



US Army Corps of Engineers
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SPK-2004-00116, NOA DEIS

Posted 12/4/2014

Sacramento District

Comments Period: November 28, 2014 – January 12, 2015

SUBJECT: Notice of application for a Department of the Army permit under Section 404 of the Clean Water Act, NOA of Draft EIS and Notice of Public Meeting for the Cordova Hills project, Sacramento County, California. The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application for the construction of a mixed-use development and associated infrastructure, which would result in impacts to 40.15 acres of on-site and off-site waters of the U.S., including wetlands. This notice is to inform interested parties of: the publishing of the Draft EIS; the location, date and time of the public meeting; and to solicit comments on the proposed activities.

DRAFT ENVIRONMENTAL IMPACT STATEMENT: The Corps has prepared a Draft EIS pursuant to the National Environmental Policy Act (NEPA) to analyze the direct, indirect and cumulative effects associated with the implementation of six (6) on-site land-use alternative scenarios for a large-scale, mixed-use development on approximately 2,668 acres. Pursuant to the NEPA, the U.S. Environmental Protection Agency (USEPA) published a notice in the Federal Register on November 28, 2014 (79 FR 70865), informing the public of the availability of the Draft EIS.

DRAFT EIS AVAILABILITY: The Draft EIS is available for review in the following formats:

- Electronically
 - o Corps' website
at: <http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/EnvironmentalImpactStatements.aspx>,
 - o Compact Disks are available per request from the Corps by contacting Lisa M. Gibson, by phone at 916-557-5288, by email at Lisa.M.Gibson2@usace.army.mil; or by mail at 1325 J Street, Room 1350, Sacramento, California 95864
- Hard Copies are available upon request at the address above.

COMMENT PERIOD: The Draft EIS is available for public comment for 45-days. The comment period for the Draft EIS will end on **January 12, 2015**.

PUBLIC MEETING: A public meeting for the Draft EIS and proposed project will be held on **December 17, 2014**, from 5:30 p.m. to 6:30 p.m. at Rancho Cordova City Hall, located at 2729 Prospect Park Drive, Rancho Cordova, California 95670

PERMIT APPLICATION: In addition to soliciting comments on the Draft EIS, the Corps is also soliciting comments on a pending permit application for the proposed Cordova Hills project. Under its regulatory program, the Corps will complete a decision for a Department of the Army permit for the discharge of dredged and/or fill material for the proposed project following the completion of the Final EIS and Record of Decision.

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged and/or fill material in waters of the United States.

APPLICANT: Cordova Hills Ownership Group, Attn: Mr. Ron Alvarado, 5241 Arnold Avenue, McClellan, California 95652, Phone: 916-565-3664

ATTACHMENTS

- ▶ SPK-2004-00116 PN Attachment 1
- ▶ SPK-2004-00116 PN Attachment 2

LOCATION: The approximately 2,668-acre site is located east of Grant Line Road, south of Glory Lane, north of Kiefer Road, and west of Carson Creek, in portions of Sections 13, 14, 23 and 24, Township 8 North, Range 7 East, and Section 18, Township 8 North, Range 8 East, Mount Diablo Meridian, Latitude 38.54945° North, Longitude 121.16290° West, in unincorporated Sacramento County, California. The site can be seen on the CA-Buffalo Creek USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to place dredged and/or fill material into approximately 39.79 acres of waters of the U.S. on the Cordova Hills site, including 15.64 acres of vernal pools, 6.52 acres of intermittent drainages, 3.06 acres of seasonal wetlands, 13.87 acres of seasonal wetland swales, 0.01 acre of seeps, and 0.69 acre of stock ponds, for the construction of a mixed-use development. The proposed action would also result in temporary impacts to approximately 0.159 acres of intermittent drainages. In addition, the proposed action would involve off-site infrastructure improvements to Grant Line Road, which would result in the discharge of dredged and/or fill material into approximately 0.39 acre of waters of the U.S.

The proposed project includes six distinct districts/villages, each with a distinct design character and mix of uses. The proposed residential uses would include a maximum of 8,000 residential units spread among six land-use designations, with an additional 1,010 units of student and faculty housing on the proposed university/college campus. The proposed commercial uses would include a total of approximately 1.3 million square feet of commercial, professional office, research and development, medical and community institutional (e.g. library and fire station) uses. The proposed university/college campus would be constructed on approximately 224 acres of land in the south-western portion of the site, would accommodate up to 6,000 students and 2,036 employees, and would include academic buildings, student housing, faculty housing, sports facilities, a performing arts center, and administrative buildings. The proposed parks and trail would include a 50-acre sports park, an 18-acre community park, six 4 to 5 acre neighborhood parks, and pocket parks, linear parks, and a large trail network. The proposed open space consists of 540-acres of preserves located throughout the site. Approximately 49.48 acres of waters of the U.S. would be preserved, including 31.87 acres of vernal pools, 10.54 acres of intermittent drainage, 0.17 acre of Carson Creek, 1.71 acres of seasonal wetlands, 4.35 acres of seasonal wetland swales, and 0.83 acre of stock ponds. In the south-western portion of the site, the applicant proposes additional development within an agricultural area encompassing a 2,000-foot buffer surrounding the Kiefer Landfill, known as the bufferlands. The proposed development in the bufferlands would include a sports park, solar facilities, district energy plant, corporation yard, park and ride lots, transit parking facilities, fueling stations, roads, stormwater basins, community gardens, sewer pump station and lines, water tanks, and similar utilities. Off-site infrastructure improvements would include the construction of water, sewer, electric, and gas utility lines, and the construction of an off-site water tank, which are not proposed to impact waters of the U.S., and several road improvements along Grant Line Road. The proposed action would include the land-use designations, descriptions, and acreages in attachment 2.

