

REPORT OF CONSTRUCTION STORM WATER INSPECTION

Frontline Development
Siouxland Splash Water Park
3820 Highway 75N
Sioux City, Iowa 51108

NPDES GP2: IA 44218-43818

BY
U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 7
ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION (ECAD)
WATER BRANCH / DRINKING WATER AND INSPECTIONS SECTION (WB/DWIS)

AUGUST 22 AND 27, 2024

Introduction

At the request of the Water Branch (WB), Enforcement and Compliance Assurance Division (ECAD), a Compliance Evaluation Inspection (Construction Stormwater) was conducted on August 22, 2024, at the Siouxland Splash Water Park construction site, in Sioux City, Iowa. The inspection was conducted under the authority of Section 308 of the Clean Water Act, as amended. It was conducted in accordance with the U.S. Environmental Protection Agency (EPA) Region 7 Standard Operating Procedures for Compliance Inspections (ENST SOP No. 2332). This narrative report presents the findings of the inspection. Arah Montagne with the city of Sioux City-Municipal Separate Stormwater System (MS4), and Tom Roos and Daniel Morse with the Iowa Department of Natural Resources, Field Services & Compliance Bureau-Field Office #3 were present during the inspection.

Participants

Frontline Development-Siouxland Splash Water Park

- Joe Zehring, Partner joe@frontlinedevelopmentllc.com

City of Sioux City, Iowa

- Arah Montagne, Environmental Services Manager (MS4) amontagne@sioux-city.org

Iowa Department of Natural Resources, Field Services & Compliance Bureau FO#3

- Tom Roos, Environmental Specialist Senior tom.roos@dnr.iowa.gov
- Daniel Morse, Environmental Specialist daniel.morse@dnr.iowa.gov

U.S. Environmental Protection Agency (EPA), Region 7

- Naji J. Ahmad, Environmental Engineer, ECAD/WB/DWIS ahmad.naji@epa.gov

Procedures

I, Najj Ahmad, along with Ms. Arah Montagne, and Messrs. Tom Roos and Daniel Morse arrived at the Siouxland Splash project site at 9:45 A.M. on August 22, 2024. We met with Mr. Joe Zehring. We introduced ourselves and presented our credentials. I explained the purpose and procedures of the industrial stormwater compliance evaluation inspection. These included completing the Region 7 Construction Stormwater Worksheet (Attachment 1), evaluating self-monitoring and stormwater management practices, and conducting a facility walk-through with photographs (Attachment 4).

I started the inspection by discussing with Mr. Zehring the requirements of the NPDES permit and the Storm Water pollution Prevention plan (SWPPP). Mr. Zehring mentioned that SWPPP records are at a different location, and that he can provide them within 30 minutes. We agreed that we will walk the site while Mr. Zehring got the records.

Ms. Montagne, Messrs. Roos and Morse, and I visually inspected the site, and I took photos of points of concern. Mr. Zehring returned to the site at 10:15 AM. Mr. Zehring presented us with a hard copy of site inspection records and the SWPPP that was on his phone. Soon after, Mr. Zehring escorted us on a visual inspection of the site.

At the end of the inspection, I held a formal exit meeting with Mr. Zehring, and I discussed my preliminary observations of the site. I informed him that I will issue a Notice of Preliminary Findings (NOPF) and I will email it to him.

On August 27, 2024, I emailed Mr. Zehring the NOPF that included one citation. On August 27, 2024, I received an email from Mr. Zehring that included the signed SWPPP and required documents (Attachment 2).

On August 29, 2024, I received an email from Mr. Zehring that included the signed NOPF and formal response to the NOPF with photos of corrective actions (Attachment 5)

