



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200300053

Date: October 31, 2003

Comments Due: November 30, 2003

In reply, please refer to the Public Notice Number

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 dredge Fern's Lake, which is an impoundment of an un-named tributary of San Emigdio Creek, as shown in the attached drawings.

APPLICANT: Arlene A. O'Neil
2524 Beechwood Way
PO Box P
Pine Mountain Club, CA 93222-0016

LOCATION: The proposed Pine Mountain Club Fern's Lake Dredging project is located in Section 19, Township 9 North, Range 21 West, MDB&M, Kern County, California. This site is approximately 60 miles south of Bakersfield, seventy miles north of Los Angeles, and 12 miles west of Frazier Park.

PURPOSE: The proposed project purpose is to dredge sediments from Fern's Lake to enhance water storage capacity. The lake water is used to irrigate the local golf course. The water is also potentially used for fire fighting.

PROJECT DESCRIPTION: The applicant proposes to dredge 3,298 cubic yards of sediment from the bottom of the 2.470-acre human-made Fern's Lake with a dragline bucket. The applicant plans to lower water levels prior to starting work to preclude sediment laden waters from flowing downstream of the project area. All dredged materials are to be transported to an upland disposal site, where they will be prevented from re-entering waters of the United States.

AREA DESCRIPTION: The project site is located at approximately 5,200 feet along the San Andreas Rift in the San Emigdio Mountains. This area has been heavily altered over the past half century. According to a 1943 USGS 7.5 Minute Quadrangle map, this area was formerly a large wet meadow; it presently harbors a golf course and residential development. A concrete overspill borders the eastern border of Fern's Lake. French drains and three lakes, which were probably installed in the 1960s, heavily altered the hydrology associated with the historic wet meadow.

ADDITIONAL INFORMATION:

No further cultural resources review is warranted because all work in the permit area has been created in modern times. The installation of French drains and the construction of the lakes probably occurred in the 1960s.

This activity would not affect any threatened or endangered species or their critical habitat.

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 **November 30, 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 Pine Mountain Club Property Owners Association, Inc. Arlene A. O'Neil, telephone (661) 242-3788, or Mr. Matt Hirkala, at the letterhead address, telephone (916) 557-5263.

Mark W. Connelly
Lieutenant Colonel,
Corps of Engineers
Acting District Engineer

Enclosures: Drawing(s)