



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

PUBLIC NOTICE

Applicant: Mr. Adam Hahn

Date: March 16, 2022

Expires: April 15, 2022

CEMVR-RD-2022-106

Section 404

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

1. **Applicant:** Mr. Adam Hahn, Watts Group Development, 425 E. Oakdale Blvd., Suite 101, Coralville, Iowa 52241.

2. **Project Location:** The proposed project is located in Section 29, Township 82 North, Range 6 West, Linn County, Iowa in the City of Ely. Lat. 41.876811 Lon. -91.571962.

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 homes. The proposed project will include accessory infrastructure such as utilities, storm and sanitary sewers and storm water basins.

B. Approximately 2.02 acres of wetland 2 will be avoided based on the overall grading needs for the proposed project. Two other wetlands will have some minor avoidance as well, but the majority of the wetlands on-site will be impacted by the placement of fill.

C. The proposed project will impact 6.12 acres of emergent and forested wetland. A site visit will be completed during the growing season to verify the acreages prior to permitting, therefore this total may change based on jurisdictional status. Wetland mitigation will be provided through the purchase of wetland credits at a wetland mitigation bank in the approved 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 I-Sites geographic information systems archeological site and survey databases online. Including the HILD, HILD Burial and Notable Locations layers. The project area had not been surveyed and there were no previously identified historic properties in or adjacent to the permit area.

B. Based on the topographic position of the permit area there is a high probability for historic properties to be present. Therefore, it is the opinion of the District Archaeologist the project area has the potential to contain historic properties that may be potentially eligible for listing on the National Register of Historic Places (NRHP) – both prehistoric and historic.

C. The District will require the applicant to submit two (2) copies of a Phase I archaeological survey and geomorphological evaluation report covering the permit area. Geomorphological investigation must extend at least 50 centimeters below the proposed depths of soil disturbance or to a depth below which no possibility of historic properties exists. The bridge should also be evaluated as part of the survey. The applicant, in addition to this Phase I report, may be required to conduct additional Phase II test excavations to evaluate sites for eligibility for inclusion in the NRHP as well as other studies, site avoidance, or data recovery as may be the case.

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 Linn County. The project area includes scattered trees, wetland swales 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.

