

PUBLIC NOTICE



US Army Corps
Of Engineers

Omaha District

APPLICANT: Wild Oak Golf Club
Development

APPLICATION NO: 200330004

WATERWAY: Wetland

ISSUE DATE: February 6, 2003

EXPIRATION DATE: February 27, 2003

Regulatory Office, 28563 Powerhouse Rd, Room 118, Pierre, SD 57501

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, Wild Oak Golf Club Development, C/O Dave Backlund, Mitchell, South Dakota 57301, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, US Army Engineer District, Omaha, Nebraska.

The applicant requests authorization to perform site grading associated with the construction of a golf course expansion and housing development project. Portions of the project will be located in a 2.16 acre wetland located in the Southeast Quarter, Section 23, Township 103 North, Range 60 West, latitude 43-42-21.4413, longitude 97-59-43.3320, Davison County, South Dakota.

The proposed project will consist of the construction of eighty-seven residential lots and associated infrastructure. The residential development project includes the construction of a nine hole golf course, which is an expansion of the existing Wild Oak Golf Course. A 2.16 acre wetland basin will be filled as a result of site grading for residential lots and streets. The applicant has proposed to mitigate for the wetland impact by constructing a 1.59 acre wetland and a 5.28 acre pond within the project area.

The purpose of the project is to provide additional recreational and housing opportunities for area residents.

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. We have checked the National Register of Historic Places and "its current supplements," and no property listed in the Register or proposed for listing is located in the permit area. We have completed a records search with the State Archaeological Research Center and no surveys are recorded in the project area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area or check for unknown historic properties, if warranted.

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 February 7, 2003. 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. Bill Baer, telephone number (605) 224-8531, may be contacted for additional information.

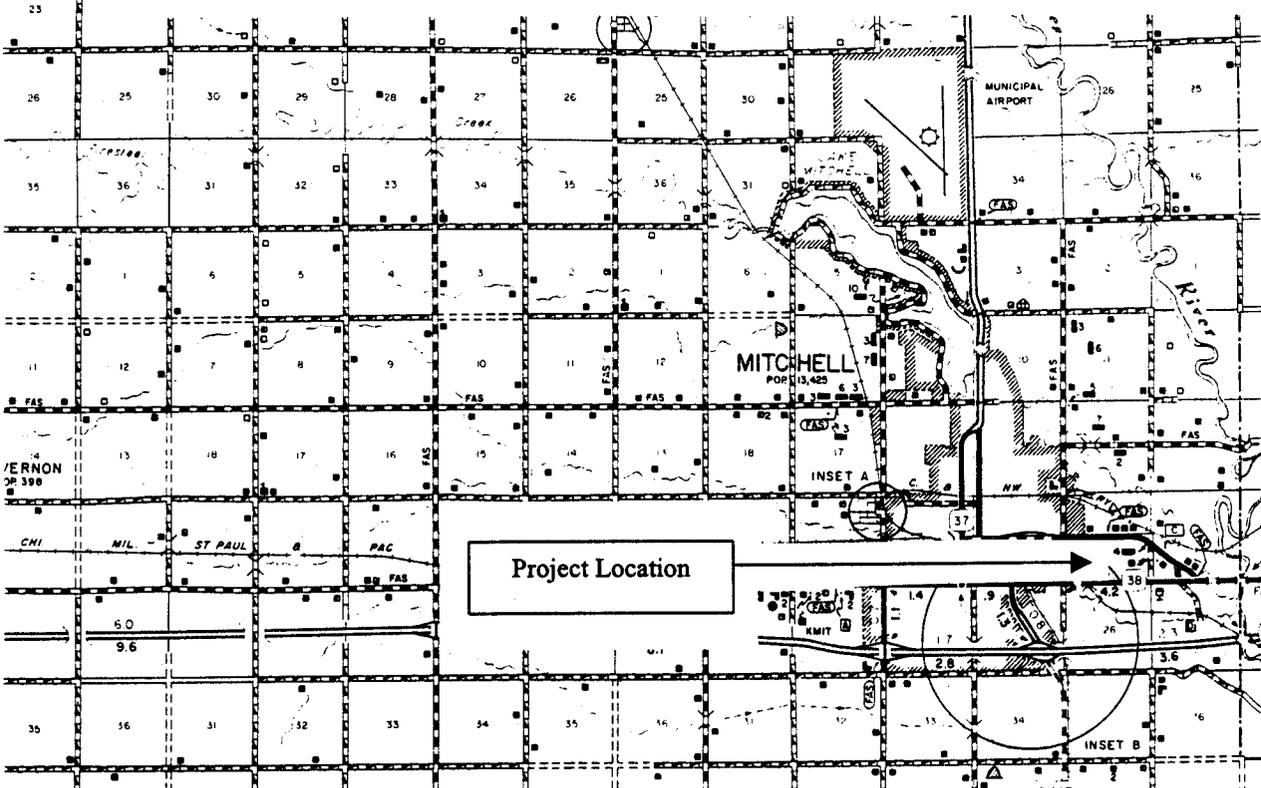
Comments received after the close of the business day on the expiration date of this public notice will not be considered.

