



US Army Corps  
of Engineers  
Rock Island District

# PUBLIC NOTICE

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Applicant: City of Des Moines, Iowa Date: November 10, 2020  
Expires: December 09, 2020  
CEMVR-OD-P-2020-577 Section 404

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**Joint Public Notice**  
**U.S. Army Corps of Engineers**  
**Iowa Department of Natural Resources**

1. **Applicant.** City of Des Moines, c/o Mr. Steve Naber, 400 Robert D. Ray Drive, Des Moines, Iowa 50309.

2. **Project Location.** 4900 East Douglas Avenue, Des Moines, IA – Des Moines NE USGS quad sheet. Section 27, Township 79 North, Range 23 West, Polk County, Iowa. Datum NAD-83. UTM Zone 15, Northing 4 608 712.60951, Easting 456 939.07913. Latitude: 41.62897. Longitude: -93.51695.

3. **Project Description.**

a. To construct a stormwater basin for the expansion of East Douglas Avenue (previously permitted under CEMVR-OD-P-2019-719-1). This project will impact 1.40 acres of a scrub/shrub/emergent wetland (WL-1) and 715 linear feet of an intermittent stream (WUS-1), see Table 1-1 and 1-2 below and the attached drawings labeled CEMVR-OD-P-2020-577 PN Page 1 of 4 through Page 4 of 4.

b. Proposal: Construct a stormwater basin to provide stormwater controls to reduce the effects of flooding for the Brook Run neighborhood in Des Moines and to improve the stormwater quality. The project is needed to attenuate peak flows through the downstream neighborhoods and to improve water quality within the Fourmile Creek watershed. This stormwater basin is being constructed in conjunction with the expansion of East Douglas Avenue. Approximately 290 feet of the existing channel will be improved/restored to a length of approximately 400 feet. Grading in the stormwater basin will create wetlands within the floodplain adjacent to WUS-1. The natural topography adjacent to the basins will be used to contain excess water during flood events. A culvert will be constructed to control the water levels in the basin and will allow the normal base-flow of the channel to pass through at the current volume. The basin is designed to be a dry bottom basin and will only contain water for a short duration following a storm event; WUS-1 will remain functioning as an intermittent stream when not in flooded conditions. Following a five-year storm event, the water within the stormwater basin has been designed to completely drawdown within 33.22 hours. The applicant has provided hydrographs that depict the entire length of the storm event as it affects the basin that can be provided upon request.

1). The base of the stormwater basin will be graded and planted to function as a wetland area. Approximately 1.1 acres of wetlands will be created/enhanced within the basin and the area will be seeded with a native wetland seed mixture following construction. Monitoring to ensure wetland success may be incorporated in the final Corps permit. A minimum 35-foot-wide will be planted on both sides of the improved WUS-1 channel along the berm of the basin. The removal of accumulated sediment within the stormwater basin will not change the overall characteristics of the new WUS-1 configuration.

2) Alternatives, both on-site and off-site, will be evaluated to ensure compliance with the least environmentally damaging practicable alternative.

c. Mitigation: The Iowa Stream Assessment Method for impacts to the stream and the most current version of the District Mitigation and Monitoring Guidelines will be utilized to determine the appropriate compensatory mitigation requirements and will be required prior to final Corps permit issuance. The project is within the primary service area of one Corps approved mitigation bank that has forested and emergent credits available and is within the secondary service area of three Corps approved mitigation banks that have stream and emergent wetland credits available. As all emergent wetland and stream credits are available any permittee responsible mitigation would need to provide adequate justification to deviate from the April 2008 Mitigation Rule hierarchy and this would require District approval.

d. Proposed Wetland and WUS Impacts:

**Table 1-1 – Proposed Wetland Impacts**

Wetland	Delineated Area (acres)	Previously Permitted Wetland Impact * (acres)	Permanent Wetland Impact (acres)	Temporary Wetland Impact (acres)
WL-1	1.40	0.05	0.34 – Fill 0.03 – Riprap 0.10 – Channel 0.08 – Fill	0.25 – North 0.55 – South
<b>Total</b>	<b>1.40</b>	<b>0.05</b>	<b>0.55</b>	<b>0.80</b>

**Table 1-2 – Proposed WUS Impacts**

Water of the U.S. (WUS)	Delineated Length (feet)	Previously Permitted WUS Impact * (acres)	WUS Impact (feet)
WUS-1	730	20	50 - Culvert 60 – Fill 45 – Riprap 180 - Fill 85 – Culvert
<b>Total</b>	<b>730</b>	<b>20</b>	<b>420</b>

In addition to the permanent WUS impacts, an additional 290 feet of WUS-1 will be improved/restored within the Southern Stormwater Basin.

