



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

PUBLIC NOTICE

Applicant: Union Pacific Railroad Date: January 16, 2023
CEMVR-RD-2019-1371 Expires: February 14, 2023
Section 404

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

1. Applicant: Union Pacific Railroad (UPRR), c/o Adam Studts, 1400 Douglas Street, Stop 0910, Omaha, Nebraska 68179.

2. Project Location: The project is located along the Wapsipinicon River and associated wetlands in Section 14/15, Township 81 North, Range 1 East, Clinton County, Iowa, approximately 2,450-feet southeast of the intersection of 235th Street and 142nd Avenue near the town of Wheatland. Latitude: 41.82695, Longitude: 90.816267.

3. Project Description: The project includes the removal and replacement of an existing railroad bridge across the Wapsipinicon River at Milepost 33.31 on the Clinton Subdivision in Clinton County, Iowa. The proposed replacement bridge will occupy the same footprint as the existing bridge. Dimensions of the new structure will be approximately 376.5-feet in length by 36-feet in width. Temporary bridges will be constructed to the north and south of the existing bridge for construction equipment access and will be removed upon project completion. An existing roadway off of US Highway 30 will be used. Tree trimming/removal may be needed along this road. Equipment/material staging will be located in a fallow agricultural field located to the southwest of the bridge. Construction of the new bridge will include temporary cofferdams, grading, and the installation of two new piers as support structures. Impacts from this project include approximately 0.098-acres of permanent stream impact from pier construction. Permanent impacts to adjacent wetlands will include 2.74-total acres. Approximately 2.4-acres of forested wetland will be converted to emergent wetland during construction activities, while 0.34-acres of forested wetland will be permanently affected by fill material. Temporary impacts to additional emergent, scrub-shrub, and forested wetlands will include approximately 4.05-acres. These disturbed areas will be returned to pre-construction conditions.

4. Purpose and Need: The purpose of the project is to ensure continued rail service along the Clinton Subdivision to maintain interstate commerce. The existing railroad line is heavily traveled, one which leads to the Mississippi River at Clinton, Iowa. It is one of a limited number of crossings of the Mississippi under UPRR ownership and carries a significant amount of freight traffic destined to, or coming from, the eastern US. As such, it plays an important role in the US economy. Because the deterioration of the existing bridge is outpacing the ability of UPRR's bridge maintenance crews to repair the bridge, and because the magnitude of the repairs continues to grow due to its age and use, an alternative to using the existing bridge is needed for UPRR to continue using this important rail line.

5. Avoidance and Minimization Statement: The Project's construction activities have been designed to avoid and minimize impacts to the environment while meeting the project objectives. Impacts to the waterway and wetlands will be minimized by constructing the new bridge along the same alignment as the existing bridge instead of in a new, undisturbed location. Project design revisions have decreased the

environmental impacts of the project while maintaining project objectives and necessary safety requirements. An Alternatives Analysis has been prepared for the project. Compensatory mitigation requirements for unavoidable impacts to forested wetlands will be satisfied by purchasing forested wetland credits from a USACE approved bank.

6. 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).

7. Historical/Archaeological: Section 106 consultation for the project was previously initiated by the District under a Nationwide Permit review. Below is a summary of the Section 106 consultation efforts to date. If any previously unidentified party indicates an interest in project through this public notice process, the District will include them as the consultation process moves forward.

Summary - Built in 1912, Bridge 33.31 is a double track, two span Warren through truss bridge over the Wapsipinicon River that is recommended as individually NRHP eligible under Criterion C (engineering design) as well as being a contributing element to the Clinton Subdivision Historic District.

A. The District also reviewed the report entitled, *Wapsi River Bridge Project Milepost 33.31 over the Wapsipinicon River, Clinton Subdivision, Clinton County, Iowa – Phase I Archaeological Survey* dated September 2021 (Enclosure 4). Ms. Amy Farvet, Mr. Kyle Spurgeon, and Ms. Jessica Wobig with Jacobs Engineering Group, Inc. in Cincinnati, Ohio were the Principal Investigators on the report. This report covers the archaeological survey for the permit area. No archaeological properties were identified during the survey. The District Archaeologist found the report to be adequate and concurs that there will be no archaeological historic properties affected by the project.

