



US Army Corps
of Engineers®
Rock Island District

PUBLIC NOTICE

Applicant: Mr. Steve Burgason

Date: March 16, 2022

Expires: April 15, 2022

CEMVR-RD-2021-1713

Section 404

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

1. **Applicant:** Mr. Steve Burgason, Ansley Land, LLC, 3314 Cedar Lane, Ames, Iowa 50014.

2. **Project Location:** The proposed project is located in Section 21, Township 83 North, Range 24 West, Story County, Iowa within the City of Ames. It is located between Cedar Lane to the west and University Boulevard to the east and Aurora Avenue to the north. Lat. 41.98878, Lon. -93.644698.

3. **Project Description:**

A. The Applicant proposes to construct a new residential development which will include the construction of several roads, sidewalks, grading for new single family and multi family home as well as townhouses. The proposed project will include accessory infrastructure such as utilities, storm and sanitary sewers, the modification of an existing storm water basin and the construction of a new basin.

B. Proposed avoidance and minimization thus far have been to avoid a section of Tributary 1 and Wetland 1 through design modifications.

C. The proposed project would impact 1.82 acres of emergent wetland and a man-made impoundment on-site. Compensatory mitigation is proposed to occur at a wetland mitigation bank within the service area of the impacts at a 1:1 ratio.

4. **Agency Review:** 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:**

A. The District Archaeologist consulted with the Iowa geographic information systems archeological site and survey databases online, including the HILD layers. Review of a mile radius indicates that the majority of the historic properties in the vicinity are associated with historic farmsteads and are not eligible for listing on the National Register of Historic Places. Overall, the project area is located in uplands and has very low to no potential for significant historic properties to be present based on the lack of permanent water in the project area. In addition, there are larger water courses that would have provided a perennial water source in the vicinity.

B. Based on these observations a determination of **no historic properties affected** will be coordinated with the Iowa State Historic Preservation Office and any Tribes that express an interest in being consulted with on the project.

6. **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. Based on the habitat present, there is no habitat suitable for any of the listed species for Story County. The project area includes a linear strip of trees that aligns with an old railroad line and agricultural fields. There will be no effect on any listed species.

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 of Engineers:** Comments concerning the Corps permit should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: RD - Frohlich, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact **Mr. Albert Frohlich** at **(309) 794-5859** or email at Albert.J.Frohlich@usace.army.mil.

matthew a zehr

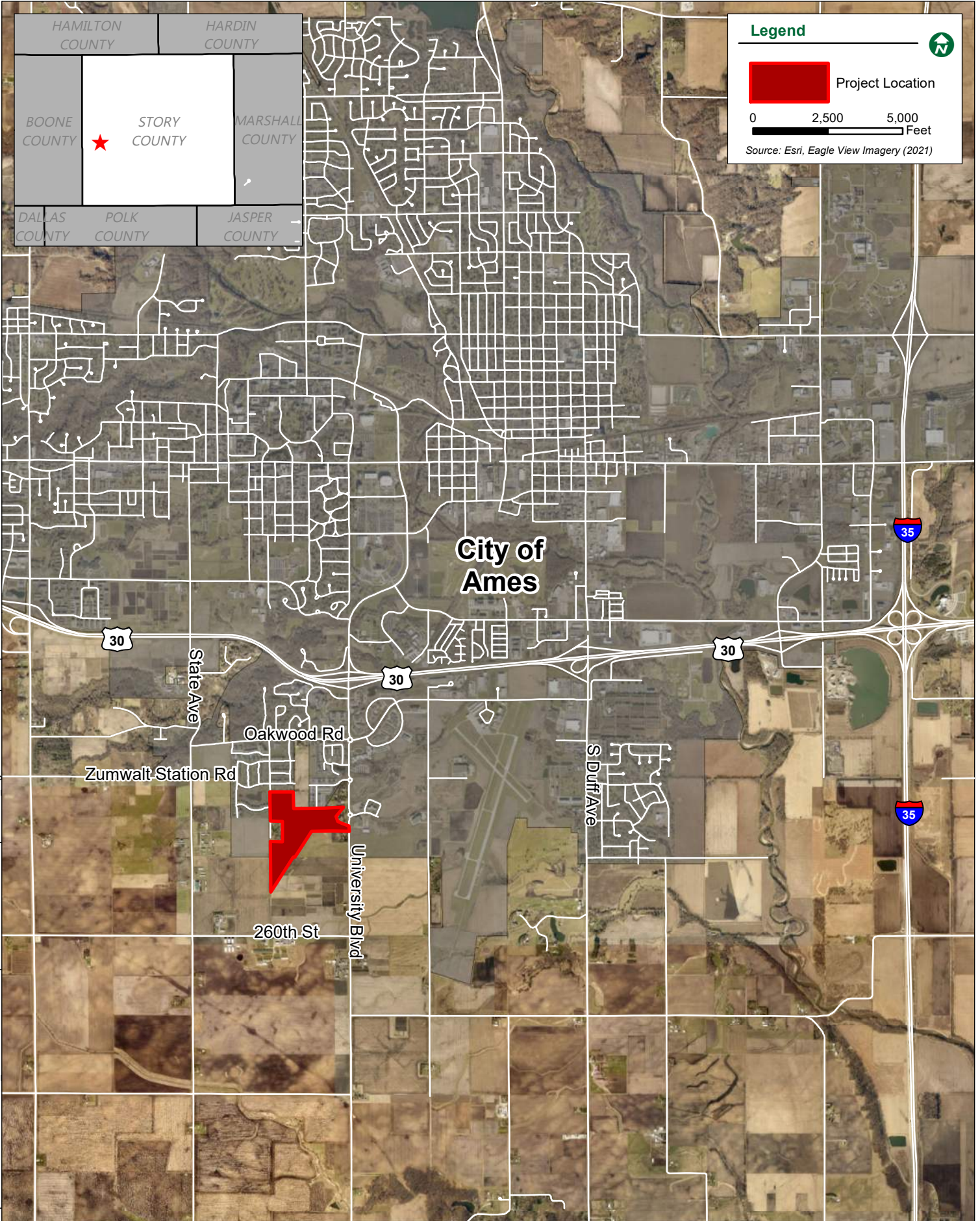
Mr. Matthew A. Zehr
Chief, Western Branch
Regulatory Division

