



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

December 15, 2000

Planning, Programs and
Project Management Division

SEE DOCUMENT DISTRIBUTION LIST

The Rock Island District of the U.S. Army Corps of Engineers has enclosed for your review a copy of the Environmental Assessment (EA), including a draft Finding of No Significant Impact (FONSI) addressing the proposed habitat rehabilitation project at Pleasant Creek Wildlife Area, Jackson County, Iowa..

The EA, entitled Environmental Assessment, Upper Mississippi River System Environmental Management Program, Habitat Rehabilitation and Enhancement Project, Pleasant Creek Wildlife Area, Pool 13, Mississippi River Miles 548.7 - 552.8, Jackson County, Iowa, dated November 2000, is being circulated for a 30-day public review period, commencing from the date of this letter.

If, at the end of the 30 days, no comments are received that alter the determination that no significant environmental impact will result, the FONSI will be signed, and a copy will be kept on file at the Rock Island District office.

Please review the EA and send any comments to our address above, ATTN: Planning, Programs, and Project Management Division. If you wish to fax a response to us, our fax number is 309/794-5157. If you have any questions, please call Ms. Erika Mark of our Environmental Analysis Section, telephone 309/794-5171.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary L. Loss, P.E.", written over a horizontal line.

Gary L. Loss, P.E.
Chief, Planning, Programs, and
Project Management Division

—
Enclosure

December 15, 2000

Planning, Programs and
Project Management Division

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Sincerely,

ORIGINAL SIGNED BY

Gary L. Loss, P.E.
Chief, Planning, Programs, and
Project Management Division

Enclosure

~~MARK
PM-AR~~

~~DUPREX
PM-M~~

~~BARB
PM-A~~

~~WHITNEY
PM-M~~

~~CARATTINI
PM-M~~

~~HOLMES
ED-DN~~

~~RAOUL
ED~~

~~T. KINGARD
PM~~

LOSS
PM
12/14 SEE
PREVIOUS
(ATTACHED)

MARK/dmd/5171

December ¹⁵ 4, 2000
^

X

Planning, Programs and
Project Management Division

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Sincerely,

William J. Bayles
Colonel, U.S. Army
District Engineer

Enclosure

MARK ²
PM-AR/2-01-02

DUBREY
12-07-2000
PM-M

BARR ^W
PM-A

SPW
WHITNEY
PM-M 12-4-00

CARATTINI ^{DR}
PM-M 12/03

HOLMES ^{PAK}
ED-DN 12/4

ROUL ^{12/7}
ED

T. KRAID
PM

JONES
XA 12/3/00

LOSS
DP 12/3

BRUNSO
DE

*Signature block
changed to
Gary Folt
Date changed
also.*

CF (all w/encl):
✓ Dist File (PM-M) (2 cys)
PM-AR (Mark)
PM-M (Knollenberg)
CD
ED
ED-C (Kirkeeng)
ED-DN (Uptmor)
OD
OD-MN (Swenson)
RE-A (Hallstrom)
PA
IM-CL (2 cys)

MFR: Cover letter for distribution of
subject EA for a 30-day public review
period.

PLEASANT CREEK DIST LIST

50N

2 NOV 2000

HONORABLE CHARLES GRASSLEY
UNITED STATES SENATOR
116 FEDERAL BLDG 131 E 4TH ST
DAVENPORT IA 52801

HONORABLE CHARLES GRASSLEY
UNITED STATES SENATOR
UNITED STATES SENATE
135 HART SENATE OFFICE BLDG
WASHINGTON DC 20510-1501

HONORABLE TOM HARKIN
UNITED STATES SENATOR
314B FEDERAL BLDG 131 E 4TH ST
DAVENPORT IA 52801

HONORABLE TOM HARKIN
UNITED STATES SENATOR
UNITED STATES SENATE
731 HART SENATE OFFICE BLDG
WASHINGTON DC 20510-1502

HONORABLE JIM NUSSLE
REPRESENTATIVE IN CONGRESS-2ND DIST
2255 JOHN F KENNEDY RD #20-4
DUBUQUE IA 52002-2883

HONORABLE JIM NUSSLE
REPRESENTATIVE IN CONGRESS-2ND DIST
US HOUSE OF REPRESENTATIVES
303 CANNON HOUSE OFFICE BLDG
WASHINGTON DC 20515-1502

DIRECTOR
OFC OF ENVIRON COMPLIANCE RM 4G064
DEPT OF ENERGY
1000 INDEPENDENCE AVE SW RM 4G064
WASHINGTON DC 20585

DIRECTOR
OFFICE OF ENVIR POLICY & COMP
DEPT OF THE INTERIOR
MAIN INT BLDG-MS 2340 1849 C ST NW
WASHINGTON DC 20240

REGIONAL FORESTER
US DEPT OF AGRICULTURE - FOREST SVC
310 W WISCONSIN AVE STE 500
MILWAUKEE WI 26203

US FISH AND WILDLIFE SERVICE
FEDERAL BUILDING - FORT SNELLING
TWIN CITIES MN 55111

AL AMES
GREAT LAKES REGIONAL DIRECTOR
US DOT - MARITIME ADMINISTRATION
2860 S RIVER RD STE 185
DES PLAINES IL 60018-2413

KEITH BESEKE
EMP COORDINATOR UMR&WR
US FISH AND WILDLIFE SERVICE
51 E 4TH ST RM 101
WINONA MN 55987

CAROL M BROWNER
ADMINISTRATOR
OFFICE OF FEDERAL ACTIVITIES A-104
US ENVIRONMENTAL PROTECTION AGENCY
401 M ST SW
WASHINGTON DC 20460

JOE COTHERN
BIG RIVERS COORDINATOR
US ENVIRON PROTECTION AGENCY - REG 7
726 MINNESOTA AVE
KANSAS CITY KS 66101-2907

VALERIE DECARLO
HISTORIC PRESERVATION SPECIALIST
ADVIS COUNCIL ON HISTORIC PRESERVATION
1100 PENNSYLVANIA AVE NW #809
WASHINGTON DC 20004