#### 4. Agency Review.

a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed under the provisions of 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, 502 East 9<sup>th</sup> 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**. The District consulted with the Iowa I-Sites online geographic information systems archeological site and survey databases (including the HILD data layer). The I-Sites review shows that the vast majority of the permit area has been surveyed. There is previous development on the area that has not been surveyed. Between the previous development on the flat, upland areas, the majority of the permit area being either in the drainage or on fairly steep side slope there is very low potential for historic resources to be present in the permit area. Therefore, it is the opinion of the District there will be **no historic properties affected** 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 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 as occurring in Polk County, Iowa: (<https://ecos.fws.gov/ipac/>)

- Indiana bat (*Myotis sodalis*) & Northern long-eared bat (*Myotis septentrionalis*) – The project area is located in Brook Run Park surrounded by residential neighborhoods and agricultural fields and is not in a well-developed riparian/wooded area; therefore, the Corps has determined there will be ‘**no effect**’ on these bats.
- Least tern (*Sterna antillarum*) – The project area is not a wide, flat, open sandy beach; therefore, the Corps has determined there will be ‘**no effect**’ on this bird.
- Western prairie fringed orchid (*Platanthera praeclara*) & Prairie bush clover (*Lespedeza leptostachya*) – The project area is not a wet or dry prairie; therefore, the Corps has determined there will be ‘**no effect**’ on these plants.

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-W (Kirsten Brown), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. Point of contact for additional information is Mrs. Kirsten Brown at 309/794-5369 or email: [kirsten.l.brown@usace.army.mil](mailto:kirsten.l.brown@usace.army.mil)).

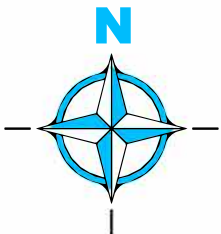
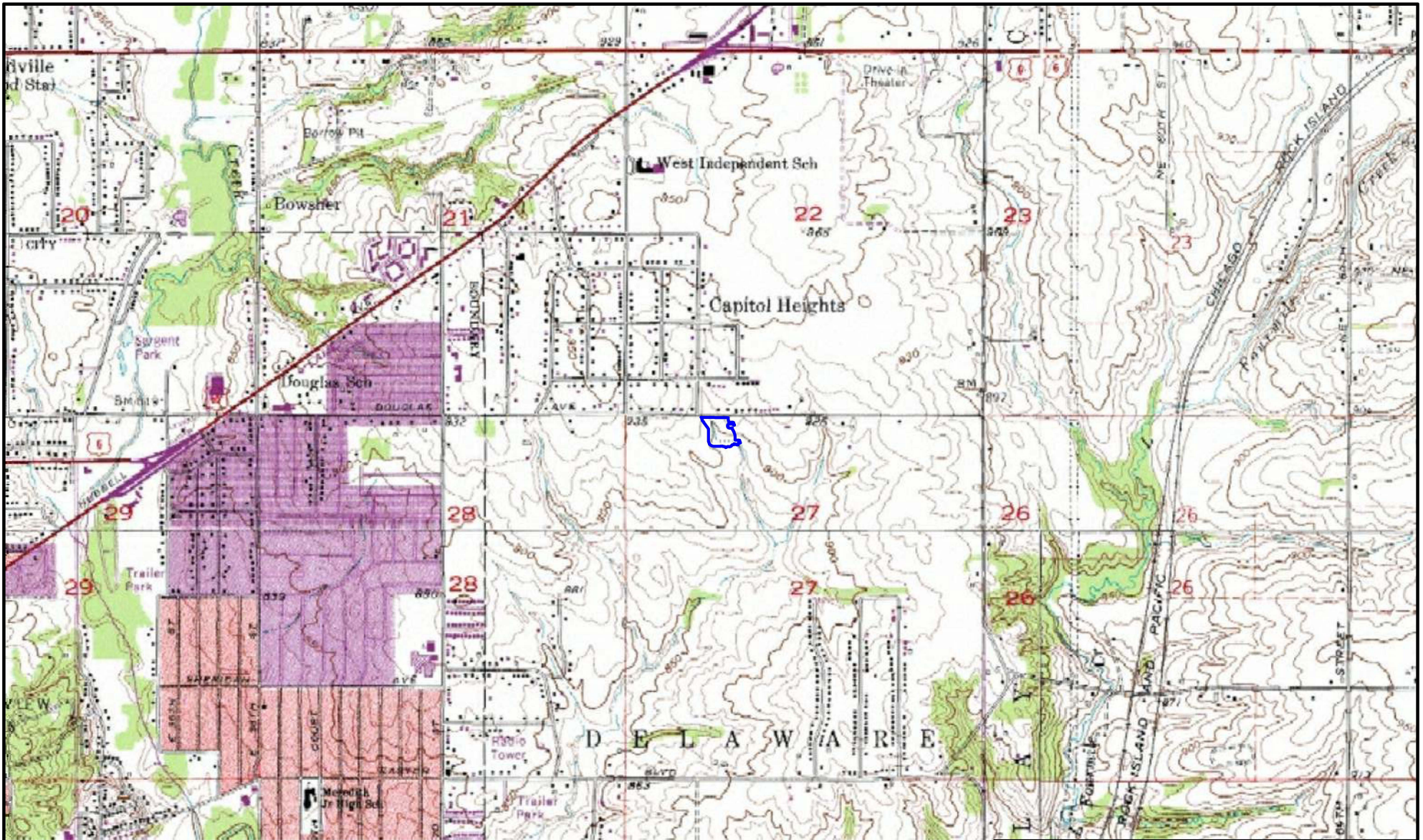


