



Public Notice

U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Applicant: Elyria
City School District

Published: September 9, 2016
Expires: October 10, 2016

Application No: 2016-00607
Section: OH

All written comments should reference the above Application No. and be addressed to:
US Army Corps of Engineers, Buffalo District
Regulatory Branch (Attn:) Peter Krakowiak
1776 Niagara Street
Buffalo, NY 14207

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Elyria City School District

WATERWAY & LOCATION: Wetlands and stream located on a 45-acre parcel located at 1915 Middle Avenue, City of Elyria, Lorain County, Ohio

LATITUDE & LONGITUDE: Latitude North: 41.34379
Longitude West: -82.1093

EXISTING CONDITIONS: Approximately half of the property consists of existing school facilities, including a running track, football field, baseball fields, tennis courts, and parking lots and the other half of the property consists of maintained field and forest, including forested wetland and a stream.

Description of delineation of waters of the US, if applicable: See PJD dated August 8, 2016

PROPOSED WORK: The proposed project includes the discharge of fill within waters of the U.S. to permanently fill 3.04 acres of primarily forested wetland and culvert 90 linear feet of perennial stream in association with the construction of a sports complex. The sports complex will include sports playing fields, fieldhouses, and parking lot areas.

PROJECT PURPOSE

Basic: Institutional Development

Overall: To construct a sports complex for the Elyria City School District

Water Dependency Determination (*describe only if project affecting Special Aquatic Site*): The proposed project is not a water dependent activity. Therefore, it is presumed that practicable alternatives exist that are less environmentally damaging. It is the applicant's responsibility to demonstrate that there are no alternate sites that are less environmentally damaging that would allow the applicant to accomplish their project purpose.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant has not proposed any avoidance and minimization of wetland impacts. Approximately 135 linear feet of stream will be avoided within the project area as a 90-foot culvert will be used at the stream crossing.

PROPOSED MITIGATION: The applicant proposes to purchase 7.6 credits from the North Coast Regional Council of Park Districts In-lieu Fee Program, Black-Rocky River (HUC 04110001) Service Area. A ratio of 2.5:1 is proposed for all wetland impacts except for Wetland G where a 2:1 ratio is proposed. No stream mitigation has been proposed by the applicant.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Peter Krakowiak, who can be contacted at the above address, by calling (716) 879-4363, or by e-mail at: Peter.j.krakowiak@usace.army.mil A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 4. Therefore, the Corps has determined that the proposed project will have no effect on historic properties. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to: Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Kirtland's warbler

(*Setophaga kirtlandii*), piping plover (*Charadrius melodus*), and rufa red knot (*Calidris canutus rufa*) and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request 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 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 these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