JOHN DOBROVOLNY
REG HISTORIC PRESERVATION OFCR
US FISH AND WILDLIFE SERVICE
FEDERAL BLDG - FORT SNELLING
TWIN CITIES MN 55111

JON DUYVEJONCK
UMRCC COORDINATOR
US FISH AND WILDLIFE SERVICE
4469 48TH AVE CT
ROCK ISLAND IL 61201

JOSEPH FERRANTE
OFFICE OF FEDERAL ACTIVITIES A-104
US ENVIRONMENTAL PROTECTION AGENCY
401 M ST SW MAIL CODE 2124
WASHINGTON DC 20460

ROBERT GOODWIN
MID-CONTINENT OFFICE
MARITIME ADMINISTRATION
US DEPT OF AGRICULTURE
1222 SPRUCE ST STE 2.202F
ST LOUIS MO 63103-2831

DENNIS GRAMS
REGIONAL ADMINISTRATOR
US ENVIRON PROTECTION AGENCY - REG 7
726 MINNESOTA AVE
KANSAS CITY KS 66101-2907

DR LESLIE HOLLAND-BARTELS
CENTER DIRECTOR
UPPER MIDWEST ENVIRON SCIENCES CTR
US GEOLOGICAL SURVEY
575 LESTER AVE
ONALASKA WI 54650-8552

DR KEN LUBINSKI
HREP & NAVIGATION STUDY COORDINATOR
UPPER MIDWEST ENVIRON SCIENCES CTR
US GEOLOGICAL SURVEY
575 LESTER AVE
ONALASKA WI 54650-8552

CLYDE MALE
US FISH AND WILDLIFE SERVICE
PO BOX 460
MCGREGOR IA 52157

JOHN MILLER
REGIONAL DIRECTOR
FEDERAL EMERGENCY MGMT AGENCY - REG 7
2323 GRAND BLVD STE 900
KANSAS CITY MO 64108-2670

RICHARD NELSON
FIELD SUPERVISOR
US FISH AND WILDLIFE SERVICE
4469 48TH AVE CT
ROCK ISLAND IL 61201

KEVIN SCHUMACHER
COMMANDER
DWRO OB
US COAST GUARD 8TH DIST
1222 SPRUCE ST
ST LOUIS MO 63103-2832

PAM THIEL
PROJECT LEADER
LA CROSSE FISHERY RESOURCES OFFICE
US FISH AND WILDLIFE SERVICE
555 LESTER AVE
ONALASKA WI 54650-8552

KAREN WESTPHALL
US FISH AND WILDLIFE SERVICE
1704 N 24TH ST
QUINCY IL 62301

PLEASANT CREEK DIST LIST

50N

2 NOV 2000

HEIDI WOEBER
US FISH & WILDLIFE SERVICE
4469 48TH AVE CT
ROCK ISLAND IL 61201

POSTMASTER
PO BOX 9998
SAVANNA IL 61074-9998

POSTMASTER
POST OFFICE
PO BOX 9998
GREEN ISLAND IA 52064-9998

POSTMASTER
POST OFFICE
PO BOX 9998
DUBUQUE IA 52001-9998

POSTMASTER
POST OFFICE
PO BOX 9998
SABULA IA 52070-9998

POSTMASTER
POST OFFICE
PO BOX 9998
MAQUOKETA IA 52060-9998

POSTMASTER
POST OFFICE
PO BOX 9998
BELLEVUE IA 52031-9998

POSTMASTER
POST OFFICE
PO BOX 9998
GALENA IL 61036-9998

WILLIAM ARNOLD
ATTN: CEMVD-PM-E
US ARMY ENGR DIV - MISSISSIPPI VALLEY
PO BOX 80
VICKSBURG MS 39180-0080

OWEN DUTT
RIVER NAVIGATOR
ATTN: CEMVS-PM-N
US ARMY ENGINEER DIST - ST LOUIS
1222 SPRUCE ST
ST LOUIS MO 63103-2833

BEN HAWICKHORST
ATTN: CEMVS-PD-F
US ARMY ENGINEER DIST - ST LOUIS
1222 SPRUCE ST
ST LOUIS MO 63103-2833

TOM PULLEN
ATTN: CEMVD-PM-R
US ARMY ENGR DIV - MISSISSIPPI VALLEY
PO BOX 80
VICKSBURG MS 39180-0080

CHARLES SPITZACK
ATTN: CEMVP-PE-M
US ARMY ENGINEER DIST - ST PAUL
190 FIFTH ST E
ST PAUL MN 55101-1638

HONORABLE TOM VILSACK
GOVERNOR OF IOWA
STATE CAPITOL
DES MOINES IA 50319

DIRECTOR
IA DEPT OF NATURAL RESOURCES
WALLACE STATE OFC BLDG 900 E GRAND AVE
DES MOINES IA 50319-0034

TOM BOLAND
BELLEVUE RESEARCH STATION
IA DEPT OF NATURAL RESOURCES
24143 HWY 52
BELLEVUE IA 52031

GORDON FARABEE
PLANNING DIVISION
MO DEPT OF CONSERVATION
2901 W TRUMAN BLVD PO BOX 180
JEFFERSON CITY MO 65102-0180

MIKE GRIFFIN
WILDLIFE BIOLOGIST
MISS RIVER STATION
IA DEPT OF NATURAL RESOURCES
206 ROSE ST
BELLEVUE IA 52031

SCOTT GRITTERS
IA DEPT OF NAT RESOURCES
317 RIVER PARK DR
GUTTENBERG IA 52052

MARVIN HUBBELL
WETLAND WATERSHED & EMP PROG ADMIN
OFFICE OF RESOURCE CONSERVATION
IL DEPT OF NATURAL RESOURCES
524 S SECOND ST
SPRINGFIELD IL 62701-1787

