



# Public Notice

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Number: 200050554

Date: May 9, 2005

Comments Due: June 9, 2005

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) and the Utah Division of Water Quality are evaluating a permit application to construct soft-surface play fields for the Bridger Elementary School, in Logan, Utah. This project would result in impacts to approximately 1.17 acres of waters of the United States, including wetlands. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States and Section 401 for water quality certification.

**APPLICANT:** Richard Jensen, Superintendent  
Logan City School District  
101 West Center Street  
Logan, UT 84321

**LOCATION:** The project site is located at approximately 1330 North 575 West, about a block west of the Bridger Elementary School building, in Section 28, Township 12 North, Range 1 East, Cache County, Utah, and can be seen on the Logan USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to construct soft-surface (grassy) play fields for Bridger Elementary's physical education curriculum and for playground usage. Based on the available information, the overall project purpose is to build play fields to bring the school into compliance with Utah core curriculum and federal No Child Left Behind Act physical education requirements. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Environmental Setting.** Bridger Elementary was constructed in 2002-3 within an historic livestock pasture that was previously flood-irrigated with water diverted from the Logan River. This parcel also received water from a free-flowing artesian well on an adjoining parcel. When the school site was developed, approximately 1.17 acres of wetlands located in the western portion of the property were avoided. With construction of the school, stormwater runoff was managed, flood irrigation ceased and the artesian well was capped. Additionally, an open irrigation ditch along the northern school boundary was covered and piped, and sources of irrigation return flows from adjoining properties were removed due to land development and conversion to non-agricultural land uses. There are no natural stream drainages, floodplains or sources of surface water at the site other than stormwater runoff, which is managed according to the City's stormwater ordinances. The avoided wetland area appears to be slowly shrinking in size, and has become an isolated patch in an urbanized landscape. The School District proposes to develop this marginal area of wet meadow wetland for its outdoor physical education curriculum.

**Alternatives.** All reasonable alternatives will be considered during review of this permit. The applicant has provided the following information concerning project alternatives. Additional information concerning project alternatives may be available from the applicant or their agent.

When the school was constructed, the School District planned to develop play fields on the adjoining property to the south where the City planned to develop a neighborhood park. The joint development was to be done concurrently with the development of the new school. The School District and City were to enter into an agreement to share the outdoor facilities. This would have provided the School District with the needed grassy acreage to meet the State Office of Education's recommendations for play fields based on school size. However, due to fiscal constraints, the City has placed an indefinite hold on its plans for the neighborhood park. Because the City has indicated that it has no plans to develop the park in the foreseeable future, the School District is seeking to develop the full amount of its property to meet its outdoor PE play fields requirements. There are no other undeveloped properties adjacent to the school site that could be used for play fields. Off-site play fields would be an impracticable alternative due to the logistics, safety concerns and costs for bussing elementary-age school children to and from outdoor PE classes. The site for the school was selected after an exhaustive search for a suitable site that would meet the K-6 educational needs for an expanding population in the mid-west neighborhoods section of Logan City. There are no other suitable school sites in this demographic section of the City that have a lesser amount of wetlands. Relocation of the school to a different site would not meet the School District's need to provide K-6 education in the needed service area and it would also be an impracticable alternative given the investment in the new school. The school only became fully operational in 2004 and is already nearing its full potential to service 600 students. Continuing residential development in the school's service area may require an expansion in school facilities to accommodate more students, which makes the proposed alternative a very important component in meeting educational mandates and recommended goals because the full outdoor PE potential of the school site would need to be developed to accommodate growth in student enrollment.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant proposes to develop the previously avoided wet meadow wetland and incorporate it into its outdoor play fields for its physical education curriculum and playground usage. These wetland impacts will be mitigated at a 1.5:1 ratio by acquisition of 1.76 acres of wet meadow credit at the Logan City Wetlands Mitigation Bank. The City Mitigation Bank has wet meadow credits available and has indicated its willingness to provide mitigation credits to the School District.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** As required under Section 401 of the Clean Water Act, water quality certification or a waiver from the Utah Division of Water Quality is required for this project. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, Post Office Box 144870, Salt Lake City, Utah 84114-4870, on or before **June 9, 2005**.

**HISTORIC PROPERTIES:** Based on the available information, cultural resources not are within the project's area of potential effect.

**ENDANGERED SPECIES:** The project will not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act. The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, 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, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps 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 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 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.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice 200050554, must be submitted to the office listed below on or before **June 9, 2005**:

James Thomas, Regulatory Project Manager  
US Army Corps of Engineers, Sacramento District  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010-7744  
Email: [jim.thomas@usace.army.mil](mailto:jim.thomas@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager James Thomas, telephone 801-295-8380, email [jim.thomas@usace.army.mil](mailto:jim.thomas@usace.army.mil).

Attachments: 5 drawings