



PUBLIC NOTICE

US Army Corps
of Engineers
Rock Island District

Applicants: City of West Des Moines & Ignit Sports & Fitness

Date: December 22, 2020

Expires: January 20, 2021

CEMVR-OD-P-2020-1592

Section 404

Joint Public Notice
US Army Corps of Engineers
Iowa Department of Natural Resources

1. **Applicants:** City of Johnston, c/o: Mr. Adam Plagge, PO Box 410, Johnston, Iowa 50131; Ignit Sports & Fitness, c/o: Mr. Chad O'Meara, 200 Southeast 37th Street, Grimes, Iowa 50111.

2. **Project Location:** The project is located within an approximately 34-acre site, west of Merle Hay Road, north of I-35/I-80, south of Pioneer Parkway, in Sections 12 and 13, Township 79 North, Range 25 West, Polk County Iowa within the City of Johnston. UTM NAD-83 Zone 15, Latitude 41.657599, Longitude -93.701639.

3. **Project Description:** The Applicant propose to construct a multipurpose recreational event and wellness complex in the City of Johnston. Impacts to Waters of the U.S., will occur through grading and placement of fill in three wetlands and an unnamed tributary to Beaver Creek. Specifically, this project will involve the loss of 195 feet of stream and 5.44 acres of wetland. Wetland 1 will be impacted by the construction of parking areas, stormwater management facility, and a recreational trail, that will involve the loss of 4.96 acres of Wetland 1. Wetland 2 will be impacted by the construction of athletic fields that will involve the loss of 0.44 acres of Wetland 2. These same fields will impact WUS-1 (a perennial stream) and will involve the filling of 195 linear feet of WUS-1. Wetland 2 will be impacted by the construction of an additional athletic field, that will involve the loss of 0.04 acres of Wetland 3. To compensate for the loss of wetlands stream channel, the applicant will purchase wetland and stream credits from an approved mitigation bank within the service area of the impacts. Alternatives, both on-site and off-site will be evaluated to ensure compliance with the 404 B 1 guidelines.

4. **Agency Review.**

a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

b. State of Iowa. The project plans have been submitted to the Iowa Department of Natural Resources for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification, if issued, will express the Department's opinion that the

proposed activity will comply with Iowa's water quality standards (Chapter 61 IAC). The applicant has also applied for authorization of work in the floodplain pursuant to Chapter 455B of the Iowa Code and other applicable state permits. Written comments concerning possible impacts to waters of Iowa should be addressed to: Iowa Department of Natural Resources, 502 E. 9th Street, Des Moines, Iowa 50319. A copy of the comments should be provided to the Corps of Engineers office (see paragraph 11. of this public notice for address).

5. **Historical/Archaeological:** The applicant had a Phase 1 Archeologic Survey completed on the project site and no historical or archaeological sites were discovered. The District also consulted with the Iowa I-Sites online geographic information systems (GIS) archeological site and survey databases (including the HILD data layer) and there were no sites shows on the I-Sites GIS website. As no sites were discovered and I-Sites did not indicate the presence of historic or cultural sites, it is the District's opinion that there will be **no historic properties affected. This project will be coordinated with the Iowa SHPO.**

6. **Endangered Species:** District staff has performed a preliminary review of this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. The following threatened or endangered species are listed by the United States Fish and Wildlife Service as occurring in Polk County, Iowa: (<https://ecos.fws.gov/ipac/>)

- Indiana bat (*Myotis sodalis*) & Northern long-eared bat (*Myotis septentrionalis*) – The project area is located on a site that is surrounded by residential neighborhoods and commercial/industrial development and is not in a well-developed riparian/wooded area; therefore, the Corps has determined there will be **no effect** on these bats.
- Least tern (*Sterna antillarum*) – The project area is not a wide, flat, open sandy beach; therefore, the Corps has determined there will be **no effect** on this bird.

7. **Dredge/Fill Material Guidelines:** The evaluation of the impact of the proposed activity on the public interest will also include application of the guidelines promulgated by the Administrator of the United States Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

8. **Public Interest Review:** The decision whether to issue the Corps permit will be based on an evaluation of the probable impact 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 proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal 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, floodplain 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.

