



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

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# PUBLIC NOTICE

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Applicant: Mr. Daniel L. Reed

Date: October 18, 2004

Expires: November 16, 2004

CEMVR-OD-P-2004-512

Section: 404

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

1. Applicant. Mr. Daniel L. Reed, 30601 – 335<sup>th</sup> Street, Richland, Iowa 52585.
2. Project Location. Section 32, Township 74 North, Range 10 West, near Richland, Keokuk County, Iowa; Unnamed tributary of Richland Creek.
3. Project Description. The applicant proposes to channelize a segment of the tributary stream on his farm. The purpose of the project is to maintain stream flow within the main channel and reduce the occurrences of high flows cutting through the adjacent cropland. A field site visit was made by the Corps of Engineers on July 28, 2004. The stream is a slow moving perennial stream. The main stream has a bed width of 8 to 10 feet. Depth from top-of-bank to streambed is 6 to 8 feet. The south branch of the stream has a bed width of 6 to 8 feet. Depth is 4 to 6 feet. The majority of this stream has been previously channelized in the cropland areas. A grass buffer is maintained 10 to 25 feet wide along both sides of the stream in the cropland areas. Within the project area, the stream has four bends which flow along the east side of a small woodland area. East of this stream segment is cropland. During storm events, high stream flows will backup in the meandered channel and cut across the east crop field. A prominent scour channel has developed. This meandered segment of stream is 580 feet long. There is only a sparse cover of trees along the two upstream bends. Along the west side of the third bend is a small area of mature tree cover 75 feet long x 50 feet wide (less than 0.1 acre). Dominant tree species include Black Willow, Walnut, Cottonwood, Ash, and Hackberry. The trees are generally 10 to 20 years old, along with saplings and younger trees. Along the east side of the fourth (downstream) bend, the vegetative cover is weedy, non-wetland, species including Great Ragweed. The woodland area on the west side of the stream, north (downstream) of the project site, includes old oxbows and wet areas. This woodland will not be disturbed. No wetlands will be adversely impacted by this project.

The excavated channel will be approximately 410 feet long. The project will result in a net loss of 170 feet of stream channel. Within the project area, this is a 29% reduction in stream length. The excavated channel on the south branch of the stream will have a bottom width of 6 feet, a depth of 4 feet from top-of-bank to channel bottom, and sideslopes will be graded no steeper than 2 (horizontal) to 1 (vertical). Top width will be 22 feet. The main excavated channel, north of the junction of the two stream branches, will have a bottom width of 10 feet, depth of 6 feet, and sideslopes will be graded no steeper than 2 (h) to 1 (v). Top width will be 34 feet. The three small stream bends will be eliminated with the new channel excavation and bank grading. Depending on the new channel alignment, the small area of trees along the third bend may be avoided. If the trees will be removed, then the Corps will require that tree clearing be performed only during the period of October 1 to March 31. In this manner, the trees would be removed outside the summer habitation period for the Endangered Species, Indiana bat. The fourth larger bend on the downstream end, will be bypassed by the channel excavation. Excavated soil material will be used to fill this bypassed meander, and to fill or block the scour channel in the east crop field. Grassed field borders will be required along both sides of the excavated channel. Three rock riffle structures may also be required.

4. Agency Review and Where to Reply.

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, 900 East Grand Avenue, 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 Corps consulted with the District geographic information systems (GIS) archeological site and survey databases current as of May 2004. The query determined that there were no previously recorded archeological sites within the permit area and that the area had not been surveyed. The permit area is located in the currently active channel and immediately adjacent floodplain of an unnamed tributary of Richland Creek where all impacts are judged by the Corps to be limited to recent alluvium with little or no potential for historic properties. Therefore, it is the opinion of the Corps that issuance of the permit will have no effect on 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. District staff have 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. Keokuk County, Iowa, is on the Current Distribution List for the Federally listed Threatened Species, Bald Eagle (*Haliaeetus leucocephalus*), and the Endangered Species, Indiana bat (*Myotis sodalis*). There is substantial deciduous forest cover in the vicinity. However, only a small area (50 feet x 75 feet) of mature trees exists within the project site. This area includes potentially suitable roost trees for the Indiana bat. Based upon the information provided and available at this time, our preliminary determination is that the proposed activity will have no effect on Bald Eagle; and is not likely to adversely affect the Indiana bat providing tree clearing is avoided or is performed only during the non-habitation period of October 1 to March 31. No critical habitat exists on the project site for either species. While no consultation has been initiated with the United States Fish and Wildlife Service (FWS) at this time, we are further coordinating this application with the FWS and the respective resource agencies through this public notice. Accordingly, our preliminary determination is subject to change should further information become available.

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.

