



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

Public Notice

Number: 199900737

Date: March 13, 2007

Comments Due: April 12, 2007

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating permit applications for the Placer Vineyards Specific Plan. 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>.

The Placer Vineyards Specific Plan Property Owners Group has applied for twenty-four Department of the Army Permits under the authority of Section 404 of the Clean Water Act to discharge dredged or fill material into approximately 102.7 acres of waters of the United States in order to construct infrastructure, housing, commercial and institutional facilities in conjunction with development of the Placer Vineyards Specific Plan. Of this acreage, 41.4 acres would be impacted due to infrastructure construction (34.6 acres on-site and 6.8 acres off-site), 61.3 acres would be impacted by development construction. Of the 102.7 acres of impacts within the plan area, 200 acres of habitat corridors would be modified resulting in temporary impacts to 8.5 acres of waters/wetlands. Of the 3996 acres proposed for development, approximately 700 acres is proposed as open space open space.

While the Specific Plan area includes approximately 5,227 acres, only 3996 acres are planned for urban development under the proposed Specific Plan. The remaining 1231 acres are reserved as a Special Planning Area (SPA) or are non-participating properties and would continue to be used for large lot rural residential development, unless individual landowners apply for zone changes in the future.

In addition, this is a notice of the intent to prepare an Environmental Impact Statement (EIS) for the Placer Vineyards Specific Plan and associated infrastructure, and of the intent to invite the public in the scoping process of the EIS. A Notice of Intent (NOI) will be published in the Federal Register on March 16, 2007 and two scoping meetings are currently scheduled to be held at 3:00 PM and 6:00 PM on , March 28, 2007, at the Placer County Community Development Resource Center, Planning Commission Hearing Room, 3091 County Center Drive (corner of Bell and Richardson), Auburn, California 95603.

AUTHORITY: This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and/or Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT:

Placer Vineyards Property Owners Group
Kent MacDiarmid, Group Representative
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LOCATION: The Placer Vineyards Specific Plan area encompasses approximately 5,227 acres in unincorporated southwest Placer County, approximately 15 miles north of Sacramento. The Plan Area is bounded on the north by Baseline Road, on the south by the Sacramento/Placer County line, on the west by the Sutter/Placer County line and Pleasant Grove Road, and on the east by Dry Creek and Walerga

Road. East to west, the Specific Plan area spans approximately 6 miles. North to south, at its widest point, it spans approximately 2 miles. (Figure 1 Project Site and Vicinity Map)

PROJECT DESCRIPTION: The comprehensive application package consists of twenty-three individual permit applications and an application for the infrastructure needed to develop the Specific Plan area. Since the SPA is not part of this package, the term Specific Plan area used herein refers to only the 3,996 acres planned for urban development that are the subject of the permit package of applications.

As proposed, development of the 3,996 acres of the Placer Vineyards Specific Plan would consist of approximately 2,423 acres of residential uses; approximately 280 acres of office/business park/commercial uses; approximately 53 acres of public facilities and services uses; approximately 92 acres of religious facilities uses; approximately 140 acres of elementary, middle, and high school uses; approximately 217 acres of park (neighborhood, community and mini parks, as well as a recreational center); approximately 330 acres of major roadways; and approximately 714 acres of open space (See Figure 2 Specific Plan).

The proposed Placer Vineyards Specific Plan is a mixed-use master planned community with residential, employment, commercial, open space, recreational and public/quasi-public land uses. The Plan provides for 14,132 homes in a variety of housing types, styles, and densities. At full Plan build-out, projected to occur over a 20 to 30-year time period, Placer Vineyards would have a population of approximately 33,000 people, 42 acres of employment centers, 140 acres of retail commercial centers and approximately 930 acres of new parks and open space.