Attach  
Plan

Mrs. Kirsten L. Brown  
Project Manager, RD-W Branch  
Regulatory Division

**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**

—— - PERMIT AREA

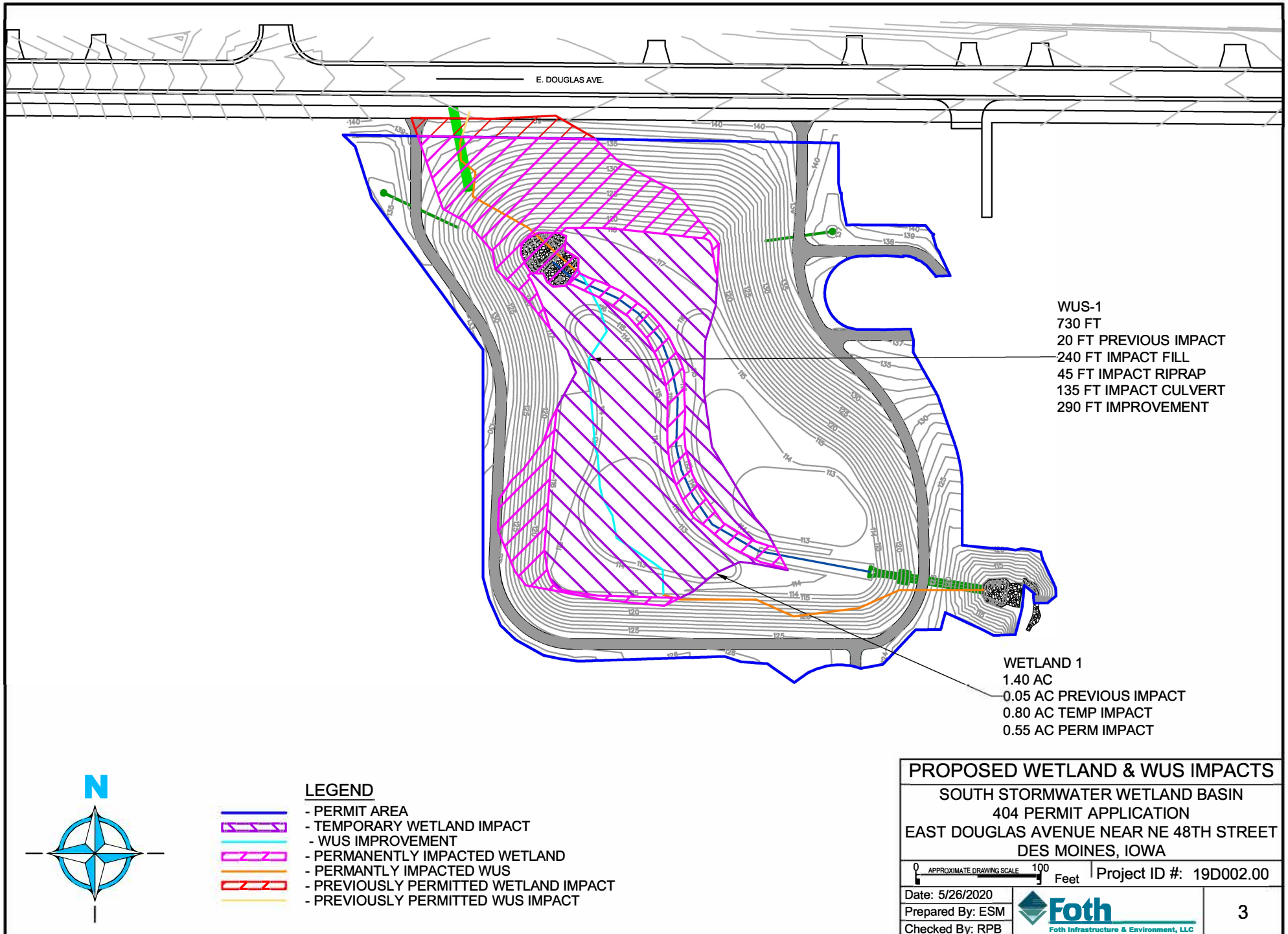
**TOPOGRAPHIC MAP**

**SOUTH STORMWATER WETLAND BASIN**  
**404 PERMIT APPLICATION**  
**EAST DOUGLAS AVENUE NEAR NE 48TH STREET**  
**DES MOINES, IOWA**

APPROXIMATE DRAWING SCALE 0 2000 Feet Project ID #: 19D002.00

Date: 5/26/2020  
 Prepared By: ESM  
 Checked By: RPB












E. DOUGLAS AVE.

WUS-1  
 730 FT  
 20 FT PREVIOUS IMPACT  
 240 FT IMPACT FILL  
 45 FT IMPACT RIPRAP  
 135 FT IMPACT CULVERT  
 290 FT IMPROVEMENT

WETLAND 1  
 1.40 AC  
 0.05 AC PREVIOUS IMPACT  
 0.80 AC TEMP IMPACT  
 0.55 AC PERM IMPACT

**LEGEND**

-  - PERMIT AREA
-  - TEMPORARY WETLAND IMPACT
-  - WUS IMPROVEMENT
-  - PERMANENTLY IMPACTED WETLAND
-  - PERMANENTLY IMPACTED WUS
-  - PREVIOUSLY PERMITTED WETLAND IMPACT
-  - PREVIOUSLY PERMITTED WUS IMPACT