9. **Who Should Reply:** 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. These statements should be submitted on or before the expiration date specified at the top of page 1. These statements should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable.

10. **Public Hearing Requests:** 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 reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

11. **Reply to the Corps.** Comments concerning the Corps permit should be addressed to the District Engineer, US Army Corps of Engineers, Rock Island District, ATTN: RD (Meincke), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact **Mr. Alex Meincke 309-794-5368**, or by email: alexander.c.meincke@usace.army.mil.

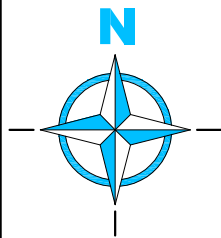
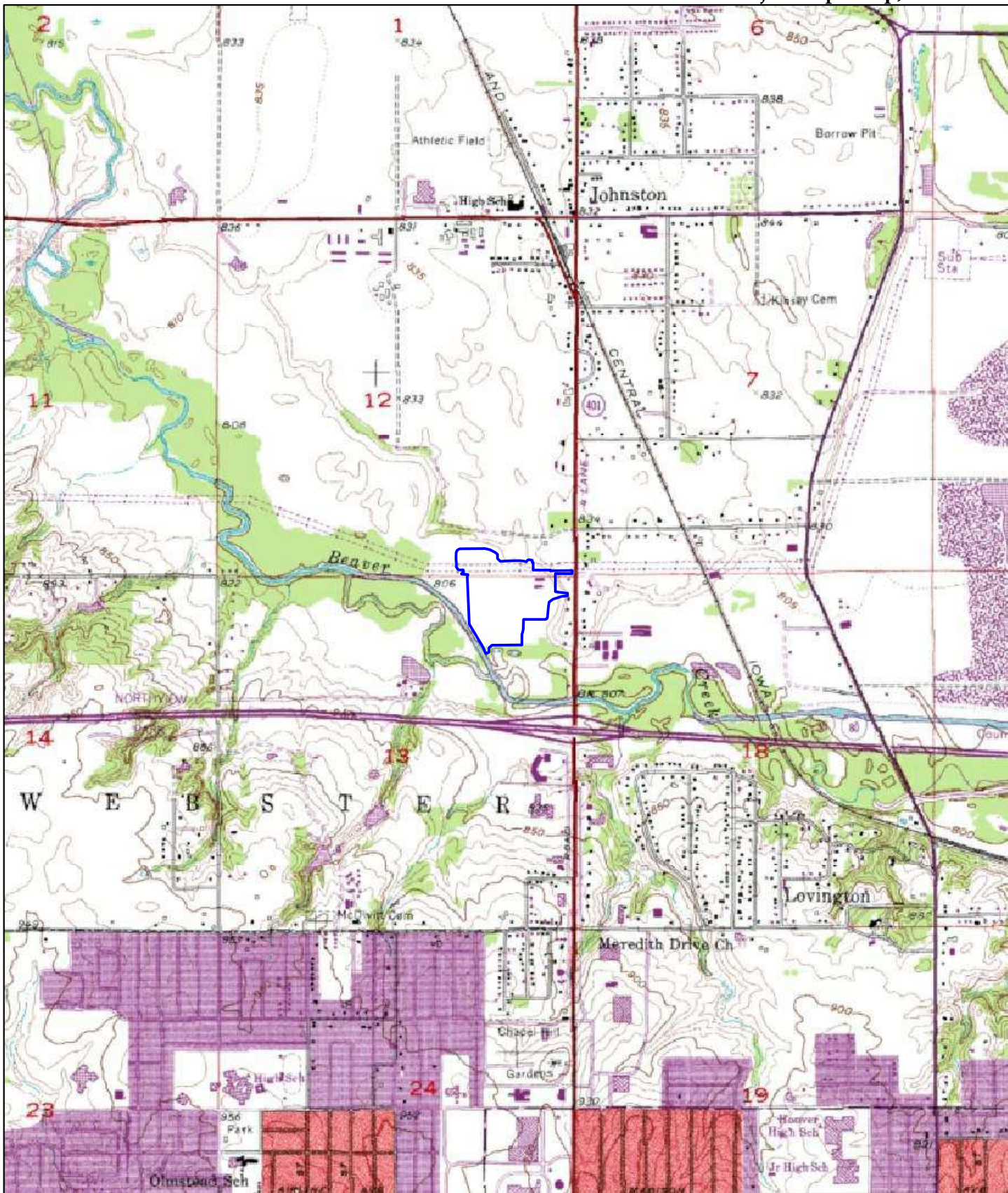
Attach
Plan