Attached
1) Location Map
2) Proposed Layout
3) Wetland Delineation

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

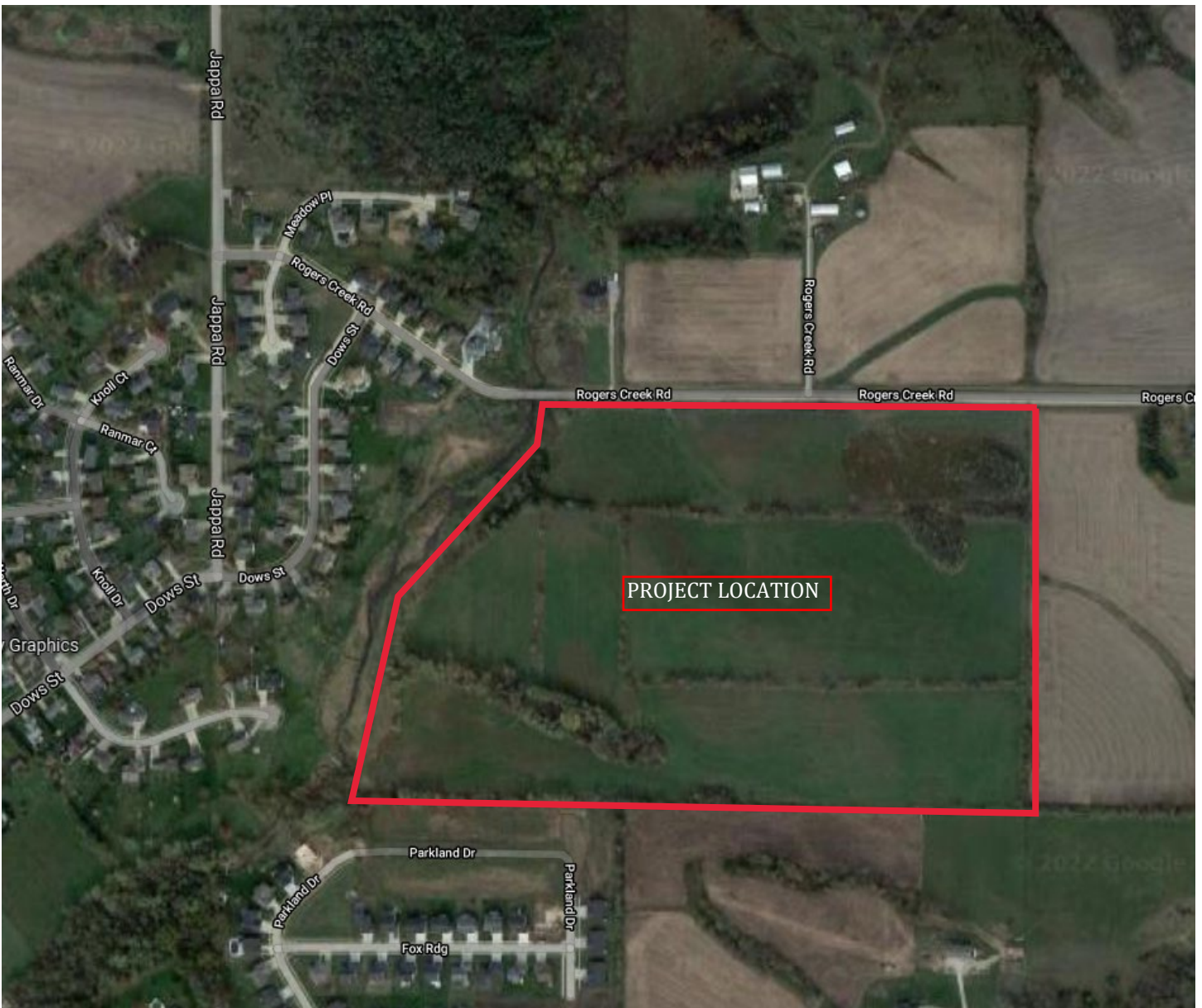
REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

