



US Army Corps
of Engineers
St Paul District

APPLICANT: Mattamy Homes

Public Notice

ISSUED: March 18, 2016

EXPIRES: April 18, 2016

REFER TO: 2005-04142-PRH

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT to discharge dredged and fill material into 4.432 acres of wetland, and further excavate 5.022 acres of wetland for the purpose of constructing a single-family residential development on the 372-acre site, to be known as Watermark. Impacts to the entire site consist of grading and excavating to accommodate residential housing and installing the associated infrastructure needed to provide living area, access and sanitation. There are also an additional 4.842 acres of wetland impacts due to excavation, and 13.012 acres of upland impacts associated with permittee responsible on-site mitigation.

2. SPECIFIC INFORMATION:

APPLICANT'S ADDRESS: Mattamy Homes
Attn: Mr. Packer
7201 Washington Avenue South, Suite 201
Edina, Minnesota 55439

PROJECT LOCATION: The project site is located in Sections 12 and 13, Township 31 North, Range 22 West, Anoka County, Minnesota. More specifically, the site is located 0.25-mile north of the junction of County State Aid Highway (CSAH) 21 and Main Street (CSAH 14) as shown on the attached drawings labeled MVP-2005-04142-PRH Page 1 of 3 through Page 3 of 3.

DESCRIPTION OF PROJECT: Mattamy Homes is proposing a single-family and townhome residential development project in the city of Lino Lakes to be known as Watermark. The project involves mass grading of the site to provide for site drainage with associated storm water treatment and the construction of roads, residential building pads, and sidewalks. Grading activities on the site will involve wetland fill, restoration/enhancement of existing partially drained wetlands and wetlands constructed in upland areas.

QUANTITY, TYPE, AND AREA OF FILL: The project would result in the discharge of dredged and fill material into 4.432 acres of seasonally flooded basin (Type 1) and fresh (wet) meadow (Type 2) wetland communities.

EXCAVATION: There are 5.022 acres of wetland impacts associated with excavation for construction. There are also 4.842 acres of wetland impacts and 13.012 acres (upland) associated with excavation for permittee responsible on-site mitigation.

SURROUNDING LAND USE: The project site is bordered by undeveloped wetlands and agricultural land to the west, a residential development to the southwest, agricultural land to the east and north, as well as a commercial development and agricultural land to the south. The surrounding area is comprised of wetlands, single-family medium density residential developments, commercial developments, undeveloped wetland complexes and agricultural lands.

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MITIGATION (as proposed by the applicant): The applicant proposes to mitigate through permittee responsible on-site compensatory mitigation via enhancement, hydrologic and vegetative restoration, creation of wetlands in upland areas, and creation/restoration of upland buffer.

The applicant proposes 4.842 acres of wetland hydrologic and vegetative enhancement through wetland excavation throughout the site, with a 0.50:1 credit generation resulting in 2.421 compensatory mitigation credits. 13.115 acres of created upland buffer, with a 0.25:1 credit generation resulting in 3.2788 compensatory mitigation credits. 13.012 acres of upland created wetlands, with a 0.5:1 credit generation resulting in 6.506 compensatory mitigation credits.

3. REPLIES/COMMENTS:

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 180 Fifth Street East, Suite 700, Saint Paul, MN 55101-1678.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Paul Hauser at the St. Paul office of the Corps, telephone number (651) 290 - 5357.

To receive Public Notices by e-mail, go to: http://mvp-extstp/list_server/ and add your information in the New Registration Box.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT:

None were identified by the applicant or are known to exist in the permit area. However, Anoka County is within the known or historic range of the following Federally-listed as Threatened (T) species:

<u>Species</u>	<u>Habitat</u>
Northern Long-eared Bat (T)	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roots and forages in upland forests during spring and summer.

This public notice is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION:

This application is being reviewed in accordance with current practices for documenting Corps jurisdiction under Section(s) 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

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We have made a preliminary jurisdictional determination that the aquatic resources that are proposed to be impacted by the proposed project may be subject to Corps of Engineers jurisdiction under Section(s) 9 & 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If an approved jurisdictional determination is completed as part of the review process for this application, a copy will be posted on the St. Paul District web page at the following link:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: Wetland Conservation Act

6. STATE SECTION 401 WATER QUALITY CERTIFICATION:

Valid Section 404 permits cannot be issued for any activity unless state water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The state Section 401 authority in Minnesota is the Minnesota Pollution Control Agency (MPCA). The St. Paul District has provided this public notice and a copy of the applicant's Section 404 permit application form to the MPCA. If MPCA needs any additional information in order for the Section 401 application to be considered complete by MPCA, the MPCA has indicated that it will request such information from the applicant. It is the permit applicant's responsibility to ensure that the MPCA has received a valid, complete application for state Section 401 certification and to obtain a final Section 401 action from the MPCA.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001. The MPCA has also indicated that the Section 401 process shall begin to commence upon the issuance date of this public notice unless the MPCA notifies both the St. Paul District and the permit applicant to the contrary, in writing, before the expiration date of this public notice.

Any comments relative to MPCA's Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency, Resource Management and Assistance Division,
Attention: 401 Certification, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

7. HISTORICAL/ARCHAEOLOGICAL:

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

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8. PUBLIC HEARING REQUESTS:

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, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW:

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. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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 and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

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.

