



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

PUBLIC NOTICE

Applicant: City of West Des Moines

Date: April 05, 2022

Expires: May 04, 2022

CEMVR-RD-2021-1061

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. Brian Hemesath, 4200 Mills Civic Parkway, Suite 2D, West Des Moines, Iowa 50265.

2. **Project Location:** Project is located on Blue Creek, north of Interstate 235 between 22nd Street and Valley West Drive in West Des Moines. Section 5, Township 78 North, Range 25 West, Polk County, Iowa. Latitude 41.593007, Longitude -93.7471.

3. **Project Description:**

a. The City of West Des Moines is proposing to construct a new stormwater detention facility along the segment of Blue Creek located north of Interstate 235 between 22nd Street and Valley West Drive. The proposed project is needed to reduce the potential for flooding to streets and nearby residences. The project will consist of constructing 5 storm water basins that will be connected via a culvert/let-down structure system.

b. Blue Creek will be permanently impacted by this project as it will become part of the overall storm water management system. Approximately 205-feet will be permanently impacted through the installation of pipes and culverts and an additional 2,665-feet will be impacted by the creation of the storm water basin system. The basins will fill and recede with each storm event, thus resulting in the impacts to the stream system. The original flow line of Blue Creek will be maintained, and the new cross section of the creek will be two-foot deep with a ten-foot wide bottom and 3:1 side slope. Overall, this project will result in the permanent and temporary loss of 2,870-feet of Blue Creek. A jurisdictional determination has been completed for this project and 0.31 acres of wetland (0.27 emergent and 0.04 forested) will be permanently filled by this project.

c. To compensate for the loss of these resources the Applicant has proposed to purchase wetland and stream credits from approved wetland and stream mitigation banks in the service area of the impacts. The Applicant has utilized the Iowa Stream Mitigation Method and approximately 4,992 stream credits are required. During this review period, a full evaluation of this will be completed. An additional 0.31 acres of wetland (0.27 emergent and 0.04 forested) will be purchased.

4. Agency Review:

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 of 1899 (33 U.S.C. 403) and 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 East 9th Street, Des Moines, Iowa 50319. 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 Archaeologist consulted with the Iowa geographic information systems archeological site and survey databases online, including the HILD layers. The western most portion of the project area has been previously surveyed with negative results. In addition, soils and historic aerial photos were reviewed to document the previous disturbance of the project area. Based on the previous disturbance from the interstate construction on the south of the project area and the developments to the north it is the opinion of the District the project has **no potential to affect historic properties** 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 Polk County, Iowa:

- Indiana Bat – *Myotis sodalis*
- Northern Long-eared Bat – *Myotis septentrionalis*
- Western Prairie Fringed Orchid – *Platanthera praeclara*
- Monarch Butterfly – *Danaus plexippus*

b. The proposed project is being coordinated with the FWS through this public notice. This project will have No Effect on any of these species based on the lack of suitable habitat. No further coordination is required.

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 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.

9. **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.

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 District Engineer, US Army Corps of Engineers, Rock Island District, ATTN: OD-P, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mr. Albert J. Frohlich** email: Albert.J.Frohlich@usace.army.mil, may be contacted for additional information.

