



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

PUBLIC NOTICE

Applicant: Wendling Quarries

Date: April 01, 2021

Expires: April 30, 2021

CEMVR-RD-2020-1465

Section 404

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

1. **Applicant:** Wendling Quarries, POC: Mr. Morgan Schuler, P.O. Box 230, DeWitt, Iowa, 52742.

2. **Project Location:** Section 31, Township 86 North, Range 10 West, Benton County Iowa. UTM NAD-83 Zone 15, Latitude 42.218882, Longitude -92.063415.

3. **Project Description:**

a. The applicant proposes to expand the existing Coots Sandpit by approximately 14.6 acres through mechanical excavation. The proposed expansion area will be connected to an existing sandpit and will be 50-feet deep, with 3:1 side slope. Unavoidable impacts to wetlands are expected to occur through the filling of approximately 1.63 acres of forested wetlands. To compensate for this loss, the applicant proposes to purchase 1.63 acres of forested wetlands from an approved wetland mitigation bank within the approved service area.

b. The applicant's proposal avoids some of the wetlands present on-site. It is the applicant's opinion that the wetlands present within the project area have been avoided and minimized to the greatest extent possible, while still meeting the projects proposed purpose and need.

4. **Agency Review:**

a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed 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 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 geographic information systems archeological site and survey databases online. Including the Historic Indian Location Database (HILD) layer. No previous cultural resource surveys have been completed in the permit area.

b. The applicant has also submitted a Phase I report entitled: “*Intensive Phase I Archaeological Investigation for the Proposed Coots Sandpit Expansion Project, Section 31, T86N, R10W, Cedar Township, Benton County, Iowa*” dated July 2020. Mr. Brandon Scott with Impact 7G was the Principal Investigator for the report. The report was considered adequate and the District Archaeologist concurred with the recommendations that there will be **no historic properties affected** by the project.

c. The report will be coordinated with the Iowa State Historic Preservation Office and any Tribal Historic Preservation Offices that request a copy. It is the recommendation of the District Archaeologist that there will be **no historic properties affected** issuance of the permit 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:** The proposed project will not affect any threatened or endangered species listed in Benton County, Iowa. Therefore, the Corps has determined “No Effect” to listed species as a result of this project.

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: Albert Frohlich OD-P, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. The POC for additional information is **Mr. Albert Frohlich (309/794-5859)** email: Albert.J.Frohlich@usace.army.mil.