JEFF JANVRIN
HABITAT PROJECTS COORDINATOR
WI DEPT OF NATURAL RESOURCES
3550 MORMON COULEE RD
LA CROSSE WI 54601

STEVE JOHNSON
RIVER MANAGEMENT SUPERVISOR
MN DEPT OF NATURAL RESOURCES
500 LAFAYETTE RD BOX 32
ST PAUL MN 55155-4032

TERRY MOE
WESTERN BOUNDARY RIVERS COORDINATOR
WI DEPT OF NATURAL RESOURCES
3550 MORMON COULEE RD
LA CROSSE WI 54601

MARIA PANDULLO
R&C COORDINATOR
STATE HISTORICAL SOCIETY OF IOWA
600 E LOCUST
DES MOINES IA 50319-0290

BOB SHEETS
MAQUOKETA WILDLIFE UNIT
IA DEPT OF NATURAL RESOURCES
201 W PLATT
MAQUOKETA IA 52060

MIKE STEUCK
BELLEVUE FIELD STATION - LTRM
IA DEPT OF NATURAL RESOURCES
206 ROSE ST
BELLEVUE IA 52031

NORM STUCKY
MO DEPT OF CONSERVATION
2901 W TRUMAN BLVD PO BOX 180
JEFFERSON CITY MO 65102-0180

KEVIN SZCODRONSKI
MISSISSIPPI RIVER COORDINATOR
IA DEPT OF NATURAL RESOURCES
WALLACE STATE OFC BLDG - 900 E GRAND AVE
DES MOINES IA 50319-0034

PLEASANT CREEK DIST LIST

50N

2 NOV 2000

ROBERT OSTERHAUS
IA REPRESENTATIVE
STATE HOUSE
DES MOINES IA 50319

JACKSON COUNTY ASCS OFFICE
601 E PLATT ST
MAQUOKETA IA 52060

COUNTY ATTORNEY
JACKSON COUNTY COURT HOUSE
201 W PLATT ST
MAQUOKETA IA 52060

COUNTY ENGINEER
JACKSON COUNTY COURT HOUSE
201 W PLATT ST
MAQUOKETA IA 52060

COUNTY CLERK
JACKSON COUNTY COURT HOUSE
201 W PLATT ST
MAQUOKETA IA 52060

MAYOR
CITY HALL
106 N 3RD ST
BELLEVUE IA 52031

DIRECTOR
BELLEVUE PUBLIC LIBRARY
106 N 3RD ST
BELLEVUE IA 52031

DIRECTOR
CARNEGIE-STOUT PUBLIC LIBRARY
11 BLUFF ST
DUBUQUE IA 52001-7608

DIRECTOR
GALENA PUBLIC LIBRARY
SO BENCH ST
GALENA IL 61036

DIRECTOR
MAQUOKETA PUBLIC LIBRARY
S 2ND ST
MAQUOKETA IA 52060-9802

DIRECTOR
SAVANNA TOWNSHIP PUBLIC LIBRARY
326 3RD ST
SAVANNA IL 61074

PAUL HANSEN
EXECUTIVE DIRECTOR
IZAAK WALTON LEAGUE OF AMERICA
1619 DAYTON AVE #202
ST PAUL MN 55104-6206

BILL REDDING
ASSOCIATE REPRESENTATIVE
SIERRA CLUB - MIDWEST OFFICE
214 N HENRY ST STE 203
MADISON WI 53703

MIKE REUTER
DIRECTOR OF CONSERVATION PROGRAMS
THE NATURE CONSERVANCY
301 S W ADAMS ST STE 1007
PEORIA IL 61602

HOLLY STOERKER
DIRECTOR
UPPER MISSISSIPPI RIVER BASIN ASSOC
415 HAMM BLDG 408 ST PETER ST
ST PAUL MN 55102

MAQUOKETA NEWSPAPERS
108 W QUARRY
MAQUOKETA IA 52060

LOWELL CARLSON
EDITOR
THE BELLEVUE HERALD LEADER
118 SOUTH 2ND ST PO BOX 66
BELLEVUE IA 52031-1318

MIKE KRAPFL
THE TELEGRAPH-HERALD
BOX 688 - 801 BLUFF ST
DUBUQUE IA 52001

COMMUNICATIONS PROPERTIES INC
5490 SARATOGA RD PO BOX 1280
DUBUQUE IA 52001

NEWS ROOM
KDTH RADIO
346 8TH AVE
DUBUQUE IA 52001

KMAQ RADIO
129 NORTH MAIN
MAQUOKETA IA 52060

NEWS ROOM
WJOD RADIO
909 MAIN ST
DUBUQUE IA 61036

NEWS ROOM
KCRG - TV 9
48 MAIN ST STE A
DUBUQUE IA 52001

KDUB - TV CHANNEL 40
1 CYCARE PLAZA
DUBUQUE IA 52001

INTERNAL:

COMMANDER, U.S. ARMY ENGINEER DISTRICT, ROCK ISLAND
CLOCK TOWER BUILDING, P.O. BOX 2004, ROCK ISLAND, IL 61204-2004

ATTN: CEMVR-PM-M (2)
CEMVR-PM-M (Knollenberg)
CEMVR-PM-AR (Mark)
CEMVR-CD
CEMVR-ED
CEMVR-ED-C (Kirkeeng)
CEMVR-ED-DN
CEMVR-OD
CEMVR-OD-MN (Swenson)
CEMVR-PA
CEMVR-RE-A (Hallstrom)
CEMVR-IM-CL (2)

CEMVR-PM-AR

20 February 2001
MARK/5171

MEMORANDUM THRU

PM *[Signature]* 2/21/01

ED *[Signature]* 2/23/01

DE *[Signature]*

FOR DE

SUBJECT: Upper Mississippi River System Environmental Management Program
Habitat Rehabilitation and Enhancement Project, Pleasant Creek Wildlife Area Pool 13,
Mississippi River Miles 548.7 - 552.8 Jackson County, Iowa

1. The subject report with an unsigned Finding of No Significant Impact (FONSI), has been distributed for a 30-day public review and comment period ending January 15, 2001. Due to the extent of this project, a 404(b)(1) was required. One letter of response was received, also the Iowa Department of Natural Resources (IA DNR) and US Fish and Wildlife Service (USFWS) responded via telephone and stated they had no comments to provide regarding the EA (see attached).

