



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Number: 200000684

Date: February 21, 2005

Comments Due: March 19, 2005

TO WHOM IT MAY CONCERN:

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Lincoln 270 project, which would result in impacts to approximately 13.80 acres of waters of the United States, including wetlands, in or adjacent to the Orchard Creek. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and/or Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Julie Hanson
KT Development Corporation
2251 Douglas Boulevard, Suite 110
Roseville, California 95661

PROJECT LOCATION: The Lincoln 270 Project Site is located approximately 3 miles south of the City of Lincoln, in Sections 27, 28, 33, and 34, Township 12 North, Range 6 East, Placer County, California. It is bounded on the west by Industrial Avenue and the Orchard Creek Vernal Pool Conservation Bank and Highway 65 and the wetland mitigation and preservation area for the previously permitted Twelve Bridges project on the east. The south end of the site originates at the intersection of Athens Avenue and Industrial Avenue and continues north, nearly to the intersection of Industrial Avenue and Highway 65.

PROJECT DESCRIPTION: Based on the available information, the overall project purpose is to construct a mixed use commercial project in western Placer County. The applicant believes there is a need for medical and related ancillary services in the Lincoln area. The attached drawings provide additional project details. The applicant is proposing to construct a Mixed Use Complex to serve the needs of the expanding communities of the Cities of Lincoln, Roseville, Rocklin and Placer County. The site is 265.8 acres. As proposed, the project would consist of 38.8 acres of Business Professional, 56.1 acres of General Commercial, 31.3 acres of Medical Campus, 32.7 acres of Light Industrial, 103.7 acres of Open Space Preserve, and 3.2 acres of Road Work such as access roads, driveways and parking areas.

Table 1 - Proposed Project Land Uses

Land Use	Gross Acres
Business Professional	38.8
Medical Campus (MC) Total	31.3
General Commercial	56.1
Light Industrial	32.7
Open Space	103.7
Roadways and Right of Way	3.2
TOTAL	265.8

The proposed medical campus would consist of a 200-bed hospital, skilled nursing facility, assisted living facility, Alzheimer's care center, medical offices and related services on 31.3 acres. The proposed business professional site would consist of professional office, medical offices, hospital related services, and a limited amount of support commercial on 38.8 acres. The proposed 56.1 acres of general commercial sites would consist of retail and commercial services ancillary to the medical campus. Open Space, which is proposed to comprise 103.7 acres, includes the existing Orchard Creek, with the associated flood plain, and the re-channeled Orchard Creek.

As part of project development, the applicant has proposed to fill 13.80 acres of wetlands located on the project site. The Open Spaces areas are proposed to preserve 14.37 acres of wetlands.

Impacts to waters of U.S.: The project site contains 28.17 acres of waters of the United States, including wetlands, pursuant to the Clean Water Act (Figure 2). Wetlands on the project site include Intermittent Drainage, Riverine Seasonal Wetland, Seasonal Wetland, and Vernal Pool. Four Open Space areas are planned for the project which total 103.7 acres, and preserve 14.37 acres of wetland. Acreages of impacts and preserved areas of each wetland type are summarized in Table 2.

Table 2 - Wetland Classification

Wetland Type	Impacted	Preserved	Total
Intermittent Drainage	2.06	1.47	3.53
Riverine Seasonal Wetland	5.82	1.21	7.03
Seasonal Wetland	0.11	2.24	2.35
Vernal Pool	5.81	9.45	15.26
Total	13.80	14.37	28.17

ADDITIONAL INFORMATION:

Environmental Setting. There are approximately 28.17 acres of waters of the United States, including wetlands, within the project area. The Project Site is generally level with elevations ranging from approximately 100 to 160 feet. The natural hydrology of the site has been modified by the construction of Highway 65 and Industrial Boulevard. The smaller drainage systems on the northern portion of the property have been cut off from their historic watershed to the east. Orchard Creek, the north fork of Orchard Creek, and an unnamed drainage have been culverted under Highway 65 and carry water through the site. The floodplain of Orchard Creek cuts east-west across the southern portion of the site and forms a relatively flat low-land area in the center of the site. Orchard Creek is channelized at the eastern boundary of the site along Highway 65 and under Twelve Bridges Road, however, it is not deeply incised enough to prevent overflow during high intensity storms. Consequently, there is a large floodplain area adjacent to the creek that contains a large vernal pool and seasonal wetland complex. Orchard Creek and its tributaries are part of the Auburn Ravine watershed.

Land Use: The Project Site is currently undeveloped. It is comprised of open grasslands, seasonal wetlands, vernal pool, and a few individual trees, most located along Orchard Creek. Cattle-grazing occurs in the winter and spring. Surrounding land uses include large commercial buildings, the Twelve Bridges Open Space area, and the Orchard Creek Wetland Preserve. Union Pacific Rail Road runs along the west side of Industrial Boulevard. The Lincoln Crossing Residential Master Plan is adjacent on the north and northwest of the site. The SR 65 bypass is proposed to begin immediately north of the Project Site.

The proposed Lincoln 270 project includes annexation of the site into the City of Lincoln. The site is located within the City of Lincoln's Sphere of Influence, and in Placer County's Sunset Industrial Area. The project site is currently zoned as Business Park by Placer County. The City of Lincoln General Plan designates the project site as Industrial/Planned Development, and is currently being amended to include the proposed new land use of Medical Campus.

Alternatives. The applicant has/has not provided information concerning project alternatives. Additional information concerning project alternatives may be available from the applicant or their agent.

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 will require appropriate compensatory mitigation. The applicant has not provided a proposed mitigation plan.

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

HISTORIC PROPERTIES: Based on the Archeological / Cultural Resources Report, which was submitted by the applicant, by Jensen & Associates, dated May 27, 2004, there are eight known pre-historic or historic sites and isolates in the project area. We will initiate consultation with the State Historic Preservation Officer (SHPO), in accordance with Section 106 of the National Historic Preservation Act (NHPA), as appropriate, to determine whether any of these sites are eligible for inclusion on the National Register.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. Potential habitat for species listed under the Federal Endangered Species Act occurs within the project vicinity, including the federally listed endangered vernal pool tadpole shrimp (*Lepidurus packardii*) and the threatened vernal pool fairy shrimp (*Branchinecta lynchii*). The project site supports potential habitat for tri-colored blackbird, nesting migratory birds, including raptors, the Northwestern pond turtle, and some rare plant populations. The Corps will initiate Section 7 consultation, pursuant to the Endangered Species Act, with the U.S. Fish and Wildlife Service for potential impacts to listed species. The Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

ESSENTIAL FISH HABITAT: The proposed project may adversely affect Essential Fish Habitat. The Corps will initiate consultation with the National Marine Fisheries Service, pursuant to Magnuson-Stevens Fishery Conservation and Management Act, as appropriate.

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 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.

SUBMITTING COMMENTS: Written comments, referencing Public Notice 200000684, must be submitted to the office listed below on or before March 19, 2005:

Tom Cavanaugh, Project Manager
US Army Corps of Engineers, Sacramento District
Sacramento Valley Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: Thomas.J.Cavanaugh@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. 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' project manager Tom Cavanaugh, 916-557-5261, Thomas.J.Cavanaugh@usace.army.mil.

Attachments: 4 drawings