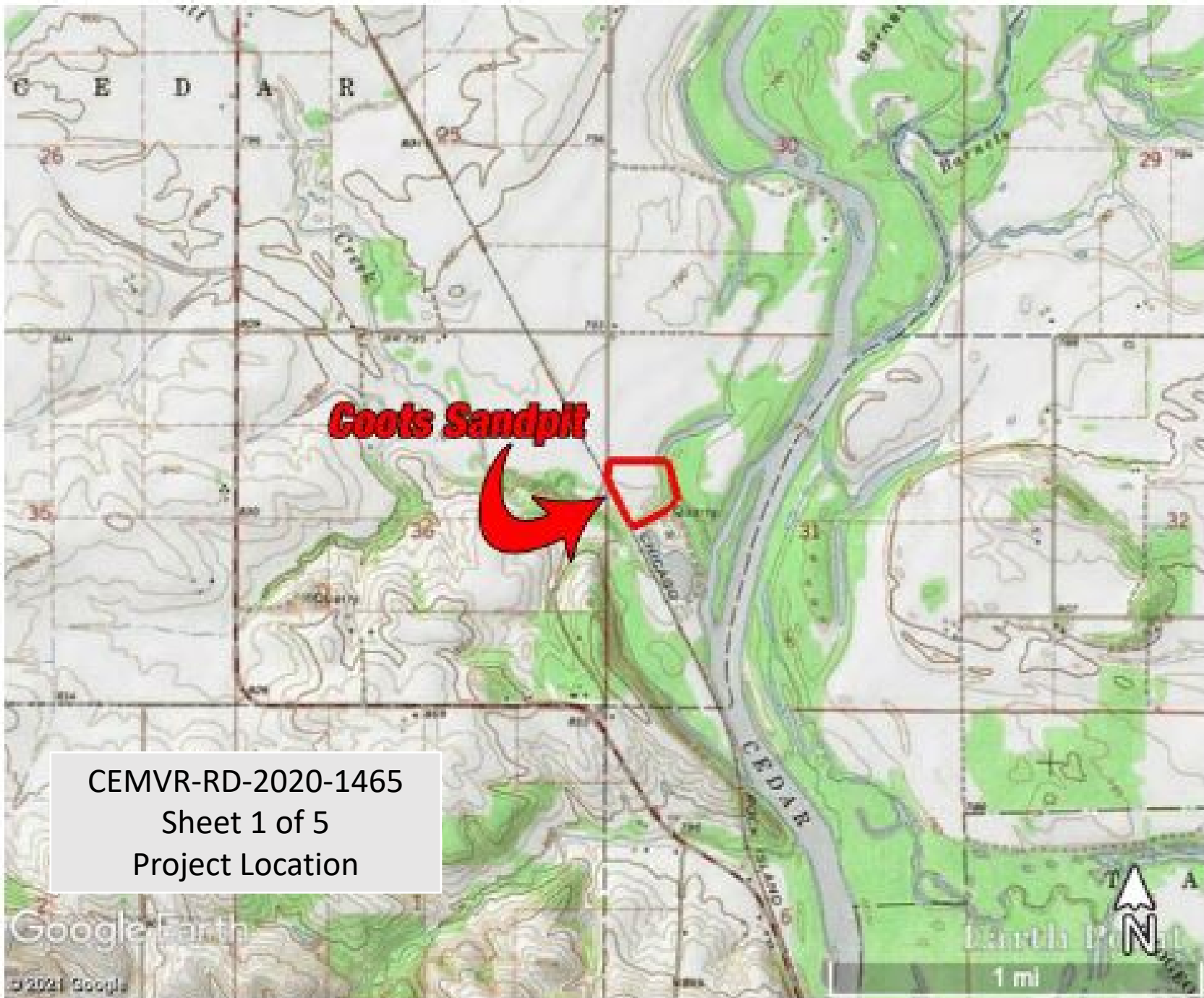


Attach
Plan

Mr. Albert J. Frohlich
Project Manager, 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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Goots Sandpit

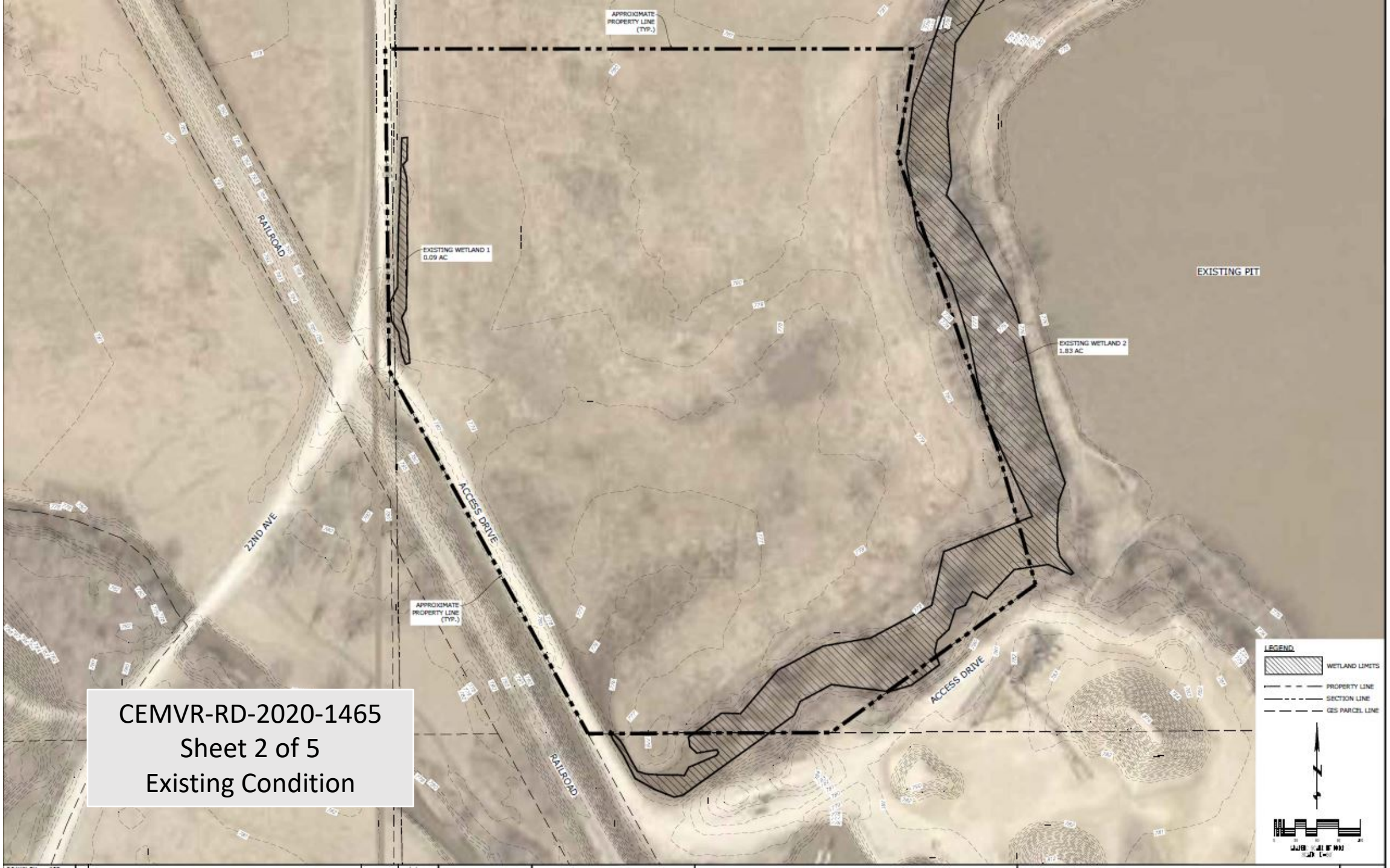
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Sheet 1 of 5
Project Location