**PROPOSED WETLAND & WUS IMPACTS**

SOUTH STORMWATER WETLAND BASIN  
 404 PERMIT APPLICATION  
 EAST DOUGLAS AVENUE NEAR NE 48TH STREET  
 DES MOINES, IOWA

0 APPROXIMATE DRAWING SCALE 100 Feet | Project ID #: 19D002.00

Date: 5/26/2020  
 Prepared By: ESM  
 Checked By: RPB





MINIMUM 35 FT WIDE  
NATIVE GRASS BUFFER

WETLAND SEED MIX



**LEGEND**

— PERMIT AREA

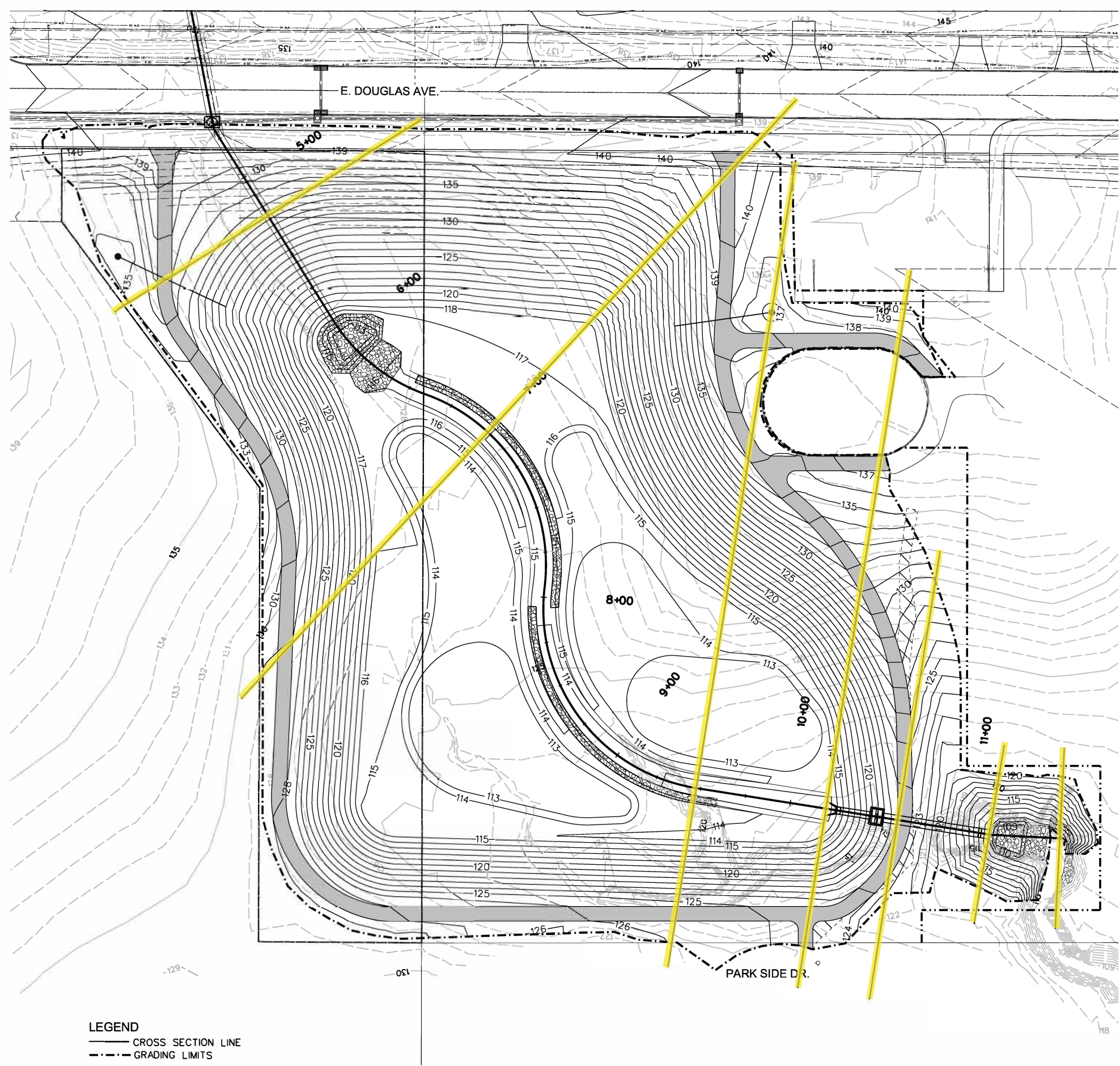
**RIPARIAN BUFFER & WETLAND SEED**  
**SOUTH STORMWATER WETLAND BASIN**  
 404 PERMIT APPLICATION  
 EAST DOUGLAS AVENUE NEAR NE 48TH STREET  
 DES MOINES, IOWA