Attached Plans

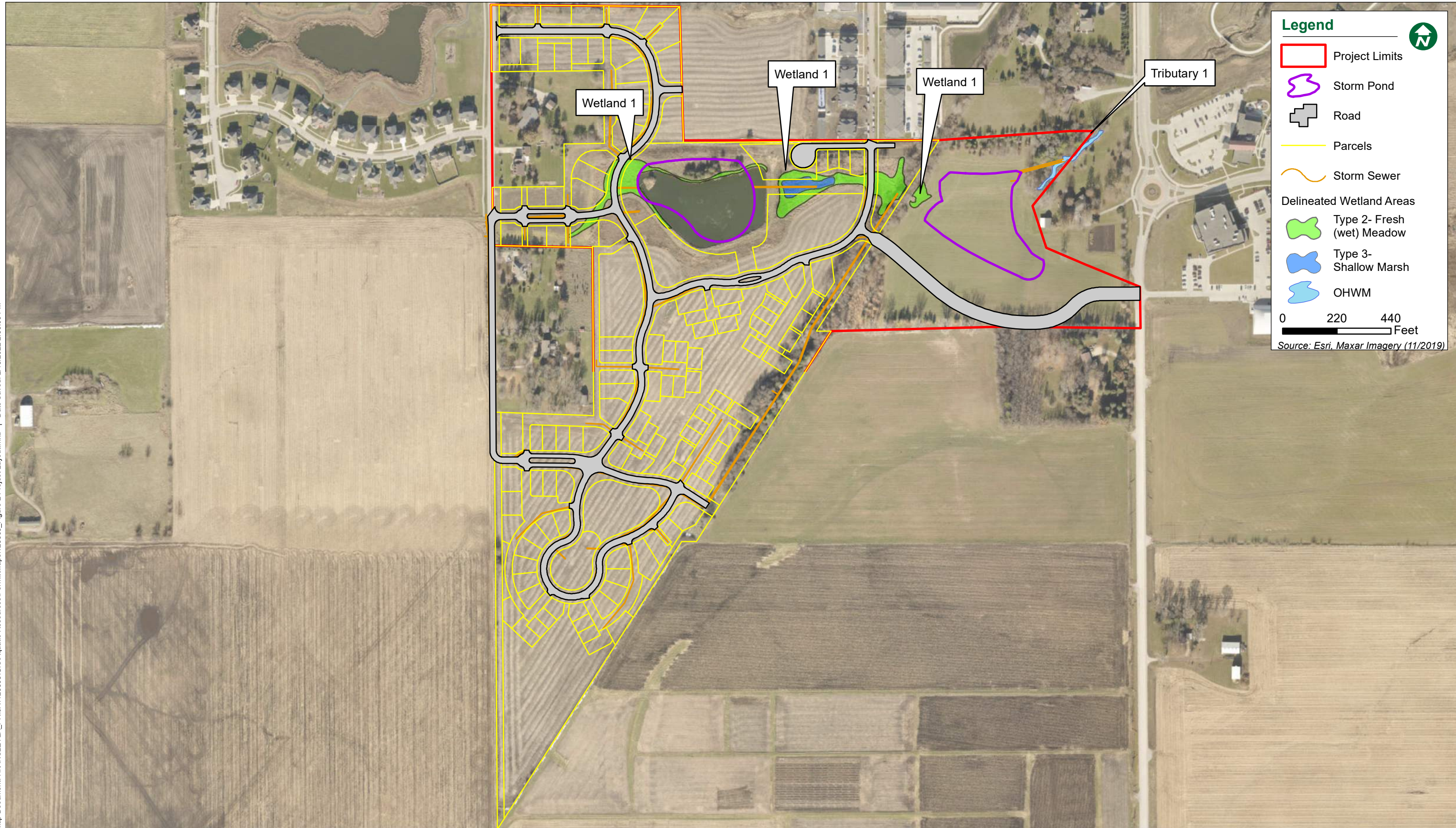
- 1) Location Map
- 2) Project Layout
- 3) Wetland Impacts
- 4) Overall Layout