Google Earth

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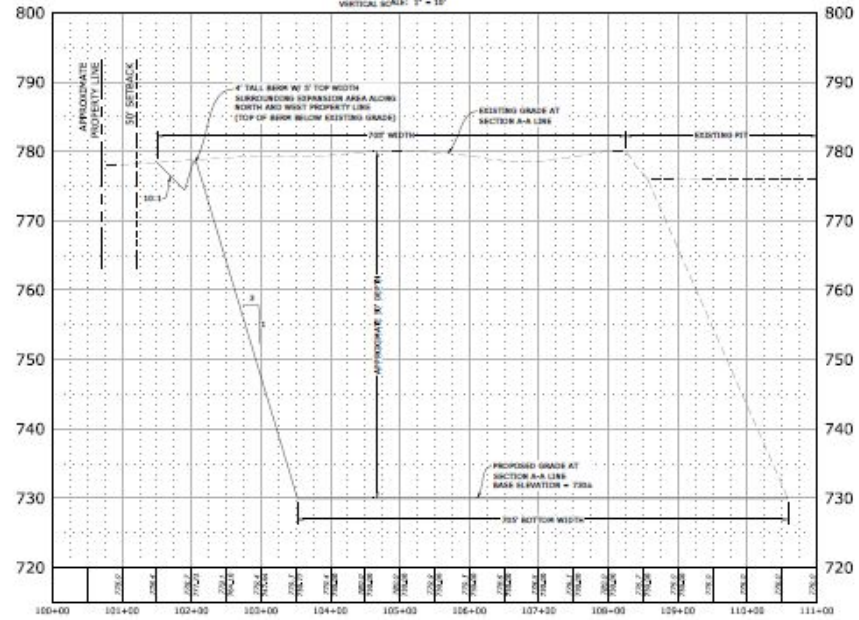
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Existing Condition



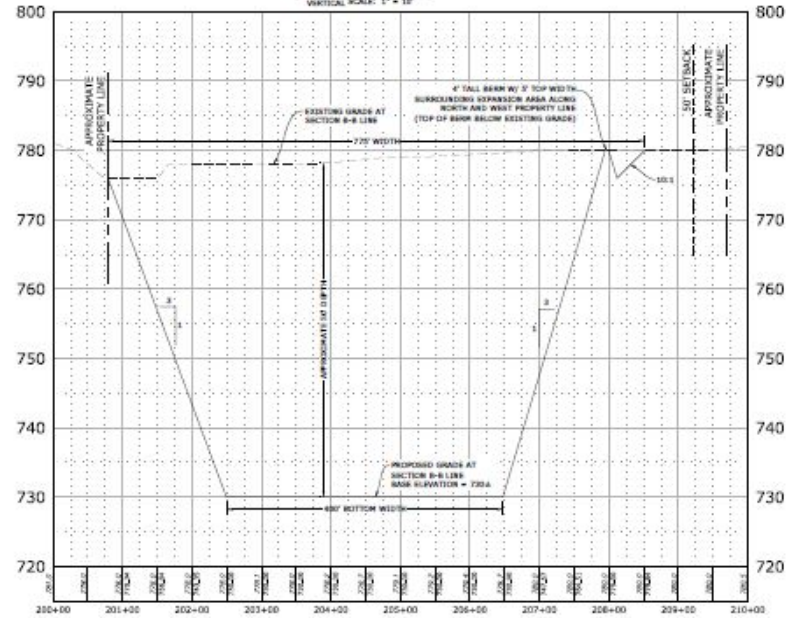
SECTION A-A

HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 5'



SECTION B-B

HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: 1" = 5'



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Cross Sections

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Wetland Avoidance