APPROXIMATE DRAWING SCALE 100 Feet Project ID #: 19D002.00

Date: 5/26/2020  
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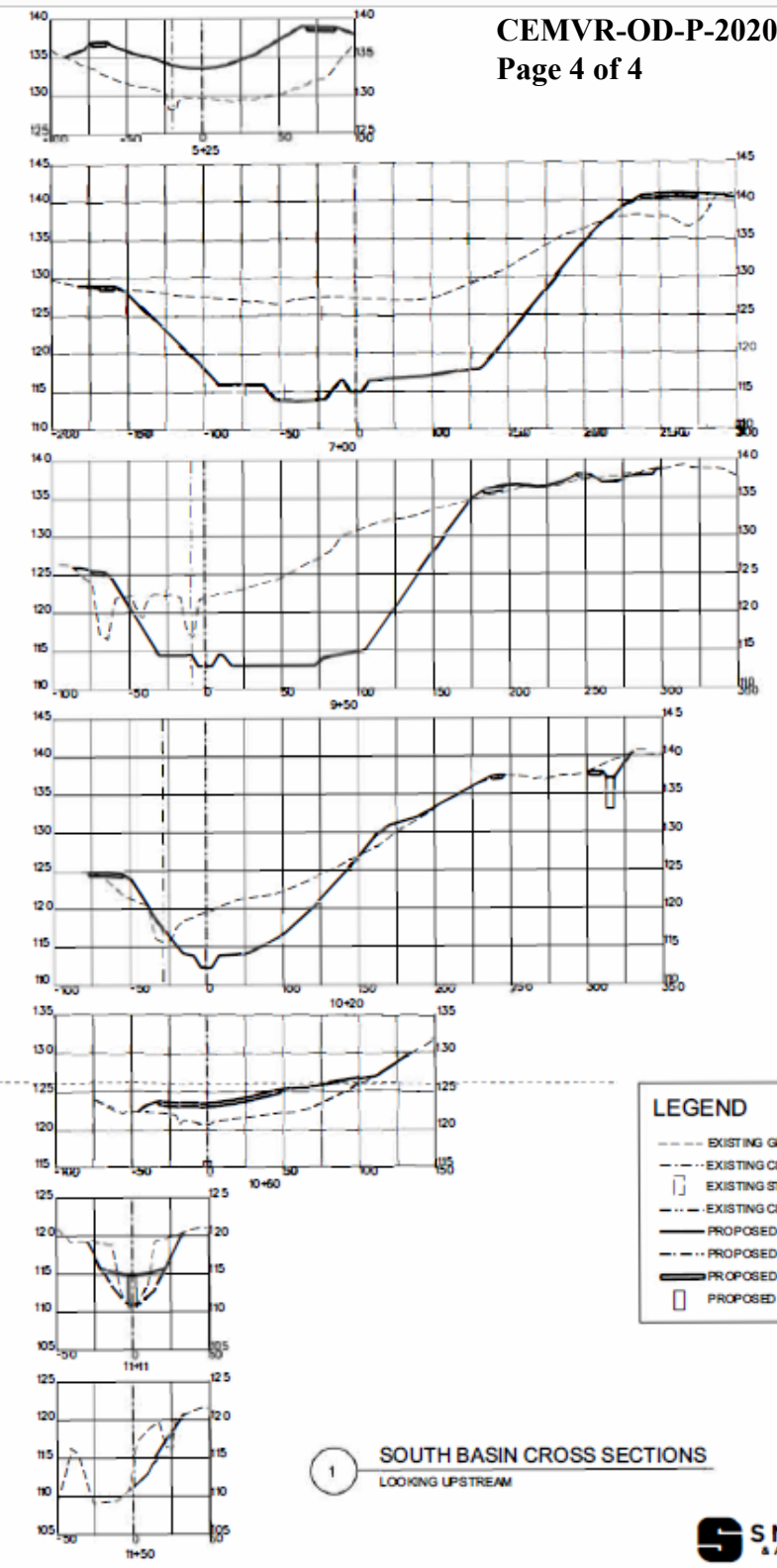


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 5/15/2020

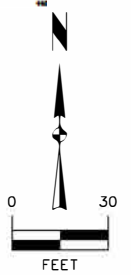


**LEGEND**

- CROSS SECTION LINE
- - - GRADING LIMITS
- - - - CONSTRUCTION LIMITS



1 SOUTH BASIN CROSS SECTIONS  
LOOKING UPSTREAM



119.0928	MARK	DATE	BY	DESIGNED BY	DESIGNED BY	PROJECT	DESIGNED BY	DATE
				KRK	TLR	E. DOUGLAS AVE. E. 42ND STREET TO NE. 56TH STREET	WCF	5/15/2020
				CHECKED BY	CHECKED BY	SOUTH HOEDENTION BASIN OVERALL EXHIBIT	TLR	
				NOTES	NOTES		DATE	
				ACTIVITY ID	ACTIVITY ID		FILE NO.	
				01-2020-004	01-2020-004		617-203	
				SHEET 1	SHEET 1			

DEPARTMENT OF ENGINEERING  
CITY OF DES MOINES, IOWA  
(515) 283-4931

PROJECT  
E. DOUGLAS AVE.  
E. 42ND STREET TO NE. 56TH STREET  
SOUTH HOEDENTION BASIN  
OVERALL EXHIBIT

DESIGNED BY: KRK  
CHECKED BY: WCF  
ACTIVITY ID: 01-2020-004  
SHEET 1

DESIGNED BY: TLR  
CHECKED BY: TLR  
ACTIVITY ID: 01-2020-004  
SHEET 1

DATE: 5/15/2020  
FILE NO.: 617-203