

**United States Department of the Interior
U.S. Fish and Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021
Telephone: (602) 242-0210 FAX: (602) 242-2513**

AESO/FA
22410-2007-FA-0009

November 29, 2006

Ms. Cindy Lester
Chief, Regulatory Branch
U.S. Army Corps of Engineers
3636 North Central Avenue Suite 900
Phoenix, Arizona 85012-1936

Dear Ms. Lester:

Thank you for Public Notice 2006-01805-AP (PN), dated November 13, 2006. Silverstone Development has applied for a Section 404 Clean Water Act permit to construct the 160-acre Silverstone development in Scottsdale, Maricopa County, Arizona (Section 14, T4N, R4E). These comments are provided under the authority of, and in accordance with, the Fish and Wildlife Coordination Act (48 Stat. 401, as amended U.S.C. 661 et. seq.).

We believe it necessary to assess the total impact of development, including secondary and cumulative effects above and below the ordinary high water mark. Your analysis should use standardized empirical methods to quantify and evaluate impacts on biological function and integrity of jurisdictional waters. Our rationale for this approach has been presented in comments on Rocking K Ranch (974-0475-RJD), Lone Mountain (2000-01928-RWF), Whitestone (974-0218-RWF), Willow Ridge (2005-00230-MB), and others posted on our website at <http://www.fws.gov/southwest/es/arizona>.

We request the permit be held in abeyance until we have reviewed the environmental assessment and mitigation plan. We encourage you to coordinate with Arizona Game and Fish Department. If we can be of further assistance, contact Mike Martinez (x224) or Debra Bills (x239).

Sincerely,

/s/ Steven L. Spangle
Field Supervisor

cc: Regional Administrator, Environmental Protection Agency, San Francisco, CA
Chief, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