ADDITIONAL INFORMATION:

Environmental Setting. A majority of the properties included in the application are undeveloped parcels characterized by flat to slightly undulating terrain that supports a predominance of open grassland habitat. For the most part, these areas have been utilized for livestock grazing in the past. Some areas have been used for crop cultivation in the past. There are approximately 150 residences within the Specific Plan area. Although there are a few residences scattered through the agricultural properties, rural residential development occurs primarily in the northwest and southwest corners of the Specific Plan area. A number of home occupation/ancillary uses are located throughout the rural residential areas. A mini-storage facility is located on the east side of Pleasant Grove Road, at the southwest corner of the Specific Plan area. There are a few commercial uses northwest of the Specific Plan area, which include a convenience store located on the southwest corner of Baseline Road and Pleasant Grove Road, and service commercial type uses (trucking operation and boat/RV storage). An abandoned portion of the Union Pacific Railroad traverses the westernmost portion of the Specific Plan area.

WETLAND IMPACTS WITHIN THE PROJECT AREA

While wetland delineations have been conducted for each of the participating properties, some have not yet been verified. Based upon the best currently available information, approximately 156.1 acres of waters of the United States have been delineated within the participating properties. Of the 156.1 acres mapped on site, development (not including backbone infrastructure) would result in impacts to approximately 61.3 acres of waters of the United States and avoidance of approximately 60.1 acres of waters of the United States.

Each application package provides more detail regarding wetland type and source of impact. Development of the common infrastructure elements would result in impacts both within and outside of the participating properties. Both are included in the infrastructure permit application, which requests authorization for an estimated 41.4 acres of fill in waters of the United States. Because access rights to the off-site areas have not yet been secured, impact estimates for these areas are based upon aerial photo interpretation. Delineations will be submitted as access rights are secured. Infrastructure construction,

inclusive of drainage facilities, may be completed in phases over the course of the Plan Area buildout. As reported above, the individual development projects are anticipated to require fill in approximately 61.3 acres of waters of the United States. Thus, the combined total impacts to waters of the United States for all elements of this comprehensive permit application are 102.7 acres.

WETLAND IMPACTS WITHIN PROJECT INFRASTRUCTURE AREAS

In addition to the applications covering commercial, residential and other uses within the development envelope, this application package includes improvements to existing roadways and intersections, proposed routes for new major roadways, portions of pedestrian/bicycle trails, water transmission lines and storage tanks (both potable and recycled), stormwater management and conveyance systems, and sewer trunk lines, force mains, and lift stations. Where feasible, utility lines would be placed within existing roadways or other disturbed areas, so as to minimize environmental impacts. In some instances, though, the facilities may have to be placed outside existing roads and thus could disturb unpaved areas.

With respect to all of the infrastructure elements, the area to be disturbed (as well as adjacent areas, where appropriate) will be analyzed for impacts to biological, cultural, and other resources. In order to assess wetland impacts, where infrastructure elements are to be located on participating properties within the Plan Area, wetland delineations have been utilized. Regarding infrastructure elements that are to be constructed outside of participating properties (where rights-of-entry have not yet been secured), wetland mapping has been conducted from review and interpretation of available aerial photography. It is anticipated that prior to permit issuance, wetland delineation and verification will be completed.

Regarding assessment of wetland impacts associated with infrastructure improvements, any wetland that might also be considered habitat for federally-listed aquatic invertebrates (i.e., vernal pools, isolated seasonal wetlands, seasonal wetland swales, and drainage swales) that would experience any impact under the development scenario, has been considered to be completely impacted (i.e., the entire area has been counted as impacted). Where such wetlands are large enough that they extend more than 250 feet from the point of direct impact, only that portion within 250 feet has been considered as directly impacted or filled by the applicant. For wetland types that are not considered to be habitat for federally-listed aquatic invertebrates (e.g., perennial marsh, seasonal marsh, intermittent drainage, ephemeral drainage), no additional area (beyond the anticipated area of disturbance) has been included in the area estimates by the applicant.

Water Supply

The Specific Plan area is within the service area of the Placer County Water Agency (PCWA). PCWA has determined that it has sufficient water rights to meet the projected demand of projects likely to develop in western Placer County through 2030, including the proposed Placer Vineyards Specific Plan. The Specific Plan area is proposed to receive water service from various sources on an initial and long term basis. Development of new infrastructure to use these water supplies would be necessary. The long-term water supply would be drawn from the Sacramento River at a new multi-party pump station, treatment plant, and transmission pipeline.