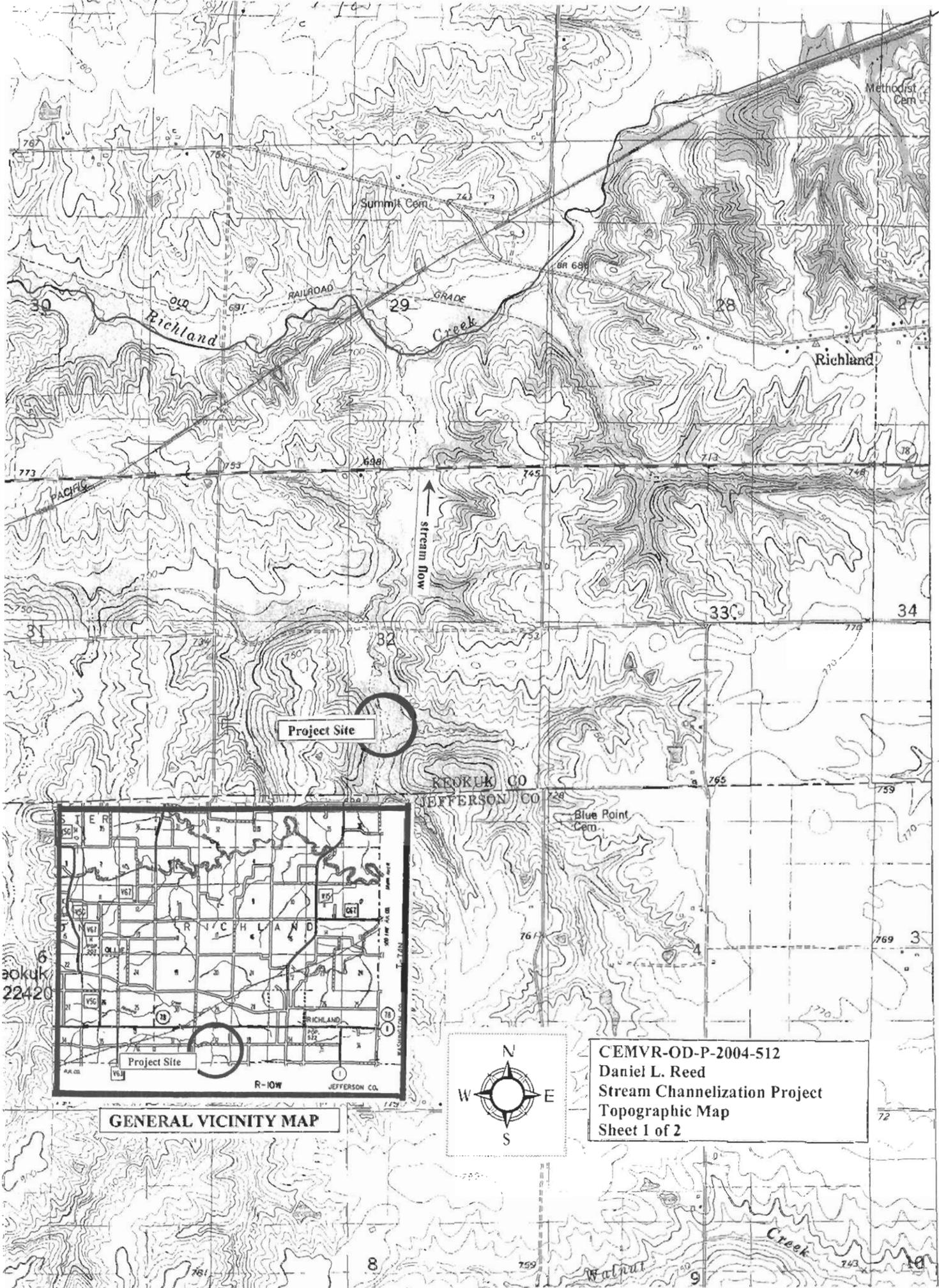
11. Reply to the Corps. Comments concerning the Corps permit should be addressed to the District Engineer, US Army Corps of Engineers, Rock Island District, ATTN: OD-P, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mr. Marlyn W. Schafer (309/794-5377)** may be contacted for additional information (email: [marlyn.schafer@usace.army.mil](mailto:marlyn.schafer@usace.army.mil)).