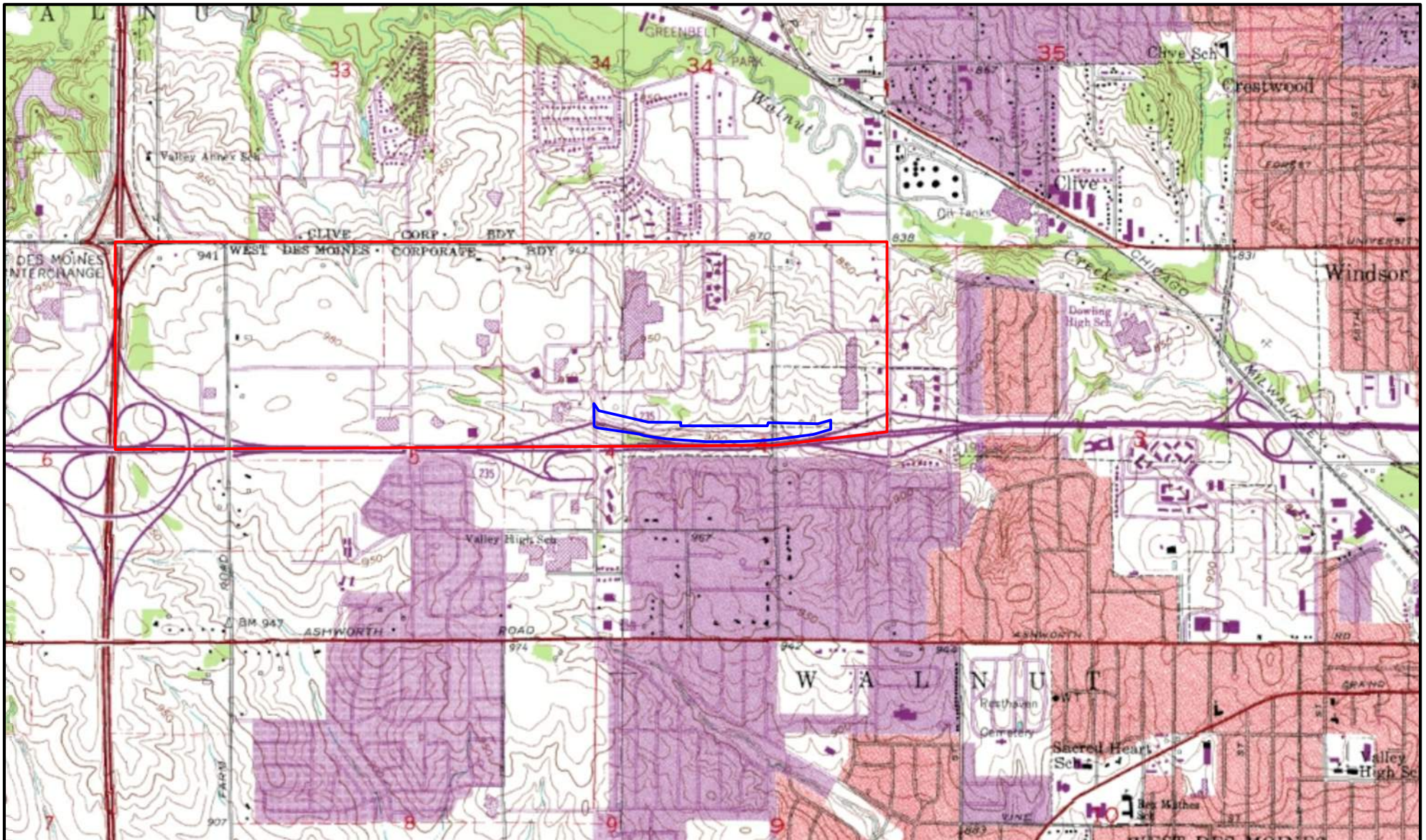
matthew a zehr

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.

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.



