



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200100195
Date: August 6, 2001
Comments Due: September 5, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under the authority of Section 404 of the Clean Water Act to discharge dredged or fill materials into waters of the United States, including wetlands, as shown in the attached drawings.

APPLICANT: Craig Nagler, Dunmore Wildhawk, LLC, 2150 Professional Drive, Suite 150, Roseville, CA 95661-3760

LOCATION: The project is immediately west of Vineyard Road, approximately 1/2 mile south of Gerber Road, in Section 9, Township 7 North, Range 6 East, Sacramento County, California. U.S. Geological Survey 7.5 min "Florin" quadrangle,

PROJECT DESCRIPTION: The proposed Wildhawk West project includes the construction of a 518-lot subdivision with a 10-acre school site and a 6.2-acre park site. The project would result in the filling of four vernal pools totaling 1.83 acres. The project is 140 acres in size and was a part of the Calvine 1100 project in 1994. The applicant has stated that in 1999, Sacramento County prepared an EIR (Vineyard Springs Comprehensive Plan) which included the Wildhawk West project and that subsequently the County approved the overall development. The agent has stated grading activities are currently in progress in the upland areas.

AREA DESCRIPTION: Prior to grading, the project site was mostly annual grassland dominated by non-native species including rip-gut brome (*Bromus diandrus*), soft chess (*Bromus mollis*), perennial rye (*Lolium perenne*), fox tail barley (*Hordeum leporinum*), prickly lettuce (*Lactuca serriola*), and curly dock (*Rumex crispus*). The southeast portion of the property has been used as a stockpile area.

ADDITIONAL INFORMATION: A previous expired delineation for the Calvine 1100 project, which included the Wildhawk West project, did not identify wetlands on the Wildhawk West parcel. When Dunmore Wildhawk LLC acquired the property earlier this year, a delineation by Gibson & Skordal identified four vernal pools on the property totaling 1.83 acres. One large vernal pool (VP1) in the center of the property is 1.73 acres in size. The applicant's agent believes that this vernal pool was created or substantially enlarged by a farm road that was constructed prior to 1984.

Alternatives - The applicant is preparing an alternatives analysis pursuant to the Environmental Protection Agency's 404(b)(1) Guidelines.

Cultural Resources - A cultural resources survey of the project area was conducted by Peak & Associates in

1996 as part of a cultural resources overview of the Vineyard Springs Comprehensive Plan. The applicant's agent has stated there are no cultural resources located in the project area.

Endangered Species – The project will impact 1.83 acres of vernal pools which are potential habitat for threatened or endangered species listed by the U.S. Fish & Wildlife Service (Service). This project may affect listed species and consultation with the Service pursuant to Section 7 of the Endangered Species Act is required. The applicant proposes to mitigate these impacts in accordance with the Service's programmatic biological opinion by purchasing preservation credits at a 2:1 ratio (3.66 credits) and creation credits at a 1:1 ratio (1.83 credits) at a Service approved mitigation bank. Consultation with the Service will be initiated once the necessary information is provided by the applicant.

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

Consideration of Comments Interested parties are invited to submit written comments on or before **September 5, 2001**. 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.

This public notice may also be obtained through our web-site at <http://www.spk.usace.army.mil/cespk-co/regulatory>. If additional information is required, please contact the applicant's agent, Jim Gibson, with Gibson and Skordal, at (916) 569-1830, or Justin Cutler, at the letterhead address, e-mail: jcutler@spk.usace.army.mil, or telephone (916) 557-5258.

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

Attachments: 2 Drawings