In a letter dated January 24, 2001, from the US Environmental Protection Agency (US EPA), stated they were confused as to which was the preferred alternative and were unclear as to whether bottomland hardwood forest would be flooded or not.

COE Response: I called the point of contact from the US EPA and explained that there was an editorial error that had not been caught before the EA went out for review. I explained which was the correct "preferred alternative" and that we would not be flooding bottomland hardwood forest with this alternative. The US EPA representative stated that the clarification was helpful and he had no objections to the project.

2. A Public Notice was distributed because the proposed riprap bank protection was not covered under a nationwide permit.
3. Section 401 Water Quality Certification from the State of Iowa pursuant to the Clean Water Act has been received (attached).
4. Recommend the DE sign the attached FONSI and Findings of Compliance (FOC), signature location is flagged.
5. Please return the signed documents to PM-AR for inclusion in the final report. Questions can be addressed to Ms. Erika Mark, extension 5171.

Kenneth A. Barr

KENNETH A. BARR
Chief, Environmental Analysis Branch

CF:
Dist File (PM)
PM-AR (Mark)
PM-M (Knollenberg)
ED-DN (Uptmor)
OD-PP (Hanne U)



DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

LYLE W. ASELL, INTERIM DIRECTOR

January 16, 2001

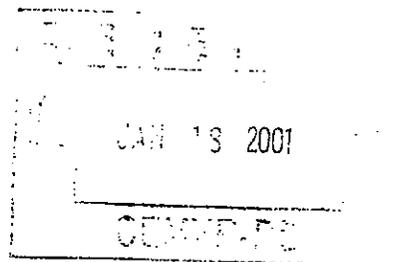
Rock Island District Corps of Engineers
CEMVR-PM-AR
ATTN: Erika Mark
Clocktower Building
P.O. Box 2004
Rock Island, IL 61204-2004

Dear Ms. Mark

Attached is the information that you requested (*list of specie records from our database that are listed as either endangered or threatened in Iowa*). Precision refers to the locational accuracy of the record. S is very accurate, M is about within 1 mile, G means somewhere on the 7.5 quad, and U is unmappable. Lastobs stands the date when the observation was last observed. Let me know if you need anything else.

Sincerely,

Keith L. Dohrmann
Data Manager
Natural Areas Inventory
Iowa Department of Natural Resources



ROR..... SNAME:..... SCOMNAME:..... SPROT..... PRECISION: LASTOBS...

AFBAA02020*011*IA LAMPETRA APPENDIX	AMERICAN BROOK LAMPREY	T	U	1892-
AFCJB28530*022*IA NOTROPIS HETEROLEPIS	BLACKNOSE SHINER	T	G	1890
AMAJF05010*012*IA SPILOGALE PUTORIUS	EASTERN SPOTTED SKUNK	T	M	1981-04
ARACB02010*007*IA OPHISAURUS ATTENUATUS	SLENDER GLASS LIZARD	E	G	1895
AMAJF05010*011*IA SPILOGALE PUTORIUS	EASTERN SPOTTED SKUNK	T	M	1981-05-03
EDCAC0D0H0*006*IA OPUNTIA FRAGILIS	BRITTLE PRICKLY PEAR	T	M	1957-07-22
AFCHD01010*012*IA ESOX AMERICANUS	GRASS PICKEREL	T	G	1890
AFCC01040*024*IA AMMOCRYPTA CLARA	WESTERN SAND DARTER	T	G	1892
AFBAA01020*007*IA ICHTHYOMYZON CASTANEUS	CHESTNUT LAMPREY	T	U	1890-
AFCHD01010*011*IA ESOX AMERICANUS	GRASS PICKEREL	T	U	1890
AFCJB28960*037*IA NOTROPIS TOPEKA	TOPEKA SHINER	T	U	1890

11 Records Processed



US Army Corps
of Engineers
Rock Island District

PUBLIC NOTICE

Applicant: U.S. Army Corps of Engineers

Date: January 26, 2001

Expires: February 15, 2001

CEMVR-OD-P-401130

Section: 404

Joint Public Notice

U.S. Army Corps of Engineers
Iowa Department of Natural Resources

NO OBJECTION
U.S. Fish & Wildlife Service
Rock Island, Illinois

1. Applicant: U.S. Army Corps of Engineers, Clock Tower Building, Rock Island, Illinois 61204-2004
2. Project Location. Sections 1, 2, 3, 10, 11, and 12, Township 85 North, Range 5 East; about 4 miles south of Bellevue, Jackson County, Iowa. The 2,350-acre Pleasant Creek Wildlife Area is located in Jackson County, Iowa, between Mississippi River miles 548.7 - 552.8 on the Iowa side of the channel. All project lands are in Federal ownership.

William A. Fisher 1/30/01
Supervisor Date

3. Project Description.

a. Background. The project site lies within the Upper Mississippi River National Wildlife and Fish Refuge (Refuge) and the U.S. Fish and Wildlife Service has proposed the planning for this project.

b. Project Purpose. The purpose of the project is to enhance wetland and aquatic habitat. A series of spring and fall floods, coupled with higher pool levels, have deteriorated the wildlife value of this unit. The recommended project features for Pleasant Creek Wildlife Area are designed to meet the project's goals and objectives. Project goals involve the enhancement of wetland and aquatic habitat. The following objectives have been identified to meet these enhancement goals:

- Increase quality food and cover resources for migrating waterfowl, terrestrial birds, and mammals.
- Increase the rate of success of emergent and moist soil vegetation.

c. Project Details.

