



Public Notice

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

Number: 200400715
Date: March 14, 2006
Comments Due: April 13, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the widening and realignment of White Rock Road Project, which would result in impacts to 1.131-acres of waters of the United States, including wetlands, in and adjacent to the unnamed tributary to 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 into waters of the United States.

APPLICANT: El Dorado County, Elizabeth Diamond
2850 Fairlane Court
Placerville, California 95667
Phone: 530-621-5355

LOCATION: The project site is located in El Dorado Hills in Section 11, Township 9 North, Range 8 East, MDB&M, in El Dorado County, California, and can be seen on the Clarksville USGS Topographic Quadrangle.

PROJECT DESCRIPTION: Based on available information, the applicant is proposing to widen and realign White Rock Road to the north from the present two-lane roadway to a four-lane divided roadway. This change would include the creation of a new creek crossing. This expansion of White Rock Road would include the development of four lanes of traffic, Class II bike lanes, a median, drainage improvements, placement of a box culvert, and upgrades to the intersection with Latrobe Road. The applicant states the proposed box culvert will be designed to allow for the passage of 100-year flood events on the unnamed tributary to Carson Creek. The proposed project includes permanently filling 1.027-acres of waters of the United States with additional temporary impacts to another 0.104-acres. The project drawings provide additional details.

ADDITIONAL INFORMATION:

Environmental Setting. Portions of the project site have been disturbed, and the entire site is surrounded by recent commercial and residential developments. This approximately 10.0-acre project site is within the boundaries of the El Dorado Town Center West project. There are 1.131-acres of waters of the United States within the project boundary. These waters within the project boundary include an unnamed tributary to Carson Creek, a freshwater marsh, seeps, seasonal wetlands, and an ephemeral drainage. The unnamed tributary to Carson Creek is dominated by cattails. Historic photos of the area show that this creek was originally smaller

and dryer. The increase in the water of the site is primarily due to development of housing upstream. There are additional waters of the United States just outside of the project boundary.

Alternatives. The applicant has provided some 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 will require compensatory mitigation. The applicant proposes to mitigate for only the permanent impacts to waters of the United States for the project at a one-to-one ratio. The applicant states that mitigation can not be created on-site. The applicant is proposing to mitigate by contributing money to a wetland mitigation fund, purchasing habitat credits at an agency-approved mitigation facility, or contributing to a current restoration project.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the California Regional Water Quality Control Board is required for this project. The applicant will have to apply for certification. The applicant will also have to obtain a 1600 Streambed Alteration Agreement from California Department of Fish and Game for this project.

HISTORIC PROPERTIES: The Corps has initiated consultation with the State Historic Preservation Officer under Section 106 of the National Preservation Act, as appropriate.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps has initiate consultation with the U.S. Fish and Wildlife Service for potential impacts to the Federally-listed California red-legged frog (*Rana aurora draytonii*) pursuant to Section 7 of the Endangered Species Act, as appropriate.

ESSENTIAL FISH HABITAT: The proposed project will not adversely affect Essential Fish Habitat 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 200400715, must be submitted to the office listed below on or before **April 13, 2006**:

Kathy Norton, Project Manager
US Army Corps of Engineers, Sacramento District
San Joaquin Valley Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: Kathy.Norton@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, the applicant's consultant, Ms. Cynthia Herzog of ECORP Consulting, Inc. at 916-782-9100, or the Corps' project manager Kathy Norton, at 916-557-5260/Kathy.Norton@usace.army.mil.

Attachments: (5) drawings