



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200100464

Date: December 22, 2003

Comments Due: January 22, 2004

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 2.92 acres of waters of the United States including wetlands adjacent to Carson Creek, as shown in the attached drawings.

APPLICANT: Mr. Clark Cameron, 692 J Street, Sacramento, CA 95814-2412

LOCATION: The proposed El Dorado Business Park project is located at Latrobe Road and Golden Foothill Parkway, in Section 14, Township 9 North, Range 8 East, El Dorado County California.

PURPOSE: The applicant's stated project purpose is to construct research and development facilities to meet El Dorado County's need for additional research and development zoned space.

PROJECT DESCRIPTION: The applicant is proposing to construct a research and development facility on the 143 acre site. The conceptual site plan includes rough grading for an 11-lot commercial subdivision, two stormwater detention basins, buildings, and parking areas. The site contains 12.94 acres of jurisdictional waters and 1.72 acres of jurisdictional wetlands. The proposed project would directly impact 1.22 acres of waters and 1.71 acres of wetlands for a total of 2.92 acres of impacts to waters of the United States. Additionally, the project would indirectly impact 0.190 acres of seasonal wetland 8.

Impacts to floodplain area

The applicant would grade and fill 9.3 acres of 100 year floodplain to increase the developable building area of the 11 lots. There are 28.83 acres of existing floodplain within the project area and the proposed development would reduce the amount floodplain to 19.51 acres in order to allow more acreage to be developed. The floodplain on lots 1, 2, 5, 6, 7, 8, 9, and 10 would be reduced (See sheets C-3 and C-4). The applicant would expand the useable area of Lot 1 by filling 2.97 acres of the 100-year floodplain on the west side of Carson Creek (see sheets C4 and C5). Lot 1 is currently 4.3 acres and after grading and filling it would be 8.6 acres. Once the filling and grading of the floodplain area and jurisdictional waters is completed the lots would then be sold to individual developers. The developers would be responsible for the final grading, road construction, utility infrastructure, parking lot construction, and building construction.

Impacts to seasonal wetlands and waters

The applicant is also proposing to fill wetlands and/or waters on Lots 1, 2, 5, 7, 8, 9, and 10 in order to carry out the proposed project. The proposed fill activity at Lot 1 would impact 0.87 acres of seasonal wetlands mapped as seasonal wetland (SW) 11, 12, 13, 14, 15, and seasonal swale SS 1. The applicant would also fill 0.41 acres of seasonal wetlands within lots 5, 7, 8, and 9.

The applicant proposes to realign and channelize 1.07 acres of waters, including 828 feet of channel 1 and adjacent wetlands (See Sheet C2 and Detail 2). Channel 1 currently flows from Golden Foothills Parkway and naturally outfalls into Carson Creek. The new channel would have a 6-foot-wide bed and 2:1 sloped banks. Approximately 136 cubic yards of rock slope protection to prevent erosion of a 55 foot culverted outfall would be placed. Additionally, a backflow preventer (flap gate) would be installed on the outfall pipe.

The project would include the construction of two detention basins in the 100-year floodplain to maintain stormwater flows and storage capacity on-site. The detention basins would be constructed within lots 8, 9, and 10 on the western side of Carson Creek. Detention basin one (1.98 acres) would be constructed north of channel 5 to create 15,000 cubic yards of stormwater detention. Detention basin two (1.65 acres) would be constructed south of channel 5, to create 12,000 cubic yards of stormwater detention.

The excavation of these basins would eliminate seasonal wetland 9 (0.43 acres), fill 108 feet (0.01 acres) of the north bank of Channel 5, and fill 0.01 acres of Carson Creek. Detention basin one would capture 10 year level water flows from channel 5 and outfall to Carson Creek. This stormwater design would reduce the reach of the channel during 10 year or higher storm events. Rock slope protection would be placed at the mouth of detention basin one, where it flows into Carson Creek. Rock slope protection would also be placed on the north side of channel 5 (108 feet) where the mouth of the detention basin one and the channel would intersect. The mouth of detention basin two would be located on the western side of Carson Creek and be 70 feet wide. The mouth of detention basin two would be lined with 0.01 acres of rock slope protection and drain into Carson Creek. The remaining areas of the basins would be vegetated with annual rye grass (basin one 1.96 acres and basin two 1.64 acres). The vegetation within the detention basins would be mowed when the height exceeds 18 inches.

AREA DESCRIPTION: The majority of the project area is an open grassland area interspersed with wetlands and the Carson Creek riparian area. The site was used for cattle grazing until 1982 when the land was taken out of Williamson Act contracts. Sewer lines were installed in the mid-1980's after the project EIR was certified by El Dorado County in 1982. A sewer line enters the project area from the southwest corner of Golden Foothill Parkway, west of Carson Creek to a lift station between lots 8 and 9. The line continues along the west side of Carson Creek until it crosses Latrobe Road opposite the Wastewater Treatment Plant. Another sewer line follows Channel 6 to Sunglow Court and the main line crosses Channels 4, 5, and 6. Channel 2 and 6, in its upstream reach, were channelized and straightened in the mid-1980's. The adjacent land use consists of office buildings, rangeland, and the El Dorado Wastewater Treatment plant is located northeast of the project site. The Carson Creek Riparian area consists of a 3,468-foot-long section of the creek, adjacent wetlands, and 100-year floodplain.

ADDITIONAL INFORMATION:

The applicant has proposed the following mitigation for impacts to 2.92 acres of waters of the United States including wetlands. A third party conservation easement would be placed on the remaining 20.62 acre riparian corridor. The Carson Creek corridor preserve would include the following; Carson Creek (8.89 acres), the two detention ponds (3.63), floodplain area (4.98 acres), and upland area (3.12 acres). The applicant proposes to mitigate for the impacts to 1.22 acres of waters by establishing this preserve. The ownership of Carson Creek would be divided between nine existing lots that would be sold and developed by individual owners. Therefore, the easement would be placed on each of the nine separate lots adjacent to the Carson Creek corridor. The applicant proposes to purchase wetland mitigation credits at a Corps approved mitigation bank for the impacts to the 1.71 acres of wetlands.

The applicant has applied for a Nationwide 39 permit so they may begin construction on lots 3 and 4 (35 acres), while this Individual Permit is being processed. This project has independent utility from the work described within this public notice. The impacts to waters of the United States, including wetlands is 0.35 acres. The applicant would realign and further channelize 283 feet of channel 1 and install 2 road crossings with culverts. The following impacts would occur within waters of the United States; channel 1 (0.02 acres), wetlands adjacent to channel 1 (0.24 acres), channel 2 (0.04 acres), and wetland adjacent to

channel 2 (0.05 acres). The applicant has proposed purchasing credits at a wetland mitigation bank in order to mitigate for the 0.35 acres of impact.

A cultural resources review will be performed as part of Section 106 of the National Historic Preservation Act.

The Corps will make a determination as to the need for a Section 7 Consultation with the U.S. Fish and Wildlife Service.

The District Engineer has made this 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 **January 20, 2003**. 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.

If additional information is required, please contact Cameron and Associates , telephone 916-557-9900, or Mr. Paul Maniccia, at the letterhead address, telephone 916-557-6704, or email paul.m.maniccia@usace.army.mil.

Mark W. Connelly
Lieutenant Colonel,
Corps of Engineers
Acting District Engineer

Enclosures: Drawing(s)