



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Number: 200100252

Date: February 2, 2005

Comments Due: February 23, 2005

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Sunridge Park (aka Ronenberg Property) project, which would result in impacts to approximately 1.81 acres of waters of the United States, including wetlands, in or adjacent to Morrison 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 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Brian Vail
Riverwest Investments
7700 College Town Drive, Suite 109
Sacramento, California 95826-2303
916-379-0955

LOCATION: The approximately 243-acre project site is located in Rancho Cordova in Sections 9 & 16, Township 8 North, Range 7 East, Sacramento County, California, and can be seen on the Buffalo Creek USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to place dredged or fill material into approximately 1.81 acres of waters of the United States to construct a residential development and related infrastructure. The project would construct areas of high and low density housing on approximately 202 acres of the site. Of the remaining acreage, 10 acres would be reserved for a school, 11.8 acres for a SMUD substation, 12.7 acres for a water quality/detention basin, and 6.4 acres for an open space preserve containing 0.19 acres of waters of the United States. Off site improvements related to the project include widening the south side of Douglas Road between Americanos Boulevard and Jaeger Road, and construction of a discharge channel into a tributary of Morrison Creek on the adjoining property to the south.

The development would result in the on-site loss of 0.22 acres of depressional seasonal wetland habitat, 0.27 acres of riverine seasonal wetland habitat, and 1.31 acres of vernal pools. An additional 0.01 acre of an off-site intermittent drainage would be impacted to construct the outfall for the discharge channel. Furthermore, the applicant has indicated that approximately 1.58 acres of wetlands occurring within 250 feet of the proposed development could be indirectly affected.

A public notice for this project was previously issued on February 12, 2002. However, a revised application containing sufficient changes to necessitate a new public notice has been submitted to the Corps.

The majority of the project site has already been graded to facilitate the proposed development. With the exception of an 0.03 acre seasonal wetland, which was partially filled, a 40-foot setback area was maintained between the limits of grading and waters of the United States.

The applicant has indicated that the proposed land use is consistent with the Sunrise-Douglas Community Plan and the Sun Ridge Specific Plan. Based on the available information, the overall project purpose is to construct a residential development of 200 to 300 acres in Sacramento County. The applicant believes there is a need to provide additional housing in the Sacramento Area. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. The project site contains 1.99 acres of waters of the United States, including 0.22 acres of seasonal wetland habitat, 1.36 acres of vernal pools, 0.29 acres of riverine seasonal wetlands, and 0.12 acres of intermittent drainages. The vernal pools support a variety of wetland plant species, including Fremont's goldfields (*Lasthenia fremontii*), white headed navarretia (*Navarretia leucocephala*), slender popcorn flower (*Plagiobothrys stipitatus*), and dwarf woolly marbles (*Psilocarphus brevissimus*) The project area is predominantly surrounded by undeveloped grassland which has historically been used for cattle grazing. The properties to the east, west, and south of the project area are proposed for low to high density residential development in accordance with the Sunrise Douglas Community Plan and the Sun Ridge Specific Plan. The property to the north across Douglas Boulevard is also proposed for primarily residential development in accordance with the Rio del Oro Specific Plan.

Alternatives. The applicant has provided a report on 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 may require compensatory mitigation. The applicant proposes to mitigate for direct impacts to wetlands through restoration or creation at a 1:1 ratio at the Silva Consolidated Conservation Preserve. For those wetlands which are potential vernal pool crustacean habitat, the applicant would also mitigate direct and indirect impacts through preservation at a 4:1 ratio at the Borden Ranch Preserve.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification, as required under Section 401 of the Clean Water Act from the California Regional Water Quality Control Board has already been obtained by the applicant.

HISTORIC PROPERTIES: Based on the available information (including applicant's report entitled, *Determination of Eligibility and Effect for the Sunridge Park Project Area, Sacramento County, California*), cultural resources not are within the project's area of potential effect. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Preservation Act, as appropriate.

ENDANGERED SPECIES: The Corps determined that the proposed project may affect the Federally-listed vernal pool tadpole shrimp (*Lepidurus packardii*), vernal pool fairy shrimp (*Branchinecta lynchi*), California tiger salamander (*Ambystoma californiense*), or designated critical habitat and initiated consultation with the U.S. Fish and Wildlife Service (Service), pursuant to Section 7 of the Endangered Species Act. On January 7, 2005, the Service issued a biological opinion for the proposed development.

ESSENTIAL FISH HABITAT: The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

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 200100252, must be submitted to the office listed below on or before **February 23, 2005**:

William Ness, Project Manager
US Army Corps of Engineers, Sacramento District
Sacramento Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: William.W.Ness@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 William Ness, 916-557-5268, William.W.Ness@usace.army.mil.

Attachments: 3 drawings