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

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

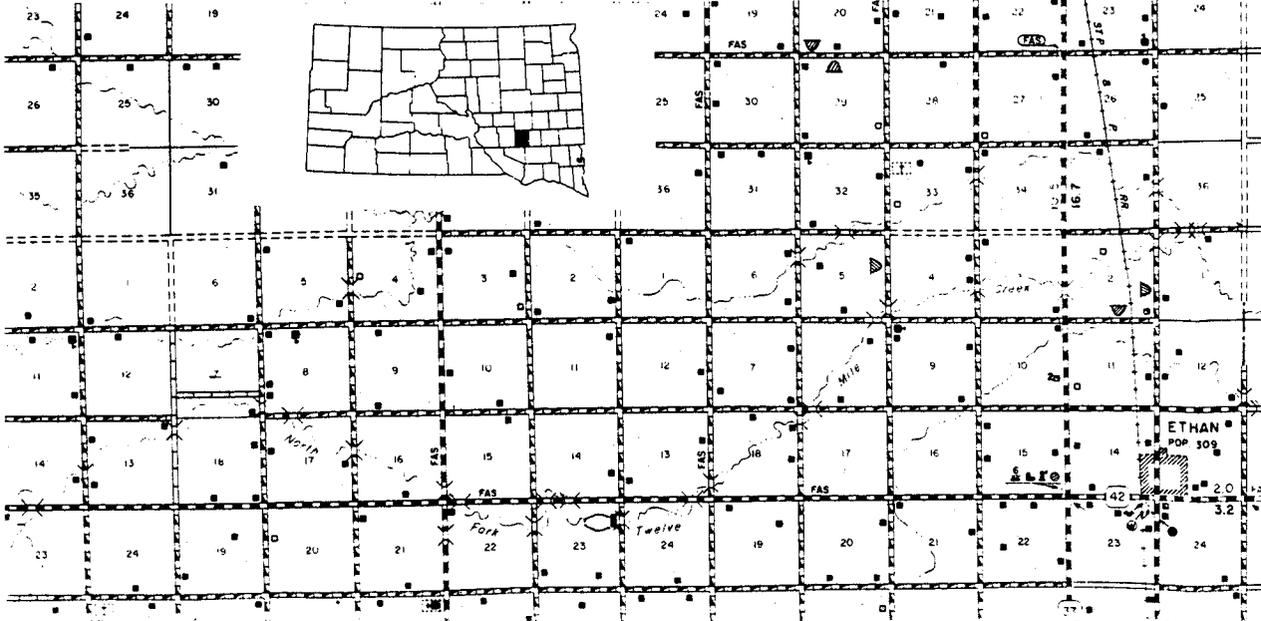
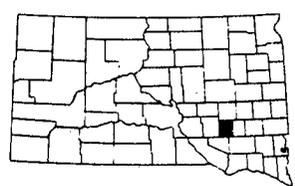
PURPOSE: Site Grading
APPLICATION BY: Wild Oak Golf Course
APPLICATION NO. 200330004
SHEET 1 of 5

IN: Unnamed wetland
AT: SE ¼, S23, T103N, R60W
COUNTY: Davison
DATE: 2/6/2003



GENERAL HIGHWAY MAP

DAVISON COUNTY
SOUTH DAKOTA



T 104 N

T 103 N

T 102 N

T 101 N

43°50'

43°40'

TO ALEXANDRIA
TO SIBUX FALLS

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SHEET 2 of 5

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AT: SE ¼, S23, T103N, R60W
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OVERALL LAYOUT

PURPOSE: Site Grading
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SHEET 3 of 5

IN: Unnamed wetland
AT: SE ¼, S23, T103N, R60W
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SHEET 4 of 5

IN: Unnamed wetland
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RELOCATED WETLAND AREA

Hole No. 11

1.59 ± Acres

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ADDITIONAL ON-SITE STORAGE