Based on the available information, the overall project purpose is to construct a large-scale, master-planned, mixed-use development, with associated infrastructure, within the Urban Services Boundary in south-eastern Sacramento County. The attached drawings provide additional project details. In addition, a complete description of the proposed action can be found in Section 2.4 of the Draft EIS.

ADDITIONAL INFORMATION:

Environmental Setting. The proposed Cordova Hills site is an approximately 2,668-acre site located in eastern Sacramento County, east of Grant Line Road and west of Carson Creek. The site is located on undulating topography and ranges in elevation from 130 to 280 feet above mean sea level (MSL). The dominant vegetation type is nonnative grassland. Interspersed through the grassland community are aquatic resources consisting of vernal pools, seasonal wetlands, seasonal wetland swales, seeps, intermittent drainages, and ponds. There is one tree, a eucalyptus (*Eucalyptus* sp.), on site.

The proposed project site contains two distinct watersheds that differ hydrologically, geologically, and biologically. The western plateau portion of the site is approximately 905 acres or 34 percent of the site. The western plateau area is relatively flat and is within the Sacramento Valley 8-digit HUC watershed (Laguna Creek Watershed). The remainder of the site (east of plateau area) represents 1,763 acres or 66 percent of the site. The east of plateau area has topography that drops off significantly from the western plateau area turning into undulating hills and is located within the Cosumnes 8-digit HUC watershed (Carson Creek and Deer Creek Watersheds). The majority of the wetlands on the western plateau are vernal pools while the majority of the wetlands in the area east of the plateau area are flashy intermittent drainages and seasonal wetland swales. The proposed project site is primarily surrounded by undeveloped

land consisting of pastureland and agricultural fields. Kiefer Landfill is located south of the proposed project site, around which a 2,000 foot buffer was established that precludes urban development. To the east of the proposed project site is the former Sacramento County Boys Ranch (a juvenile correction facility that is currently closed) and agricultural farmlands. To the north is agricultural land. Areas to the west of Grant Line Road are currently undeveloped but portions are proposed or have been approved for development in the Sunridge Specific Plan Area and SunCreek Specific Plan Area.

Vegetation on the Cordova Hills site consists primarily of annual grassland. This community is dominated by nonnative grasses, including medusa head grass (*Elymus caput-medusae*), ripgut brome (*Bromus diandrus*), soft brome (*Bromus hordeaceus*), wild oats (*Avena fatua*), and Italian ryegrass (*Festuca perennis*). Other herbaceous species in this community include rose clover (*Trifolium hirtum*), bicolored lupine (*Lupinus bicolor*), cut-leaf geranium (*Geranium dissectum*), common vetch (*Vicia sativa*), filaree (*Erodium spp.*), sticky tarweed (*Holocarpha virgata*), Fitch's spikeweed (*Centromadia fitchii*), yellow star-thistle (*Centaurea solstitialis*), hairy hawkbit (*Leontodon saxatilis*), and turkey mullein (*Croton setigerus*).

The proposed project site contains approximately 89.11 acres of waters of the U.S., consisting of 47.51 acres of vernal pools, 4.78 acres of seasonal wetlands, 18.22 acres of seasonal wetland swales, 0.01 acre of seeps, 16.90 acres of intermittent drainages, 0.17 acre of Carson Creek, and 1.52 acres of stock ponds.

Additional information regarding the proposed project site can be found in Sections 3.1 through 3.17 of the Draft EIS.

Alternatives. The applicant has provided information concerning project alternatives, which can be found in the Draft EIS. The Draft EIS evaluates the impacts of the following alternatives: No Action, Proposed Action, Expanded Drainage Preservation, Expanded Preservation, Pilatus, and Regional Conservation. Appendix C of the Draft EIS contains the July 2014, alternatives information prepared by the applicant, which is provided for review and comment. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to preserve approximately 45.93 acres of waters of the U.S. on the proposed Cordova Hills site. In addition, to compensate for impacts to waters of the U.S., the applicant has provided a conceptual wetland mitigation plan, which is provided for review and comment in Appendix N of the Draft EIS. Based on the conceptual mitigation plan, the applicant has proposed to preserve 39.183 acres of waters of the U.S. and create/restore up to 19.7 acres of waters of the U.S. in several off-site preserves (Shehadeh, Chester Drive, and Carson Creek East). In addition, the applicant has proposed to preserve 45.923 acres of waters of the U.S. on-site, and create up to 13.1 acres of waters of the U.S. on-site.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Central Valley Regional Water Quality Control Board is required for this project. The applicant has not indicated they have applied for certification.

HISTORIC PROPERTIES: Based on the available information (including Cultural Resource Reports submitted by the applicant), the proposed action would have no effect on cultural resources. The California State Historic Preservation Officer concurred with the Corps' determination of effect on October 11, 2012.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species, including vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), and Sacramento Orcutt grass (*Orcuttia viscida*). The Corps will initiate consultation with the U.S. Fish and Wildlife Service.

ESSENTIAL FISH HABITAT: The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic 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, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

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 decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of the 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.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPK-2004-00116 must be submitted to the office listed below on or before **January 12, 2015**.

Lisa Gibson, Regulatory Permit Specialist
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1350
Sacramento, California 95814-2922
Email: Lisa.M.Gibson2@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing, in addition to the scheduled public meeting. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' Regulatory Permit Specialist, Lisa M. Gibson, 916-557-5288, Lisa.M.Gibson2@usace.army.mil.

Attachments:

Attachment 1: 13 drawings
Attachment 2: Land-Use Table