

PUBLIC NOTICE



US Army Corps
of Engineers
Kansas City District

Permit No. NWK-2015-1913
Issue Date: January 19, 2016
Expiration Date: February 9, 2016

21-Day Notice

This public notice is issued jointly with the Kansas Department of Health and Environment. The Department of Health and Environment will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Kansas Department of Health and Environment, Bureau of Water - - Watershed Management Section, 1000 SW Jackson Street, Suite 420, Topeka, Kansas 66612-1367.

APPLICANT: OnGoal, LLC
1511 Baltimore Avenue
Kansas City, Missouri 64108

PROJECT LOCATION (As shown on the attached drawings): The project is located in one unnamed tributary of Marshall Creek and two adjacent wetlands, northeast of I-70 and I-435 in Section 6, Township 11 south, Range 24 east, in Kansas City, Wyandotte County, Kansas.

USGS QUAD: KS – Edwardsville
Latitude: 39.12031 --- Longitude: -94.79174

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): **Proposed:** The applicant proposes to place fill material within waters of the United States on an approximate 70 acre parcel for construction of the Wyandotte County Youth Soccer Complex. The development includes the construction of tournament soccer fields along with parking, sidewalks, equipment buildings, and restrooms. In addition, the project will include the installation and/or extension of existing utilities including water, sewer, stormwater and electric utilities. The purpose of the project, as stated by the applicant, is to construct 12 youth tournament soccer fields for use by local and regional youth soccer teams, as the project will support the growing recreational soccer demand across the metropolitan area and the need for additional playing space that meets the requirements of the U.S. Soccer guidance.

The applicant has proposed to permanently grade and fill 0.72 acres of two wetlands and 71 linear feet (LF) of one tributary for construction of the soccer fields.

Proposed Project Impacts		
Water	Size of Impact (acres or LF)	Permanent/Temporary Impact
Wetland 1	Grade/fill 0.71 acres	Permanent Impact
Wetland 2	Grade/fill 0.01 acres	Permanent Impact
Ephemeral Tributary 1	Grade/fill 71 LF	Permanent Impact
Total Permanent Proposed Project Impacts – 0.72 acres and 71 LF		

WETLANDS/AQUATIC HABITAT: On October 7, 2015, a Preliminary Jurisdictional Determination (PJD) was completed for the proposed project site. The PJD showed six tributaries and two wetlands located on the proposed project site.

APPLICANT’S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: “Project planners, engineers, and applicant representatives evaluated the documented environmental resources on the project site in an effort to avoid and minimize resources impacts as much as practicable, while meeting the requirements of the U.S. Soccer organization for youth tournament field size and number. Avoidance and minimization measures focused on limiting the disturbance of on-site tributaries as well as woodland areas by reducing the overall project footprint and through implementing alternative stormwater management techniques. Compensation for unavoidable impacts is proposed through the purchase of credits from an approved in-lieu-fee provider or mitigation bank.”

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Ms. Kailey Jones, U.S. Army Corps of Engineers, Kansas City Regulatory Office, 601 East 12th Street, Kansas City, Missouri 64106, telephone 816-389-2123 or via email at kailey.j.jones@usace.army.mil. All comments to this public notice should be directed to the above address.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit 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, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work may affect the northern long-eared bat, as tree clearing would occur on approximately 5.87 acres within the action area. The Kansas City District will consult with the U.S. Fish and Wildlife Service (USFWS) regarding this preliminary determination. In order to complete our evaluation of this activity, comments are solicited from the USFWS and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