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Location Map

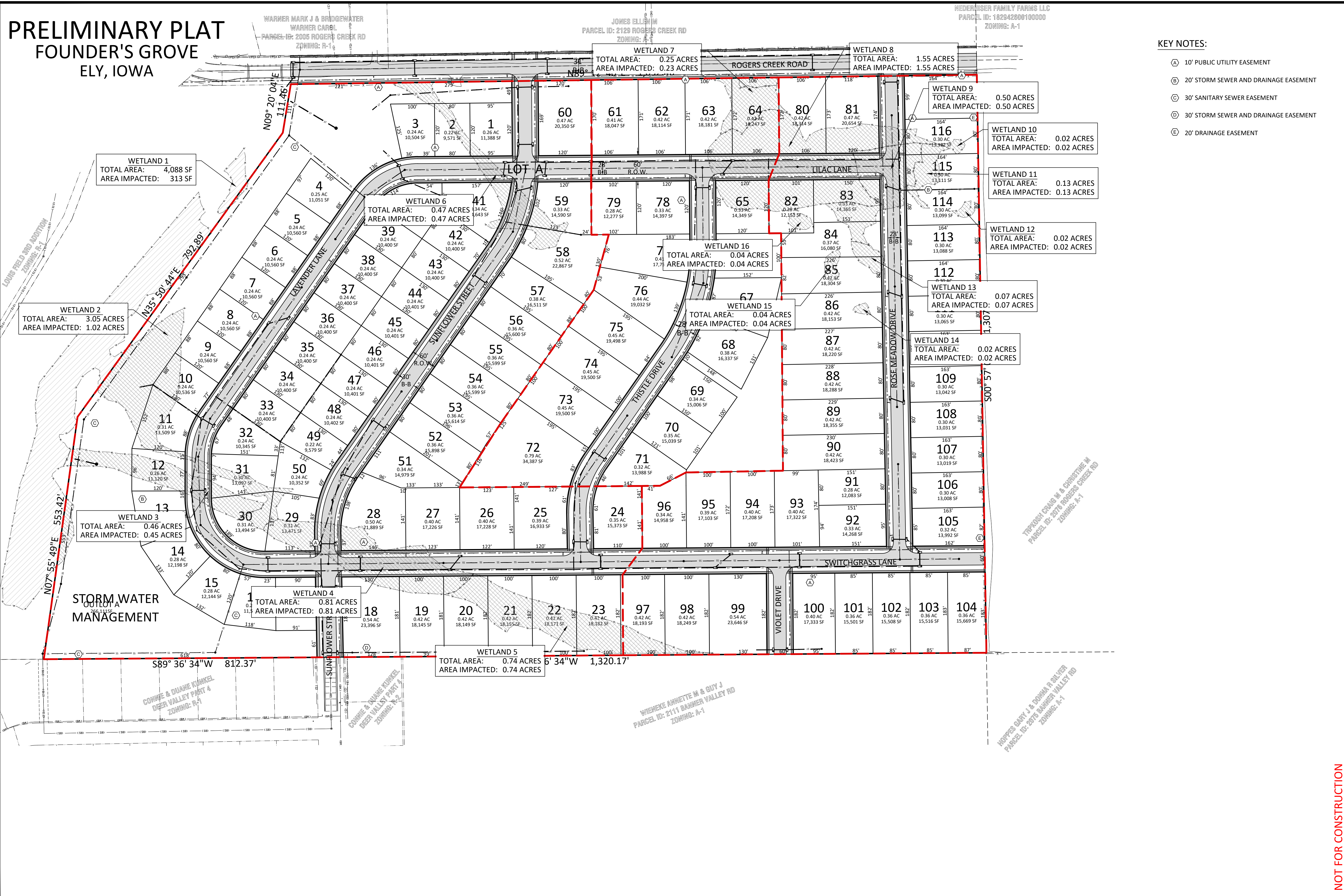
Founder's Grove

Ely, Iowa

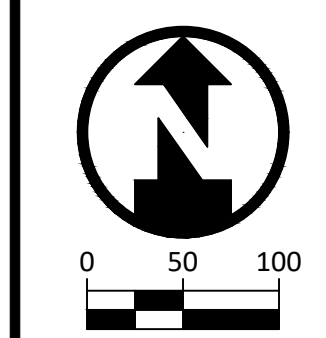


CEMVR-RD-2022-106 Project Location sheet 1 of 3

PRELIMINARY PLAT FOUNDER'S GROVE ELY, IOWA



- KEY NOTES:**
- (A) 10' PUBLIC UTILITY EASEMENT
 - (B) 20' STORM SEWER AND DRAINAGE EASEMENT
 - (C) 30' SANITARY SEWER EASEMENT
 - (D) 30' STORM SEWER AND DRAINAGE EASEMENT
 - (E) 20' DRAINAGE EASEMENT



DRAWING LOG

REV	DATE	DESCRIPTION OF CHANGES
1	10-25-2021	SUBMITAL TO CITY

PROJECT NAME:
**FOUNDER'S GROVE
ELY, IOWA**

CLIENT NAME:

