



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

July 5, 2000

IN REPLY REFER TO

File No. 88-245-003-5

Jo-Lynn Traub, Director
Water Division (WD-15J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Blvd
Chicago, IL 60604-3511

Dear Ms. Traub:

I have reached a decision on the proposed golf course and residential development by Bayberry Mills (a.k.a. The Homestead). I have determined that the applicant's preferred alternative, construction of the course with 4 holes located north of CR 675, which bisects the property, is contrary to the overall public interest and does not comply with the Section 404(b)(1) guidelines. Furthermore, I have also determined that an alternative project involving the confinement of the entire course south of CR 675 with a mitigation plan that includes the permanent conservation of 7.5 acres north of the CR 675 is also contrary to the overall public interest and does not comply with the Section 404(b)(1) guidelines.

I have determined that an alternative plan involving the following would not be contrary to the overall public interest and complies with the 404(b)(1) guidelines:

1. Confinement of the entire course to the area south of CR 675,
2. Mitigation that includes the permanent conservation of approximately 47 acres of land north of CR 675 owned or controlled by the applicant,
3. A detailed, enforceable water quality monitoring plan,
4. Further reduction of the wetland impact and avoidance of the riparian corridor south of CR 675.

This alternative will also resolve the written concerns regarding adverse impacts on aquatic resources of national importance raised by your agency.

This letter serves as my Notice of Intent to Proceed in accordance with the Memorandum of Agreement between EPA and the Corps under Section 404(q) of the Clean Water Act. I have attached a copy of my Statement of Findings and Environmental Assessment, both dated July 5, 2000, for your review. I look forward to resolving this issue as soon as possible.

Should you have any questions, please contact the Detroit District's project manager, Dave Gesl at the above address or telephone (313) 226-5384.

Sincerely,

Robert J. Davis
Lieutenant Colonel, U.S. Army
District Engineer