



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

PUBLIC NOTICE

Applicant: City of West Des Moines Date: February 28, 2022
CEMVR-RD-2021-1402 Expires: March 29, 2022
Section 404

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

1. **Applicant:** City of West Des Moines, c/o Mr. Jason Schlickbernd, 560 South 16th Street, West Des Moines, Iowa 50265.
2. **Project Location:** The project is located in the City of West Des Moines, along Fair Meadows Creek, south of Railroad Avenue, east of Grand Avenue, and northwest of Fuller Road, Section 10, Township 78 North, Range 25 West, Polk County, Iowa. UTM NAD-83 Zone 15, Latitude 41.5698, Longitude -93.7289.
3. **Project Description:** Fair Meadows Creek has sustained scour, compromising the stability of the banks and gabion baskets. The Applicant proposes to line the channel of Fair Meadows Creek with revetment and replace two segments of gabion baskets along the stream's bank. This project will raise the channel's elevation back to its original profile before the scour occurred. The two segments of gabion baskets that will be repaired have already failed. This project will involve the placement of revetment along 940 linear feet of stream, as well as the removal and reconstruction of 185 linear feet of gabion baskets. As fill material will be placed in greater than 300 linear feet of stream, undergoing a morphological change, compensatory mitigation will be required. A compensatory mitigation plan will be submitted to the Corps. Alternatives, both on-site and off-site will be evaluated to ensure compliance with the 404 B 1 guidelines.
4. **Purpose and Need:** The applicant states that the purpose of the project is to protect adjacent property and to maintain the channel's hydraulic capacity.
5. **Agency Review:**
 - a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - 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). The applicant has also applied for authorization of work in the floodplain pursuant to Chapter 455B of the Iowa Code and other applicable state permits. Written comments concerning possible impacts to waters of Iowa should be addressed to: Iowa Department of Natural Resources, 502

E. 9th Street, Des Moines, Iowa 50319. A copy of the comments should be provided to the Corps of Engineers office (see paragraph 12., of this public notice for address).

6. **Historical/Archaeological:** The Corps reviewed the Iowa I-Sites online geographic information systems (GIS) archeological site and survey databases (including the HILD data layer). As the project area consists of the straightened creek bed, and banks lined with gabion baskets, the Corps has made a **No Potential to Effect Historic Properties** determination.

7. **Endangered Species:** 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 as occurring in Polk County, Iowa: (<https://ecos.fws.gov/ipac/>):

- Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*) – The project area does not contain any trees or hibernacula and does not contain suitable habitat. Therefore, the Corps has made a **no effect** determination to these species.
- Prairie Bush-clover (*Lespedeza leptostachya*) – The project site does not contain dry to mesic prairies with gravelly soils and does not contain suitable habitat. Therefore, the Corps has determined there will be **no effect** to this species.
- Western Prairie Fringed Orchid (*Platanthera praeclara*) – The project site does not contain mesic to wet unplowed tallgrass prairies and meadows and does not contain suitable habitat. Therefore, the Corps has determined there will be **no effect** to this species.

8. **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).

9. **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 conservation, 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.

10. **Who Should Reply:** 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. 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.

11. 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.

12. Reply to the Corps. Comments concerning the Corps permit should be addressed to the District Engineer, US Army Corps of Engineers, Rock Island District, ATTN: RD-W Alex Meincke), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact **Mr. Alex Meincke 309-794-5368** or email: alexander.c.meincke@usace.army.mil.