B. In addition, the District has reviewed the report entitled, *Wapsipinicon River Bridge Replacement Project, Clinton Subdivision, Clinton County, Iowa – Cultural Resources Assessment* dated September 2021. Mr. Kyle Spurgeon and Ms. Jessica Wobig with Jacobs Engineering Group, Inc. in Chicago, Illinois, were the Principal Investigators for the report (Enclosure 5). This report covers the architectural evaluation of the project area. The District Archaeologist found the report to be adequate and concurs with the recommendations in the report.

C. The report is focused on the portion of the UPRR line that runs from Clinton, Iowa at Mile Post (MP) 2.1 to Boone, Iowa at MP 202.2, known as the Clinton Subdivision. The Clinton Subdivision is part of the First Transcontinental Railroad that, in Iowa, ran from Clinton to Council Bluffs, Iowa. The Clinton Subdivision is located between the Geneva Subdivision to the east and the Boone Subdivision to the west. Both the Geneva and Boone Subdivisions have previously been determined eligible for listing in the National Register of Historic Places (NRHP). The report has recommended the Clinton Subdivision is also NRHP eligible as a linear historic district as the Clinton Subdivision / First Transcontinental Railroad Historic District” (Clinton Subdivision Historic District) under Criterion A.

D. The proposed replacement of the bridge has been determined to be an Adverse Effect to the eligible historic district and structure. To mitigate the adverse effects a Memorandum of Agreement has been drafted and provided to the previously identified Consulting Parties. Again, if any previously unidentified parties indicate an interest in the project through this public notice process, the District will include them as the consultation process moves forward.

8. 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 (USFWS) as occurring in Clinton County, Iowa:

- Northern long-eared bat. The endangered northern long-eared bat (*Myotis septentrionalis*) is considered to potentially occur statewide. It hibernates in caves and mines and swarms in surrounding wooded areas in autumn. It roosts and forages in upland forests during late spring and summer.
- Higgins Eye mussel. The endangered Higgins Eye mussel (*Lampsilis higginsii*) is a freshwater mussel of larger rivers where it is usually found in areas with deep water and moderate currents.
- Monarch Butterfly. The Monarch butterfly (*Danaus plexippus*) is a candidate species and is not yet listed or proposed for listing. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.), and larvae emerge after two to five days. Individual monarchs in temperate climates, such as eastern and western North America, undergo long-distance migration, and live for an extended period of time. In the fall, monarchs begin migrating to their respective overwintering sites.
- Eastern prairie fringed orchid. The threatened Eastern prairie fringed orchid (*Platanthera leucophaea*) is considered to potentially occur statewide in Iowa based on historical records and habitat distribution. It occupies wet to mesic prairies and wetlands such as sedge meadows, marsh edges, or bogs.

B. Information reviewed from the USFWS Information for Planning and Consultation (IPaC) website indicated that the above listed species may be present within the project area. Based on a review of available information for these species and the scope of the project including tree removal, it was determined that this project may impact the Northern long-eared bat (NLEB). To prevent impacts to the NLEB, a special condition for the project will be included and restrict tree clearing to occur between October 1 and March 31, outside of the maternity roost season. Based on this restriction and the Corps' review of threatened and endangered species, the Corps has made a determination of "may affect, not likely to adversely affect" for the above-mentioned species. The Corps will coordinate with USFWS on this determination.

9. 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).

10. 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.

11. 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.

12. 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.

13. 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 (Lange), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact **Daniel Lange** at (309/794-4209) or email at daniel.s.lange@usace.army.mil.

