



US Army Corps  
of Engineers®

# PUBLIC NOTICE

Applicant:  
**San Francisco District**  
**Permit Application No. SPN-2023-00282**

Published: **February 10, 2026**  
Expires: **March 10, 2026**

---

**San Francisco District**  
**Permit Application No. SPN-2023-00282**

TO WHOM IT MAY CONCERN: The San Francisco District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) for the Fairgrounds Channel Drainage Project. The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** James Bezek  
Solano County Department of Resource Management  
675 Texas St Ste 2500  
Fairfield, CA 94533

**AGENT:** Robert Carrol  
FirstCarbon Solutions  
2999 Oak Road, Suite 250  
Walnut Creek, CA 94597

**WATERWAY AND LOCATION:** The proposed Fairgrounds Channel Drainage Project would affect perennial riverine waters associated with Rindler Creek located at 900 Fairgrounds Drive, Vallejo, Solano County, California; Latitude 38.13973°, Longitude - 122.22397°.

**EXISTING CONDITIONS:** The existing Fairgrounds Channel, which ranges from 30-60 feet in width and 6-10 feet in depth, experiences flooding due to offsite upstream runoff from Central Rindler Creek, South Rindler Creek, and Blue Rock Springs Creek. An approved delineation was completed in July 2025. The project site supports 1.81 acres of jurisdictional perennial stream within the Fairgrounds Channel. Vegetation in the creek bed forms both perennial marsh and seasonal wetlands located on benches below the ordinary high water mark, which are seasonally flooded and support hydrophytic vegetation. There are an additional 1.48 acres of non-jurisdictional seasonal wetlands within the upland portions of the site outside of the existing channel.

## **PROJECT PURPOSE:**

**Basic:** Flood Control

**Overall:** The applicant's stated project purpose is to address existing flooding issues within the Solano360 Specific Plan area and along Coach Lane by widening and

deepening the Fairgrounds Channel to alleviate flooding and improve drainage capabilities to withstand a 100-year storm event.

**PROPOSED WORK:** The applicant requests authorization to complete a comprehensive flood control project focused on enlarging the Fairgrounds Channel. The plan involves widening the channel to approximately 110-155 feet and deepening it to 9-12 feet, enabling it to contain a 100-year storm event. The proposed channel design includes optimized longitudinal and side channel slopes to ensure efficient water flow. Maintenance benches and access points would be added to facilitate future maintenance activities and ensure long-term functionality of the channel.

In addition to flood mitigation, the project incorporates environmental enhancements, including the creation of a low-flow meandering channel and 0.91 acres of wetland benches. The wetland benches would vary in width from 20 feet to 35 feet, providing diverse habitats and ecological diversity within the project area, and compensating for environmental impacts and improving the overall ecological function of Rindler Creek.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant has proposed a number of avoidance and minimization measures in the draft Environmental Impact Report. These measures include conducting a worker environmental awareness program for cultural and biological resources; an archeological monitor would be onsite during ground disturbance activities; construction would be limited to the dry season, June 1 to October 31; and conduct pre-construction surveys for western pond turtle and California red-legged frog.

**COMPENSATORY MITIGATION:** The applicant submitted a draft compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to mitigate for all impacts onsite through the creation of approximately 1.79 acres of perennial stream and 0.91 acre of wetland benches along the channel alignment. These benches would be graded to retain water and support diverse habitats. The applicant also proposes to re-establish 8.43 acres of riparian vegetation along the length of the channel.

**CULTURAL RESOURCES:** The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary

determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

The proposed project may affect, but is not likely to adversely affect, California red-legged frog and northwestern pond turtle. The applicant would implement mitigation measures, including environmental awareness training and pre-construction surveys, to reduce potential impacts to these species.

Pursuant to Section 7 ESA, any required consultation with the U.S. Fish and Wildlife Service (USFWS) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as a request to the USFWS for any additional information on whether any listed or proposed-to-be-listed endangered or threatened species or critical habitat may be present in the area affected by the proposed activity.

**ESSENTIAL FISH HABITAT:** Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the San Francisco Bay Regional Water Quality Control Board.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction have been verified by Corps personnel.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts 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, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** The Corps 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, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The San Francisco District will receive written comments on the proposed work, as outlined above, until **March 10, 2026**. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Zachary Simmons at [zachary.m.simmons@usace.army.mil](mailto:zachary.m.simmons@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, San Francisco District, Attention: Zachary Simmons, U.S. Army Corps of Engineers  
San Francisco District  
Regulatory Division, CESP-N-RGN  
450 Golden Gate Avenue, 4th Floor  
San Francisco, CA 94102-3404. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.