



**US Army Corps
of Engineers** ®
Rock Island District

PUBLIC NOTICE

Applicant: River Development Holdings, LLC

Date: June 6, 2022

Expires: July 5, 2022

CEMVR-RD-2021-1206

Section 10

**Joint Public Notice
US Army Corps of Engineers
Iowa Department of Natural Resources**

1. **Applicant.** River Development Holdings, LLC, POC: Ms. Patricia Duvall-Lawson, 305 South Ave; PO Box 10, Sabula, Iowa 52070.

2. **Project Location.**

- Near the city of Sabula, Iowa; Jackson County, Iowa
- Section 20, Township 84 North, Range 7 East
- Mississippi River (RM 535 to 537.8)

3. **Project Description.** The purpose of this proposed project is to provide an area for the William E. Lawson towboat to anchor outside of Island City Harbor, creation of two fleeting areas, and an area to complete tow work. The attached drawings depict applicants plans for this proposal:

- Drawing 1 of 5 – Overview Map
- Drawing 2 of 5 – North Fleet Details
- Drawing 3 of 5 – Tow Work Details
- Drawing 4 of 5 – South Fleet Details
- Drawing 5 of 5 – Dock Barge and Dredging Details

a. **North Fleeting Area:** Located on the left descending bank below Hwy 54 Bridge approximate RM 537.8. The applicant proposes to relocate their current “temporary fleeting area” to this proposed location, due to deeper water at the proposed location. The fleeting area would have 4 Pile Clusters to hold up to 8 barges each, encompassing an area of 150 feet x 500 feet at each cluster.

b. **Tow Work Area:** The proposal is to place two 30-foot diameter mooring cells near the Sabula Light on left descending bank at river mile 536.4, to aid line boats with barge work.

c. **South Fleeting Area:** This proposal is located along the right descending bank below the railroad bridge approximate river mile is 535.0. The fleeting area would have two Pile Clusters to hold up to eight barges each, encompassing an area of 150 feet x 500 feet at each cluster.

d. Dock Barge & Dredging: The proposal at river mile 535, along the left descending bank, below the railroad bridge, is to install an access ramp, a spud barge, and install a 550 linear foot dock wall. The area proposed to be dredged is approximately 550 feet long by 100 feet wide, at the widest point (see attachments). The dredging is proposed to be done by clamshell, with all material deposited in an upland on Lawson-owned land.

4. Agency Review and Where to Reply.

a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed under the provisions of Section 10 of the Rivers and Harbors Act (33 U.S.C. 403).

b. State of Iowa. The project plans have been submitted to the Iowa Department of Natural Resources for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification, if issued, will express the Department's opinion that the proposed activity will comply with Iowa's water quality standards (Chapter 61 IAC). Written comments concerning possible impacts to waters of Iowa should be addressed to: Iowa Department of Natural Resources, 502 East 9th Street, Des Moines, Iowa 50319-0034. A copy of the comments should be provided to the Corps of Engineers office (see paragraph 11. of this public notice for address).

5. **Historical/Archaeological**. The District consulted with the Iowa online geographic information systems archeological site and survey databases. A Phase I Archeological survey was performed by Bear Creek Archeology, Inc. and the project area was considered to have no potential to contain intact archeological material. Based on this information it is the opinion of the District there will be **no historic properties affected** by the currently proposed permit action because “the nature, scope, and magnitude of the work, and/or structures to be permitted are such that there is little likelihood that a historic property exists or may be affected” (33 CFR Part 325, Appendix C.3.b).

6. Endangered Species:

a. District staff has performed a preliminary review of this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. The following threatened or endangered species are listed by the United States Fish and Wildlife Service (FWS) as occurring in the project area in Jackson County, Iowa:

- Northern Long-eared Bat, Monarch Butterfly
- Higgins Eye Pearly Mussel and Sheepnose Mussel

b. The proposed project is being coordinated with the FWS through this public notice. According to plans, designs and information provided by the applicant, there will be no tree removal and no work performed on land as part of this project, therefore there will be **no effect** on the mammals, insects, and plants. With the potential of mussels in the area, a mussel survey is being performed for this proposal to determine if the proposed project will have any effect on the two listed mussel species and it will be coordinated with FWS.

7. **Dredge/Fill Material Guidelines.** The evaluation of the impact of the proposed activity on the public interest will also include application of the guidelines promulgated by the Administrator of the United States Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

8. **Public Interest Review.** The decision whether to issue the Corps permit 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 benefit, 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: economics, aesthetics, 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 production and, in general, the needs and welfare of the people.

9. **Who Should Reply.** The Corps of Engineers is soliciting comments from the: public, Federal, state, 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 or 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. These statements should be submitted on or before the expiration date specified at the top of page 1. These statements should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable.

