



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200200387

Date: April 22, 2003

Comments Due: May 22, 2003

In reply, please refer to the Public Notice Number

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## TO WHOM IT MAY CONCERN:

**SUBJECT:** Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to place dredged or fill material into 1.601 acres of waters of the United States to construct the Cypress Meadows residential subdivision, as shown in the attached drawings.

**APPLICANT:** Mike Brumbaugh, McKim Homes, P.O. Box 548, Rocklin, CA 95677

**LOCATION:** The proposed Cypress Meadows project is located slightly northeast of the City of Lincoln, Section 11, Township 12 North, Range 6 East, MDBM, Placer County, California.

**PROJECT DESCRIPTION:** The applicant proposes to construct 84 single dwelling residential homes and associated infrastructure on a 20-acre property. The planned development would result in the permanent loss of all waters of the United States on the property, more specifically, 0.349 acre of vernal pools, 0.038 acre of seasonal wetlands, 0.685 acre of wetland swales, and a 0.529 acre seasonal marsh. The applicant proposes to offset impacts to waters of the United States through the purchase of in-kind habitat credits at a Corps approved wetland mitigation bank.

**AREA DESCRIPTION:** The property is within the City of Lincoln Sphere of Influence and is bordered on the north, east, and west by rural residences, pastureland, and farmland. Residential development is also planned for the vacant property to the south. The property and surrounding lands sit at an elevation of around 200 feet above man sea level and, for the most part, consist of annual grassland and semi-flat to gently rolling terrain.

## ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. Field surveys conducted on behalf of the applicant did not identify any historic or prehistoric resources on the property.

The vernal pools and seasonal wetlands on the property are potential habitat for the endangered vernal pool tadpole shrimp (*Lepidurus packardii*), threatened vernal pool fairy shrimp (*Branchinecta lynchi*), threatened slender Orcutt grass (*Orcuttia tenuis*), and endangered Sacramento Orcutt grass (*Orcuttia viscida*). The Corps will initiate consultation with the U.S. Fish and Wildlife Service, in accordance with Section 7 of the Endangered Species Act, when information to do so is provided by the applicant.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **May 22, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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 proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain 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 Corps of Engineers 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 of Engineers 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 the 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.

If additional information is required, please contact Mike Brumbaugh, telephone 916-624-9202, or Mr. William Ness, at the letterhead address, telephone 916-557-5268.

Michael J. Conrad, Jr.  
Colonel, US Army  
District Engineer

Enclosures: 2 Drawings