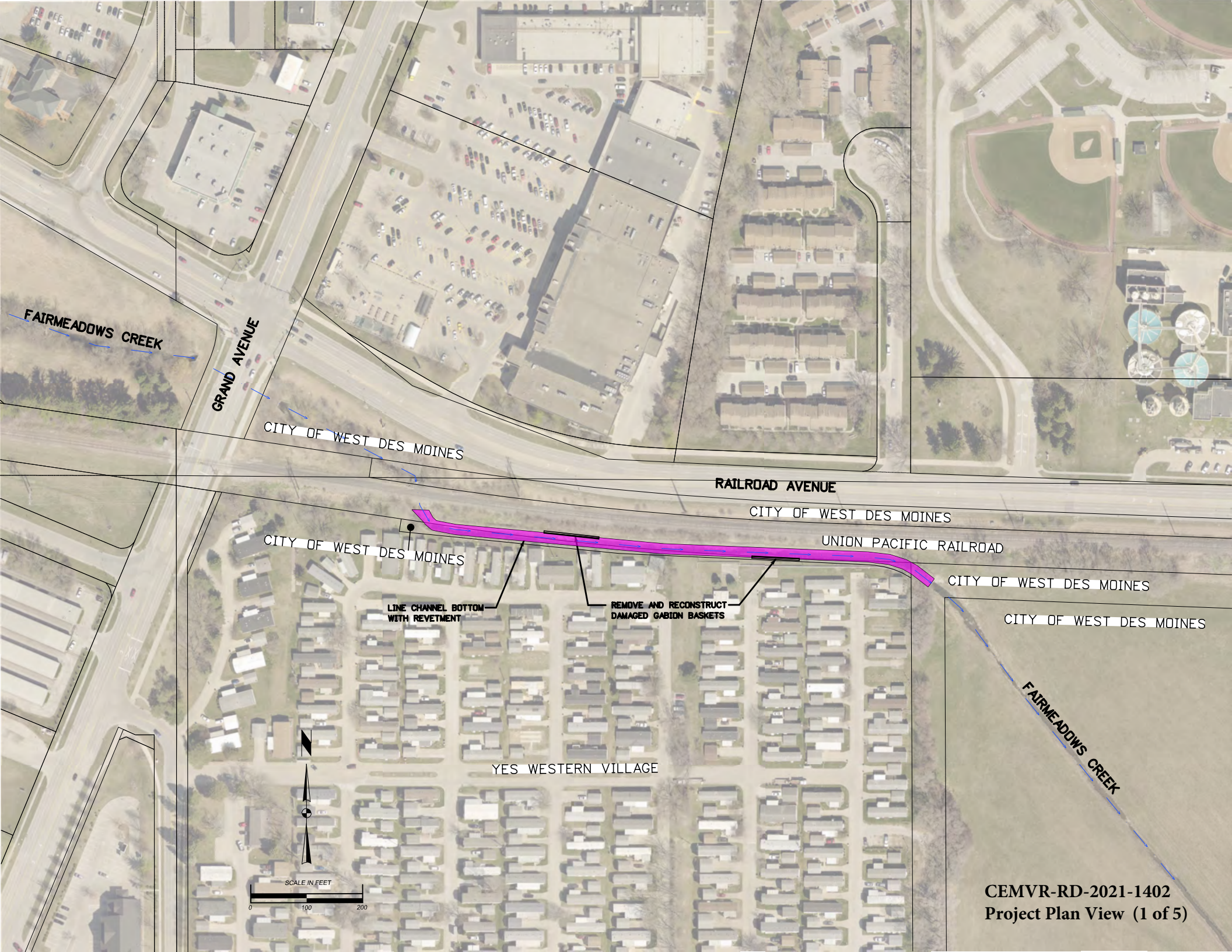


Attach
Plan

Mr. Alex Meincke
Project Manager, 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.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising.