Abigail A. Steele

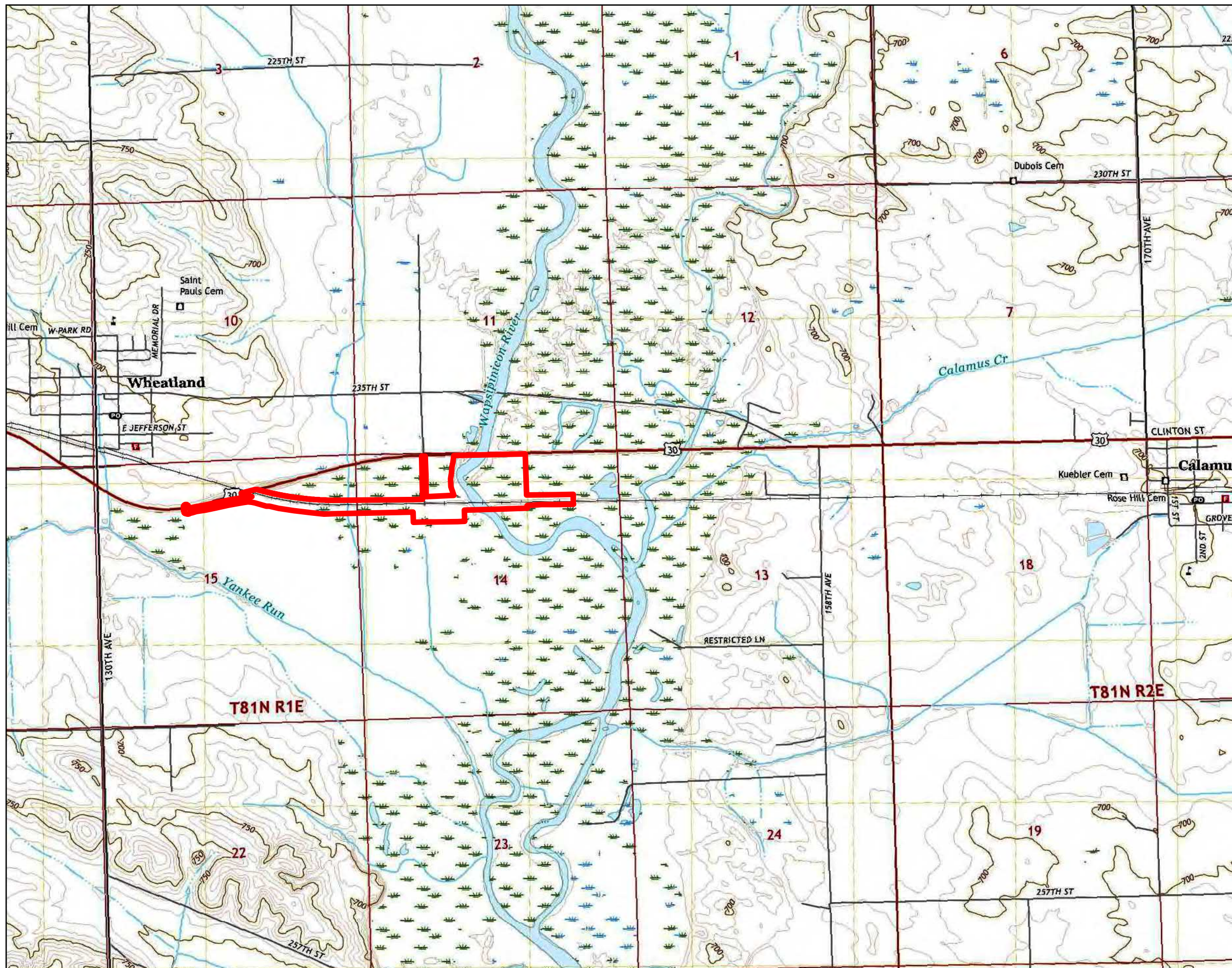
Abigail A. Steele
Acting Chief, Eastern Branch
Regulatory Division

Attach
Plans (3)

Project Location Map (sheet 1 of 3)
Design Plans (sheet 2 of 3)
Impact Map (sheet 3 of 3)

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

Survey Area (78.34 Acres)

Imagery Source:
USGS 7.5 Minute Topographic quadrangles:
Wheatland, IA (published 2018)