(1) Moist Soil Management Unit (MSMU) / Low Level Closure Dike. A moist soil management unit will provide additional feeding areas and still water for migratory birds and potential spawning and nursery areas for fish. This feature consists of the conversion of an existing 50-acre agriculture field and low-level dike to a moist soil management unit by constructing a low-level closure dike along an approximately 5,400-foot alignment. The top elevation of 594 was determined based on the flooding frequency. This elevation provides for a 36% chance (or 2.7-year event) of overtopping in any given year. Based on historic trends, it is estimated that there is less than a 5% chance of overtopping during the growing season. The dike will have side slopes of 7 (horizontal):1 (vertical) and a 10-foot crest. Borrow will be taken from within the field and/or from a site not within the field. Construction of the dike will require clearing of approximately 3 acres of bottomland forest vegetation, primarily second growth silver maple and cottonwoods. Following construction, the dike will be reseeded with flood-tolerant grass species to control erosion and protect the integrity of the structure. A stoplog structure will be placed within the new dike to provide gravity drainage of the unit.

(2) Well with Pump. A well with a submersible 7.5-hp electric pump will be installed to provide water to the MSMU during the fall when river levels are not expected to inundate the area. The pump is sized to perform and maintain the interior flooding gradually over a 2-month period. The well and pump will be located along the existing upstream levee near Station 85+00. The pump will be provided with a manual water valve for controlling the flow and maintaining water elevation within the refuge. The power and control panels will be installed on an elevated platform that will ensure integrity during Mississippi River flooding.

JAN 26 2001

FINDING OF NO SIGNIFICANT IMPACT

**UPPER MISSISSIPPI RIVER SYSTEM
ENVIRONMENTAL MANAGEMENT PROGRAM
HABITAT REHABILITATION AND ENHANCEMENT PROJECT**

**PLEASANT CREEK WILDLIFE AREA
POOL 13, MISSISSIPPI RIVER MILES 548.7 THROUGH 552.8
JACKSON COUNTY, IOWA**

I have reviewed the information provided by this Environmental Assessment, along with data obtained from cooperating Federal, State, and local agencies. The preferred alternative involves constructing a pump station and facilities that will supply water to the refuge lake. Based on this review, I find that the proposed project will not significantly affect the quality of the environment. Therefore, it is my determination that an Environmental Impact Statement (EIS) is not required. This determination will be reevaluated if warranted by later developments.

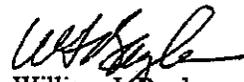
Alternatives considered along with the preferred alternative were:

- No action;
- Several alignment alternatives that include variations in water control and mast tree planting components;
- Shoreline protection; and
- Trash rack construction

Factors considered in making a determination that an EIS was not required are as follows:

- All agencies responding to the District's coordination letter indicated that the project would result in no significant impacts to the resources under their jurisdictions;
- No significant adverse social, economic, environmental or cultural impacts are anticipated as a result of this action. No endangered species, either State or Federal, will be adversely affected by the proposed action; and
- Implementation of the proposed project will benefit area wildlife resources.

26 February 2001
(Date)


William J. Bayles
Colonel, U.S. Army
District Engineer

**SECTION 3 - FINDINGS OF COMPLIANCE WITH
THE RESTRICTIONS ON DISCHARGE**

**PLEASANT CREEK WILDLIFE AREA
POOL 13, MISSISSIPPI RIVER MILES 548.7 THROUGH 552.8
JACKSON COUNTY, IOWA**

1. No significant adaptations of the 404(b)(1) guidelines were made relative to this evaluation.
2. Alternatives that were considered for the proposed action were as follows:
 - ◆ No Federal Action. No Federal action in this instance means no change in land cover or current management practices.
 - ◆ Several alignment alternatives that include variations in water control and mast tree planting components.
 - ◆ Shoreline protection along the existing levee.
 - ◆ Trash rack construction.

Preferred Alternative. Construct closure dike (encompassing approximately 50 acres) to create a moist soil unit with water source, trash rack in Harris Slough, and placement of riprap bank protection on the bankline along River Mile 551.2 of the Mississippi River.

Management Measures Considered but Not Selected. Several management measures were considered for construction but not selected based on engineering feasibility, environmental impacts, cost, and/or inability to meet the goals and objectives of the Corps and the U.S. Fish and Wildlife Service. These measures included several different alignment alternatives for the closure dike, planting mast-producing trees, and creating the moist soil unit with or without a water source.

3. Permits, certification, or waiver of certification under Section 401 of the Clean Water Act will be obtained before construction begins. The project will be in compliance with water quality standards of Iowa as applicable.
4. The project is not anticipated to introduce toxic substances into nearby waters or result in appreciable increases in existing levels of toxic materials.
5. No significant impact to state or federally listed threatened or endangered species will result from the proposed action.
6. The project is situated along an inland freshwater river system. No marine sanctuaries are involved or would be affected by the proposed action.
7. No municipal or private water supplies will be affected by the proposed action, and no degradation of waters of the United States is anticipated to result from the proposed action. While Pleasant Creek Wildlife Area can be classified as an important refuge site, environmental improvements resulting from the proposed action would outweigh short-term construction impacts and offset some of the habitat degradation caused by uncontrolled flooding and shoreline erosion. No long-term adverse effects to the river ecosystem are expected to result from this action.

8. The materials used for construction will be chemically and physically stable and noncontaminating.

9. No other practical alternatives have been identified. The proposed action is in compliance with Section 404(b)(1) of the Clean Water Act, as amended. The proposed action will not significantly impact water quality and will improve the integrity of an authorized navigation system.