LEGEND

- - PROJECT AREA
- - PCP DEVELOPMENT AREA

CEMVR-RD-2021-1061
 Project Location
 Sheet 1 of 5

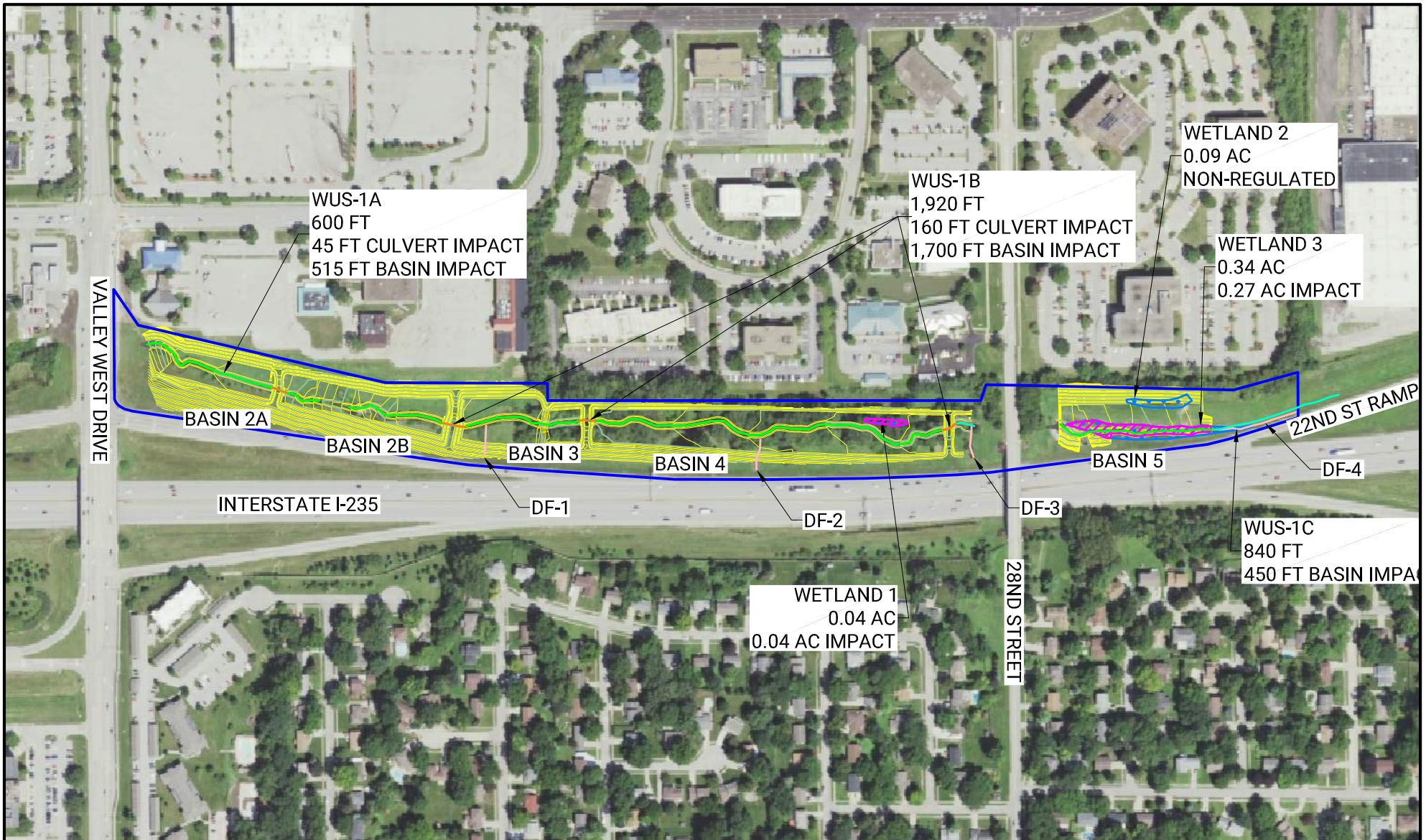
TOPOGRAPHIC MAP

BLUE CREEK STORMWATER DETENTION
 SECTION 404 PERMIT
 I-235 BETWEEN 22ND ST & VALLEY WEST DR
 WEST DES MOINES, IOWA

0 APPROXIMATE DRAWING SCALE 2000 Feet Project ID #: 21M068.00

Date: 02/22/2022
 Prepared By: ESM
 Checked By: SMT





WUS-1A
600 FT
45 FT CULVERT IMPACT
515 FT BASIN IMPACT

WUS-1B
1,920 FT
160 FT CULVERT IMPACT
1,700 FT BASIN IMPACT

WETLAND 2
0.09 AC
NON-REGULATED

WETLAND 3
0.34 AC
0.27 AC IMPACT

WETLAND 1
0.04 AC
0.04 AC IMPACT

WUS-1C
840 FT
450 FT BASIN IMPACT

LEGEND

- ▬ - PERMIT AREA
- ▬ - WETLAND AREA
- ▬ - WUS
- ▬ - WETLAND IMPACT
- ▬ - WUS CULVERT IMPACT
- ▬ - WUS DETENTION BASIN IMPACT

