



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200100279

Date: February 4, 2004

Comments Due: March 5, 2004

In reply, please refer to the Public Notice Number

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to construct a commercial development, which involves the discharge of dredged or fill material into waters of the United States, including wetlands, (waters) as shown in the attached drawings.

APPLICANT: John Saca, Saca Development, 77 Cadillac Drive, Suite 150, Sacramento, California 95825-5480

LOCATION: The proposed project is located on approximately 12 acres in the northeast corner of the Highway 50 and the East Bidwell Street interchange, Section 9, Township 9 North, Range 8 East, City of Folsom, Sacramento County, California. Latitude 038-38-42.3076, Longitude 121-6-45.3421. See Figure 1 and 1a.

PROJECT DESCRIPTION: Approximately 0.35 acre of waters are proposed to be permanently impacted by fill activities. The project site contains a total of 0.33 acre of seasonal wetlands and 0.02 acre of stream channel. See Figure 2.

Project features include two hotels, three full service restaurants, two fast food restaurants, associated roads, parking lots, and utilities. See Figure 3. Work is proposed to begin this year after all Federal, state, and local authorizations are obtained.

The applicant proposes to mitigate for impacts to waters of the United States through the purchase of 0.35 seasonal wetland credits at a Corps of Engineers approved mitigation bank. Credits would be purchased prior to initiating work in waters.

AREA DESCRIPTION: This undeveloped parcel is surrounded by commercial development to the north, south, and west and by Highway 50 to the east. The parcel contains a dominant, non-native annual grassland plant community. Common plant species include soft chess (*Bromus mollis*), medusa head (*Taeniatherum caput-medusae*) and filaree (*Erodium* spp.).

Common plants found within waters include creeping spikerush (*Eleocharis machrostachya*), annual rabbit-foot grass, (*Polypogon monspeliensis*) and perennial rye (*Lolium perenne*).

ADDITIONAL INFORMATION:

Alternatives Analysis: The applicant is currently preparing an analysis in compliance with Section 404(b)(1) of 40 CFR Part 230, that includes on-site avoidance and minimization measures, and off-site alternative.

Endangered or Threatened Species: The applicant states that the project area does not support the habitat and will not impact any Federally-listed or proposed threatened or endangered species. The Corps will initiate informal Section 7 consultation, pursuant to the Endangered Species Act, with the U.S. Fish and Wildlife Service for concurrence that project impacts are not likely to adversely affect the giant garter snake (*Thamnophis gigas*).

Cultural Resources: The applicant states that there are no known cultural resource sites with the project area.

Other Federal, state, and local permits: The applicant has stated that they will apply for water quality certification with the California Regional Water Quality Board as soon as the project's California Environmental Quality Act documentation is complete.

Related Documents: January 13, 2004, Department of Army Permit Application, Saca East Bidwell Property
June 20, 2001, Jurisdictional Delineation, Finn-East Bidwell Property

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

Interested parties are invited to submit written comments on or before **March 5, 2004**. 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.

This Public Notice is available on our website, <http://www.spk.usace.army.mil/cespk-co/regulatory/PNs/>. If additional information is required, please contact the applicant, John Saca with Saca Development at (916) 920-0400, their consultant, Tom Skordal with Gibson & Skordal, LLC Wetland Consultants at (916) 569-1830, or Jonathan Foster, at the letterhead address, or email Jonathan.L.Foster@usace.army.mil, or telephone (916) 557-7283.

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

Attachments: 4 Drawings