A secondary water supply could be made available if the Sacramento River project has not begun delivery of water when the initial supply has been fully utilized. It consists of use of approximately 6,000 acre feet per year of the 29,000 acre-feet of PCWA Middle Fork American River water. The supply would be diverted from Folsom Lake, treated at Sidney N. Peterson Water Treatment Plant (owned and operated by the San Juan Water District), and conveyed to the Specific Plan area via existing pipelines.

The project proposes to provide recycled water to the Plan Area for use in parks, schools, publicly landscaped areas, and the landscaping associated with commercial, business, and professional uses. This would be supplied from the Dry Creek Wastewater Treatment Plant, and eventually from the Pleasant Grove Wastewater Treatment Plant.

Sanitary Sewer

There are two options for providing long-term sewer service to the entire Plan Area. They involve using a planned connection to the Sacramento Regional Wastewater Treatment Plant (SRWWTP) or the Dry Creek Wastewater Treatment Plant (DCWWTP). Under either option, the easternmost 890 acres of the Specific Plan area would be serviced by the DCWWTP. The required conveyance facilities have been partially constructed with the first phase of the Dry Creek/Western Placer Community Facilities District (CDF) project. A pump station and force main near Walerga Road and north of PFE Road have been designed to accept wastewater from the Specific Plan area. This would be accomplished by using a utility corridor to connect to the DCWWTP that extends from the eastern portion of the Specific Plan area to an existing sewer force main east of Walerga Road. This alignment would overland from its point of origin to Dry Creek, where bore and jack technology would be used to implement the required crossing (thus avoiding impacts), then west and south (paralleling Dry Creek) to a proposed lift station. From that lift station, a new forced main would convey wastewater to a point where it would intersect an existing forced main approximately 1400 feet east of Walerga Road.

Drainage, Flood Control and the On-Site Avoidance/Open Space System

The Specific Plan includes a system for the management of stormwater runoff, and establishes guidelines for management of urban runoff and the control of erosion and sedimentation through the design of drainage systems and land use regulations. The specific plan minimizes potential water quality impacts by preserving drainageways in existing locations and establishing detention basins to contain and filter storm water runoff. Open space area estimates herein are approximate, based upon estimations of length and average corridor width.

The onsite project drainage would be designed to provide water quality treatment of runoff from paved and other developed areas prior to release into the swales and streams. This treatment would consist of the following:

1. Directing some of the flow to sheet discharge onto grassy areas or open space.
2. The installations of Fossil Filter or equivalent petroleum absorbing insert assemblies in the project drop inlets.
3. The placement of water quality interceptor devices.
4. The placement of water quality sediment basins within detention facilities and channels.
5. Use of rock-lined ditches below pipe outlets.

The Specific Plan area is within three major drainage sheds which are comprised of eight subsheds: Curry Creek, Dry Creek, and the Upper Natomas East Main Drainage Canal (NEMDC), now known as Steelhead Creek. According to the Specific Plan and the Master Project Drainage Study, the drainage system has been designed to accommodate peak flow rates resulting from additional impervious surfaces and proposed drainage modifications. Development of the project would require additional attenuation at several locations, including within the existing floodplain and flood control channels upstream of proposed culvert facilities. Detention basins and water quality treatment basins would be provided to optimize water quality. Pending final design, and where appropriate opportunities are identified within constructed and/or enhanced drainageways, wetlands may be constructed to increase biological function. Where appropriate, riparian plantings may be used to augment these habitats. Additionally, flood control facilities would preserve areas where sensitive resources exist, such as wetlands. The Drainage Study includes provisions to maintain the hydrology of sensitive areas by preserving the mean annual and peak flow rates through them.

Alternatives.

The Specific Plan area applicants state they are in the process of evaluating alternatives to comply with Section 404(b)(1) of the Clean Water Act. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment will be considered.

Mitigation.**Compensatory Mitigation**

Approximately 156.1 acres of waters of the United States have been delineated within the project boundaries. Development would result in impacts to approximately 61.3 acres of waters of the United States and avoidance/preservation of approximately 60.1 acres of waters of the United States. Infrastructure associated with the project would result in impacts to approximately 41.4 acres of waters of the United States. Wetland mitigation, including avoidance, minimization, and compensation would follow the Placer Vineyards Conceptual Conservation Strategy. Wetland compensation would assure no net loss of wetland functions. The applicants are in the process of preparing the elements of the Conceptual Conservation Strategy as further discussed below.