Kristen Hafer
Chief, Southwest Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.

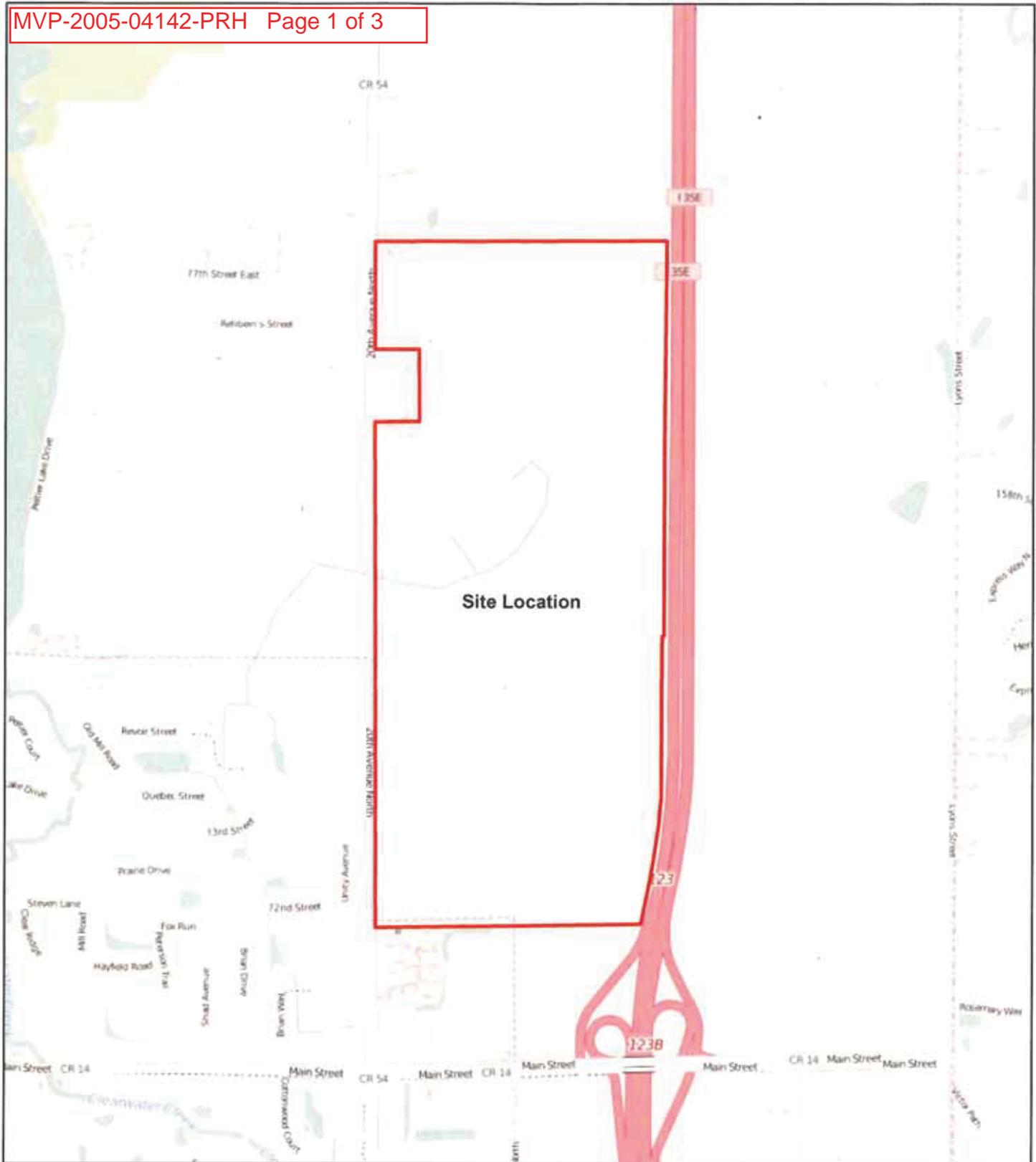


Figure 1 - Site Location

   **Watermark (KES 2015-002)**
Lino Lakes, Minnesota
Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

KJOLHAUG ENVIRONMENTAL SERVICES COMPANY
Source: ESRI Streets Basemap



Figure 14 - Proposed Development Plan with Wetland Impacts Overlay

0 450
Feet

- Project Boundary
- Wetland Boundary
- Wetland Fill
- Wetland Excavation
- Flow Path
- Water Quality Pond
- Lake

Figure 14
Watermark (KES 2015-002)
Lino Lakes, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



Figure 15 - Replacement Overview with Final WMC Limit

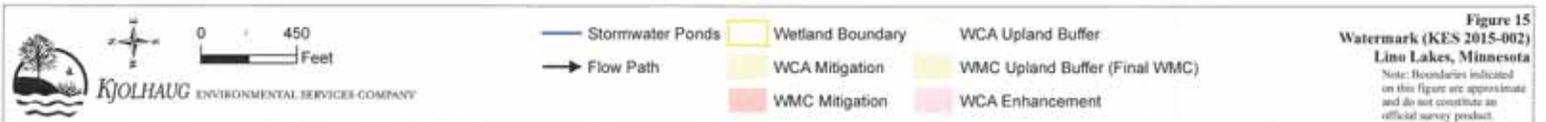


Figure 15
Watermark (KES 2015-002)
Lino Lakes, Minnesota
 Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.