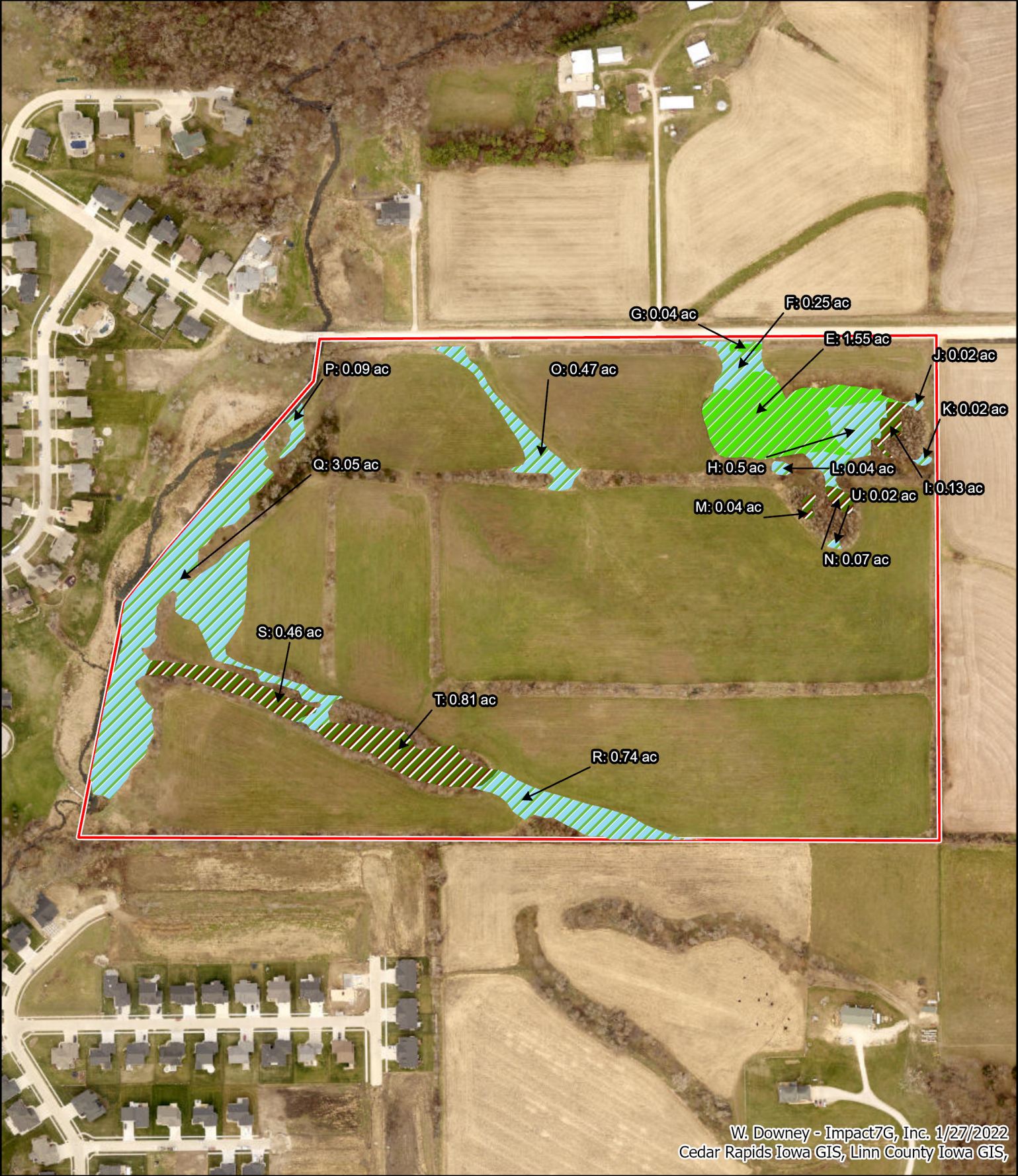
SHEET NAME:
PRELIMINARY PLAT

DESIGN PROFESSIONAL:
BOELK

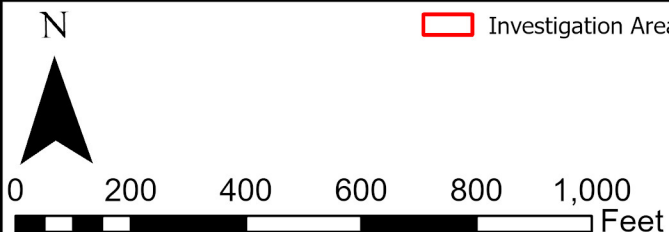
PROJECT NO.:
21-0166

SHEET NUMBER:
2 OF 2

NOT FOR CONSTRUCTION



W. Downey - Impact7G, Inc. 1/27/2022
 Cedar Rapids Iowa GIS, Linn County Iowa GIS,



Investigation Area

- Wetland**
-  Emergent
 -  Forested
 -  Shrub