The Conceptual Conservation Strategy includes two primary components: an Avoidance and Open Space Plan and a Conceptual Mitigation Program. The Avoidance and Open Space Plan contains principles and standards to avoid and minimize impacts wetlands and other waters of the U.S. The Avoidance and Open Space Plan incorporates more than 700 acres of open space within the Plan Area including significant wetland/swale corridors.

The Conceptual Mitigation Program element of the Conceptual Conservation Strategy includes four key elements: 1) the Open Space/Agricultural Land Mitigation, 2) the Applicant Initiated Mitigation Proposal, 3) Specific Compensatory Mitigation Standards, and 4) Open Space Mitigation and Management Plans. The Conceptual Mitigation Program would incorporate a variety of compensatory wetland mitigation measures, including the acquisition and preservation of vernal pool-dominated grasslands, enhancement of existing wetlands, restoration of previously existing wetlands, and the establishment of new wetlands. From a broad perspective, the preservation and enhancement measures are intended primarily to assure that there would be no net loss of wetland functions. The restoration and creation components are primarily intended to compensate for the loss of wetland area, and to result in the replacement of a portion of the impacted wetland functions. The Conceptual Mitigation Program would be implemented through a compensatory wetland mitigation plan.

The applicant has indicated that the Conceptual Mitigation Program would be based on a watershed-level approach involving a variety of aquatic habitats and their surrounding upland environments. In selecting and securing mitigation areas, the emphasis would be on securing large parcels encompassing intact watersheds. Securing larger parcels allows for a more comprehensive ecosystem approach and minimizes indirect impacts and disturbance from activities on adjacent lands. In many instances, these mitigation measures would serve a dual function in mitigating impacts to rare, threatened, or endangered species.

Open Space/Agricultural Land Mitigation

The Conceptual Mitigation Program contemplates upfront acquisition of preserve lands which would mitigate for unavoidable project impacts, and conserve sensitive habitats within Western Placer County. The basis for the upfront acquisition of these preserve lands as part of the Open Space/Agricultural Land Mitigation element is the County requirement for mitigation at a 1:1 ratio for lost open space. Within the preserve areas preserved as open space mitigation, specific habitat compensatory mitigation would occur. The goals of this strategy are to achieve a mixed mosaic of habitats within acquired preserve areas and to achieve ecosystem and preserve stability.

Applicant Initiated Mitigation Proposal

In furtherance of the Conceptual Mitigation Program requirements, the Placer Vineyards property owners have committed to preserve, create, restore, and/or enhance appropriate mitigation resources at levels required to compensate for unavoidable impacts to aquatic and habitat resources. The Placer Vineyards property owners have identified the five potential mitigation sites located throughout the south Placer County area. A combination of one or more of the mitigation sites identified above would establish a core preserve area of approximately 1,000 acres.

Specific Compensatory Mitigation Standards

Impacts to waters of the United States (not including vernal pools) and any non-jurisdictional wetlands identified in the Specific Plan area would be mitigated to provide no net loss through avoidance, minimization and/or compensatory mitigation techniques. Impacts to vernal pool (fairy shrimp and tadpole shrimp) habitat would be mitigated through preservation or restoration of acreage based on each acre directly impacted, and the program is designed to provide no net loss of riparian habitat.

Open Space Mitigation and Management Plans

The property owners would prepare Open Space Mitigation and Management Plans for mitigation sites to assure the implementation of the preservation, enhancement, restoration, and creation of wetlands and other habitat in accordance with the Compensatory Mitigation Requirements described above.