26 Feb 2001

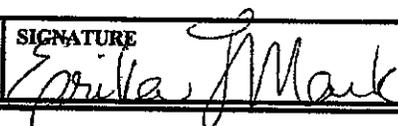
Date


William J. Bayles
Colonel, U.S. Army
District Engineer

CONVERSATION RECORD			TIME	DATE December 29, 2000	
TYPE	<input type="checkbox"/> VISIT	<input type="checkbox"/> CONFERENCE	<input checked="" type="checkbox"/> TELEPHONE	ROUTINE	
			<input checked="" type="checkbox"/> INCOMING	NAME/SYMBOL	INI
			<input type="checkbox"/> OUTGOING	L	
Location of Visit/Conference:					
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Mike Griffin		ORGANIZATION (Office, dept., bureau, etc.) IA DNR		TELEPHONE NO:	
SUBJECT Pleasant Creek HREP					
SUMMARY					

Mike Griffin called to inform me that he had no objections to the Pleasant Creek EA. He stated that he would not be sending an official letter of response if it was not necessary, since the DNR had no objections to the project.

This phone conversation record is to document the IA DNR's concurrence to the proposed project.

ACTION REQUIRED None		
NAME OF PERSON DOCUMENTING CONVERSATION Erika Mark	SIGNATURE 	DATE 02 Jan 01
ACTION TAKEN		
SIGNATURE	TITLE	DATE

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

CONVERSATION RECORD			TIME	DATE
				January 3, 2001
TYPE	<input type="checkbox"/> VISIT	<input type="checkbox"/> CONFERENCE	<input checked="" type="checkbox"/> TELEPHONE	ROUTINE
				NAME/SYMBOL
Location of Visit/Conference:			<input checked="" type="checkbox"/> INCOMING	INI
			<input type="checkbox"/> OUTGOING	
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Heidi Woerber		ORGANIZATION (Office, dept., bureau, etc.) US FWS	TELEPHONE NO: 309/793-5800	
SUBJECT Pleasant Creek HREP				

SUMMARY

Heidi Woerber called to inform me that the Fish and Wildlife Service had no comments or objections to the Pleasant Creek EA.

This phone conversation record is to document the US FWS's concurrence to the proposed project.

ACTION REQUIRED None		
NAME OF PERSON DOCUMENTING CONVERSATION Erika Mark	SIGNATURE <i>Erika J Mark</i>	DATE 03 Jan 01
ACTION TAKEN		
SIGNATURE	TITLE	DATE

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

**IOWA DEPARTMENT OF NATURAL RESOURCES
SOVEREIGN LANDS CONSTRUCTION PERMIT**

PERMIT NUMBER: 00-228

As provided under Chapter 461A of the Code of Iowa, the Department of Natural Resources, Wallace State Office Building, Des Moines, IA 50319-0034, hereby grants:

**TO: US Army Corps of Engineers
Attn: Mr. Joseph Raoul, Jr., P.E.**

**OF: Clock Tower Bldg.
PO Box 2004
Rock Island, IL 61204-2004**

permission to do the following work subject to stipulations stated herein and in the documents submitted in applying for this permit which is now on file in the central office of the Department of Natural Resources. **Note:** Any special conditions and stipulations contained in this permit will take precedence over plans/specifications provided by the applicant.

The Conservation Officer in charge of the area shall be notified prior to the beginning of the construction and upon its completion so it may be ascertained that the state's interests are being protected.

Conservation Officer:	Gary Purtilo
Address:	30653 Hwy 52 Bellevue, IA 52031
Cellular Telephone Number:	(319) 357-1814

Permit authorizing the construction of a low-level closure dike, install a well, stabilize 1,500 feet, and construct trash racks, Jackson County, Iowa.

The permittee shall construct a low-level closure dike along an approximately 5,400 foot alignment converting an existing 50 acre agriculture filed and low-level dike to a moist soil management unit. A well with pump and associated electrical service and trash racks shall also be installed.

The permittee may use either clean broken concrete or native stone as riprap material. However, if the broken concrete contains reinforcing material, all material shall either be removed or cut flush with the surface of the concrete and it shall be the responsibility of the permittee to maintain it in that condition. Broken concrete slabs larger than 3 feet in diameter shall either be broken or not used as riprap material. No asphalt or petroleum based material will be allowed as bank stabilization.



DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR
GALLY J. PEDERSON, LT. GOVERNOR

LYLE W. ASELL, INTERIM DIRECTOR

February 21, 2001

U.S. Army Corps of Engineers
Rock Island District (CEMVR-ED-DN)
Mr. Louis Uptmor, P.E.
Clock Tower Building, PO Box 2004
Rock Island, IL 61204-2004

Dear Mr. Uptmor:

After reviewing your request for State 401 Water Quality Certification, the Department has issued the enclosed Certification. Please read the attached conditions carefully before beginning work on the project.

A copy of this Certification has been forwarded to the office of the Army Corps of Engineers (CEMVR-OD-P) as indicated below. You are advised to contact that office upon receipt of this certification.

If you have any questions or comments about the certification or any conditions contained therein, please contact me at the address shown below, or call (515) 281-6615.

Sincerely,

A handwritten signature in cursive script that reads "Christine M. Schwake".

Christine M. Schwake
Environmental Specialist
Water Quality Section

cc: Mr. Wayne Hannel, Department of the Army Corps of Engineers, Rock Island District, Clock Tower Building, P.O. Box 2004, Rock Island, IL 61204-2004

IOWA DEPARTMENT OF NATURAL RESOURCES

SECTION 401 WATER QUALITY CERTIFICATION

Certification issued to:

Effective: February 21, 2001

U.S. Army Corps of Engineers
Rock Island District
Clock Tower Building
PO Box 2004
Rock Island, IL 61204-2004

Project certified: US Army Corps of Engineers, Joint Public Notice No. CEMVR-OD-P-401130
State 401 Water Quality Certification, Application Log No.: 01-N-097-01-11-S

Proposal to enhance wetland and aquatic habitat in the Pleasant Creek Wildlife Area in Sections 1-3, 10-12, T85N, R3E, in Jackson County (Mississippi River miles 548.7 - 552.8). A 50-acre agricultural field will be converted to a moist soil management unit by constructing a low-level dike. Approximately 3 acres of bottomland forest vegetation will be cleared. After construction, the dike will be reseeded with flood-tolerant grass species. A stoplog structure will be placed within the new dike to provide gravity drainage of the unit. A well with an electric pump will provide water to this area during the fall when river levels are not expected to inundate the area. Electrical service (underground) will be installed.

