



# Public Notice

US Army Corps  
of Engineers  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Number: 200300050

Date: August 14, 2006

Comments Due: September 13, 2006

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Teichert Aggregates Quarry, which would result in impacts to approximately 3.63 acres of waters of the United States, including wetlands, in or adjacent to Coyote and Carson 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:** Teichert Aggregates  
Attn: Jeff Thatcher  
P.O. Box 15002  
Sacramento, California 95826

**LOCATION:** The approximately 630-acre site project site is located on the east side of Scott Road, approximately one mile south of White Rock Road, in the unincorporated area of Sacramento County. The site is further located within portion of Sections 29, 30, 31, 32 and 36, Township 9 North, Range 8 East, Sacramento County, California, and can be seen on the Buffalo Creek and Folsom SE USGS Topographic Quadrangles.

**PROJECT DESCRIPTION:** The applicant is proposing to construct a hard rock mining and reclamation project, a 110-foot wide road easement on a portion of the project site and a 100-foot conveyor easement to deliver the mined material to the applicant's existing processing plant. The project site encompasses a total of approximately 630.5 acres. Of this amount, approximately 458.5 acres is proposed for the conveyor and quarry, 18.0 acres is proposed for a roadway, and 154.0 acres are not proposed for impact from this project. The materials conveyor will include a 10-foot wide elevated material conveyor belt and a 12-foot wide access road adjacent to the conveyor, resulting in impacts that are no more than 25 feet within the 100-foot easement. The quarry, conveyor, and roadway combined will result in a total disturbance are of 476.5 acres which contains 3.63 acres of wetlands and creek.

The mined material (granite and slate) will be used to produce construction aggregate products such as riprap, ballast, aggregate base, and site work aggregate. Ultimately, the site will be reclaimed for grazing uses.

Based on the available information, the overall project purpose is to provide a high-grade quality aggregate resource within Sacramento and western El Dorado Counties. The applicant believes there is a need to mine granite and slate at the proposed location due to the quality of material available at the site and the proximity to the market area. The attached drawings provide additional project details.

**ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 7.31 acres of seasonal and riverine wetlands, vernal pools, creeks and drainages within the project area. The site is characterized as rangeland and is currently used for open cattle grazing. The topography of the site ranges between 300 and 405 feet above MSL and is typical of the lower Sierra Nevada foothills and surrounding environs. Terrain on the site is varied but primarily consists of undulating slopes, rolling hills and corresponding drainageways aligned in an east-west orientation. The slopes are mild to very steep and range from approximately 0 to 30 percent. The site-specific hydrology is dominated by seasonal storm water run-off and precipitation, primarily between November and March. Much of the surface run-off on the site enters the system of riverine wetlands and drainages, including Carson and Coyote Creeks. Two areas of isolated vernal pools are found on flat hill tops. Much of the site contains annual native and non-native grassland. Dominant plants include grasses such as soft brome, wild oats and weedy species such as tarweed, filaree and star thistle. The jurisdictional waters onsite are dominated by plants such as manna grass, spikerush, coyote thistle, ryegrass, and Mediterranean barley.

**Alternatives.** The applicant has not provided information concerning project alternatives. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**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 has proposed to mitigate through habitat restoration/creation at a 1:1 ratio.

Additionally, impacts to 0.68 acre of potential vernal pool habitat for listed crustaceans will also be offset at a 2:1 preservation ratio consistent with USFWS standards for federally listed vernal pool crustaceans. The applicant proposes to purchase mitigation credits at a Corps approved bank or by the restoration or creation of offsite wetlands.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the State of California is required for this project. The applicant has not indicated they have applied for certification.

**HISTORIC PROPERTIES:** Potentially eligible cultural resources may be affected by the proposed project. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

**ENDANGERED SPECIES:** The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The applicant states that the following two federally-listed species have the potential to occur onsite: vernal pool fairy shrimp and vernal pool tadpole shrimp. Although these species have not been observed on the project site, focused surveys have not been conducted and project planning will proceed based on the assumption that these species exist in suitable habitat onsite. Focused surveys have been conducted on the project site for Sacramento orcutt grass, slender orcutt grass, and California tiger salamander, and these species were not observed. 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 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 200300050, must be submitted to the office listed below on or before September 13, 2006:

Anna Sutton, Project Manager  
US Army Corps of Engineers, Sacramento District  
Sacramento Office  
1325 J Street, Room 1480  
Sacramento, California 95814-2922  
Email: [Anna.M.Sutton@usace.army.mil](mailto:Anna.M.Sutton@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 Anna Sutton, 916-557-7759, [Anna.M.Sutton@usace.army.mil](mailto:Anna.M.Sutton@usace.army.mil).

Attachments: 5 drawings