



# Public Notice

U.S. ARMY CORPS OF ENGINEERS

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## Public Notice of Permit Application

Action ID: SPK-2002-00561

Comments Period: 16 December 2009 – 15 March 2010

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating permit applications under Section 404 of the Clean Water Act to develop public and private uses within the Mather Specific Plan area in eastern Sacramento County, California. The Plan area encompasses approximately 5,716 acres of land, of which over 2,000 acres are currently developed. The Corps has determined that an Environmental Impact Statement (EIS) will be developed in accordance with the National Policy Act (NEPA). A Notice of Intent (NOI) was published in the Federal Register on December 11, 2009, and can be found at [http://www.access.gpo.gov/su\\_docs/fedreg/frcont09.html](http://www.access.gpo.gov/su_docs/fedreg/frcont09.html). This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

The Corps is the lead agency for preparation of the EIS under the requirements of the NEPA. The Corps will coordinate with the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service and Central Valley Regional Water Quality Control Board.

**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:** Sacramento County  
Department of Economic Development  
700 H Street Suite 7650  
Sacramento, California 95814  
Attn: Rick Balaz, Senior Project Manager

**LOCATION:** The project site is located in Sections 10 - 16, 23, 24, Township 8 North, Range 6 East, and Sections 18 and 19, Township 8 North, Range 7 East, MDB&M, in Sacramento County, California.

**PROJECT DESCRIPTION:** The applicant proposes to develop approximately 1,870 acres, and set aside 1,274 acres of wetland preserve/open space. The proposed action includes approximately 584 acres of commercial uses associated with the adjacent Mather Airport, 201 acres of commercial, 84 acres of aggregate extraction, 598 acres of university village/residential, 102 acres of parks and recreation, 274 acres for a regional sports park, and 27.4 acres for utilities and infrastructure. The applicant has applied for permits to fill 35.39 acres of these waters. The approximately 1,274 acre open space and wetland preserve would contain approximately 47.3 acres of waters not directly impacted by the project. In addition, approximately 4.9 acres of wetlands at the west end of the Mather Airport runway would be avoided and placed under some type of protective agreement, but not a conservation easement.

**PUBLIC SCOPING MEETING:** A public scoping meeting for the EIS will be held on January 6, from 4:00 pm to 7:00 pm 10590 Armstrong Avenue, Mather California 95655, in Main Conference Room A. Please note that this is a slight change in venue relative to the address in the NOI in the Federal Register. Interested parties can provide oral and written comments at the meeting. Interested parties

may also submit written comments on this notice. Scoping comments should be submitted before February 14, 2010, but may be submitted at any time prior to publication of the Draft EIS.

#### **ADDITIONAL INFORMATION:**

**Environmental Setting.** The project area is southeast of Sacramento on the former Mather Air Force Base, which is currently owned by the U.S. government. Plans to transfer the property to the County are awaiting completion of a Wetlands Management Plan by the County. Approximately 124 acres of waters of the United States have been identified in the proposed project area, including 69.8 acres of vernal wetlands (pools and swales), 27.3 acres of depressional seasonal wetlands, 1.9 acres of ditches, 5.7 acres of lake/pond and 19.1 acres of other waters of the United States.

**Alternatives.** The EIS will include an evaluation of a reasonable range of alternatives. Currently, at least four alternatives are expected to be analyzed in detail: (1) the no action alternative (no permit issued), (2) the applicant's preferred project (proposed action), (3) an offsite alternative, and (4) a reduced development footprint alternative. The no action alternative assumes limited development would occur in the Mather Specific Plan area with all waters of the United States avoided. The off-site alternative assumes the proposed project would be developed at a different but suitably-sized site in the region. A reduced development footprint alternative will have a smaller development footprint than the applicant's preferred project with less direct impacts to waters of the United States.

**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. As stated by the applicant, current mitigation comprises preservation of approximately 1,274 acres of wetland/open space habitat, containing 47.3 acres of waters on-site.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification, as required under Section 401 of the Clean Water Act, from the Central Valley Regional Water Quality Control Board is required for this project. The applicant has not indicated they have applied for certification.

**HISTORIC PROPERTIES:** The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act.

**ENDANGERED SPECIES:** The Corps will initiate consultation with US Fish and Wildlife Service under Section 7 of the Endangered Species Act.

**ESSENTIAL FISH HABITAT:** The proposed project will not 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.

**PROCESS:** The scoping process for the development of an EIS is intended to be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action. As part of the scoping process, the Corps, as the lead Federal Agency in the preparation of the EIS, has invited the participation of affected Federal, State, and local agencies, any affected Indian tribes and other interested persons. Throughout the scoping process, several opportunities will be available for interested parties to provide verbal and written comments on

the proposed project. The EIS will evaluate all significant impacts of the proposed activity, including those impacts to hydrology, water supply, water quality, cultural resources, biological resources, traffic and transportation, and air quality.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice SPK-2002-561 must be submitted to the office listed below on or before **February 15, 2009**.

Kathleen A. Dadey, PhD, Chief, CA Delta Branch  
US Army Corps of Engineers, Sacramento District  
Sacramento Office  
1325 J Street, Room 1480  
Sacramento, California 95814 2922  
Email: [kathleen.a.dadey@usace.army.mil](mailto:kathleen.a.dadey@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. 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 Kathleen A. Dadey, (916) 557-7253, [kathleen.a.dadey@usace.army.mil](mailto:kathleen.a.dadey@usace.army.mil).

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