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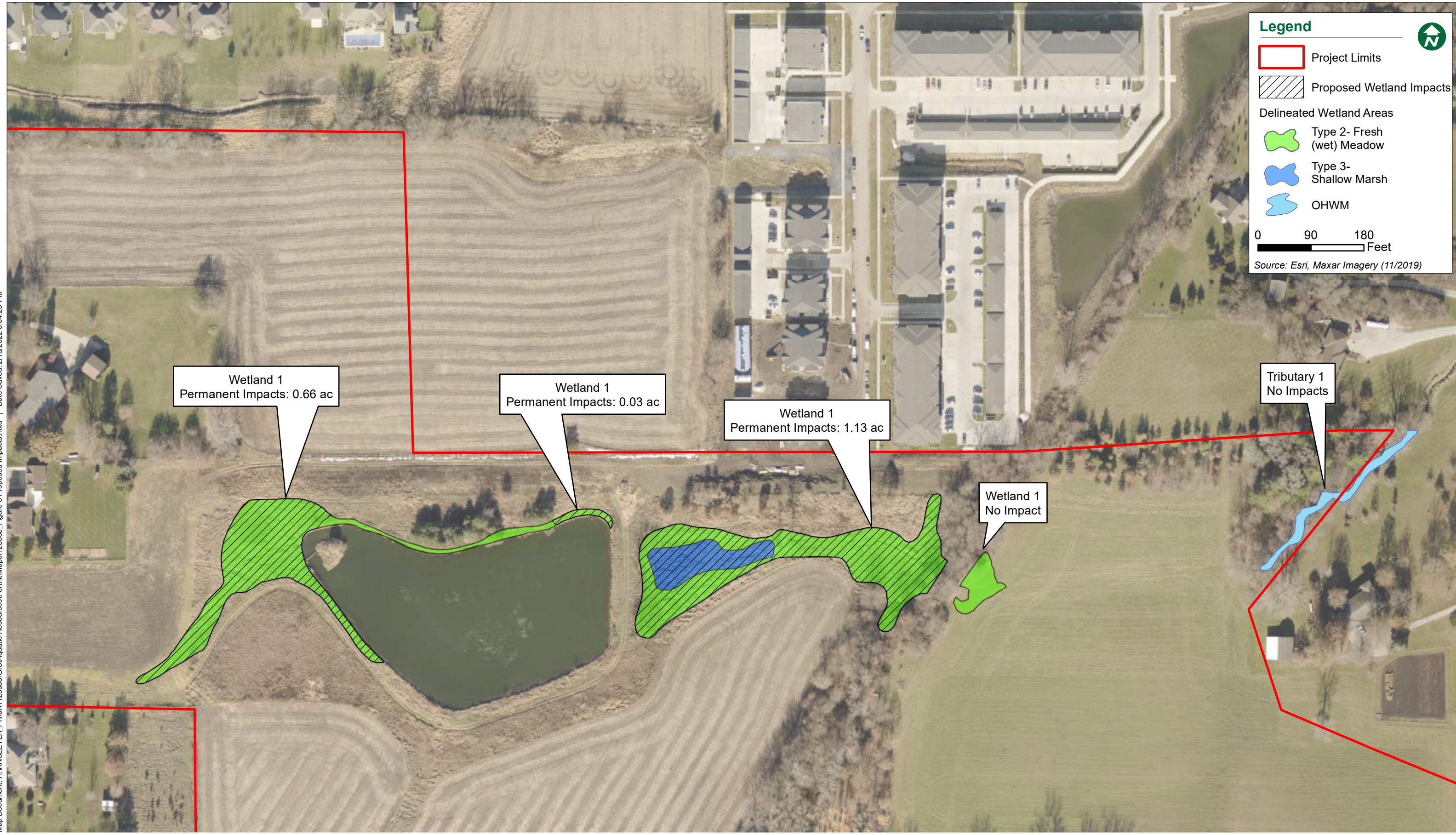
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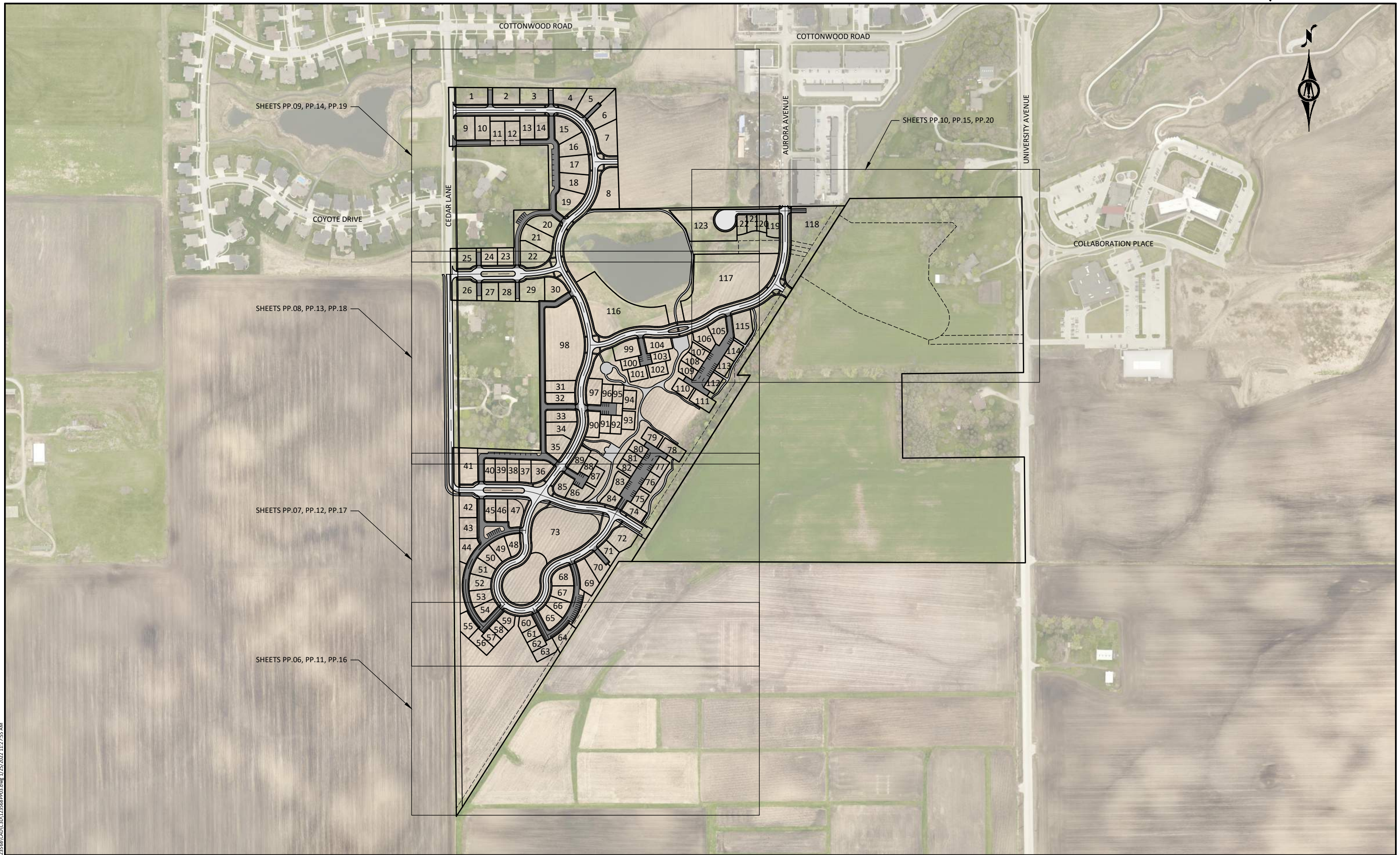


Map Document: H:\ANSLEY.LA_PR\0A 11235668\GIS\Aquatic Resources\Permitt\Maps\123568 Figure 1 Location Map.mxd | Date Saved: 2/15/2022 2:20:37 PM



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