matthew a zehr

Mr. Matthew A. Zehr
Chief, Western Branch
Regulatory Division

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising.



LEGEND
 - PERMIT AREA

USGS TOPOGRAPHIC MAP
 SECTION 404 PERMITTING
 RECREATIONAL EVENT & WELLNESS COMPLEX
 WEST OF 5358/5406 MERLE HAY ROAD
 JOHNSTON, IOWA

0 APPROXIMATE DRAWING SCALE 2000 Feet Project ID #: 20J007.01

Date: 11/02/2020
 Prepared By: ESM
 Checked By: RPB

Foth
 Foth Infrastructure & Environment, LLC

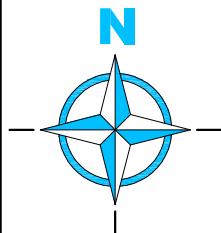
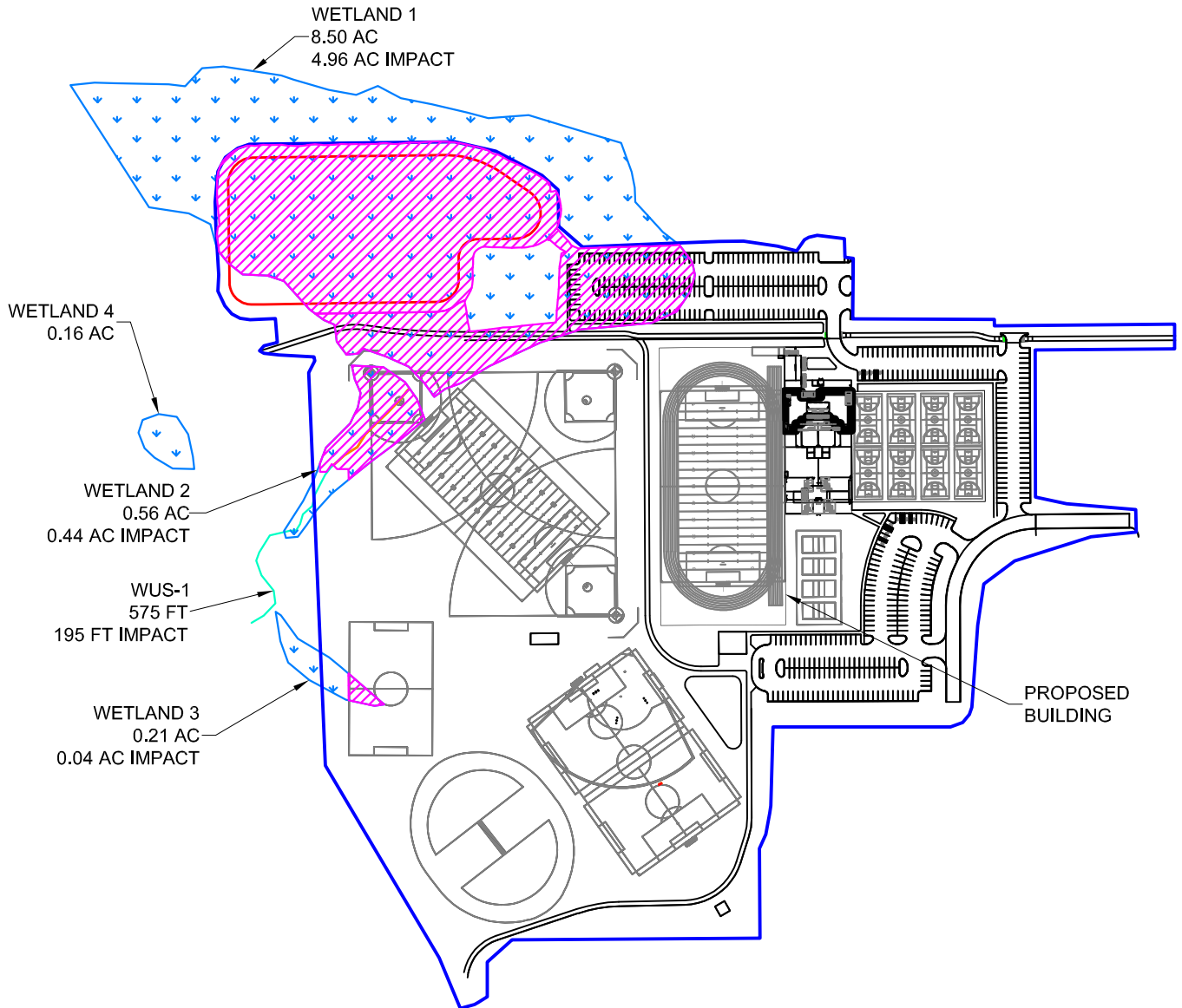
1



