



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200400254

Date: April 18, 2007

Comments Due: May 3, 2007

In reply, please refer to the Public Notice Number

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Lent Ranch project, which would result in impacts to approximately 3.015 acres of waters of the United States, including wetlands, seasonal drainages, and drainage ditches. A public notice (also [200400254](#)) for this project was issued on May 5, 2006, and the comment period ended on June 6, 2006. This supplemental notice is being issued to address recently disclosed wetland impacts in approximately 0.042 acres of waters of the United States. These additional impacts to waters of the U.S. would occur offsite on the adjacent western parcel for the construction of a storm water detention facility, drain lines and widening of Kammerer Road. This notice is to inform interested parties of the proposed activity and to solicit comments. The initial and supplemental notices for this project may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT:

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General Growth Properties
A Delaware Limited Partnership
110 North Wacker Drive
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M&H Realty Partners Affiliated Fund III L.P.
A California Limited Partnership
353 Sacramento Street, Floor 21
San Francisco, California 94111-3620

LOCATION: The 24-acre offsite improvement area is located on the 200-acre "Sterling Meadows" project site directly west of the Lent Ranch project in Elk Grove in Section 18, 7, 12, 13, Township 6 North, Range 5 & 6 East, Sacramento County, California, and can be seen on the Elk Grove and Galt USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct a storm water detention/water quality basin, utility lines, and widening of Kammerer Road as part of the Lent Ranch Marketplace project. The applicant is required to detain storm water from the Lent Ranch project site prior to downstream discharge to pre-project levels. The storm water pipeline north of the detention facility will outfall into an irrigation ditch located on the Souza property immediately west of the Sterling Meadows property. Additionally, the widening of Kammerer Road along the Lent project boundary requires this section to taper from the proposed 4 lane road back to the existing 2 lane road. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. There are approximately 0.042 acres of seasonal wetlands within the offsite improvement area. The site is generally characterized by annual grassland, but contains a piped segment of a portion of a stream known as Franklin Creek. This stream is tributary to Stone Lakes National Wildlife Refuge.

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 not proposed specific mitigation proposal to offset these additional impacts.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Central Valley Regional Water Quality Board is required for this project. The applicant has indicated they have applied for certification.

HISTORIC PROPERTIES: Based on the available information, cultural resources not are within the project's area of potential effect.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. 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 200400254, must be submitted to the office listed below on or before May 3, 2007:

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

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's consultant, Shannon Brown at ECORP Consulting, 916-782-9100 or the Corps' project manager Anna Sutton, 916-557-7759, Anna.M.Sutton@usace.army.mil.

Attachments: 2 drawings