Approximately 1500 linear feet of Mississippi River shoreline will be repaired through the placement of revetment and bedding stone along the existing low-level dike. A trash rack will be constructed to prevent debris from entering outlet corrugated metal pipe structures #2 and #5 along Harris Slough. The new spillway consists of constructing a third spillway in the wildlife area along Harris Slough, just upstream of stoplog structures 2 and 5. The spillway consists of a constructed low spot in the existing levee that allows water to pass, armored with concrete blocks. A specific site has not been determined at this time to mitigate for the loss of 3 acres of trees. The site is classified as a wetland and the project is designed to enhance the aquatic area.

Water quality use designation:

This reach of the Mississippi River is designated as a Class A Primary Contact Recreation and Class B Significant Resource Warm Water stream. Such waters are to be protected for primary contact recreation, for the maintenance of a wide variety of warm water species, including sensitive species, and for wildlife, aquatic, and semiaquatic uses. The impacted wetlands are designated as General Use Water and are protected at all places at all times for livestock and wildlife water, aquatic life, non-contact recreation, crop irrigation, and industrial, domestic, agricultural, and other incidental water withdrawal uses.

This State 401 Water Quality Certification has been issued by the Iowa Department of Natural Resources (Department) pursuant to Section 401 of the Clean Water Act. State Certification is required by the Army Corps of Engineers before a Section 404 permit can be issued. Section 401 Certification represents the Department's concurrence that the project certified is consistent with the Water Quality Standards of the state of Iowa as set forth in Chapter 61, Iowa Administrative Code.

Subject to the attached conditions, incorporated by reference herein, the Department has determined that there is reasonable assurance the proposed activities will be conducted in a manner that will not violate water quality standards of the state of Iowa.

By:

Christine M. SchubeDate Executed: February 21, 2001

Rock Island District
February 21, 2001
Page No. 2

GENERAL CONDITIONS

1. Permittee is responsible for securing and for compliance with such other permits or approvals as may be required by this Department, federal, or local governmental agencies for the project activities described.
2. Clearing of vegetation, including trees located in or immediately adjacent to waters of the state, shall be limited to that which is absolutely necessary for construction of the project. All vegetative clearing material shall be removed to an upland, non-wetland disposal site.
3. All construction debris shall be disposed of on land in such a manner that it cannot enter a waterway or wetland.
4. Construction equipment, activities, and materials shall be kept out of the water to the maximum extent possible.
5. Equipment for handling and conveying materials during construction shall be operated to prevent dumping or spilling the material into waterbodies, streams or wetlands except as approved herein.
6. Care shall be taken to prevent any petroleum products, chemicals, or other deleterious materials from entering waterbodies, streams or wetlands.
7. Construction activities shall be conducted during low to normal flows and the applicant shall employ controls to reduce the erosiveness of land adjacent to surface waters and wetlands, including establishment and maintenance of the erosion controls during and after construction and revegetation of all disturbed areas upon project completion.
8. All disturbed areas not covered by riprap shall be seeded with native grasses consistent with those included in the NRCS Critical Areas Seeding Mixture, excluding Reeds Canary Grass, during an optimal seeding period. If excavation and construction are completed outside an optimal seeding period, temporary erosion control protection shall be implemented immediately upon completion of excavation and construction and shall be maintained until such time as seeding can be completed during an optimal period. The applicant shall monitor revegetated areas continuously to assure success of revegetation. Due to the location of the dike, native flood-tolerant grass species should be used to revegetate the dike after construction.
9. If rye is initially planted to stabilize the soil then native warm season grasses shall be planted during the following growing season.
10. Prior to the placement of riprap the banks shall be pulled back to where possible to create a slope of 2 horizontal to 1 vertical or flatter.
11. Riprap shall consist of native fieldstone, quarry run rock or clean broken concrete. If broken concrete is used all reinforcement material shall be completely removed from it; if removal is not possible, said reinforcement material shall be cut flush with the flat surface of the concrete. It shall be the applicant's responsibility to maintain the riprap such that any reinforcement material that becomes exposed in the future is removed. The concrete pieces shall be appropriately graded and no piece shall be larger than 3 feet across the longest flat surface. No asphalt or petroleum based material shall be used as or included in riprap material.
12. Only clean riprap materials shall be used in order to avoid the introduction of fines that would result in excessive local turbidity.