Site Description

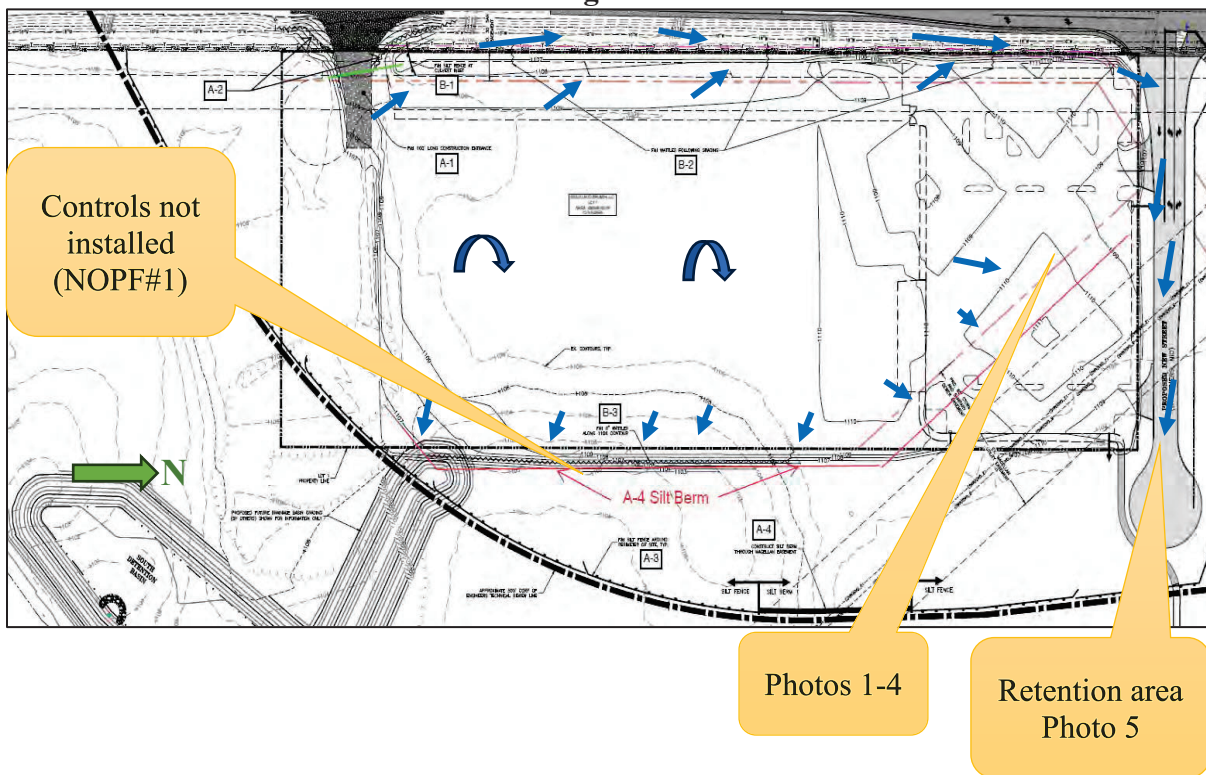
The project is part of a larger project by the City of Sioux City to build a water park attraction (Siouxland Splash) on a city owned property of 43.58 acres (42.536777, -96.353371) at the 3800 Block of Hwy 75 N. South of 41st Street west of the Floyd River in the north part of Sioux City, Iowa. There are two active projects on this property managed by two separate developers for a total of 19.8 acres of disturbed area. One of these is 9.8 acres to build turn lanes to highway 75 N. and two regional storm water basins under authorization number 44230-43821.

This project consists of building a water park attraction (42.53796, -96.35313). Work includes grading, and storm sewer outlets and construction of the water park. Frontline Development submitted the notice of intent (NOI) to the Iowa Department of Natural Resources (IDNR) on March 30, 2024, for the disturbance of 10.0 acres (Attachment 3). The IDNR granted stormwater authorization number 44218-43818 (Attachment 2). The authorization was granted for one year and will expire on April 16, 2025. Figure 1 below shows surface runoff and construction boundaries of the entire 9.8-acre property.

Site Drainage

Surface runoff from the site generally flows to the west, north, and east. Surface runoff from the west part of the site would flow into the Hwy 75N ditch and continue north then east into a vegetation covered low area used to retain water on site. Flow from the middle of the site would flow north into the same retention area (Photo 5). Surface runoff from the east part of the site would flow east into the adjacent 9.8-acre construction site.

Figure 1



Findings and Observations

All findings and observations of this inspection concern the site's status of compliance with the requirements of the Iowa NPDES GP2 and the SWPPP. These findings are based on our interview with Mr. Zehring, my review of the SWPPP, and our visual observations of the site. All observations were discussed in detail with Mr. Zehring throughout the inspection and during the formal exit meeting on August 22, 2024. All photos taken during the inspection on August 22, 2024, are included as Attachment 4 to this report.

1. The site is active, but there were no construction activities at the time of the inspection with the exception of Mr. Zehring marking and surveying the site for the next phase of the project.
2. Mr. Zehring provided the SWPPP, inspection records, owner and contractor certifications, and site plans. All records were well documented and organized.
3. Work on the site started in early June 2024. Perimeter silt fence was installed on May 29, 2024, and the construction site entrance was completed on June 1, 2024.

4. Site inspections were conducted according to the frequency required by the permit. The first documented inspection was conducted on June 7, 2024, and the most recent at the time of the inspection was conducted on August 23, 2024.
5. I issued Notice of Preliminary Finding Number 1 because site operators failed to install approximately 1,000 linear feet of silt fence along the site's east perimeter which allowed sediment to leave the site onto the adjacent property (9.8-acre construction site).
6. On August 22, 2024, site operators installed silt berm at the bottom of the graded area because of my NOPF.
7. Mr. Zehring explained the reason why sediment and erosion controls were not installed at the time of my inspection (Attachment 5). In his response, Mr. Zehring indicated, *"Frontline Development, LLC is diligently working to maintain SWPPP. During initial rough grading phase of construction, a silt fence was installed approximately 150' true east, plan south of the site. (see attached image) This sediment protection was placed in this location because the overall construction project includes site work on the city property (the adjacent property). Because of this, the City of Sioux City and Frontline Development, LLC. and Siouxland Splash have a Developer Agreement and Right of Entry to stockpile topsoil, and utilize the City property."*

Conclusion

Overall, the site was well kept and operated, and structural and non-structural controls were being implemented except for the one observation I noted during my inspection.

Corrective actions were taken immediately after my inspection.

NAJI AHMAD Digitally signed by NAJI AHMAD
Date: 2024.09.23 09:02:27 -05'00'

Naji J. Ahmad
Environmental Engineer, WB/DWIS

NICOLE MORAN Digitally signed by
NICOLE MORAN
Date: 2024.09.24
08:41:03 -05'00'

Nicole Moran
Section Supervisor, WB/DWIS

Attachments.

1. Region 7 Industrial Storm Water Worksheet (Construction)
2. Site plans/signed SWPPP/signed NOPF
3. NOI
4. Photo log
5. Response to the NOPF