LEGEND

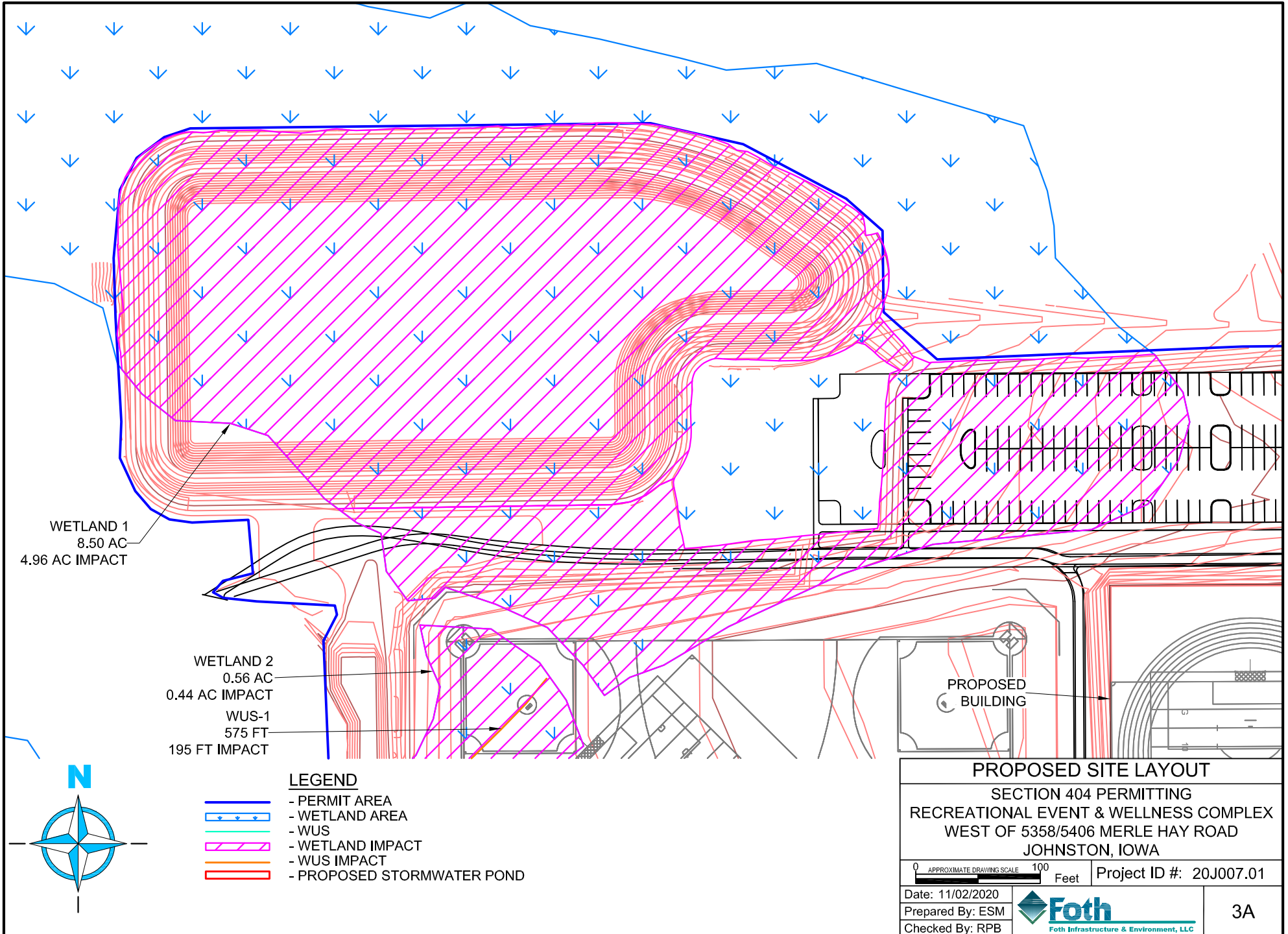
- PERMIT AREA
- WETLAND AREA
- WUS
- EROSIONAL FEATURE/DITCH
- EXISTING STORMWATER BASIN