FAIRMEADOWS CREEK

GRAND AVENUE

CITY OF WEST DES MOINES

RAILROAD AVENUE

CITY OF WEST DES MOINES

UNION PACIFIC RAILROAD

CITY OF WEST DES MOINES

CITY OF WEST DES MOINES

CITY OF WEST DES MOINES

LINE CHANNEL BOTTOM WITH REVETMENT

REMOVE AND RECONSTRUCT DAMAGED GABION BASKETS

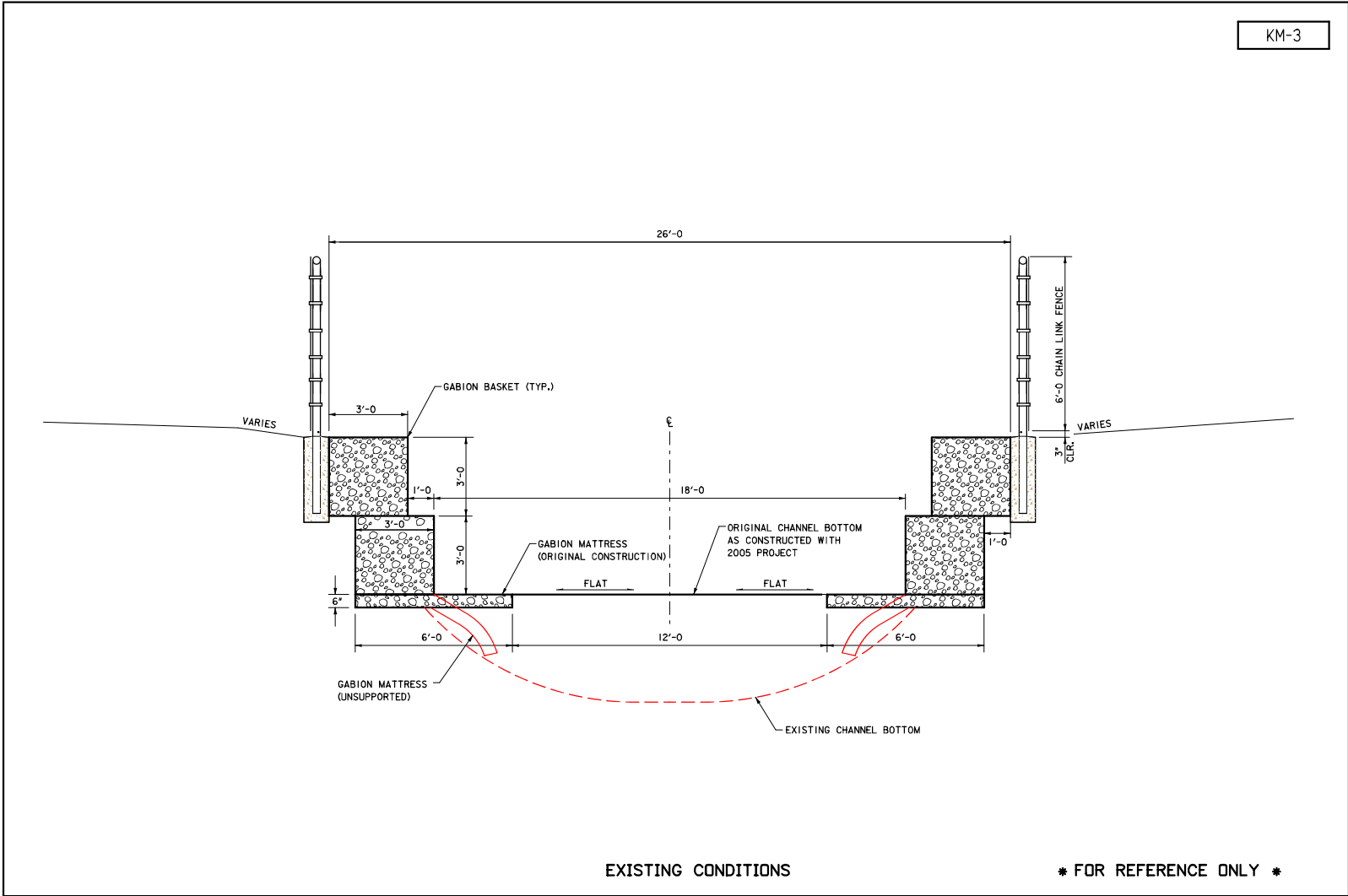
YES WESTERN VILLAGE

