



# Public Notice

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Public Notice Number: 200000676

Date: November 28, 2000

Comments Due: December 28, 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 discharge fill material into waters of the United States, as shown in the attached drawings.

**APPLICANT:** David Bugatto  
Alleghany Properties, Inc.  
2150 River Plaza Drive, Suite 155  
Sacramento, CA 95833-3882

**LOCATION:** City of Sacramento, bounded by Del Paso Blvd. on the north and San Juan Road on the South. Includes portions of Sections 10, 11, 14 & 15, Township 9 North, 4 East, Sacramento County, California.

**PROJECT DESCRIPTION:** The proposed project is a 276 acre mixed use commercial development, which includes 230 acres of office development and 34 acres of highway commercial development. A drainage outfall channel will be constructed along the western edge of the project area to convey surface runoff from the eastern side of Interstate 5 to a 12 acre detention basin located adjacent to San Juan Road. The drainage channel will range in width from 70 to 110 feet, getting wider as it goes south and it will be incorporated into the 100-foot scenic landscape buffer required by the North Natomas Community Plan.

**AREA DESCRIPTION:** The project area is characterized as fallow agricultural land surrounded by developing residential and commercial land. Topography is generally flat and drains to the west. The only watercourse within the project is a ditch that parallels Del Paso Boulevard. Upland vegetation consists of soft chess (*Bromus mollis*), ripgut grass (*Bromus diandrus*), wild oats (*Avena fatua*), perennial rye (*Lolium perenne*), yellow star-thistle (*Centaurea solstitialis*), prickly lettuce (*Lactuca serriola*). Five mature cottonwoods (*Populus fremontii*) and several willows (*Salix lasiandra*) are located within the Del Paso Boulevard / I-5 Interchange. The northern four seasonal wetlands are located in depressions less than one foot deep while the southernmost excavated pit is 10 to 15 feet deep. These seasonal wetland plant communities are characterized by perennial rye, curly dock, annual rabbit-foot grass (*Polypogon monspeliensis*) and Mediterranean barley (*Hordeum hystris*) and the excavated pit with creeping spike rush (*Eleocharis macrostachya*) and swamp timothy (*Crypsis schoenoides*), and several willows.

## ADDITIONAL INFORMATION:

Cultural Resources: Applicant has provided surveys for evaluation.

Endangered Species: The Fall 2000, California Natural Diversity Database indicates several occurrences within or adjacent to the proposed project. The following is a list of federally-listed species potentially occurring in the vicinity of the project area but habitat was not present or surveys have shown no presence; Hairy orcutt grass (*Orcuttia pilosa*), Slender orcutt grass (*Orcuttia tenuis*), Sacramento orcutt grass (*Orcuttia viscida*), Greene's tuctoria (*Tuctoria greenei*), California red-legged frog (*Rana aurora draytonii*), Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), Consevancy fairy shrimp (*Branchinecta conservatio*), Vernal pool fairy shrimp (*Branchinecta lynchi*), Longhorn fairy shrimp (*Branchinecta longiantenna*), Vernal pool tadpole shrimp (*Lepidurus packardi*). A March 1999, survey for vernal pool species listed above was conducted per U.S. Fish and Wildlife Service survey protocol and resulted in no findings. The site does contain appropriate habitat for the Giant garter snake (*Thamnophis gigas*) and the California Tiger Salamander (*Ambystoma trigrinum californiense*), but they have not been documented.

The District Engineer has made these determinations 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 28, 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 Dave Bugatto with Alleghany Properties, Inc., telephone (916)648-7700, or Mr. Justin Cutler, at the letterhead address, telephone (916) 557-5258.

Michael J. Walsh  
Colonel, Corps of Engineers  
District Engineer

Enclosures: 6 Drawings