences of providing access between the Laurelwood housing area at Naval Weapons Station (NWS) Earle and an adjacent state primary or secondary road. The requirement for this access is a stipulation within the lease agreement between the Navy and the developer of Laurelwood that requires the Navy to provide unimpeded access to the property in 2010. This developer may construct necessary road improvements to obtain access and rent any housing units to the general public through the year 2040. A Notice of Intent for this EIS was published in the **Federal Register** on November 9, 2007 (72 FR 63562).

The Navy will conduct a public hearing to receive oral and written comments on the Draft EIS. Federal agencies, state agencies, local agencies, and interested individuals are invited to be present or represented at the public hearings. This notice announces the date and location of the public hearing for this Draft EIS.

**DATES AND ADDRESSES:** One public hearing will be held. The hearing will be preceded by an open house session to allow interested individuals to review information presented in the Draft EIS. Navy representatives will be available during the open house session to clarify information related to the Draft EIS. The open house session will occur from 4 p.m. to 5:30 p.m. followed by the formal public hearing from 6 p.m. to 10 p.m. The public hearing is scheduled for the following date and location: Tuesday, December 16, 2008 at the Monmouth Regional High School Performing Arts Center, One Norman J. Field Way, Tinton Falls, NJ 07724.

**FOR FURTHER INFORMATION CONTACT:**

Naval Facilities Engineering Command (NAVFAC) Atlantic, Attn: Laurelwood Housing Area EIS Project Manager, Code EV21 Laurelwood PM, 6506 Hampton Boulevard, LRA Building A, Norfolk, VA 23508; <http://www.laurelwoodeis.com>.

**SUPPLEMENTARY INFORMATION:** The purpose of the proposed action is to provide unimpeded access in the year 2010 to the developer of the Laurelwood housing area across a portion of NWS Earle connecting the Laurelwood housing area with a state primary or secondary road. The requirement for this access in 2010 is part of an existing

lease agreement between the Navy and the developer of Laurelwood.

In 1988 the Navy contracted with a developer to construct, own, and operate 300 military family housing units at NWS Earle, now known as the Laurelwood housing area. A 52-year lease agreement for the underlying land was executed between the Navy and the developer which included an in-lease and out-lease period. During the in-lease period, which runs from 1988 until 2010, the Navy guarantees rent payments to the developer for the occupancy of all 300 Laurelwood units. Only military and their dependents are allowed to occupy these housing units during the in-lease period. During the out-lease period, which runs from 2010 until 2040 the developer may rent the units to the general public.

However, the lease requires that the Navy provide "reasonable access" between the Laurelwood housing area and an adjacent state, primary, or secondary road. The lease agreement defines reasonable access as being on a paved road, constructed, operated, and maintained by the developer at its own cost. The Navy may satisfy this obligation by either (a) providing unimpeded access along existing roads of the installation or (b) providing an easement for alternate access adequate to allow the developer to construct a road from an adjacent primary or secondary road to Laurelwood that will provide unimpeded access.

Road construction would be subject to federal, state and local laws and regulations. While the developer must pay for construction of a new road and necessary improvements, the Navy is required to finance the construction of any road enhancements necessary to meet their security or operational requirements (e.g., security fencing, gates). In addition, the Navy is required to obtain all necessary permits for road construction. In 2040, the lease agreement expires and the developer is obligated to demolish the 300 housing units.

This Draft EIS reviews and assesses four action alternatives and the No Action alternative. The Draft EIS addresses potential environmental impacts on multiple resources, including but not limited to: Socioeconomic resources; community facilities and services; traffic; cultural resources; biological resources; environmental health and safety; and security. A preferred alternative has not been selected or identified in the Draft EIS. The Navy seeks comments from the public or interested parties regarding the sufficiency of the Draft EIS and the choice of alternatives.