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

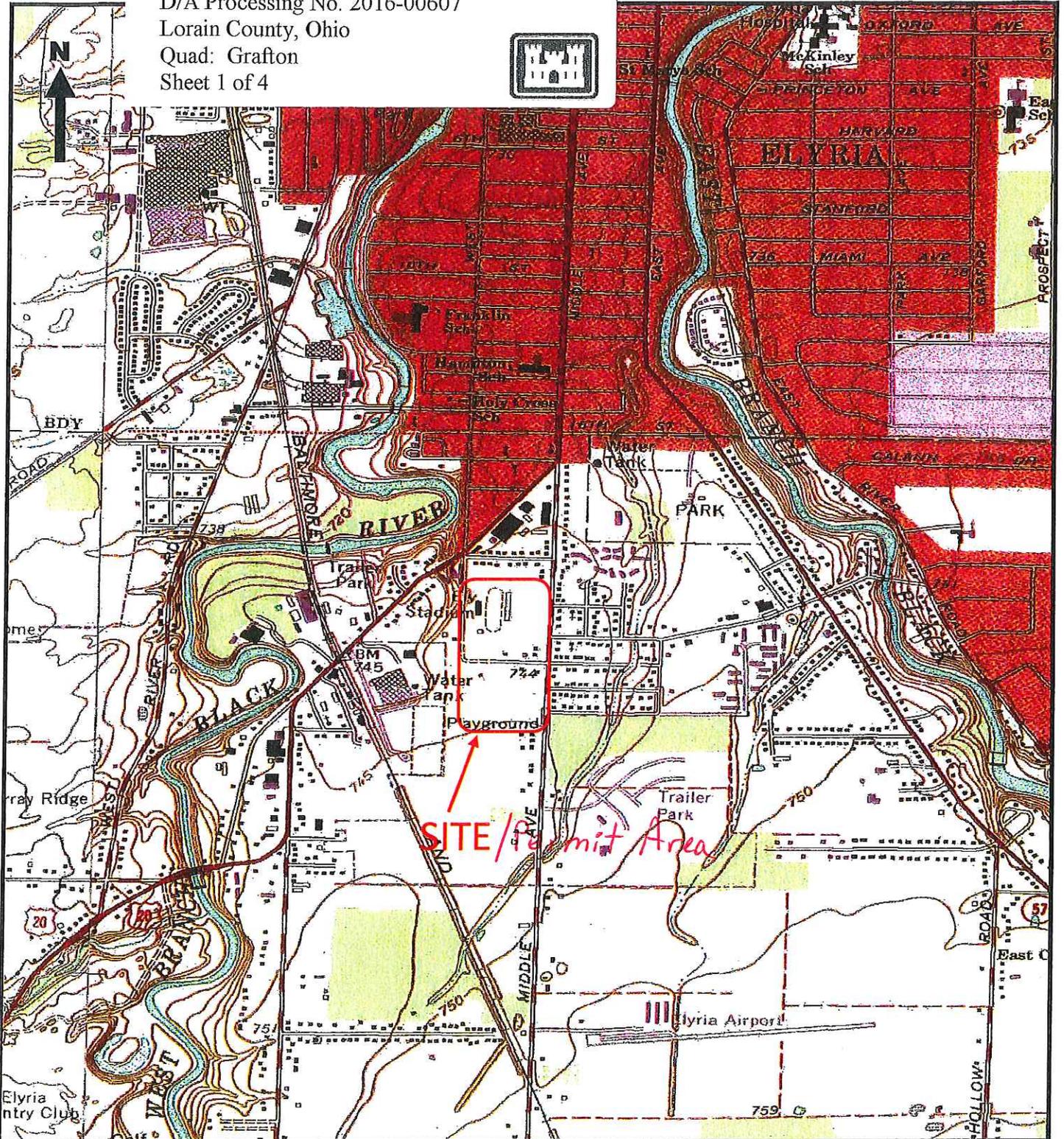
Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments 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.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

Elyria City School District
D/A Processing No. 2016-00607
Lorain County, Ohio
Quad: Grafton
Sheet 1 of 4