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Proposed Impacts
Sheet 2 of 5

WETLAND & WUS IMPACT MAP

BLUE CREEK STORMWATER DETENTION
SECTION 404 PERMIT
I-235 BETWEEN 22ND ST & VALLEY WEST DR
WEST DES MOINES, IOWA

0 APPROXIMATE DRAWING SCALE 400 Feet

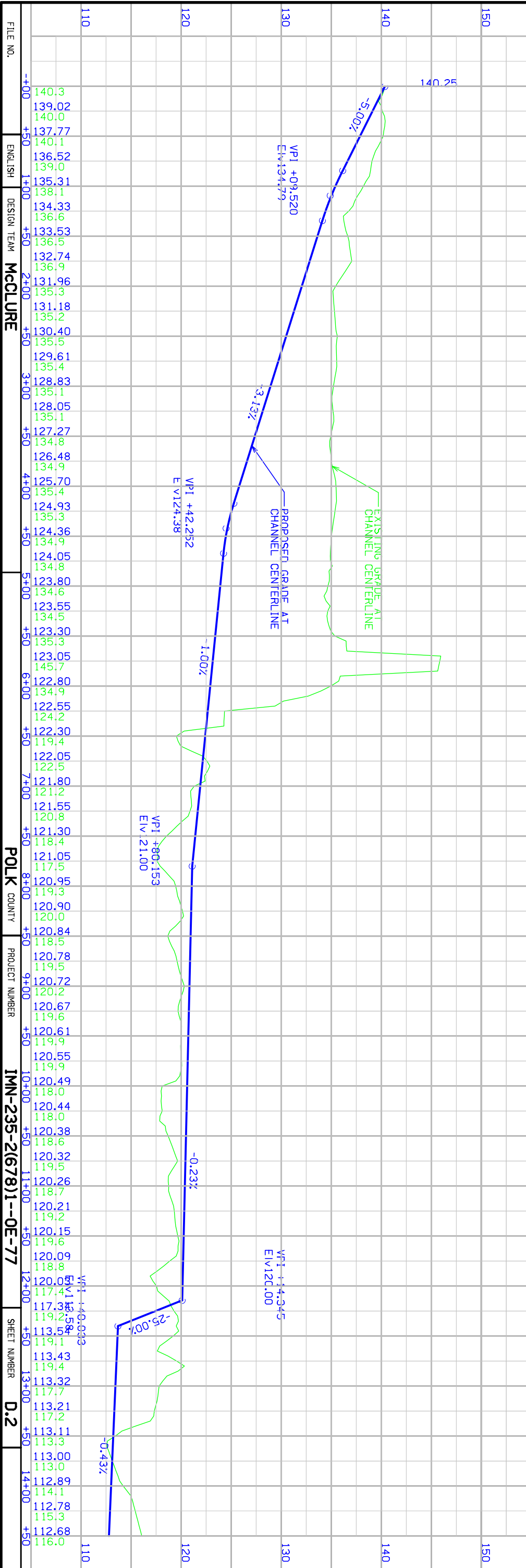
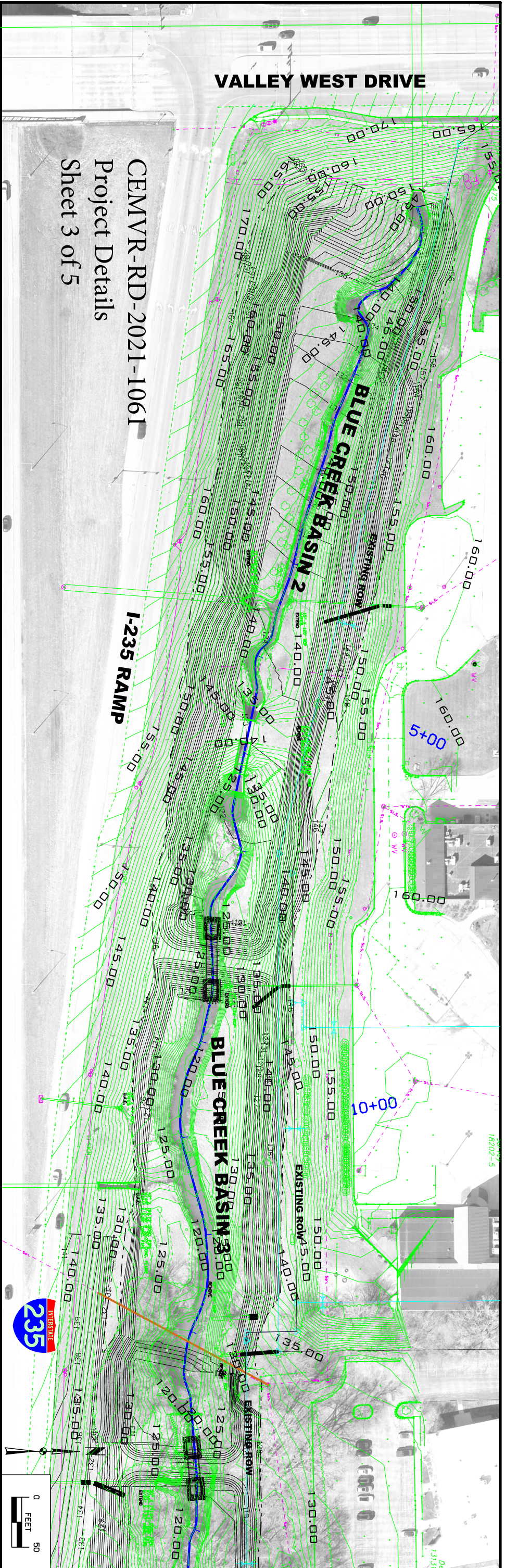
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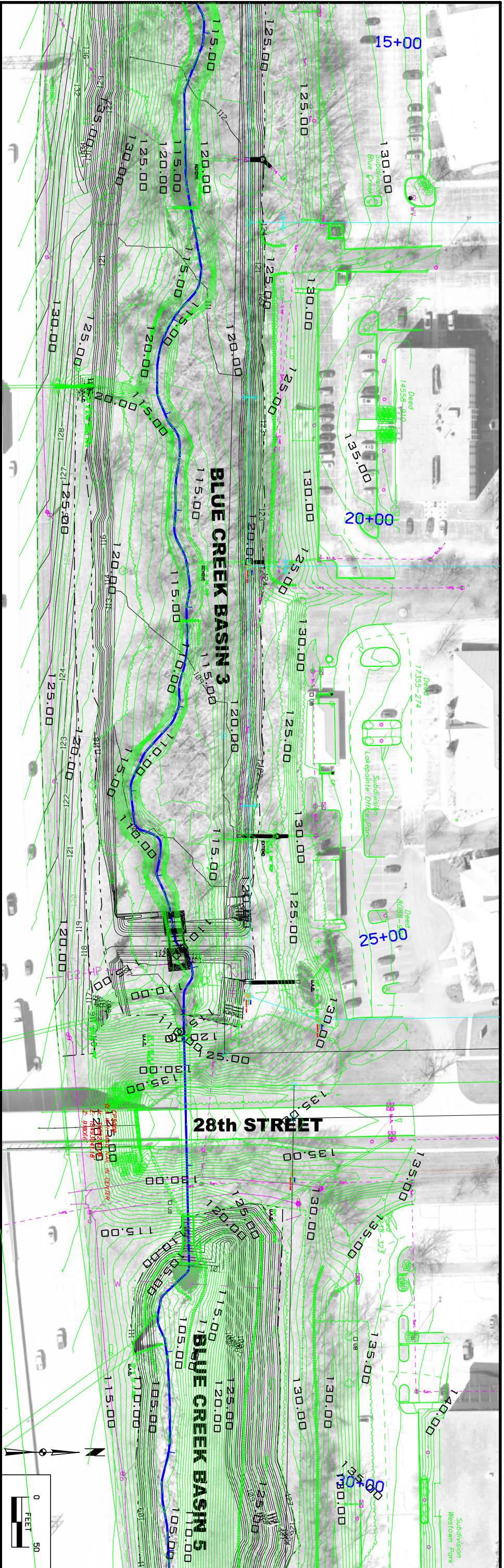
Date: 03/28/2022

