



# Public Notice

Public Notice Number: 199600505

Date: March 27, 2003

Comments Due: April 27, 2003

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

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 discharge fill material into approximately 0.534 acres of waters of the United States, including wetlands, for the proposed Home Depot store as shown in the attached drawings.

**APPLICANT:** Beverly Robbins  
Home Depot, USA., Inc.  
3800 West Chapman Avenue  
Orange, CA 92868

**LOCATION:** The 17.115 acre project site is located at 600 Placerville Drive in Section 12, Township 10 North, Range 10 East in Placerville, El Dorado County, California.

**PROJECT DESCRIPTION:** The proposed project would directly affect 0.413 acres of Hangtown Creek, 0.049 acres of intermittent drainages tributary to Hangtown Creek, and 0.074 acres of impacts to the new creek channel.

The applicant has applied to construct a 96,584 square foot building, a 23,618 square foot garden center, and a 392 space parking area on the site. The applicant is proposing to relocate 856 linear feet of Hangtown Creek. A new creek channel, approximately 848 feet long, would be constructed along the northern edge of the property, adjacent to Placerville Drive. The applicant is proposing to construct a new trapezoidal channel with 2:1 vegetated slopes. The channel bottom would be 10-feet-wide and 50 feet wide at the top of the bank. A gabion retaining wall approximately 15 feet high would be constructed five feet from the top of the bank on the south side of the new channel and a reinforced concrete wall approximately 15 feet high would be constructed 5 feet away from the top of the bank on the north side of the new channel. After the new creek channel has been created the existing creek channel would be filled with approximately 180,000 cubic yards of material. The applicant is proposing to mitigate for the 0.461 acres impact to Hangtown Creek by creating the new channel and planting new vegetation. The applicant has submitted a Mitigation Plan that would be reviewed and approved by the Corps before a permit is issued. To obtain a copy of the compensatory mitigation plan, please contact the applicants consultant, John Little, at 916-427-0703.

The site has three intermittent channels that would be impacted by this project. The drainages would be piped in culverts and diverted around the building site. The applicant is proposing to construct two storm drain collection systems on site. The first system, a private storm drain collection system, would consist of catch basins, drain inlets, manholes, pipes, and outfall structures for the site. This system would also collect storm water from two existing drain lines that enter the site from the south and from the proposed retaining walls. The drainage system would be routed through a Vortechs Stormwater Treatment System before it discharges below the ordinary highwater mark of the new creek channel. The storm water treatment unit would be placed on the South side of the new creek channel.

The second system, a public storm drain system, would be installed to capture off-site runoff along the northern project area. This system would handle curb inlets, pipes, and manholes. This storm drain system would also have a Vortechs Stormwater Treatment system located on the north side of Hangtown Creek. The system would drain below the ordinary highwater mark of the new channel. The Vortechs treatment systems are designed to handle 10-year storm events.

The applicant is proposing to construct two bridges over the new creek channel along Placerville Drive. The bridges would provide entrance and exit points to the new store. The applicant is proposing to use an arched, modular pre-cast bridge. The bridge spans would be 50-feet-long and have a 20-foot-wide arch. The west bridge construction would impact 0.025 acres of jurisdictional waters and the east bridge construction would impact 0.049 acres of jurisdictional waters.

**AREA DESCRIPTION:** The 17.115 acre site contains a 968 foot segment of Hangtown Creek. The average width of the creek in this area is 21 feet. The north side of the creek has a 10 foot high vertical retaining wall and the south side has a 15 foot high vertical retaining wall. Approximately 140 feet of the channel on the west portion of the project site and 50 feet on the east portion is not surrounded by a retaining wall. The riparian vegetation along the creek consists of white alder, arroyo, narrow leaved cattail, velvet grass, and nut sedge. The existing site contains 46% graded or disturbed areas, 54% riparian vegetation, and forested areas.

The northern portion of the site (approximately 8.5 acres) was graded in the 1950's, when Henningsen Ready Mix processing plant was built. The applicant has stated in their application that in 1958 Hangtown Creek was moved south to its current alignment. The creek alignment information was obtained in 1996 from conversations with Jim Willson of Carlton Engineering. The ready mix plant was purchased by Teichert, Inc. in the mid 1980's and operated as a ready mix plant until 1995. A used car business has operated on the northern portion of the property for the past 3 years. The disturbed area contains several old metal, cinder block, wood buildings, and concrete pads. Concrete has been deposited or dumped on the site in many areas when the plant closed. The southern portion of the site contains 8.2 acres of mixed hardwood and conifer forest. The elevation of the site ranges from 840 feet in the graded northern portion and 1676 feet in the forested southern portion. The site currently has two bridges crossing Hangtown Creek. The bridges would be removed if the creek channel is moved to the north.

**ADDITIONAL INFORMATION:**

The applicant has provided a cultural resources report and the Corps will consult with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act.

This activity would impact the following Federally-listed endangered species or their critical habitat California red-legged frog (*Rana aurora draytonii*) and valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). The project would directly impact 6 elderberry shrubs and since Hangtown Creek flows into Weber creek the project may have impacts to red-legged frog. The Weber Creek watershed supports known populations of red-legged frogs in El Dorado County. The Corps has initiated consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act for the above species.

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

The applicant has submitted a mitigation and monitoring plan for the proposed creek replacement. The applicant has proposed that the new creek alignment serve as compensatory mitigation for impacts to Hangtown Creek. The applicant stated that the new creek channel would create a 0.678 acre mitigation area. The realigned segment would have 2:1 sloped banks with gabion and concrete walls approximately 15 feet high and 5-feet from the top of bank. The applicant plans to create a riparian corridor within the new channel by planting hydrophytic trees, shrubs, and grasses. The applicant is proposing to create meanders in the creek bed, pools, rock structures, and gabion structures in the channel. An irrigation system will be set for the first 2 to 3 years so that the new vegetation will survive. The vegetation is expected to reach maximum height in 10 to 20 years.

The applicant has proposed five off-site alternative locations and one on-site alternative. The applicants site selection criteria is the following: The site has 9.5 net usable acres, Home Depot is able to purchase and retain the property, the site is located in the City of Placerville with convenient freeway and road access, sites would be evaluated to determine regulatory and physical constraints, the site would be visible from Highway 50, the site is zoned for commercial development, and the impacts to the site would have minimal environmental effects that could be mitigated to a level of less than significant, according to the California Environmental Quality Act (CEQA). Three of the sites were not available, one site was sold to another developer, and the last site was not located in Placerville.

The applicant's on-site alternative is to place the garden center on piers above Hangtown Creek. The applicant states that the pier alternative would require the realignment and widening of Hangtown Creek. The pier alternative would also require larger bridges and culverts. The applicant would be required to blast and move material to off-site locations. The applicant has concluded that the pier alternative would cost 1.5 million dollars more and would not result in fewer or less significant environmental impacts. The applicants preferred alternative is the proposed project. The Corps will evaluate the alternatives information under the National Environmental Policy Act (NEPA) and the 404(b)(1) guidelines.

Interested parties are invited to submit written comments on or before **April 27, 2003**. 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 applicants agent, Mr. John Little, telephone 916-427-0703, or Mr. Paul Maniccia, at the letterhead address, telephone 916-557-6704.

Michael J. Conrad, Jr.  
Colonel, US Army  
District Engineer

Enclosures: 8 Drawings