

# PUBLIC NOTICE



US ARMY CORPS  
OF ENGINEERS  
OMAHA DISTRICT

APPLICANT: SANFORD HEALTH  
APPLICATION NO: NWO-2008-0121-PIE  
WATERWAY: UNNAMED WETLANDS  
ISSUE DATE: MAY 04, 2018  
EXPIRATION DATE: MAY 25, 2018

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Regulatory Office, 28563 Powerhouse Rd, Room 118, Pierre, SD 57501  
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota.aspx>

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**21-DAY NOTICE**

## JOINT NOTICE OF PERMIT PENDING

US ARMY CORPS OF ENGINEERS  
AND  
SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

The application of Sanford Health for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Commander, US Army Engineer District, Omaha, Nebraska. **The project described herein is not being proposed by the Corps, but by the applicant; the Corps will evaluate the proposed work to determine if it is permissible under current laws and regulations.**

**Description of Proposed Project:** Sanford Health received Corps authorization on July 16, 2008 to construct the Sanford Health Medical Research Center in southwest Sioux Falls, South Dakota. Authorization was granted to grade approximately 10.4 acres of wetlands in order to install water main, sanitary sewer, storm sewer, street lighting, bike/walking trails, asphalt streets with curb and gutter, and landscaping. To date, a majority of the grading has been completed which has impacted 7.87 acres of wetlands, however delays in development occurred and the project has not been completed. The previous Corps authorization expired on September 30, 2017. The applicant now requests authorization to complete the project by constructing a new Sioux Falls Lutheran School on the south side of the property which will impact the remaining 2.53 acres of wetlands. See attached design drawings.

**Location:** The project is located in Section 18, Township 100 North, Range 50 West, Lincoln County, South Dakota.

**Purpose:** The purpose of the proposed project is to provide institutional development for the growing population of Sioux Falls.

**Mitigation:** The proposed project alternative was selected to avoid wetlands to the greatest extent possible. Compensatory mitigation for the originally authorized 10.4 acres of permanent wetland impacts was provided by constructing mitigation wetlands both off-site and on-site. The off-site mitigation was completed in 2014 and the on-site mitigation was completed in 2017. Hydrogeomorphic functional assessment scores were calculated to account for the functional loss of the impacted wetlands. A mitigation ratio of 2 to 1 was used to compensate for the impacts and a total of 39.4 wetland mitigation credits were constructed.

**Existing Conditions:** The project area is situated in the City of Sioux Falls, SD on the southeast side of the intersections of Interstate Highways 29 and 229 in a patchwork of agricultural and urban sector that is rapidly being enveloped by the expanding City. The adjoining Interstate Highway 29 system runs along the west boundary of the property. Other surrounding land uses include agricultural land parcels that are either currently being developed, or are scheduled for development in the near future. A State Department of Transportation highway maintenance facility is also located adjacent to the site. The landscape consists of gentle sloping prairie (glacial till) divided by ephemeral streams, linear wetlands, and intermittent flowing drainages/tributaries with scattered wetland depressions in the Big Sioux River drainage basin.

The South Dakota Department of Environment and Natural Resources, Division of Environmental Services, 523 East Capitol Avenue, Pierre, South Dakota, 57501-3181, will review the proposed project for state certification in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The South Dakota Department of Environment and Natural Resources hereby incorporates this public notice as its own public notice and procedures by reference (ARSD 74:51:01).

The Omaha District will comply with the National Historic Preservation Act of 1966, as amended. As a result of a cultural resources survey completed in April 2008 and lack of cultural resources found in the project area, this project received a determination of "No Historic Properties Affected". The State Historic Preservation Officer (SHPO) concurred with this determination on July 1, 2008. We will evaluate additional input by the SHPO and the public in response to this public notice.

In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

The decision whether to issue a permit will be based on an evaluation of the probable impacts 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 proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity 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 production, and, in general the needs and welfare of the people. In addition, the evaluation of the impacts of the project on public

interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

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.

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 reason for holding a public hearing. The request must be submitted to the US Army Corps of Engineers, South Dakota Regulatory Office, 28563 Powerhouse Road, Room 118, Pierre, South Dakota 57501.

Any interested party (particularly officials of any town, city, county, state, Federal agency, Indian Tribe, or local association whose interests may be affected by the proposed work) is invited to submit to this office, written facts, arguments, or objections on or before May 25, 2018. Any agency or individual having an objection to the proposed work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application. All replies to the public notice should be addressed to the address listed in the previous paragraph. Cathy Juhas, telephone number (605) 224-8531, may be contacted for additional information.