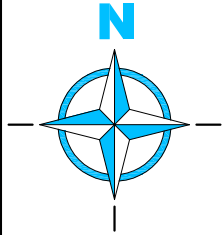
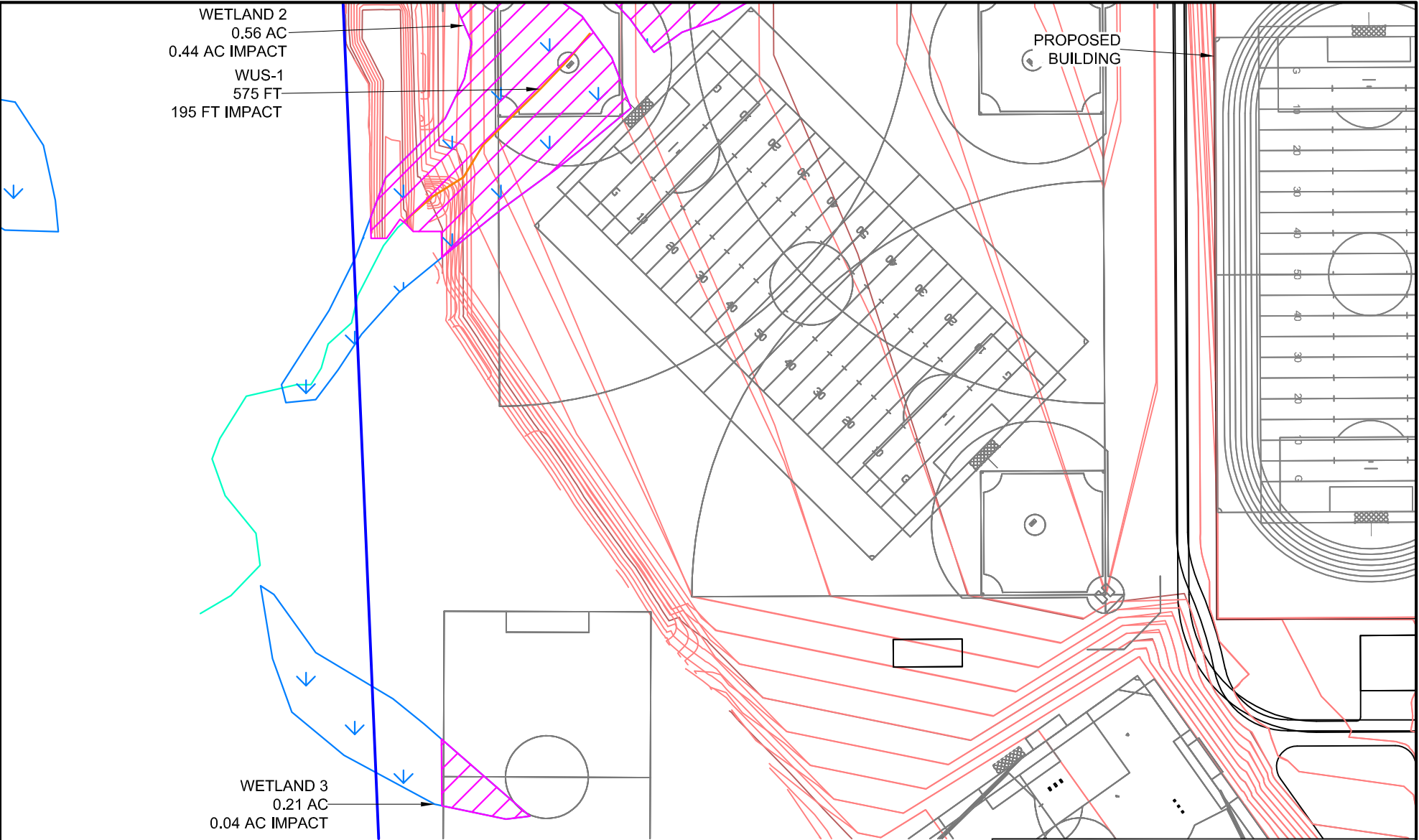
WETLAND & WUS DELINEATION MAP	
SECTION 404 PERMITTING RECREATIONAL EVENT & WELLNESS COMPLEX WEST OF 5358/5406 MERLE HAY ROAD JOHNSTON, IOWA	
0 APPROXIMATE DRAWING SCALE 300 Feet	Project ID #: 20J007.01
Date: 11/02/2020	
Prepared By: ESM	
Checked By: RPB	
2	



