

**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-0005

November 7, 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 2005-01182-RWF (PN) dated October 31, 2006, issued by the U.S. Army Corps of Engineers. Sun Valley Parkway & Northern Investors have submitted an application for a Section 404 Clean Water Act (CWA) permit to construct the 593-acre Montierre residential community in Buckeye, Maricopa County, Arizona (Section 1, T2N, R5W). 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.) (FWCA).

We believe it necessary to assess the total impact of the development, including parts to be located on uplands and any secondary and cumulative effects, including those above 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 to your agency in comments on other 404 Public Notices such as Rocking K Ranch (974-0475-RJD), Lone Mountain (2000-01928-RWF), Whitestone (974-0218-RWF), Willow Ridge (2005-00230-MB), and others. These documents are all posted on our website: <http://www.fws.gov/southwest/es/arizonaes>

We request that the permit be held in abeyance until we have had an opportunity to review the draft environmental assessment and mitigation plan, and provide substantive recommendations in accordance with the FWCA and section 404(m) of the CWA. We also encourage you to coordinate with the Arizona Game and Fish Department. If we can be of further assistance please contact Mike Martinez (x224) or Debra Bills (x239).

Sincerely,

/s/ Steven L. Spangle  
Field Supervisor

Ms. Cindy Lester

2

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

W:\Mike Martinez\Montierre-pn.doc:cgg