FAIRMEADOWS CREEK

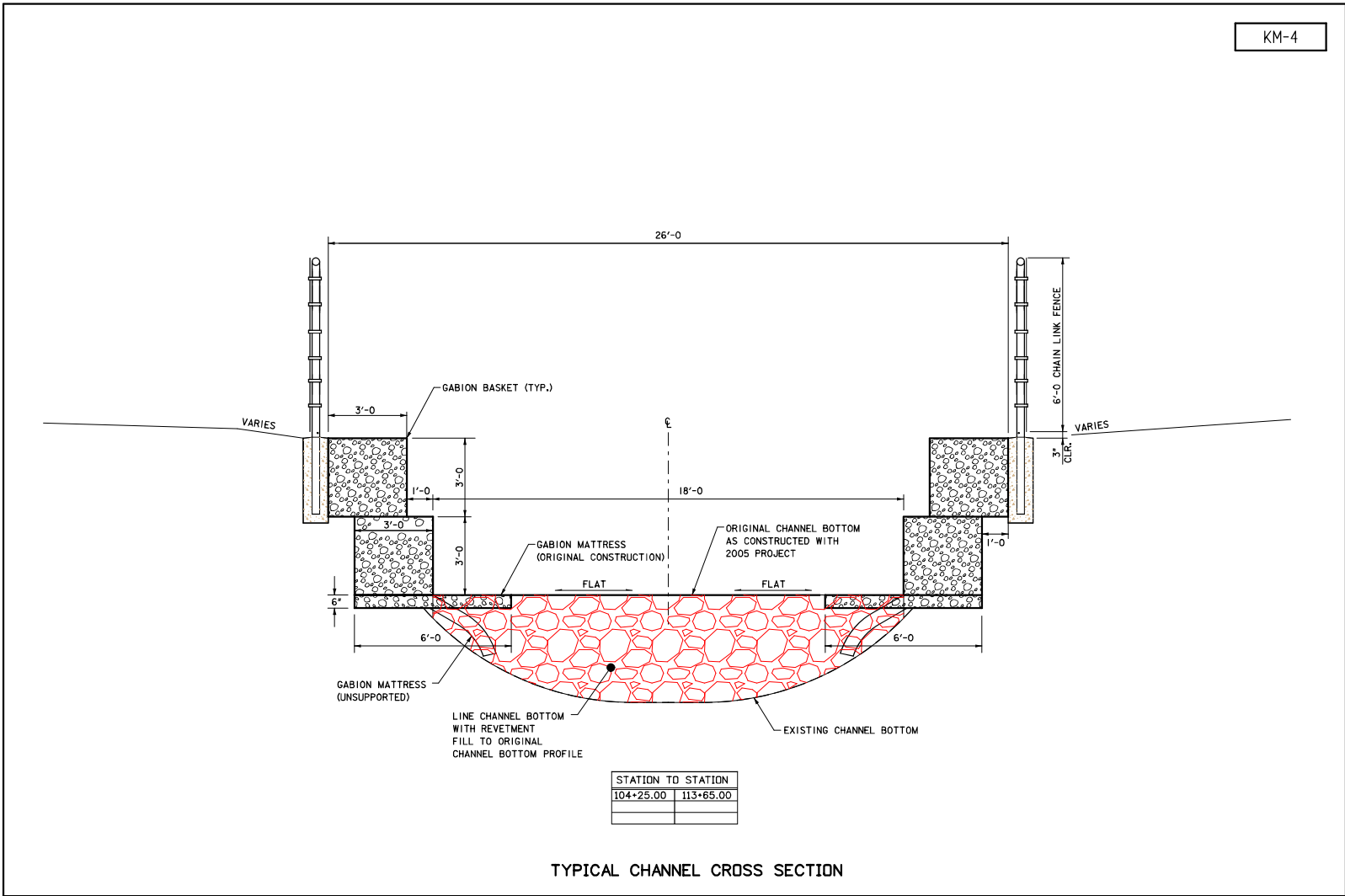


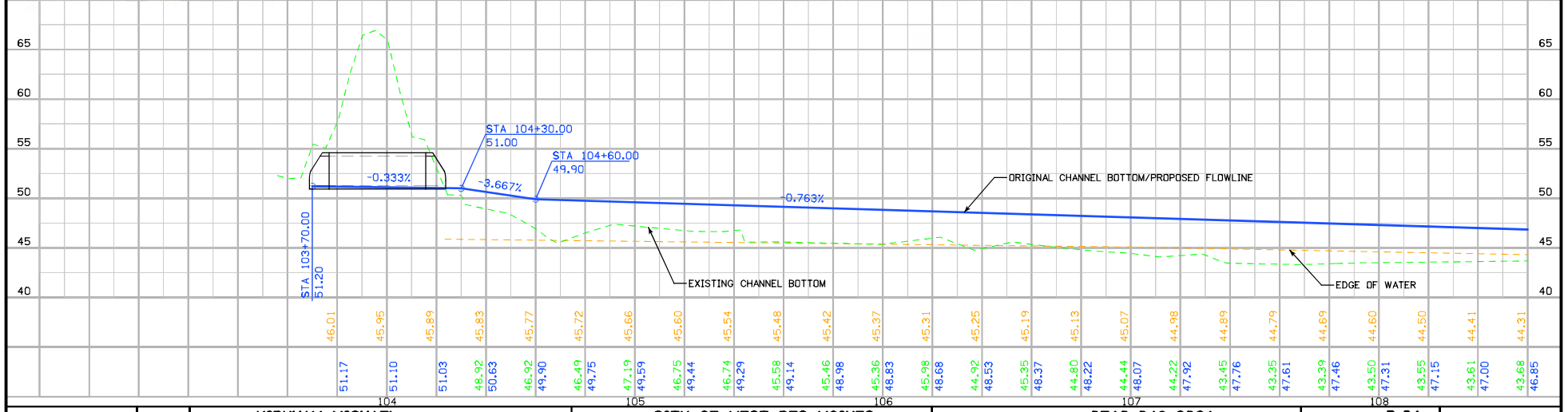
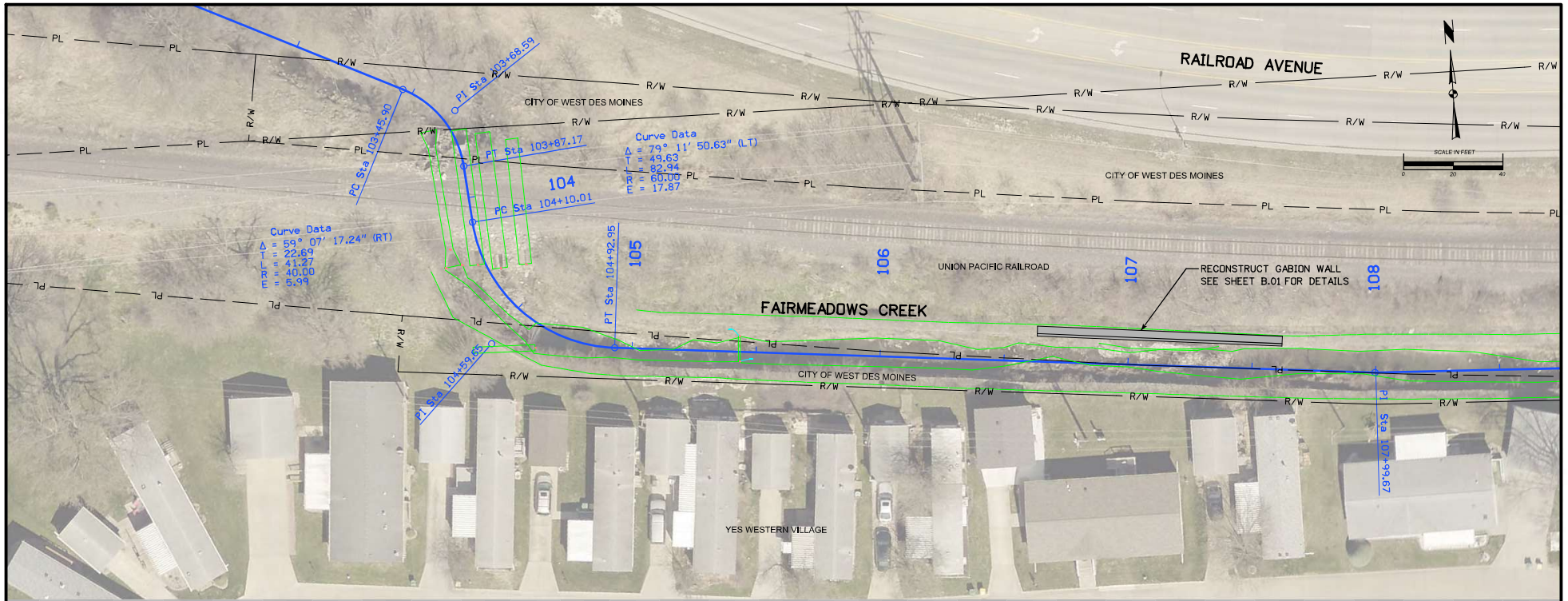
SCALE IN FEET
0 100 200

