

PUBLIC NOTICE



US ARMY CORPS
OF ENGINEERS

OMAHA DISTRICT

APPLICANT: SD DEPT. GAME, FISH & PARKS
APPLICATION NO: NWO-2012-2806
WATERWAY: MISSOURI RIVER/
LAKE FRANCIS CASE
ISSUE DATE: December 17, 2012
EXPIRATION DATE: January 7, 2013

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

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 the South Dakota Department of Game Fish and Parks, 523 East Capitol Avenue, Pierre, South Dakota 57501, 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 applicant requests authorization to construct the Platte Creek Beach Improvement project in the Missouri River (Lake Francis Case – Platte Creek Recreation Area) at river mile 911.75, in Section 21, Township 98 North, Range 69 West, Charles Mix County, South Dakota.

The proposed project will consist of placing 490 cubic yards of beach sand over 28,000 square feet of existing beach with a 4.5% slope from top elevation 1385.5' Mean Sea Level (MSL) down to 1354.0' MSL. The sand will be stockpiled on a nearby road or parking lot. Payloader equipment will be used to move the sand from the stockpile to the beach and spread it over the designated beach area. Approximately one-third (1/3) of the sand fill will be placed below the Ordinary High Water Mark of 1365' MSL. It is anticipated that the work will be performed in winter when the lake is below the fill area.

The purpose of the project is to improve an area currently utilized as a beach by placing beach sand over the area.

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).

Omaha District will comply with the National Historic Preservation Act of 1966, as amended. Corps of Engineers archeologists will review the project locations and proposed activities for potential affects to existing historic properties and the potential for unknown sites to occur in the project area. In addition, we will evaluate any input by the State Historic Preservation Officer 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 January 7, 2013. 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. Carolyn Kutz, telephone number (605) 224-8531, may be contacted for additional information.

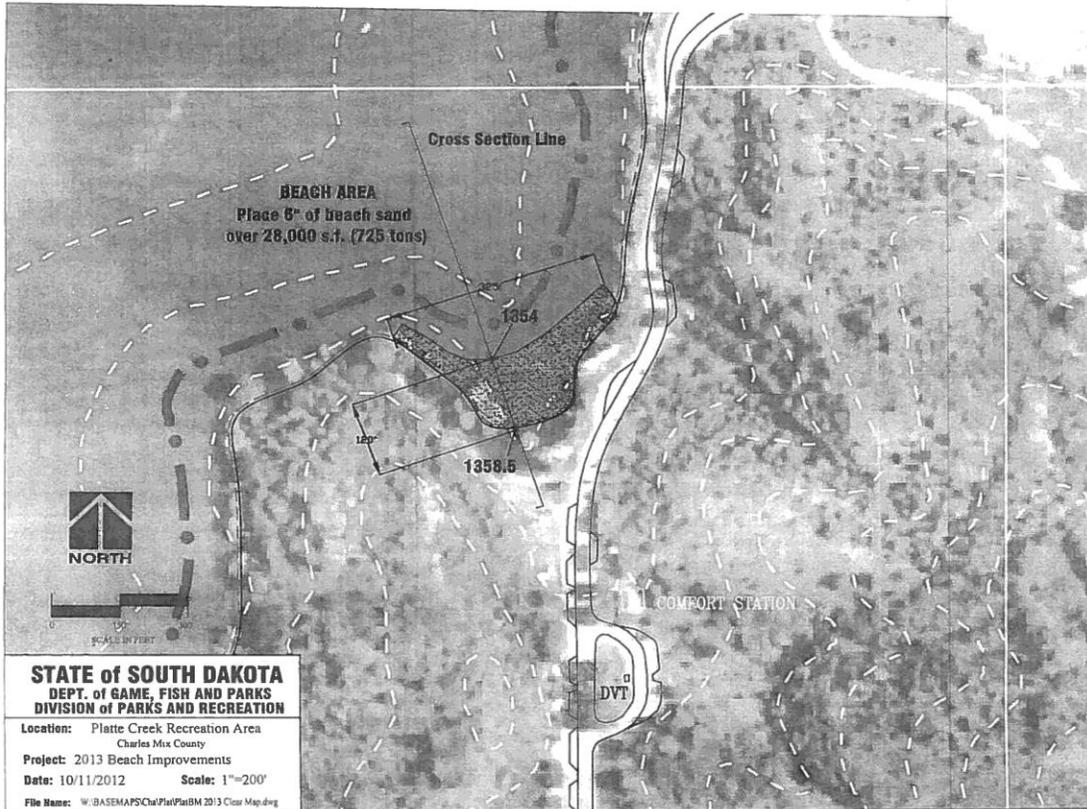
Comments received after the close of the business day on the expiration date of this public notice will not be considered.

This project, if authorized, will be under the provisions of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

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



Vicinity Map

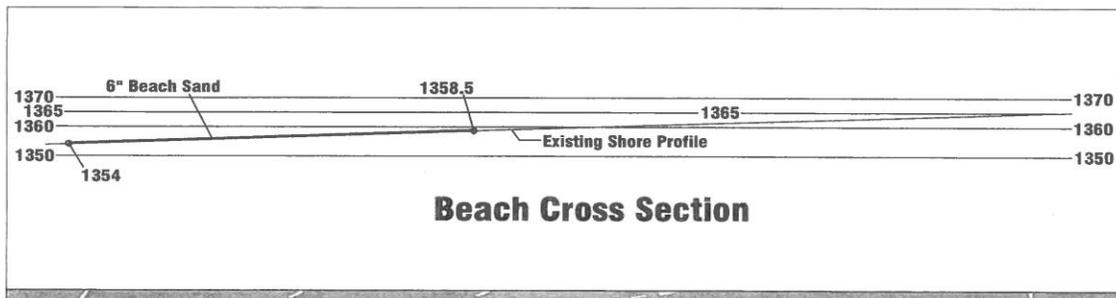


N 49° 17' 47.72" W 99° 00' 16.46"

PURPOSE: Beach Sand
 DATUM: MSL
 ADJACENT PROPERTY OWNERS:
 1. US Army Corps of Engineers
 2.

IN: Missouri River – Lake Francis Case
 AT: MR Mile 911.75
 COUNTY: Charles Mix STATE: SD
 APPLICATION BY: SD Dept of Game, Fish & Parks
 SHEET 1 OF 2 DATE: November 7, 2012

Location Map of the Beach Sand Placement Project at the Platte Creek Recreation Area in Lake Francis Case, Missouri River, Charles Mix County, SD in Section 21, Township 98 North, Range 69 West



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 SHEET 2 OF 2 DATE: November 7, 2012

Cross Section Drawing showing the placement of 6 inches of beach sand over 28,000 square feet, from elevation 1358.5 Mean Sea Level (MSL) down to elevation 1354 MSL.