Comments received after the close of the business day on the expiration date of this public notice will not be considered.

This project, if authorized, will be under the provisions of Section 404 of the Clean Water Act.

Drawings showing the location and extent of the work are attached to this notice.

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project area

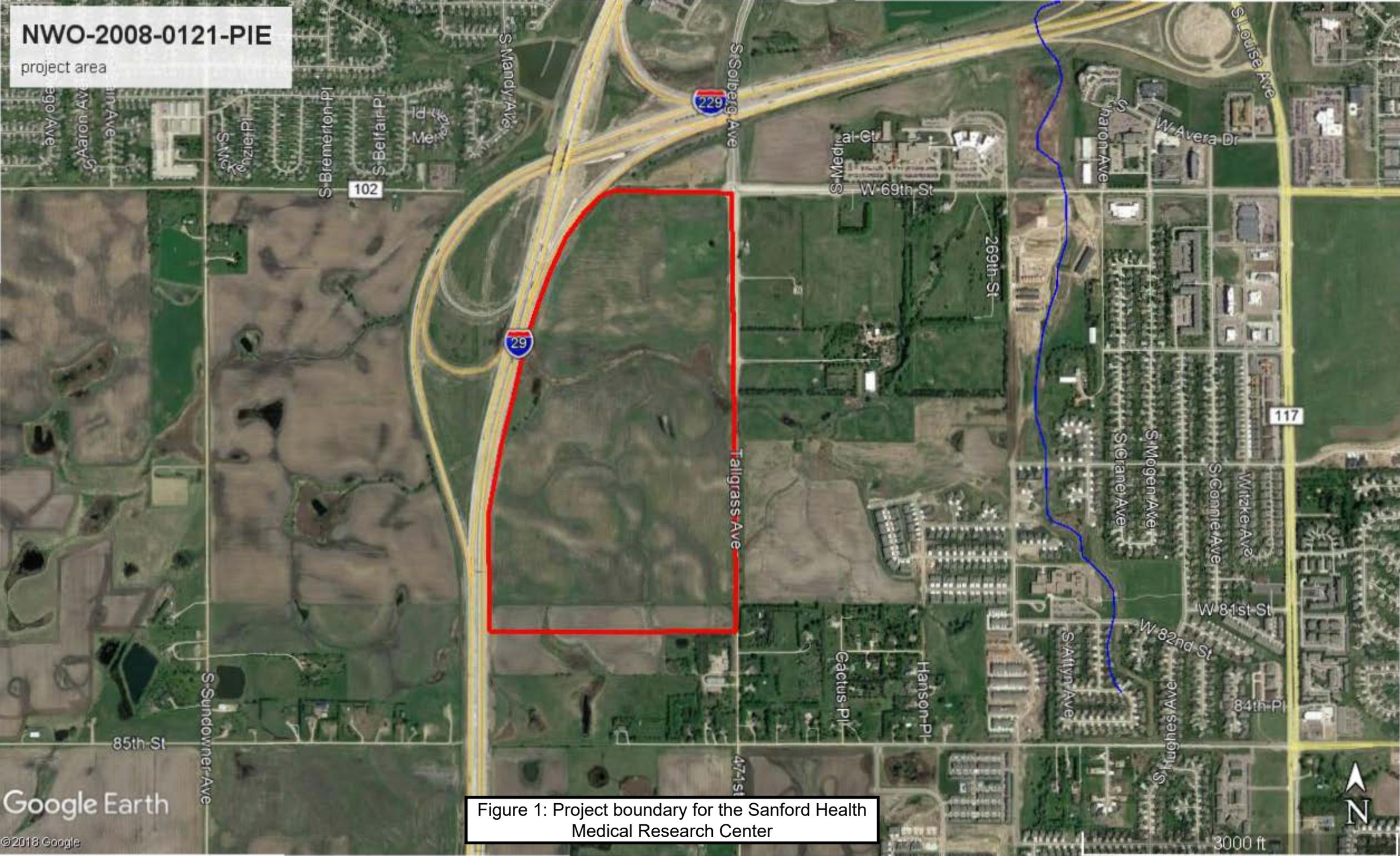


Figure 1: Project boundary for the Sanford Health Medical Research Center

Figure 2: NWO-2008-0121-PIE Design Drawing

- WETLANDS DELINEATED 
- WETLAND IMPACTS INCLUDED IN MITIGATION 
- WETLANDS CREATED 
- WETLANDS CREATED 
- WETLAND BUFFER 
- AREAS GRADED FOR POSITIVE DRAINAGE IN 2017 
- PERMITTED WETLAND TO BE GRADED 