Prepared By: ESM

Checked By: SMT

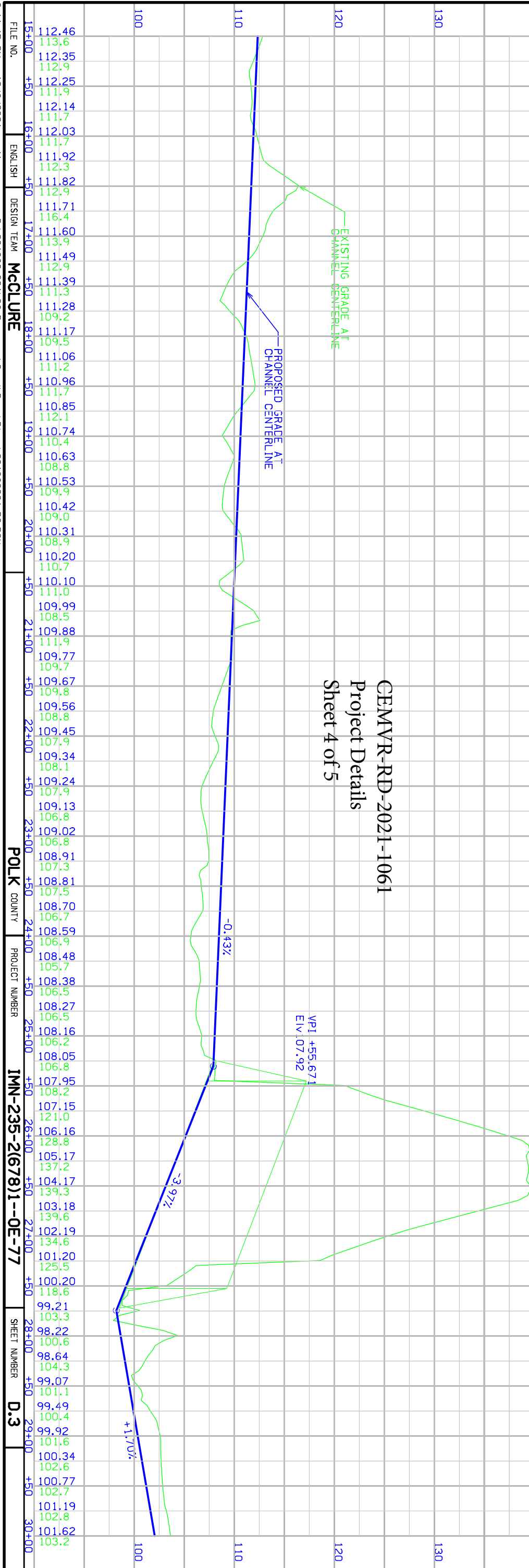






CEMVR-RD-2021-1061
 Project Details
 Sheet 4 of 5

VPI +55.671
 EIV 07.92



FILE NO.	ENGLISH	DESIGN TEAM	MCLURE	POLK COUNTY	PROJECT NUMBER	SHEET NUMBER
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21+00	111.82					
22+00	111.71					
23+00	111.60					
24+00	111.49					
25+00	111.39					
26+00	111.28					
27+00	111.17					
28+00	111.06					
29+00	110.96					
30+00	110.85					



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 Project Details
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22nd STREET