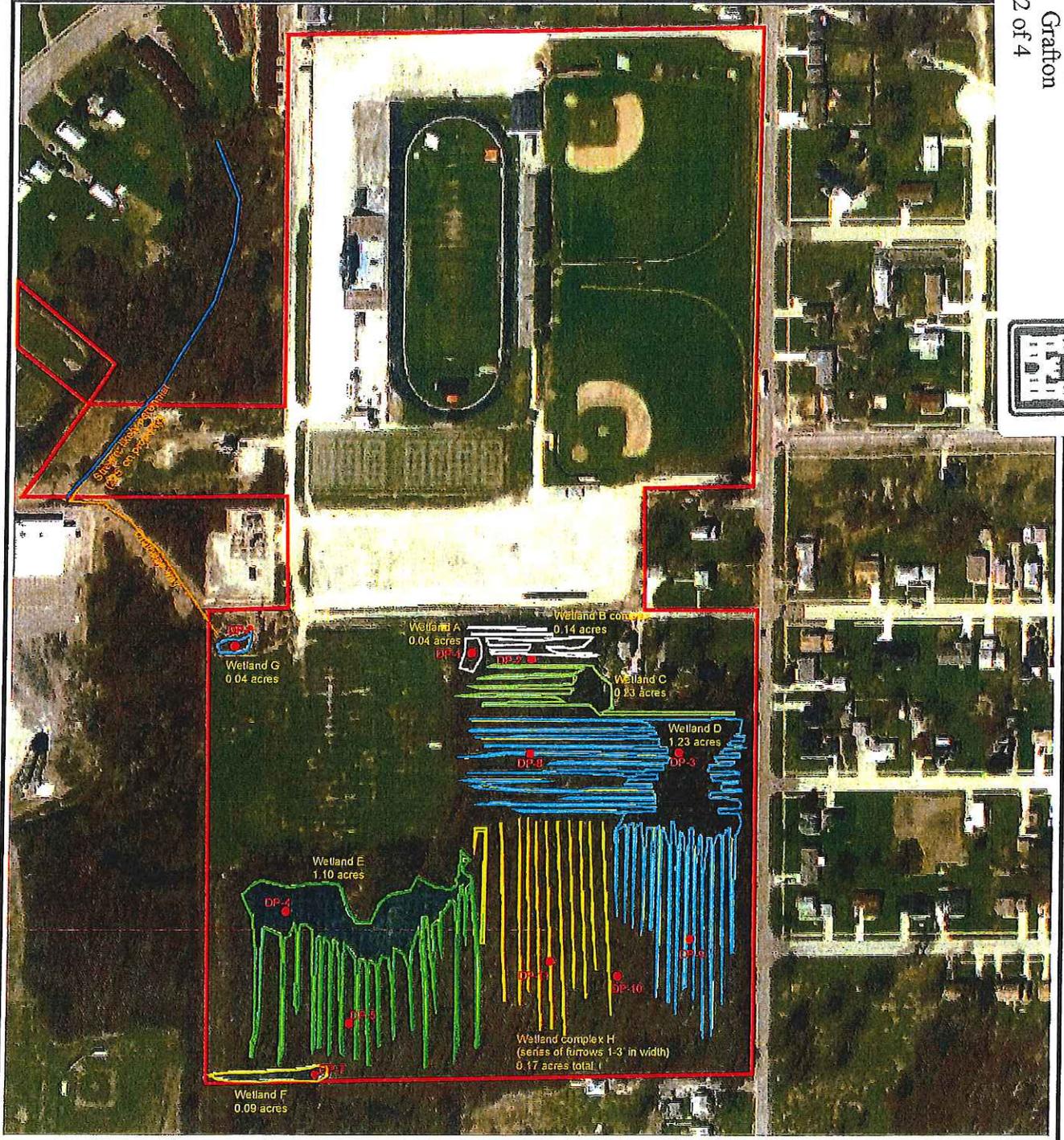


Ely Stadium Site
Elyria, Ohio

Figure 1

SITE MAP
(1994 Avon, Ohio Topo)