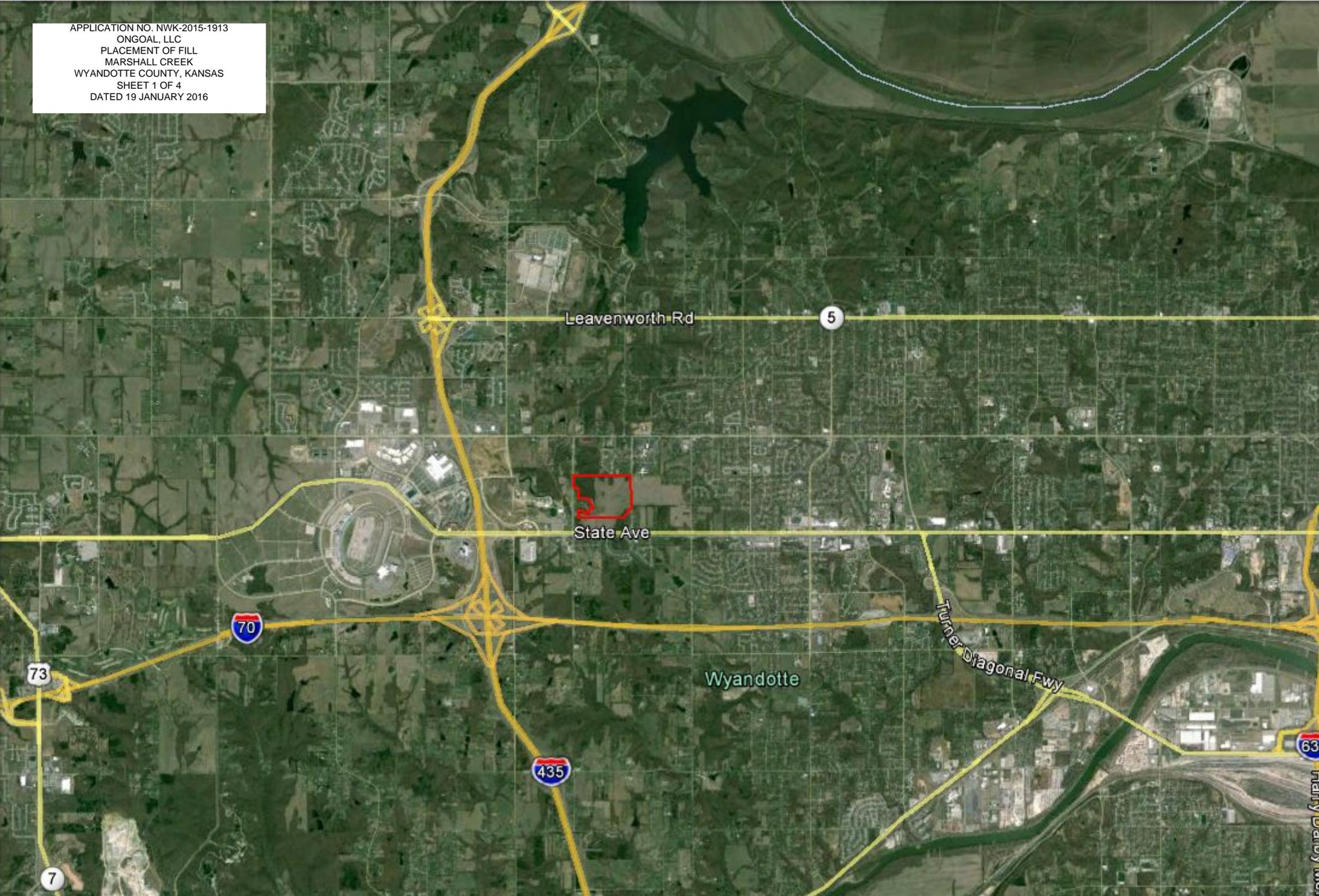
WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the 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 benefits 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, esthetics, 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 and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the 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 (33 USC 1344). 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 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.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

APPLICATION NO. NWK-2015-1913
ONGOAL, LLC
PLACEMENT OF FILL
MARSHALL CREEK
WYANDOTTE COUNTY, KANSAS
SHEET 1 OF 4
DATED 19 JANUARY 2016



