



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

PUBLIC NOTICE

Applicant: US Army Corps of Engineers

Date: 12 June 2023

Expires: 12 July 2023

CEMVR-RD-2023-0800

Section 404

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

1. **Applicant:** U.S. Army Corps of Engineers – Rock Island District, Clock Tower Building, Rock Island, IL 61204-2004

2. **Project Location:** The U.S. Army Corps of Engineers (USACE), Rock Island District (District) proposed project, dredge material placement, is located in Pool 11 of the Upper Mississippi River (Figure 1). The proposed location is on the right descending bank at approximately River Mile (RM) 605.4-606.0.

- Upper Mississippi River, Pool 11
- Section 17, Township 91 North, and Range 1 West
- Clayton County, Iowa
- Latitude 42.698568°, Longitude -90.983231°

3. **Background:** A high water event on the Mississippi River has caused significant shoaling within the 9-Foot Navigation Channel in the District's area of operation. Water levels are falling rapidly, and actual depths are forecast to fall below nine feet by 11 June 2023 in the Cassville Lower Reach. The activity is considered an imminent closure in accordance with the GREAT II, Channel Maintenance Handbook dated December 1980. Barge groundings are imminent and navigation delays are likely with elevated risks for channel closures. With water levels continuing to fall, the District anticipates these areas are likely to result in channel closures without channel maintenance dredging.

The District is declaring this situation an emergency. USACE procedures associated with implementing emergency actions prior to completion of environmental coordination are addressed in 33 Code of Federal Regulations (CFR) § 337.7 (Practice and Procedures, Emergency Actions) and 33 CFR § 230.8 (Procedures for Implementing National Environmental Policy Act, Emergency Actions). The District has initiated environmental coordination with Federal and State agencies but has not completed all environmental compliance requirements for dredged material placement. The District intends to satisfy as many requirements before dredging as possible, but some requirements may be met after-the-fact. The emergency action is not considered major in scope, and the District does not anticipate it will result in significant environmental impacts.

4. **Project Description:** In order to maintain the 9-foot Navigation Channel, dredging needs to be performed at various locations on the Upper Mississippi River within the District. There is currently an immediate need to dredge 30,000 to 50,000 cubic yards from the navigation channel between RM 603.9 - 605.1, referred to as the Cassville Lower Reach. Dredged material is removed from the channel by hydraulic cutter-suction dredges or floating mechanical plants. Hydraulic cutter-suction dredges use a cutterhead to agitate the material and large centrifugal pumps to suspend dredged material via a floating pipeline to the placement location. Floating mechanical plants scoop material from the bottom, typically using cranes with clamshell buckets or excavators, and place material on barges for transport to the placement location. Hydraulic cutter-head dredges are typically more efficient than mechanical plants for larger volume jobs. While hydraulic cutter-head dredges require more set up, the amount they dredge per day is much higher than mechanical plants.

This dredge cut area has not required maintenance since 1965. The shoal initially deposited following high-water events of 2019 and 2020. The District and resource agencies have been working to address this area and find suitable placement for the recently deposited material. The total amount of material that has deposited is now in the 100,000 to 150,000 cubic yard range. These are unprecedented volumes in this area and existing placement sites are lacking to adequately perform the maintenance that is needed to return the channel to navigable dimensions.

Hydraulic dredging is the preferred method to remove approximately 30,000 to 50,000 cubic yards from the channel. Material would be placed on a bankline between RM 605.4 and 606.0. A secondary option would be mechanical dredging plant placing in the same location. Dredged material would be placed up to but not exceeding the Ordinary High Water Mark (33 CFR 328). The material would be graded after placement. Side slopes of the placed material would fall at approximately 3H:1V slope. Bankline placement would be approximately 3,200 ft long x 75 ft wide. Placing dredged material on the bankline to an elevation of 606.15 ft NAVD88 has no impact on flow velocity. Placement of dredged material at this site would present no-rise in the water surface elevations at this site or upstream of this site.

Dredging to address the channel condition and ensure a safe, reliable navigation channel may begin as early as 11 June 2023.

4. Avoidance and Minimization Statement. Prior to the placement of any dredged material, representatives of the District and the On-Site Inspection Team (OSIT) which included the U.S. Department of the Interior, Fish and Wildlife Service, Iowa Department of Natural Resources, and Wisconsin Department of Natural Resources met to discuss and determine the preferred placement sites for the material and avoid placement sites that may have sensitive resources or have detrimental impacts. The Corps initially looked at 60 potential placement sites for this project. Sites were removed from consideration based on operational feasibility, environmental acceptability, and potential impacts to river industry. The proposed dredge material has been sampled for grain size and tested to ensure the material meets applicable Federal and State standards for placement. No concerns were identified, and all material is within applicable standards.

5. Agency Review.

a. Department of the Army, Corps of Engineers. The project is being processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

b. State of Iowa. A pre-filing meeting request has 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). 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).

6. Historical/Archaeological. The District and the Iowa State Historic Preservation Officers (SHPOs); and the Advisory Council on Historic Preservation (Council) have signed Programmatic Agreements (PA's) regarding implementation of dredged material placement for the Mississippi River miles 300.0 to 614.0. These PAs are appropriate for addressing historic property concerns for dredged material placement promulgated by the National Historic Preservation Act (NHPA), as amended and its implementing regulation 36 CFR Part 800: "Protection of Historic Properties."