10. **Public Hearing Requests.** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

11. **Reply to the Corps.** Comments concerning the Corps permit should be addressed to the US Army Corps of Engineers, Rock Island District, ATTN: RD (Hardy), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. Or you can contact Project Manager Mrs. Donna Hardy at (309) 794-5378 or email at donna.r.hardy@usace.army.mil.

matthew a zehr

Attach
Plan

Mr. Matthew A. Zehr
Chief, Western Branch
Regulatory Division

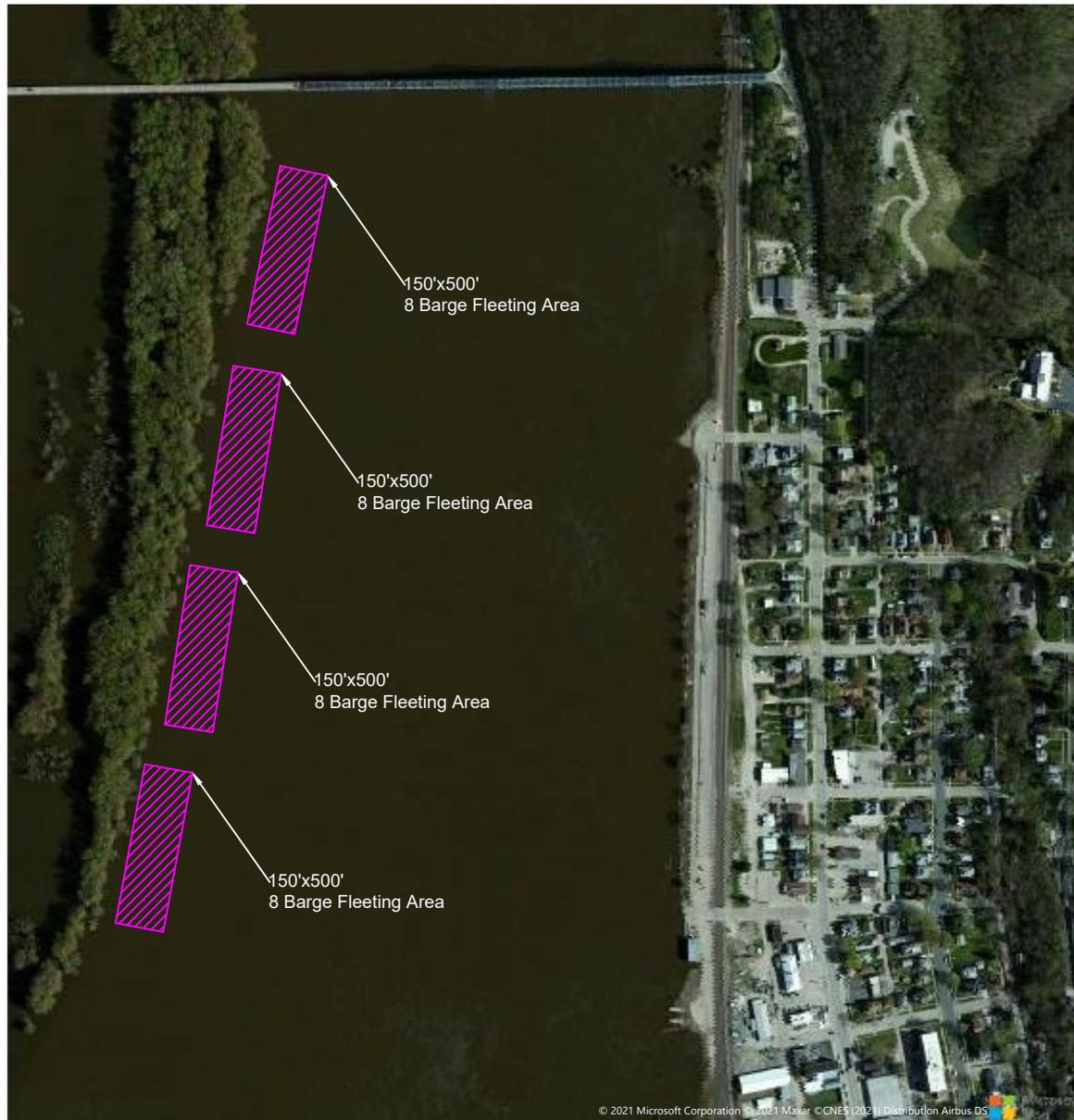
REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

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Mississippi River Miles 535 to 537.8 (Savanna to Sabula)



North Fleeting Area



Tow Work Area



South Fleeting Area



Dock Barge, Dock Wall and Dredging area