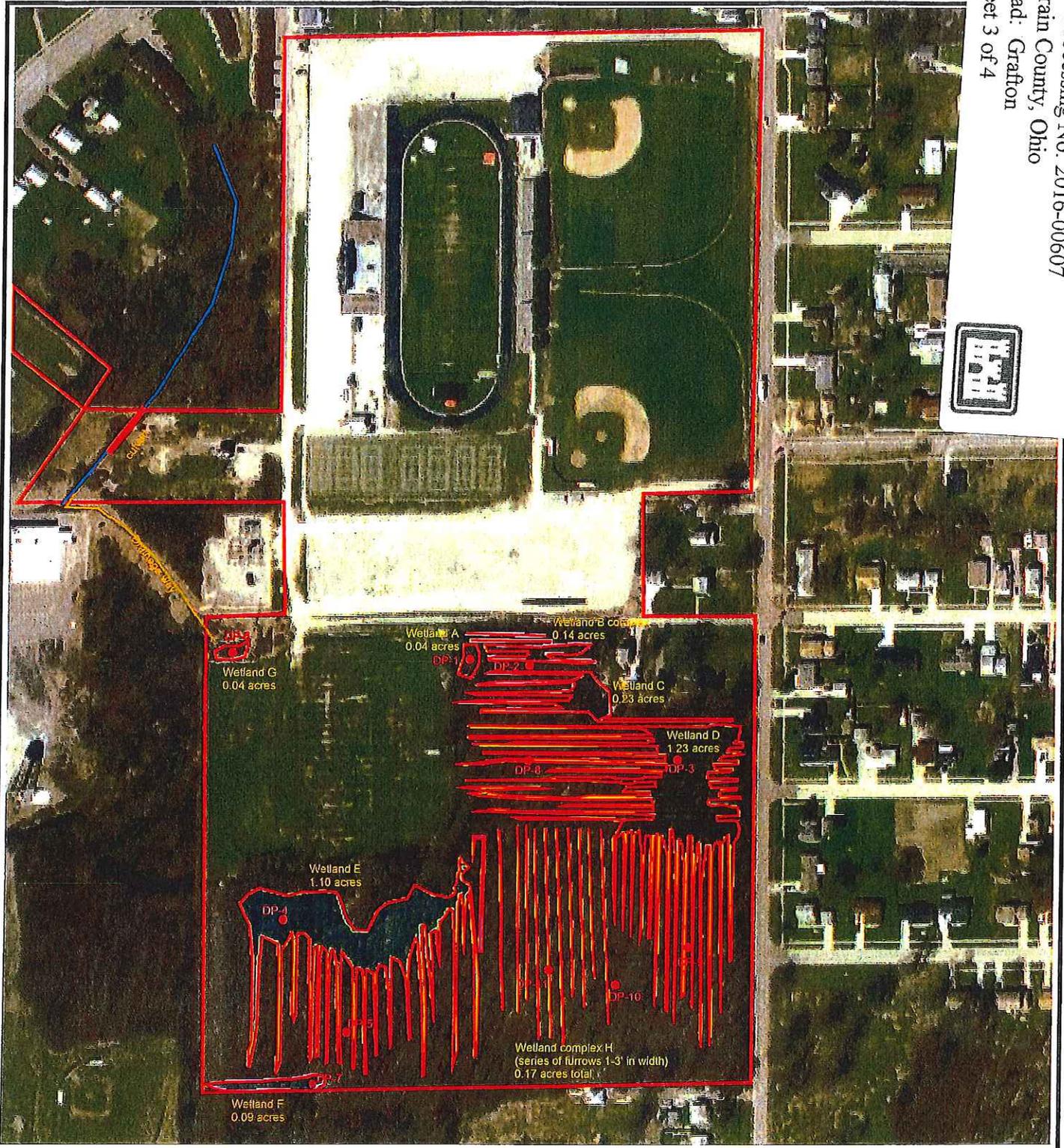


Ely Stadium Property
 Middle Avenue, Elyria, Ohio

Revised per USACE site visit

Figure 2. Wetland Delineation Map (8/2/16)
 (2006 Aerial Photo)



