



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

# Public Notice

Public Notice Number: SPK-2007-00418

Date: December 8, 2008

Comments Due: January 7, 2008

In reply, please refer to the Public Notice Number

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating an application to establish the Sacramento River Ranch Wetlands Mitigation Bank project. 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>.

**APPLICANT:** Wildlands, Inc.  
3855 Atherton Road  
Rocklin, CA 95765  
Attn: Natasha Lanni  
Telephone: 916-435-3555

**LOCATION:** The approximately 113-acre site is located northeast of Woodland in Section 27, Township 11 North, Range 3 East, MDB&M, Yolo County, California, and can be seen on the Grays Bend and Taylor Monument USGS topographic quadrangles.

**PROJECT DESCRIPTION:** The applicant has provided a draft bank enabling instrument (BEI) to the Corps and the Interagency Review Team (IRT) for review and comment. The mitigation banker proposes to establish a 113-acre mitigation bank consisting of both restored jurisdictional riparian habitat and freshwater marsh complex. Once constructed, the wetlands will be used as compensatory mitigation for projects impacting Corps jurisdictional wetlands and waters of the State of California. As a result of these restoration activities, bank credits would be created and offered for sale to third-party permittees. Credits will be used to offset authorized impacts within the service area shown on the attached drawings.

A Department of the Army permit was issued for restoration activities on July 19, 2008. Construction of the project will occur in two phases. Phase I of construction was completed in October, 2008. Phase II of the project is scheduled to begin in summer 2009. Phase I of the project took place solely in the western field of the overall project site and consisted of approximately 21 acres of created wetland habitat (7.1 acres of freshwater marsh complex and 14.1 acres jurisdictional riparian habitat). Phase II will take place in the eastern field and, at completion, will consist of 70.7 acres of freshwater marsh complex and 18.1 acres of jurisdictional riparian habitat. When the restoration project is complete approximately 110 acres of uplands will be excavated, producing a mosaic of wetland features totaling 77.8 acres of freshwater marsh complex and 32.2 acres of jurisdictional riparian habitat. The created wetlands will be supplied by ground water and precipitation. However, in times of peak flow from storm events, water will flow onto the site from culverts in the center and the northwestern corner of the project site. Water will exit the site through existing culverts located in the southern and southwestern portion of the project site. The freshwater marsh complex is designed to provide for water depths of 6 feet in the open water areas and 1-2 feet in the perennial marsh areas. The transition between habitat types will be accomplished through steep gradients (i.e. 3:1 slopes). After completion of the excavation activities, the jurisdictional riparian areas will be planted with riparian cuttings and seedlings, while the freshwater marsh will be planted with large clumps of tule root matter. The attached drawings provide additional project details.

The entirety of the 113-acre mitigation bank will be preserved in perpetuity with a conservation easement. The mitigation bank is proposed to be monitored and managed according to the guidelines outlined in the applicant's Sacramento River Ranch Wetlands Mitigation Bank Long Term Management Plan, Habitat Development Plan, and Bank Enabling Instrument (BEI).

**ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 1.541 acres of waters of the US within the project area. The proposed bank is surrounded by farmland consisting of walnut production to the east and intensive row crop agriculture to the southwest and north. To the north of the bank is an established conservation bank for the Valley Elderberry Longhorn Beetle (VELB). Historical aerial photographs show the eastern side of the proposed bank was once an oak-cottonwood riparian forest and the center and west portions possibly valley tule marsh. Currently, the un-restored area of the bank site (Phase II) is a fallow agricultural field. An earthen levee exists to the east of the bank and protects it from regular flooding during periods of elevated river stage in the Sacramento River.

Ground water on the bank site is dependably present at relatively shallow depths and fluctuates seasonally with the rise and fall of the Sacramento River and agricultural irrigation activities in the local area. The majority of water movement on the site is subsurface and is conveyed from sources on surrounding areas from the east and north. Soils onsite are poorly drained, consisting mostly of Sacramento clay, Sacramento silty clay loam, and Sycamore complex. Soils onsite are described in more detail in the Sacramento River Ranch Wetlands Mitigation Bank Long Term Management Plan.

**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 Control Board was obtained for this project on September 11, 2007.

**HISTORIC PROPERTIES:** The applicant initiated cultural resource surveys for the proposed bank property. Their assessment included information center and in-house records searches, Native American contact, and a cultural resources field survey. The report was completed in June, 2007 and was submitted to the Corps as a component of the BEI. The Corps determined that no cultural sites eligible for listing in the NRHP are located in the APE and initiated consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act on May 21, 2008. The State Historic Preservation Office concurred on June 16, 2008.

**ENDANGERED SPECIES:** The Corps initiated consultation for the Federally-listed valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and giant garter snake (*Thamnophis gigas*), or their designated critical habitat, with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act, on July 25, 2007 and February 20, 2008. Consultation was completed on November 29, 2007 and June 2, 2008, respectively.

**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 SPK-2007-00418 must be submitted to the office listed below on or before December 31, 2008.

Marc Fugler, Project Manager  
US Army Corps of Engineers, Sacramento District  
Sacramento Office  
1325 J Street, Room 1480  
Sacramento, California 95814 2922

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 Marc Fugler, 916-557- 5255, [marc.a.fugler@usace.army.mil](mailto:marc.a.fugler@usace.army.mil) .

Attachments: 4 drawings