CEMVR-RD-2019-1371
Project Location Sheet 1 of 3

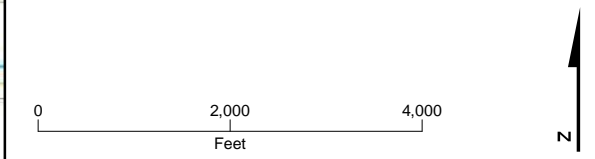
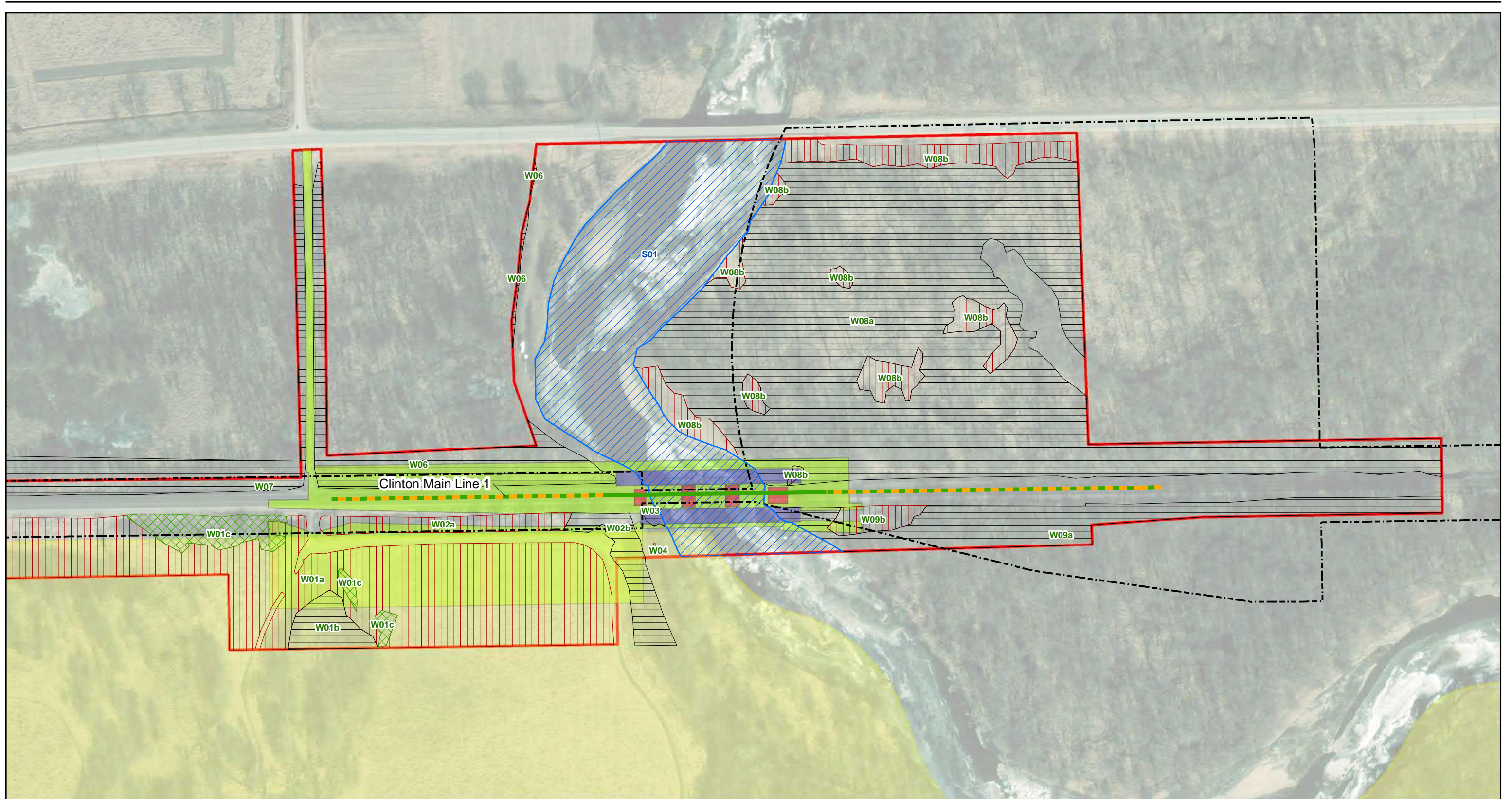


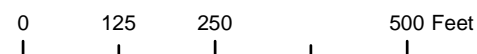
FIGURE 1
Project Location Map

WAPSIPINICON RIVER BRIDGE REPLACEMENT PROJECT
CLINTON SUBDIVISION
CLINTON COUNTY, IA



Legend

- UPRR ROW
- Delineated Ordinary High Water Mark (OHWM)
- ▨ PEM Delineated Wetland
- ▨ PFO Delineated Wetland
- ▨ PSS Delineated Wetland
- Permanent Impact Area
- Temporary Impact Area
- Temporary Bridge
- ▨ Stream
- Wetland Survey Area
- Conservation Easement



**Option 1
Potential Impact Areas - Existing Track Layout**

WAPSIPICON RIVER BRIDGE REPLACEMENT PROJECT
MILEPOST 33.31 - CLINTON SUBDIVISION
CLINTON COUNTY, IA