Leavenworth Rd

5



State Ave

Wyandotte

Turner Diagonal Fwy

70

435

73

7

63

Nancy Dany w



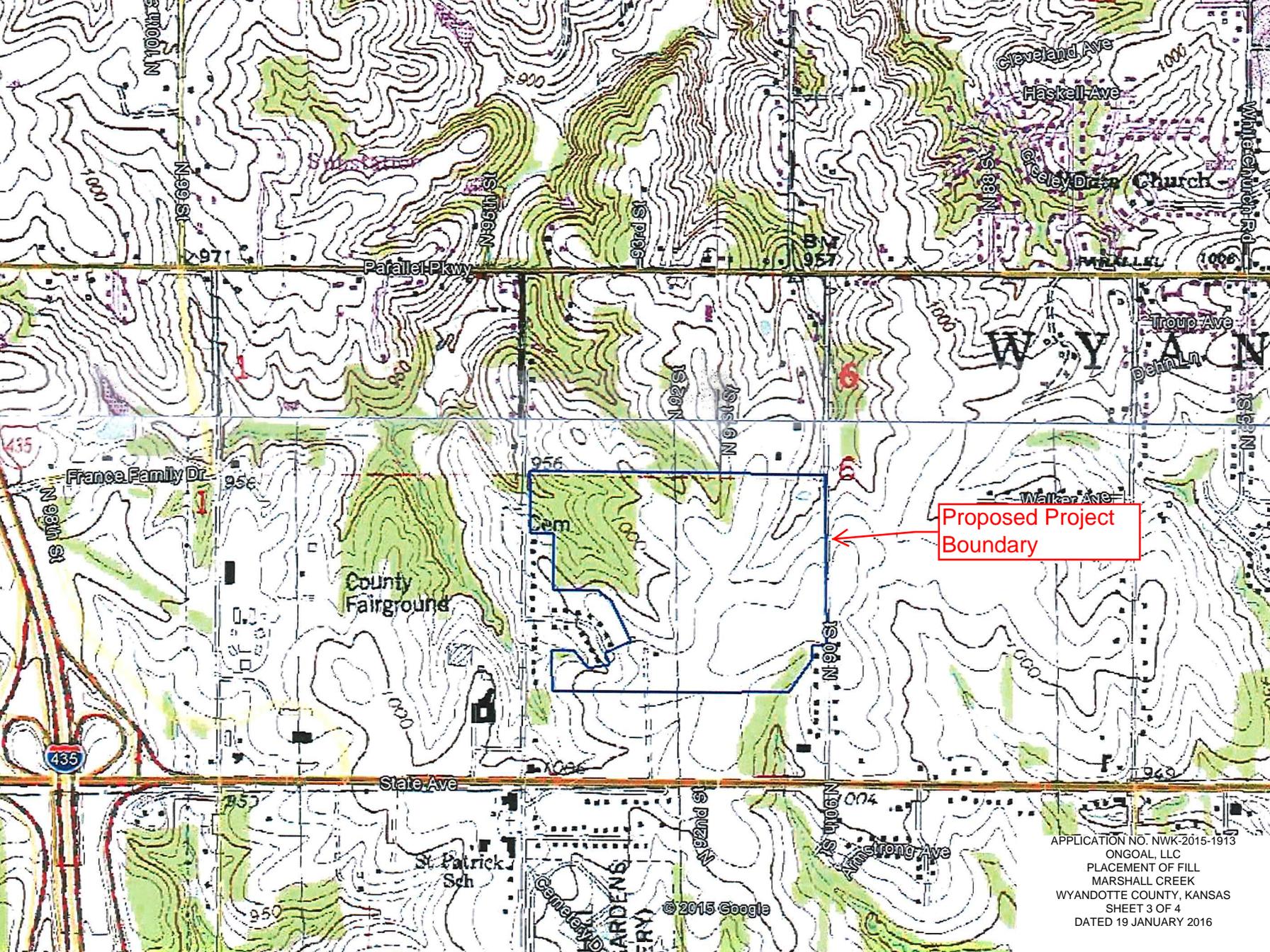
N 94 St

N 91st St

Everett Ave

1 S 06 N

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SHEET 2 OF 4
DATED 19 JANUARY 2016



Proposed Project Boundary

APPLICATION NO. NWK-2015-1913
ONGOAL, LLC
PLACEMENT OF FILL
MARSHALL CREEK
WYANDOTTE COUNTY, KANSAS
SHEET 3 OF 4
DATED 19 JANUARY 2016

Project Area

94th Street

90th Street

State Ave.

E-3
(71 ft)

W-1
(0.71 ac)

W-2
(0.01 ac)

LEGEND

-  Intermittent Tributary
-  Ephemeral Tributary
-  Wetland
-  Project Boundary

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PLACEMENT OF FILL
MARSHALL CREEK
WYANDOTTE COUNTY, KANSAS
SHEET 4 OF 4
DATED 19 JANUARY 2016