KM-3



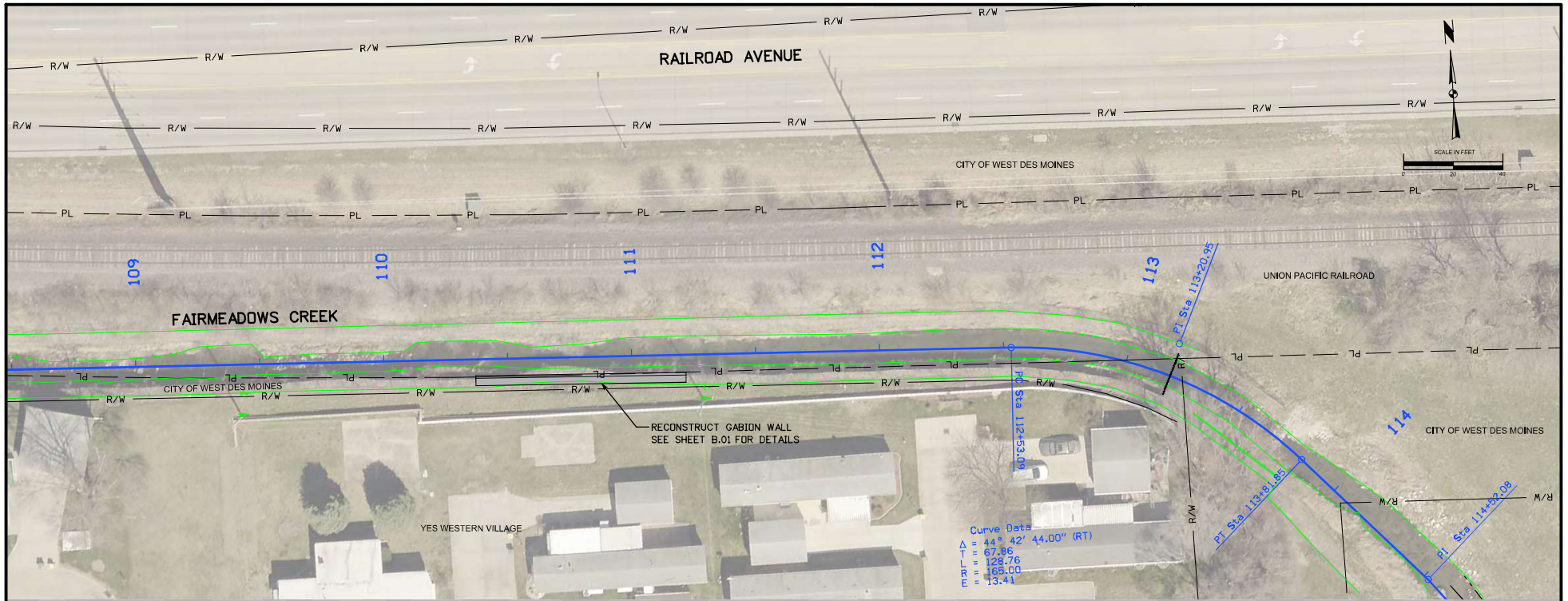
KM-4



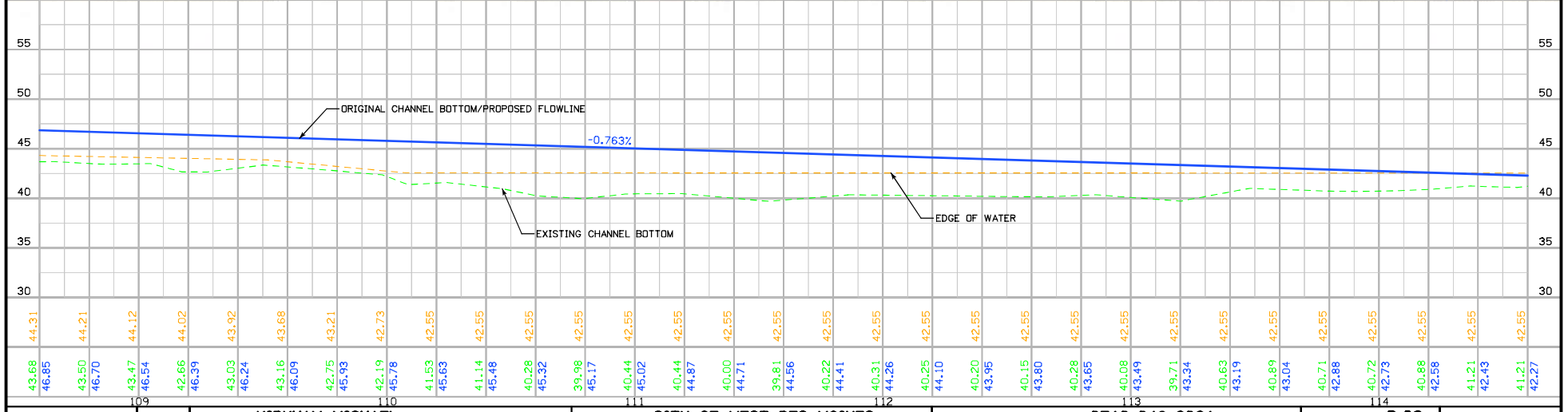


FILE NO.	ENGLISH	DESIGN TEAM KIRKHAM MICHAEL	CITY OF WEST DES MOINES	PROJECT NUMBER	0510-048-2021	SHEET NUMBER	D.01
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Curve Data
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 $T = 67.96$
 $PL = 128.76$
 $PC = 165.00$
 $MC = 13.41$



FILE NO.	ENGLISH	DESIGN TEAM	KIRKHAM MICHAEL	CITY OF WEST DES MOINES	PROJECT NUMBER	0510-048-2021	SHEET NUMBER	D.02
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