The applicant has indicated that the intent of the Conceptual Mitigation Program is to provide a single, all-inclusive Open Space/Agricultural Land Mitigation element that can simultaneously mitigate for all biological resources of concern, inclusive of compensatory mitigation requirements for unavoidable impacts to Plan area endangered species habitat, wetlands, and other waters. The strategy has been developed to be consistent with evolving strategies that the applicant believes are likely to find their way into the Placer County Conservation Plan (PCCP), while also mitigating impacts on open space and agricultural lands. The Program contemplates upfront acquisition of preserve lands, which would mitigate for unavoidable project impacts, and conserve sensitive habitats within Western Placer County. The basis for the upfront acquisition of these preserve lands is the County requirement for mitigation at a 1:1 ratio for lost open space. Within the areas preserved as open space mitigation, specific habitat mitigation (preservation, creation, and restoration requirements) would occur at accepted mitigation ratios. It is the goal of this strategy to achieve a mixed mosaic of habitats within acquired preserve areas to achieve ecosystem and preserve stability to support and conserve biological resources.

OTHER GOVERNMENTAL AUTHORIZATIONS:

California Regional Water Quality Control Board (RWQCB)

Under Section 401 of the Clean Water Act (33 U.S.C. 1341), an applicant for a Corps permit must obtain a State water quality certification before a Corps permit may be issued. The applicants have stated they are submitting twenty-four individual applications for State water quality certification to the RWQCB concurrent with this application.

California Department of Fish and Game (CDFG)

The applicants state that pursuant to Section 1602 of the California Fish and Game Code, separate Streambed Alteration Agreement applications would be filed with the California Department of Fish and Game for all twenty-four applications that have been filed with the Corps.

HISTORIC PROPERTIES:

The applicants state that cultural resources work has been undertaken within most of the Specific Plan area. An initial cultural resources study for the approximately 5,230 Placer Vineyards Specific Plan area was conducted in 2000 by Windmiller for the Specific Plan Environmental Impact Report. Two field inspections by professional archaeologists and an architectural historian encompassed a total of 2,544 acres. As a result, three locations of buildings and six archaeological resources were identified. Of these nine cultural resources, only one, a Native American archaeological site designated PV-2 (CA-PLA-948), was deemed potentially significant under CEQA statutes, guidelines, and advisories.

The Specific Plan area as a whole does include some cultural resources that could be eligible for the National Register of Historic Places. The Corps will initiate consultation in accordance with the State Historic Preservation Officer, as appropriate.

Since the initial cultural resource study for the Specific Plan was completed, some aspects of the project have changed. Most of the land and buildings in the community of Riego remain omitted from intensive archaeological inspection. However, the remainder of the Specific Plan area is the subject of field inspection for archaeological sites and historic buildings and structures on those properties for which permission was secured from landowners. This additional field inspection was guided by an updated records search of the Specific Plan area. New off-site infrastructure areas, many of which are located along existing roads, proposed intersection improvements and road widenings were also subjected to records searches and field inspections, which were limited to those areas of public access.

ENDANGERED SPECIES:

Sampling for federally listed aquatic invertebrates has been and is being conducted during the 2005-2006 wet season for several participating properties. Both vernal pool fairy shrimp (*Branchinecta lynchi*) and vernal pool tadpole shrimp (*Lepidurus packardii*) have been identified to occur on some properties within the Specific Plan area. Pending the results of ongoing wet-season surveys, dry season surveys may be conducted during 2006 (or another wet season survey during 2006-2007). Areas to be impacted by the installation of off-site improvements have not yet been surveyed, but may be after access is secured. Special-status plant species have been conducted on some properties within the Specific Plan area. The applicant has indicated that, to date, no federally-listed plant species have been identified to occur within the Specific Plan area.

As the results of the final surveys are available, a biological assessment for the Specific Plan area, with detailed, specific information for the infrastructure application and each of the twenty-four individual permit applications will be prepared and submitted to the Corps and U.S. Fish and Wildlife Service. The Corps and the applicants will coordinate and consult with U.S. Fish and Wildlife Service on a project by project basis as needed.

A comprehensive Biological Assessment for the Plan Area and off-site areas affected by the Specific Plan, is under preparation and will evaluate potential impacts to threatened and endangered species as well as appropriate avoidance, minimization and compensation measures.

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 199900737, must be submitted to the office listed below on or before November 11, 2006:

Tom Cavanaugh, Project Manager
US Army Corps of Engineers, Sacramento District
San Joaquin Valley Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: Thomas.J.Cavanaugh@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 Tom Cavanaugh, 916-557-5261, Thomas.J.Cavanaugh@usace.army.mil.

Attachments: 48 drawings