Rock Island District
February 21, 2001
Page No. 3

MITIGATION CONDITIONS

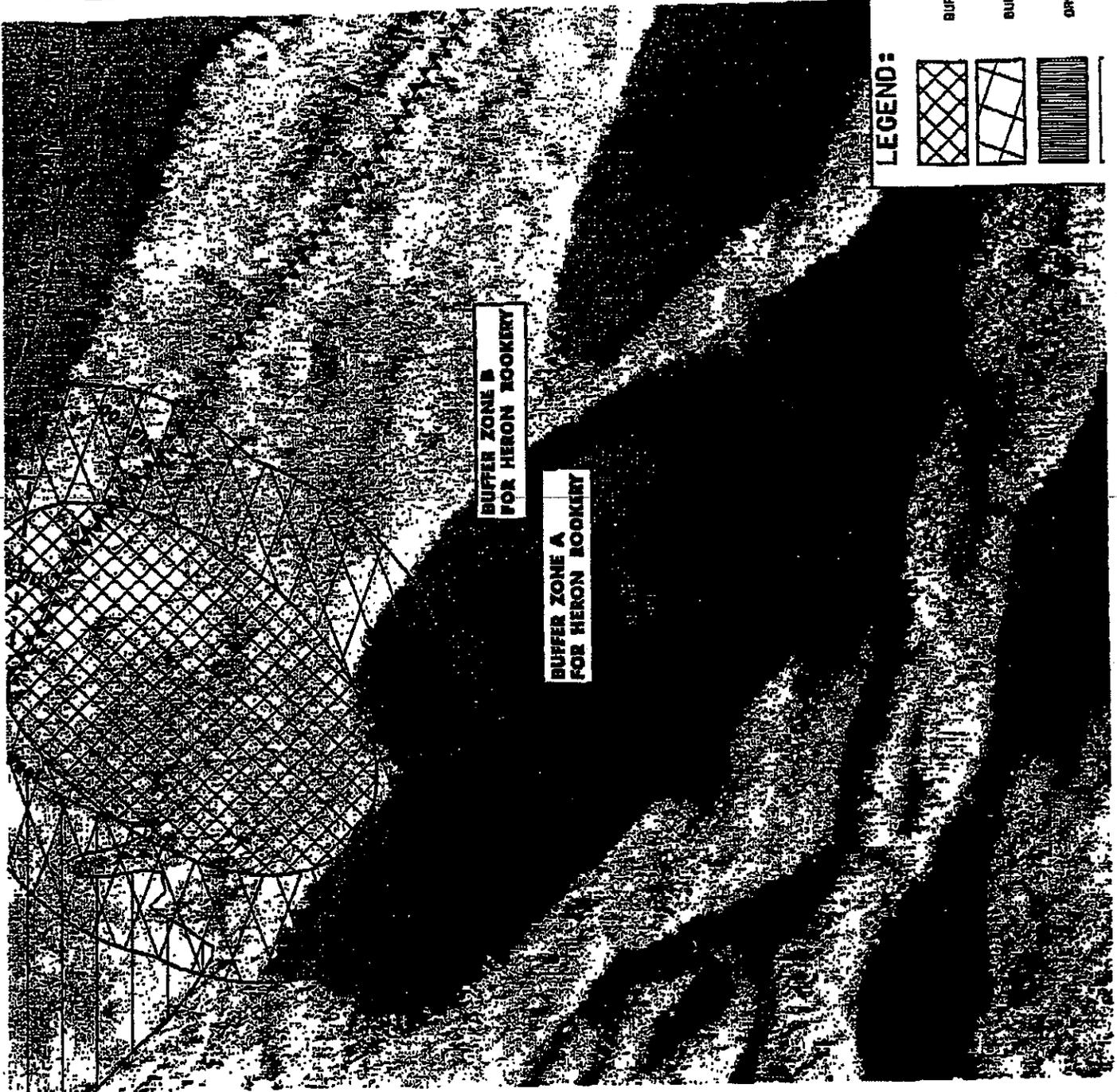
1. To compensate for the loss of approximately 3 acres of bottomland forest, the applicant will plant 3 acres of trees.
2. By the end of September of each year the tree plantings will be reviewed. Seedlings shall be replanted as necessary to ensure an 80% survival rate by species. If, at the end of the fifth year, the expected hydrology is not achieved, tree seedling survival, by species, is less than the 80 percent, or if evidence exists that the replacement wetland is becoming less effective, then additional monitoring and/or corrective actions shall be taken to achieve the compensation ratio as originally approved.
3. Pleasant Creek Wildlife area contains an active bald eagle nest and a heron rookery. During construction of the project the bald eagle(s) and the nest shall not be disturbed. The heron rookery requires a seasonal buffer zone, as designated on the attached drawing. From March 1st through July 15th, construction, equipment, and workers must stay outside of Buffer Zone B. Buffer Zone A is completely off limits to disturbance any time of the year. Before any on-site work will be allowed, the Contractor shall, in coordination with the Contracting Officer, stake and clearly identify the limits of the buffer zone areas which would be affected by any construction operations.

BUF

BUF

OPT

LEGEND:



BUFFER ZONE B
FOR HERON ROOKERY

BUFFER ZONE A
FOR HERON ROOKERY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JAN 24 2001

Gary L. Loss, P.E.
Chief, Planning, Programs, and Project Management Division
Department of the Army
Rock Island District, Corps of Engineers
Clock Tower Building-P.O. Box 2004
Rock Island, Illinois 61204-2004

SUBJECT: Environmental Assessment, Upper Mississippi River System Environmental Management Program, Habitat Rehabilitation and Enhancement Project, Pleasant Creek Wildlife Area, Pool 13, Mississippi River Miles 548.7-552.8, Jackson County, Iowa

Dear Mr Loss:

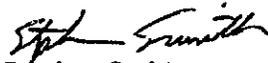
This is to inform you that EPA has received the Draft Environmental Assessment and cover letter, dated December 15, 2000, concerning the project mentioned above. We have reviewed those documents, and offer the following comments:

1) It was difficult to determine which of the alternatives is the preferred alternative. On page EA-4, you state "B2a. With Water Control and No Mast Tree Planting- Preferred Alternative." On page EA-5, you state "B4a. With Water Control and No Mast Tree Planting. This is the preferred alternative." (The difference between the two alternatives was the inclusion of 20 acres of existing bottomland hardwood forest in the diked-in area).

2) It is not clear what will happen to bottomland hardwood forest if it is included in the diked-in area, under the evaluated alternatives. Alternatives with, or without water control will result in different periods of flooding within the project area. Will any bottomland hardwood forest included in the project area *remain* bottomland hardwood forest, or will it slowly evolve into wetlands vegetation? And will that evolution depend upon the presence or absence of water control? A clearer explanation of the end-state of the bottomland forest would have been appreciated.

Thank you for the opportunity to comment on this project. If you have any questions or require technical assistance you may contact me at 913-551-7656.

Sincerely,


Stephen Smith
NEPA Team
U.S. EPA, Region VII

