

James A Phoenix  
1332 Panorama Circle  
Rapid City, SD 57701  
June 21, 2007

RECEIVED

JUN 22 2007

MAYOR'S OFFICE

US Army Corps of Engineers  
South Dakota Regulatory Office  
28563 Powerhouse Road, Room 118  
Pierre, SD 57501

Sir:

This letter is in response to the public notice we received from your office regarding Application number: NOW-2007-1231, Applicant: Lestrangle and Whittingham, LCI, site grading and filling in an unnamed tributary to Rapid Creek for commercial development.

We are hoping you have taken the time to personally survey this area and realize that the aforementioned drainage and unnamed tributary will have an effect on the 53 acre commons area owned by the adjacent home owners association into which the tributary drains. This is a swimming and fish pond with wild life habitat that also serves as a drinking water aquifer re-charge area for the Madison aquifer.

We are very concerned about pollutants caused by a parking lot to be established over the fill which will ultimately drain into our commons and eventually the Madison aquifer.

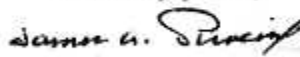
Therefore, we are requesting a public hearing to be held to consider this application.

We also, ask that you do an Environmental Assessment pursuant to the National Policy Act.

With water quality becoming an urgent issue our nation needs to change from a do anything anywhere mentality to building according to the topography of the land.

As you know Rapid City is way behind in developing and implementing a comprehensive storm water plan to protect our waterways (Rapid Creek) and identified aquifer. We would like to caution the Corps of Engineers not to listen to our city administration as their prime interest is the tax revenue not the water quality that may be impacted.

Sincerely yours,



James A and Gerda I Phoenix

Cc: US Army Corps of Engineers, District Commander, US Army Engineer District  
US Forest Service  
Mayor Rapid City, SD

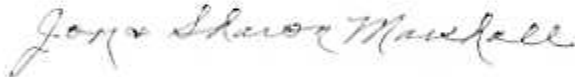
Saturday, July 14, 2007

To Whom It May Concern:

We read with interest the Rapid City Journal article on the south side development along HY16. It was noted in the article that there is already some commercial development in the area, such as The Maze, that will be eliminated. However, there was no mention of the home that sits behind The Maze. A commercial development with the new road access will put the road right next to that residential property putting that resident in a potentially dangerous situation and within a high environmental noise area. I would hope that the Planning Commission and the Board would not approve requested zoning changes until that single residential concern is satisfactorily resolved. If the property is not purchased by the developer, an environmental study complete with plans to minimize the noise and traffic pollution to the residence should be required before any permits are awarded. This property is NOT over the hill and removed from the proposed development. It is on HY16 directly behind The Maze, not visible from the highway.

Please do the right thing.

Sincerely,

A handwritten signature in cursive script that reads "Jon & Sharon Marshall".

Jon and Sharon Marshall  
(Concerned citizens)

----- Original Message -----

**From:** [Tom Katus](#)

**To:** [Marcia Elkins](#)

**Sent:** Thursday, October 25, 2007 10:54 AM

**Subject:** Planning Commission Process

Dear Ms. Elkins,

If I seem a bit surly and cynical this morning, it is because I have gotten up early for the past three Planning Commission meetings to speak to the Dakota Canyon project at the request of my constituents living in the Enchanted Hills community. I am normally a nocturnal person who reads until at least midnight. Thus, early rising is a real challenge, and I admire the Planning Commission members who routinely start their meetings at 7:00 am. What is so frustrating is that this issue keeps getting "kicked forward" at the request of the applicant. Don't citizens and their representatives have some say in this process?

There is an increasing perception in town that local government has become a "government of the developers, by the developers and for the developers." This is most unfortunate in that the vast majority of developers in Rapid City are fine people and have reputable firms. However, the developer behind this particular project has long been questioned in the public media. Thus, I am not surprised that the developer/applicant again asked for a continuance. I am sure his request had nothing to do with the *Rapid City Journal* article, "Tangled in TIFS," October 21, 2007 and, especially, the *Rapid City Weekly News* October 11, 2007 editorial and cartoon depicting the developer as the puppeteer and the Planning Commission and City Council as puppets to his machinations.

I am told on good authority that this proposed TIF keeps getting pushed forward because the applicant feels he does not yet have a majority vote on the Planning Commission. I believe it is high time that the Commission and the Council listen to the will of the citizens, not just this applicant. I now understand that this issue will be addressed at the next Planning Commission meeting on Thursday, November 8, 2007. I do hope the Commission brings a conclusion to this discussion and allows the public to finish their comments that were begun on September 6, 2007 and have now been delayed two full months. I do hope the Commission will, indeed, address this issue and not further irritate those of us who are nocturnal by nature and do not appreciate early morning meetings only to have the issue continuously deferred. We need a democratic and timely process that responds to all the citizens, not just one that accommodates this particular applicant. It would be great if local government is once again regarded as a "government of the people, by the people and for the people."

Please forward my concerns to the Planning Commission members and the City Council for their consideration. Thanks to you and your staff for your individual efforts to make these review processes more "user friendly" to the average citizen.

Sincere regards,  
Tom Katus, SD Senator, District 32