- 1) Programmatic Agreement Among the Rock Island District of the U.S. Army Corps of Engineers, the Advisory Council on Historic Preservation, and the Illinois State Historic Preservation Officer, the Iowa State Historic Preservation Officer, the Missouri State Historic Preservation Officer and the Wisconsin State Historic Preservation Officer Regarding Implementation of the Short-Term Dredged Material Placement.

- 2) Programmatic Agreement Among the Rock Island District of the U.S. Army Corps of Engineers, the Advisory Council on Historic Preservation, and the Iowa State Historic Preservation Officer, the Iowa State Historic Preservation Officer, the Missouri State Historic Preservation Officer and the Wisconsin State Historic Preservation Officer Regarding Implementation of the Long-Term Dredged Material Placement.

If human remains, funerary objects, sacred objects, or objects of cultural patrimony are encountered or collected, the District will comply with all provisions outlined in the appropriate State acts, statutes, guidance, provisions, etc., and any decisions regarding the treatment of human remains will be made recognizing the rights of lineal descendants, Tribes, and other Native American Indians and under consultation with the SHPO/THPO(s) and other consulting parties, designated Tribal Coordinator, and/or other appropriate legal authority for future and expedient disposition or curation. When finds of human remains, funerary objects, sacred objects, or objects of cultural patrimony are encountered or collected from Federal lands or federally recognized tribal lands, the District will coordinate with the appropriate federally recognized Native American Tribes, pursuant to the Native American Graves Protection and Repatriation Act.

Areas within the proposed dredge cut are recently accumulated material. Prior dredging occurred prior to 1965. The District reviewed historic documents and maps which indicate part of bankline has accreted since acquisition in the 1930. The downstream bankline is identified in the GREAT II, Channel Maintenance Handbook as a historic placement site and historic bankline revetment. The proposed activity would consist of placing sand on the recently accreted and historic placement area with bankline revetment. The District determined the proposed activity would have no potential to cause effect; therefore, the District has no further obligations under Section 106 of the NHPA of 1966, as amended, per its implementing regulation 36 CFR Part 800.

7. Endangered Species. According to the U.S. Fish and Wildlife Service (USFWS) Official IPaC Species Lists (Project Code: 2022-001355), dated June 6, 2023, federally-protected species potentially occurring in the Project area include Higgins eye pearly mussel (*Lampsilis higginsii*), sheepnose mussel (*Plethobasus cyphus*), northern long-eared bat (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*), monarch butterfly (*Danaus plexippus*), rusty patched bumble bee (*Bombus affinis*), Eastern prairie fringed orchid (*Platanthera leucophaea*), and northern wild monkshood (*Aconitum noveboracense*).

Based on the habitat needs of the species, the dredging season, and typical dredge and placement practices, the only species perceived to be potentially affected by dredge and placement operations are the Higgins eye pearly mussel and the sheepnose mussel. To avoid impacts to endangered mussel species, a mussel reconnaissance survey was conducted by the District in May 2022. No mussels were present at the proposed bankline placement site, although limited mussel resources were identified immediately downstream. The District has determined this project may affect, but is not likely to adversely affect (NLAA) Higgins eye and sheepnose mussel. The District has determined this project would have no effect to the remaining listed species above.

At this time, the District is coordinating this action with the U.S. Fish and Wildlife Service and the respective resource agencies through this public notice. Additionally, the District coordinated these Endangered Species Act, Section 7 determinations with U.S. Fish and Wildlife Service and sought concurrence on these determinations. Accordingly, our preliminary determination is subject to change should further information become available.

8. Dredge/Fill Material Guidelines. The District is following 33 CFR 337 which addresses practices and procedures associated with USACE operations and maintenance activities involving the discharge of dredged or fill material in waters of the U.S. Section 337.7 outlines procedures for responding to an emergency on an expedited basis. As described in the regulation, the District has sought approval from MVD Commander MG Diana Holland.

9. Public Interest Review. The District is following 33 CFR 230.8 Procedures for Implementing the NEPA, Emergency Actions which allows USACE to proceed without NEPA compliance in emergency situations to prevent or reduce imminent risk of life, health, property, or severe economic losses. The dredging and placement of material will avoid severe economic losses associated with the imminent channel closure and minimize

potential for environmental damages caused by barge groundings. The District has initiated environmental coordination with Federal and State agencies but has not completed all environmental compliance requirements for dredged material placement at these sites. The District intends to satisfy as many requirements before dredging as possible, but some requirements may be met after-the-fact. The emergency action is not considered major in scope, and significant environmental impacts are not anticipated from the action.

This public notice is to assist the District in assessing potential for impacts associated with the action, 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. It is noted that comments may be received after the dredging and placement has commenced.

10. 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 District and used in the preparation of documentation pursuant to the National Environmental Policy Act. 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 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.

11. 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.

12. Reply to the Corps of Engineers. Comments concerning the Corps action should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: Operations Division (Afflerbaugh), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. The District's Technical Support Branch may be contacted at 309-794-5384, email: PublicInvolvement@usace.army.mil.

Attachments:
Project Map
Dredge Cuts

Matthew Afflerbaugh
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Operations Division, Technical Support 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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Cassville Lower- Potential Placement Site Identification

Map Created:1 February 2022

Modified 9 June 2023 For Emergency Declaration



Legend

- ◆ RiverMiles
- ★ GREAT II Points
- Cut Radius
- Dredge Cuts
- Upland/Ridge and Swale/Other Restoration
- Upland/Ridge and Swale/Other Restoration - Outside prime zone
- Other Sites
- Preferred Bankline
- Possible Banklines for Consideration

Emergency Declaration

Selected Placement Location



Enclosure

