



Public Notice

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

Number: 200501087

Date: August 09, 2006

Comments Due: September 08, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Natomas Panhandle Residential and School projects, which would result in impacts to approximately 4.29 acres of waters of the United States, including wetlands, adjacent to the Natomas East Main Drainage Canal or that flow to the East Drainage Canal. 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.

APPLICANTS:

Dunmore Land Company
8781 Sierra College Blvd., Suite 120
Granite Bay, CA 95746
attn: Elisha Back

Vaquero Land Holdings
4855 Ketchum Ct.
Granite Bay, CA 95746
attn: Jeff Jones

Grant Joint Union High School District
1333 Grand Ave.
Sacramento, CA 95838
attn: John Raymond

LOCATION: The approximate 595-acre project site is located north of Del Paso Road, south of Elkhorn Boulevard and west of Sorento Road in the Natomas area near the City of Sacramento. The site is further located within portions of Section 36, Township 10 North, Range 4 East and Sections 1, 12 and 13, Township 9 North, Range 4 East, Sacramento County, California, and can be seen on the Rio Linda USGS Topographic Quadrangle. The Panhandle property contains several individual parcels, as shown on the location site location map. From south to north, the Panhandle properties are: Dunmore Richter, Dunmore Cononeles, Laverne Brothers, Dunmore BD, Grant and Krumenacher.

PROJECT DESCRIPTION: The applicants are proposing to construct a mixed-use residential and commercial development with associated parks, open space, detention facilities and a joint middle and high school campus. Based on the available information, the overall project purpose is to provide a large scale (over 2,500 dwelling units) housing development in the Grant Joint Union High School District in northern Sacramento County. The applicant believes there is a need to provide mixed-use housing options, including low, medium, and high density developments, with ancillary commercial facilities, open spaces and parks, and a joint middle and high school to support the growth within the Panhandle and North Natomas area. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. There are approximately 4.29 acres of jurisdictional seasonal wetlands, vernal pools and ditches and ponds associated with previous agricultural practices and 2.17 acres of non-jurisdictional, isolated seasonal wetlands, vernal pools, swales and ditches within the project area. The site has been historically altered for agricultural production of grain crops and the northern portion of the site is still used for grazing cattle. While much of the historically cropped portions of the site contains remnant oat and ryegrass plants, the site also contains some small depressional seasonal wetlands that are supported by surface runoff from direct precipitation. The northern portion of the Panhandle site contains a seasonal swale system that conveys water from north of Elkhorn Boulevard through the Krumenacher property. The water is transported to the East Drainage Canal through an onsite ditch. Additionally, portions of the site were historically bladed and the topsoil material was removed for levee construction projects. This resulted in portions of the BD and Grant properties in the Panhandle being up to 25 feet lower in elevation.

Alternatives. The applicant has provided information concerning project alternatives. Thirteen offsite alternative locations, as depicted on the attached Offsite Alternatives Index Sheet, and five onsite alternatives have been provided. 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 Natomas Panhandle project will result in the permanent loss of approximately 4.29 acres of waters of the United States. The applicants propose to create or restore 4.29 acres of wetlands at an appropriate location and to further preserve 3.16 acres of wetlands. The applicants are working to identify and implement a compensatory mitigation plan. Additionally, to compensate for the impacts of 0.21 acre of jurisdictional agricultural ditches and 0.19 acre of non-jurisdictional agricultural ditches, the applicants have proposed to construct detention basins and grassy swales to mitigate the direct impacts of the water quality functions within the ditches.

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 indicated they will apply for certification.

HISTORIC PROPERTIES: Based on the available information including reports submitted on behalf of the applicant, 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 Corps will initiate consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act, as appropriate for vernal pool fairy shrimp, vernal pool tadpole shrimp and giant garter snake.

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 200501087, must be submitted to the office listed below on or before September 08, 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

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.

Attachments: 17 drawings