



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199001257

Date: November 20, 2002

Comments Due: December 20, 2002

In reply, please refer to the Public Notice Number

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to place dredged or fill materials in approximately 3.9 acres of wetlands adjacent to Auburn Ravine, as shown in the attached drawings.

APPLICANT: Jim Raney
Real Estate Advisors
1601 Arden Bluff Lane
Carmichael, CA 95670-4460

LOCATION: The proposed Three D Enterprises Phase II project is located west of Highway 65 and is bounded by Moore Road to the north and west, in southwestern Lincoln, Placer County, California, Section 21, Township 12 North, Range 6 East, MDBM.

PROJECT DESCRIPTION: The applicant has indicated that the purpose of the proposed development is to serve the residential housing needs of existing and future residents of western Placer County. The project as proposed would result in the construction of 225 single-family homes and associated infrastructure within the approximately 70-acre project area. A preliminary jurisdictional determination of the extent of waters of the United States on the property identified approximately 6.4 acres of vernal pools and swales. Of this acreage, 4.55 acres would be permanently lost or adversely affected during project implementation. The remaining 1.82 acres would be protected and preserved in perpetuity within a 5.12 acre wetland preservation area. The applicant proposes to offset the unavoidable loss of wetland values and functions through the purchase of wetland mitigation credits from a Corps and U.S. Fish and Wildlife approved bank.

AREA DESCRIPTION: The Three D project site consists primarily of annual grasslands, with a small population of oaks in a northern quarter. The annual grassland component contains vernal pools and seasonal wetlands, and is currently being used to graze cattle.

ADDITIONAL INFORMATION:

Presently unknown cultural resources may be located in the permit area.

The following federally-listed endangered species may be present in the permit area and could be affected by the proposed development: vernal pool fairy shrimp (*Branchinecta lynchi*) and proposed critical habitat, vernal pool tadpole shrimp (*Lepidurus packardi*), slender Orcutt grass (*Orcuttia tenuis*), and Sacramento Orcutt grass (*Orcuttia viscida*).

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **December 20, 2002**.

Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

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 benefit 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 the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain 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 Corps of Engineers 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 of Engineers 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 the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an 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.

If additional information is required, please contact the applicant's agent, Hal Freeman, telephone 916-782-9100, or Mr. William Ness, at the letterhead address, telephone 916-557-5268.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Enclosures: 3 Drawings