



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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07/7/2022

10:20AM

Received by  
EPA Region VIII  
Hearing Clerk

Ref: 8ENF-W-NW

**VIA EMAIL ONLY**  
**RETURN RECEIPT REQUESTED**

Sean Clark  
Devorah Lopez  
Glencoe Camp Resort II, LLC  
2055 Glencoe Drive  
Sturgis, SD 57785  
[glencoenation@aol.com](mailto:glencoenation@aol.com)

Re: Closure of Administrative Order on Consent, EPA Docket No. CWA-08-2015-0010

Dear Mr. Clark and Ms. Devorah Lopez:

The U.S. Environmental Protection Agency is providing you this written notification of the closure of the EPA administrative order on consent (AOC) referenced above, which was issued to you on December 22, 2014. The AOC was issued for allegedly discharging dredged and fill material into Bear Butte Creek, to construct a dam, levees, and swim beaches and excavate the same channel. The project impacted 640 linear feet of natural channel and 1,280 linear feet of riverine shoreline. This work occurred at the Glencoe Resort and Campground in Sturgis, South Dakota and was done without an appropriate section 404 permit, a violation of section 301 of the Clean Water Act.

The Fourth Annual Monitoring Report dated November 9, 2018, submitted by RESPEC on January 2, 2019, showed that the area was in the final stages of recovery. Bear Butte Creek is a dynamic system heavily influenced by wide fluctuations in flows and a heavy bedload consisting of sand/gravel/boulders. We understand that two major 100-year flood events occurred in 2019 on Bear Butte Creek, and the creek's hydrogeomorphic processes responded appropriately with new areas of erosion and deposition.

Observations from a site visit conducted by the U.S. Army Corps of Engineers on June 8, 2021, indicate that the restoration area has recovered, and the area has restabilized itself for normal flow conditions. There has been no man-made manipulation of the restoration area and Mr. Clark indicated that he has no intention of manipulating the area and intends on continuing to let the creek recover naturally.

Based on the Corps' 2021 site visit, your 2018 annual monitoring report and how Bear Butte Creek responded to the 2019 flood events, the EPA has determined that compliance with the requirements outlined in the AOC and approved restoration plan has been achieved. Accordingly, the AOC is now considered closed. Please be advised that closure of this AOC does not relieve or change your obligation to comply with the Clean Water Act and all applicable federal, state, and local laws. The EPA encourages Glencoe Camp Resort, Sean Clark, Devorah Lopez, or any subsequent owners of the site to

continue to manage weeds as indicated in the restoration plan and continue to maintain the site by addressing any problems such as erosion, sedimentation, dumping of trash or debris, etc.

We appreciate the efforts you have made to resolve this matter. If you have any technical questions, please contact me at [Boeglin.michael@epa.gov](mailto:Boeglin.michael@epa.gov) or (303) 303-312-6250. For any questions of a legal nature, please contact Linda Kato, Regional Enforcement Counsel, at [kato.linda@epa.gov](mailto:kato.linda@epa.gov) or (303) 312-7149.

Sincerely,

Michael Boeglin, Supervisor  
NPDES & Wetlands Enforcement Section

cc (email only):

EPA, Regional Hearing Clerk  
South Dakota Regulatory Office, U.S. Army Corps of Engineers  
Peter Rausch, RESPEC