



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199500605

Date: May 24, 2000

Comments Due: June 23, 2000

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to place fill material into 3.94 acres of waters of the United States as shown in the attached drawings.

APPLICANT: Valley Hi Joint Venture, 6230 Gloria Drive, Sacramento, California 95831-1711

LOCATION: Thirteen miles south of downtown Sacramento in the City of Elk Grove and approximately 3 miles east of the Sacramento River. The project site is adjacent to the intersection of Elk Grove Boulevard and Franklin Boulevard, U.S.G.S. Florin 7.5' quadrangle, in Sections 4 and 5, Township 6 North, Range 5 East, in south-central Sacramento County, California.

PURPOSE: Residential and commercial development.

PROJECT DESCRIPTION: The applicant proposes to develop 79 acres of land to construct 200 single family homes, 150,000 square feet of commercial space, a park, and regional storm water detention facilities. This project will result in the loss of 3.94 acres of wetlands. The applicant proposes to purchase credits at an approved mitigation bank or create wetlands off-site to mitigate the loss of these wetlands.

AREA DESCRIPTION: This site is bound on the west by Franklin Boulevard, on the north by Elk Grove Boulevard, and on the south by the Laguna South Drainage Canal. Surrounding land has been generally leveled and cleared for agricultural use. The applicant has stated that historically the project site has been used for grazing, but ungrazed for the past few years. Topography is relatively flat with an average elevation of 20 feet. Drainage occurs to the West over a very shallow gradient. The applicant's agent has stated that the habitat at this site consists of annual grassland, 3.02 acres of seasonal wetlands and 0.92 acres of freshwater marsh. Seasonal wetland is dominated by perennial ryegrass (*Lolium perenne*), Mediterranean barley (*Hordeum marinum*), and rabbitsfoot grass (*Polypogon monspeliensis*). Two freshwater marsh features are located near the western and eastern boundaries. The freshwater marshes are dominated by rice cut grass (*Leersia oryzoides*), dallisgrass (*Paspalum dilatatum*) and broad-leaved cattail (*Typha latifolia*). The applicant's agent has stated that these marshes are supplemented by runoff from off-site sources, that the eastern marsh receives water from a golf course to the north, and western feature receives water from the canal as it flows off-site and that the construction of the Laguna South Drainage Canal may have reduced the amount of runoff entering the system.

ADDITIONAL INFORMATION: Potential habitat for several species listed under the Endangered Species Act, including listed fairy/tadpole shrimp and giant garter snake, occurs within the project area. The applicant has stated that no known cultural resources are in the project area.

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 **June 23, 2000**. 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 Kenneth Whitney, of Foothill Associates, telephone (916) 782-1011, or Mr. Justin Cutler, at the letterhead address, telephone (916) 557-5258.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: 3 Drawings