- LEGEND**
- PERMIT AREA
 - WETLAND AREA
 - WUS
 - WETLAND IMPACT
 - WUS IMPACT
 - PROPOSED STORMWATER POND

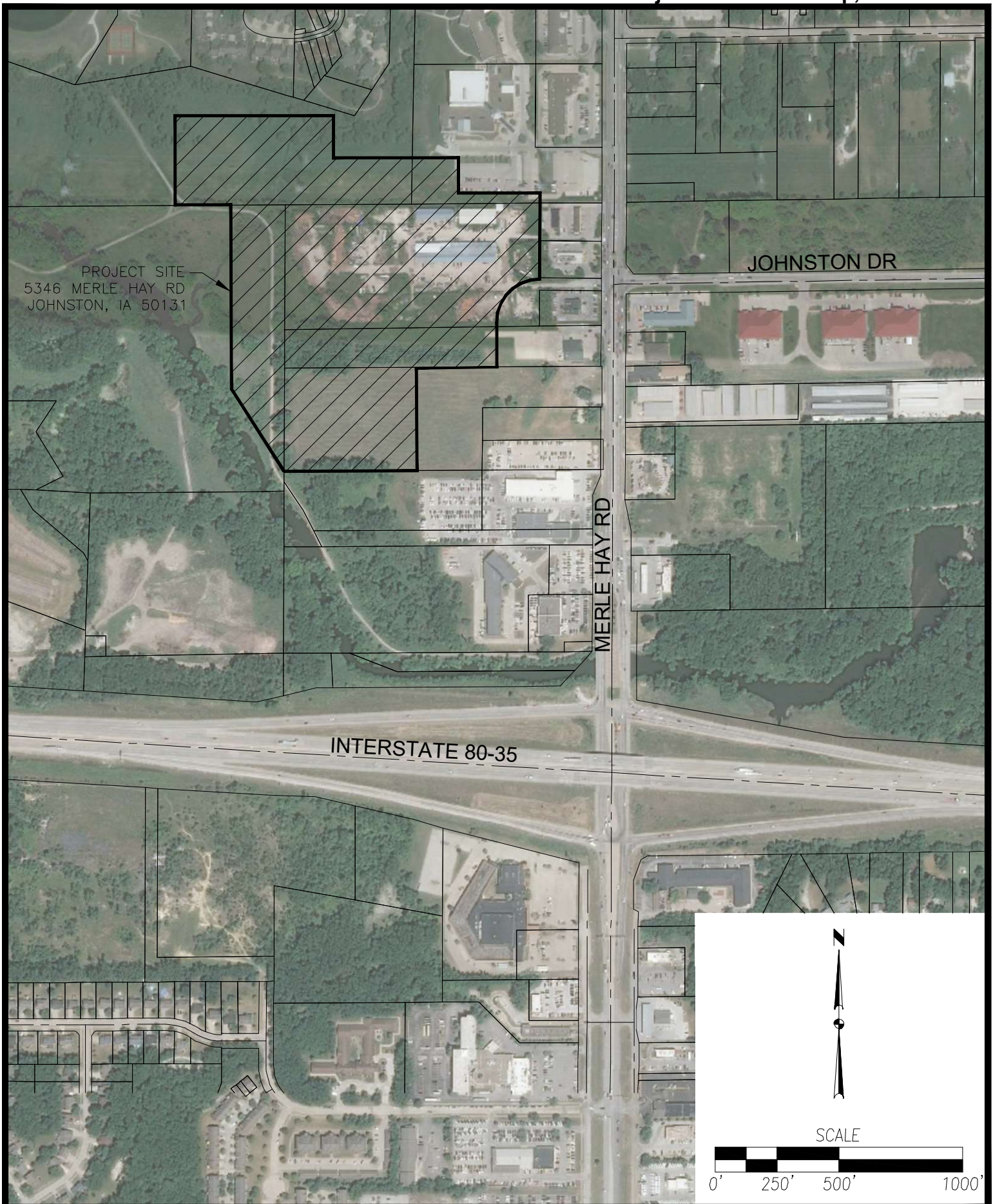
PROPOSED SITE LAYOUT		
SECTION 404 PERMITTING RECREATIONAL EVENT & WELLNESS COMPLEX WEST OF 5358/5406 MERLE HAY ROAD JOHNSTON, IOWA		
0	APPROXIMATE DRAWING SCALE	300
		Feet
Date: 11/02/2020		Project ID #: 20J007.01
Prepared By: ESM	Foth <small>Foth Infrastructure & Environment, LLC</small>	3
Checked By: RPB		





- LEGEND**
- - PERMIT AREA
 - +—+—+— - WETLAND AREA
 - - WUS
 - ▨ - WETLAND IMPACT
 - ▨ - WUS IMPACT
 - ▨ - PROPOSED STORMWATER POND

PROPOSED SITE LAYOUT	
SECTION 404 PERMITTING RECREATIONAL EVENT & WELLNESS COMPLEX WEST OF 5358/5406 MERLE HAY ROAD JOHNSTON, IOWA	
0 <small>APPROXIMATE DRAWINGS SCALE</small> 100 Feet	Project ID #: 20J007.01
Date: 11/02/2020	
Prepared By: ESM	
Checked By: RPB	
Foth <small>Foth Infrastructure & Environment, LLC</small>	3B