Attach  
Plan

Marlyn W. Schafer  
Project Manager  
Regulatory Branch

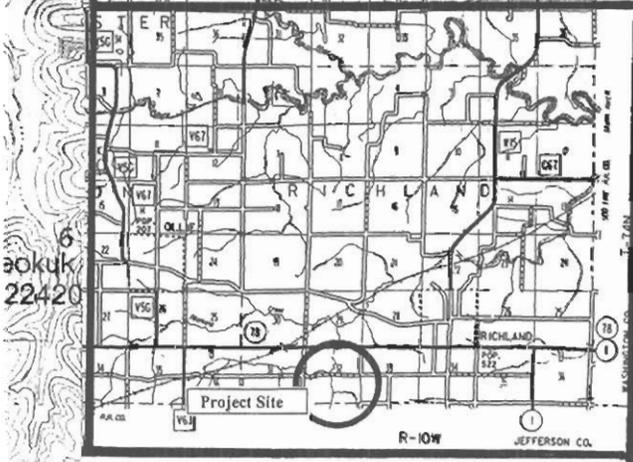
REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

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Project Site

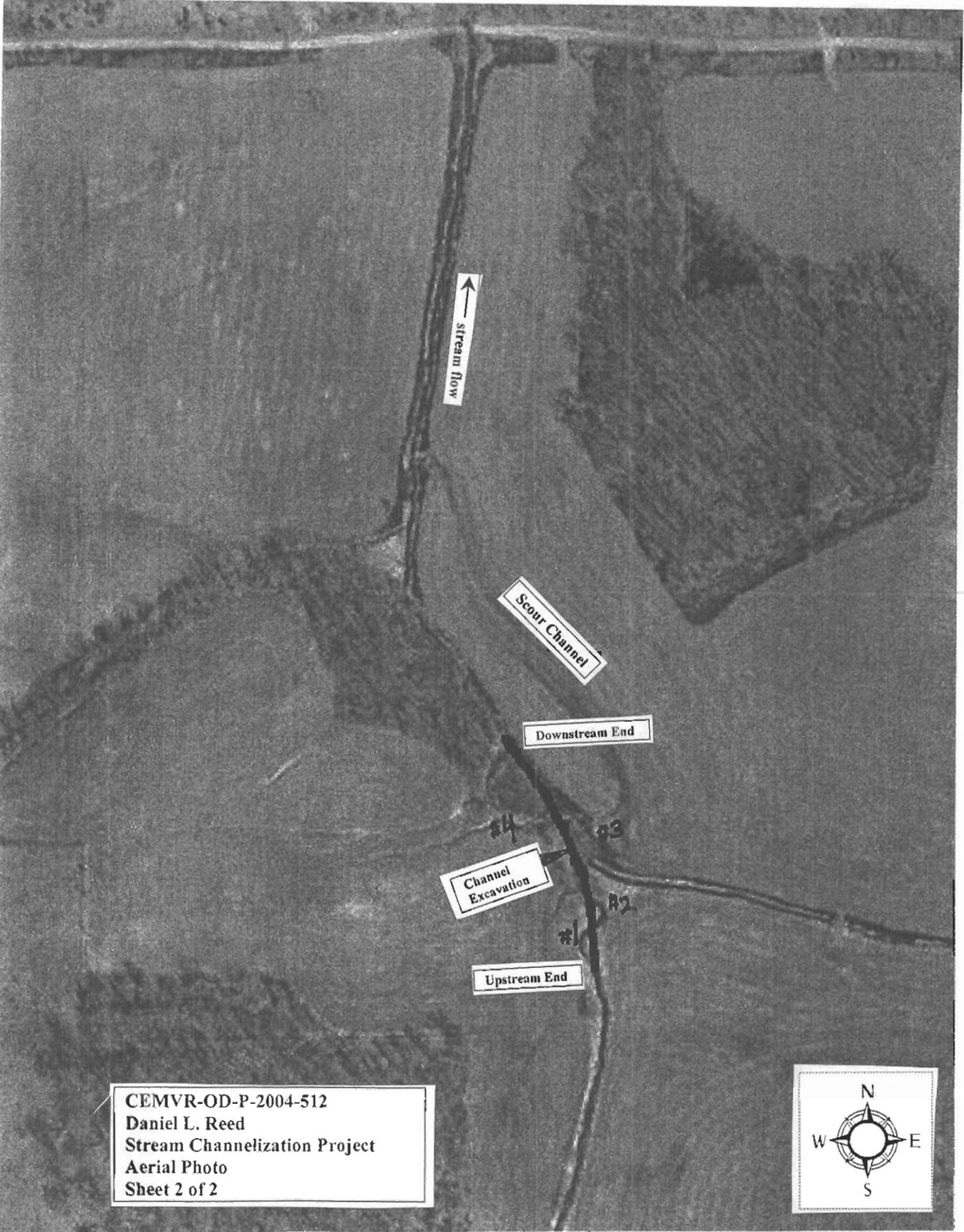
↑  
stream flow



**GENERAL VICINITY MAP**



CEMVR-OD-P-2004-512  
Daniel L. Reed  
Stream Channelization Project  
Topographic Map  
Sheet 1 of 2



CEMVR-OD-P-2004-512  
Daniel L. Reed  
Stream Channelization Project  
Aerial Photo  
Sheet 2 of 2