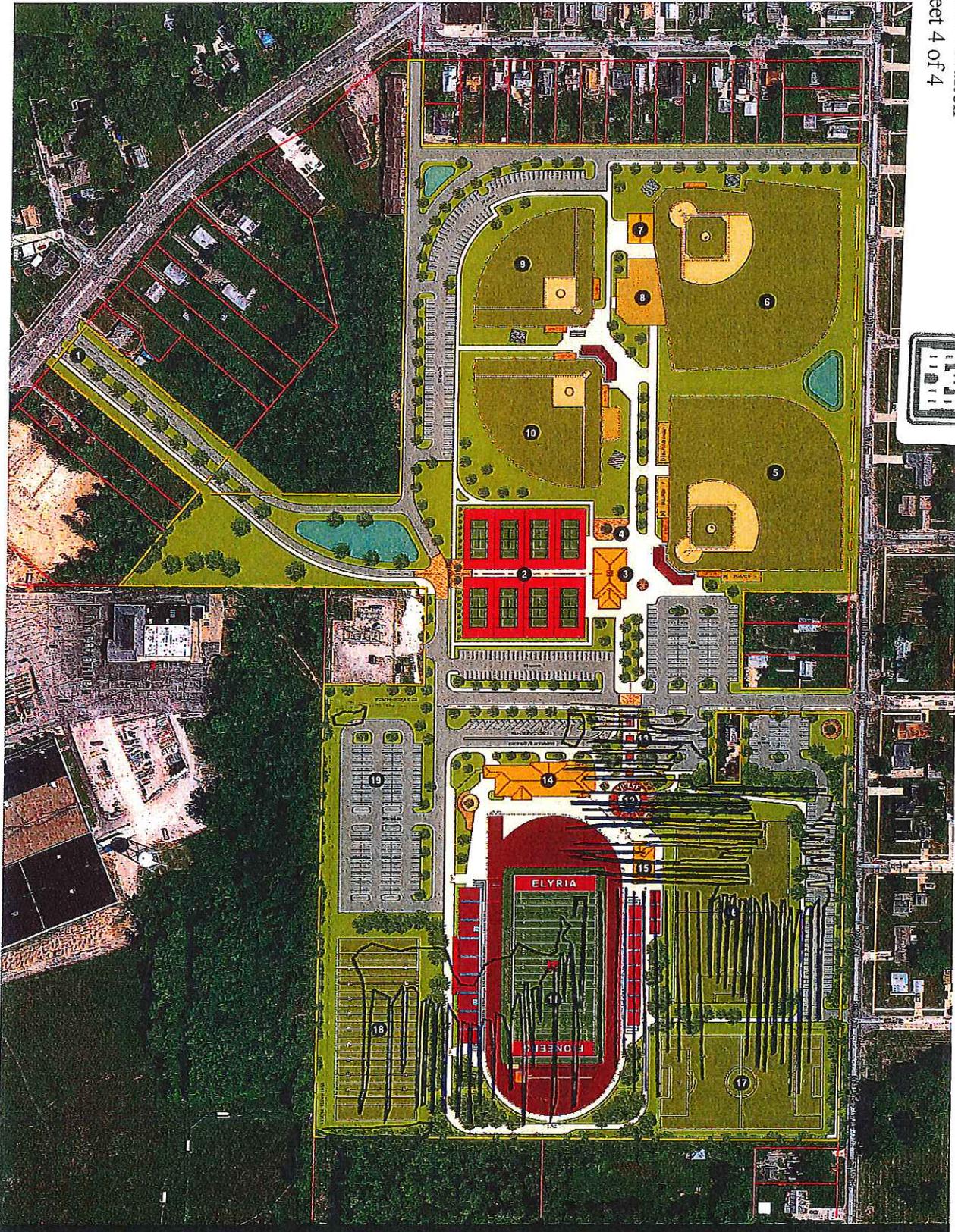


Ely Stadium Property
 Middle Avenue, Elyria, Ohio

Wetlands proposed for impact in
RED

Figure 3. Proposed Impacts Map – Preferred Plan
 (2006 Aerial Photo).





OPTION 2 - ELYRIA MULTI-SPORTS COMPLEX PREFERRED DESIGN

- | | | | |
|--|--|--|--|
| <p>1) Main Complex Entrance
Boulevard w/ Entry Arch</p> <p>2) Tennis Courts</p> <p>3) North End Pavilion
<i>(Includes Concession, Restrooms, Storage
Tennis Locker Room & Covered Space)</i></p> <p>4) Ely Stadium Historical Plaza</p> <p>5) Varsity Baseball Field</p> | <p>6) JV Baseball Field</p> <p>7) Existing Structure
<i>(Includes Restrooms, Storage, Baseball
Locker Room, Dugout, Storage & Office)</i></p> <p>8) Baseball & Softball Fieldhouse
Designated Area
<i>(Includes Softball Locker Rooms)</i></p> <p>9) JV Softball Field</p> <p>10) Varsity Softball Field</p> | <p>11) New Elyria Football
Soccer & Track Stadium</p> <p>12) Stadium Main Entry Gate & Plaza</p> <p>13) Elyria Hall of Fame & Doner
Recognition Promenade</p> <p>14) Stadium Home Side Fieldhouse
<i>(Includes Locker Rooms, Weight Room,
Athletic Offices, Trainers Room, Band Room &
Storage Home Concession, & Restrooms)</i></p> | <p>15) Stadium Visitor Side Fieldhouse
<i>(Includes Visitor Concession, & Restrooms
& Storage)</i></p> <p>16) Main Soccer / Multi-Purpose Field</p> <p>17) Secondary Soccer / Multi-Purpose
Field</p> <p>18) Practice / Multi-Purpose Field</p> <p>19) Optional Hard Surface Band Practice</p> |
|--|--|--|--|