PROJECT SITE
 5346 MERLE HAY RD
 JOHNSTON, IA 50131

JOHNSTON DR

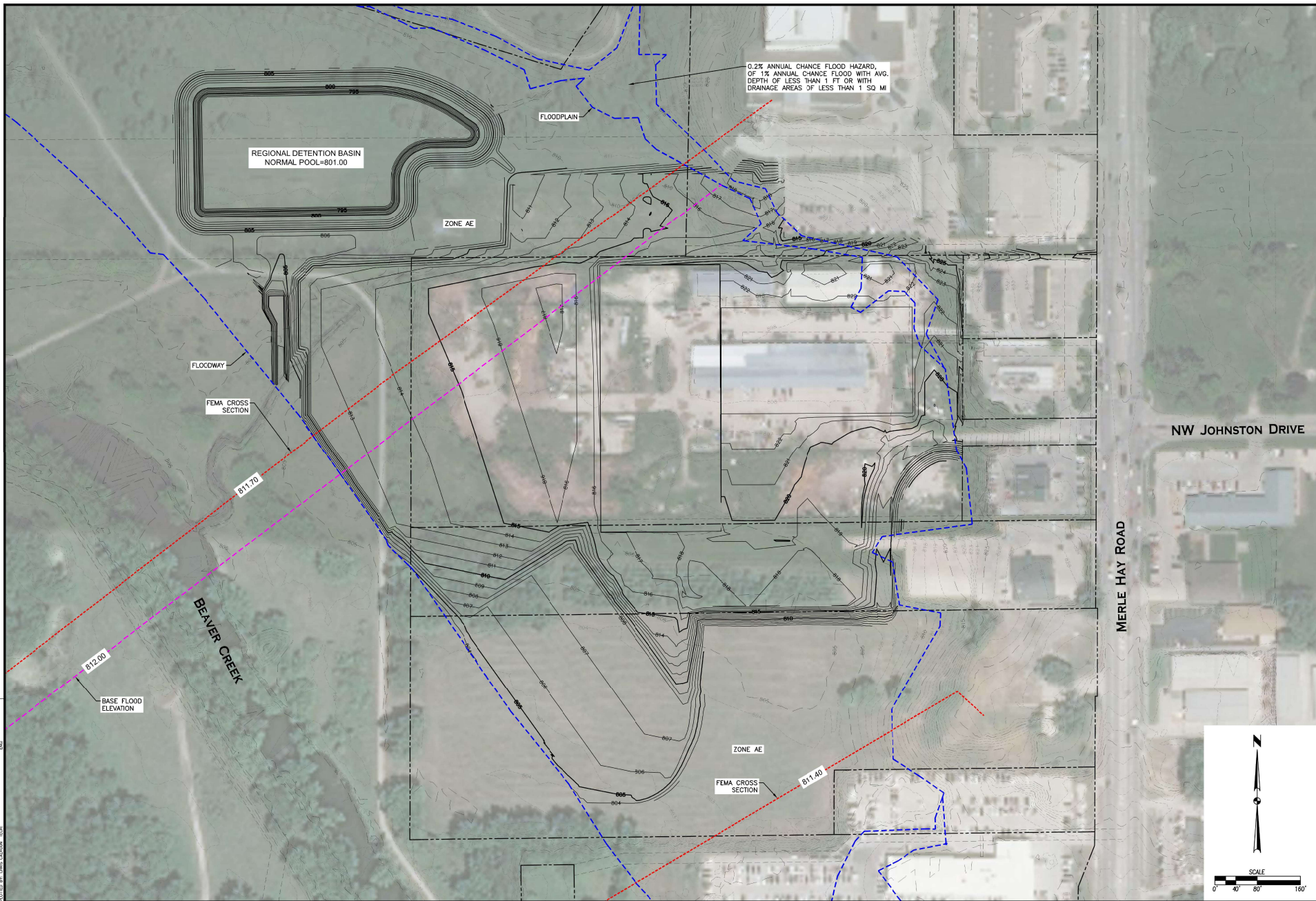
MERLE HAY RD

INTERSTATE 80-35



SCALE





FILE: H:\2020\2020\1592\1592-00001-FLOODPLAIN-FLOODPLAIN_FINAL_DRAWING.dwg
 PLOT DATE: 10/22/2020 10:18 AM
 PLOT BY: J. GARDNER



DATE	REVISIONS	REVIEW

3405 S.E. CROSSROADS DRIVE, SUITE G
 GRIMES, IOWA 50111
 PHONE: (515) 389-4400 FAX: (515) 389-4410
 CIVIL DESIGN ADVANTAGE ENGINEER



JOHNSTON, IOWA

IGNIT SPORTS & FITNESS
 GRADING EXHIBIT

1 / 1
 2002.07.1