



PUBLIC NOTICE

US Army Corps
of Engineers
Rock Island District

Applicant: City of Waukee

Date: January 19, 2021

Expires: February 17, 2021

CEMVR-OD-P-2020-1707

Section 404

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

1. **Applicant:** City of Waukee, c/o: Mr. Rudy Koester, 805 University Avenue, Waukee, Iowa 50263.

2. **Project Location:** The project is located on an existing 5.4-acre pond, east of CR R22/North 10th Street, west of North Warrior Lane, north of I-35/I-80, south of Little Walnut Creek Drive, in Section 28, Township 79 North, Range 26 West, Dallas County, Iowa. UTM NAD-83 Zone 15, Latitude 41.625722, Longitude -93.874139.

3. **Project Description:** The Applicant proposes to extend Douglas Parkway by constructing a twin concrete-reinforced box culvert over a 5.4-acre pond. Impacts to Waters of the U.S., will occur through grading and placement of fill in two wetlands and a pond (open water). Specifically, this project will involve the loss of 0.07 acres of wetland, 1.26 acres of open water, and temporary impacts to 1.54 acres of wetlands. Wetland 1 and Wetland 2 will have a total of 0.04 acres of impact from grading and placement of the new roadway. The pond will have 1.26 acres of impact from placement of the culverts and grading for the new roadway. Pond rehabilitation will cause 0.03 acres of impact to Wetland 3. As the permanent losses do not exceed 300 linear feet of stream or 0.1 acres of wetlands, compensatory mitigation will not be required. Alternatives, both on-site and off-site will be evaluated to ensure compliance with the 404 B 1 guidelines.

4. **Purpose and Need:** The City of Waukee (City) is proposing to construct a twin concrete-reinforced box culvert over a 5.4-acre pond on the Broderick Property west of Warrior Lane in anticipation of the Douglas Parkway extension and residential development

5. **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 E. 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 Corps consulted with the Iowa I-Sites online geographic information systems (GIS) archeological site and survey databases (including the HILD data layer) and there were no sites in proximity of the project area shown on the I-Sites GIS website. The project area was previously used as an old farm pond and as the surrounding area has been extensively farmed, and I-Sites did not indicate the presence of historic or cultural sites, it is the District's opinion that there will be **no potential to affect historic properties.**

7. **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 on a site that is surrounded by residential neighborhoods and commercial/industrial development and is not in a well-developed riparian/wooded area; therefore, the Corps has determined there will be **no effect** on these bats.
- Topeka Shiner (*Notropis topeka* [=tristis]) – As this project overlaps with critical habitat for this species, coordination with the United States Fish and Wildlife Service was conducted. A **no effect determination** was made and concurred with.
- Prairie Bush-clover (*Lespedeza leptostachya*) – The project site does not contain dry to mesic prairies with gravelly soils; therefore, the Corps has determined there be **no effect** to this species.
- Western Prairie Fringed Orchid (*Platanthera praeclara*) – The project site does not contain mesic to wet unplowed tallgrass prairies and meadows; therefore, the Corps has determined there be **no effect** to this species.

8. **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).

9. **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.

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 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.

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. Comments concerning the Corps permit should be addressed to the District Engineer, US Army Corps of Engineers, Rock Island District, ATTN: RD (Meincke), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact **Mr. Alex Meincke 309-794-5368**) or email: alexander.c.meincke@usace.army.mil.

matthew a zehr

Attach
Plan

Mr. Matthew A. Zehr
Chief, 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.

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.

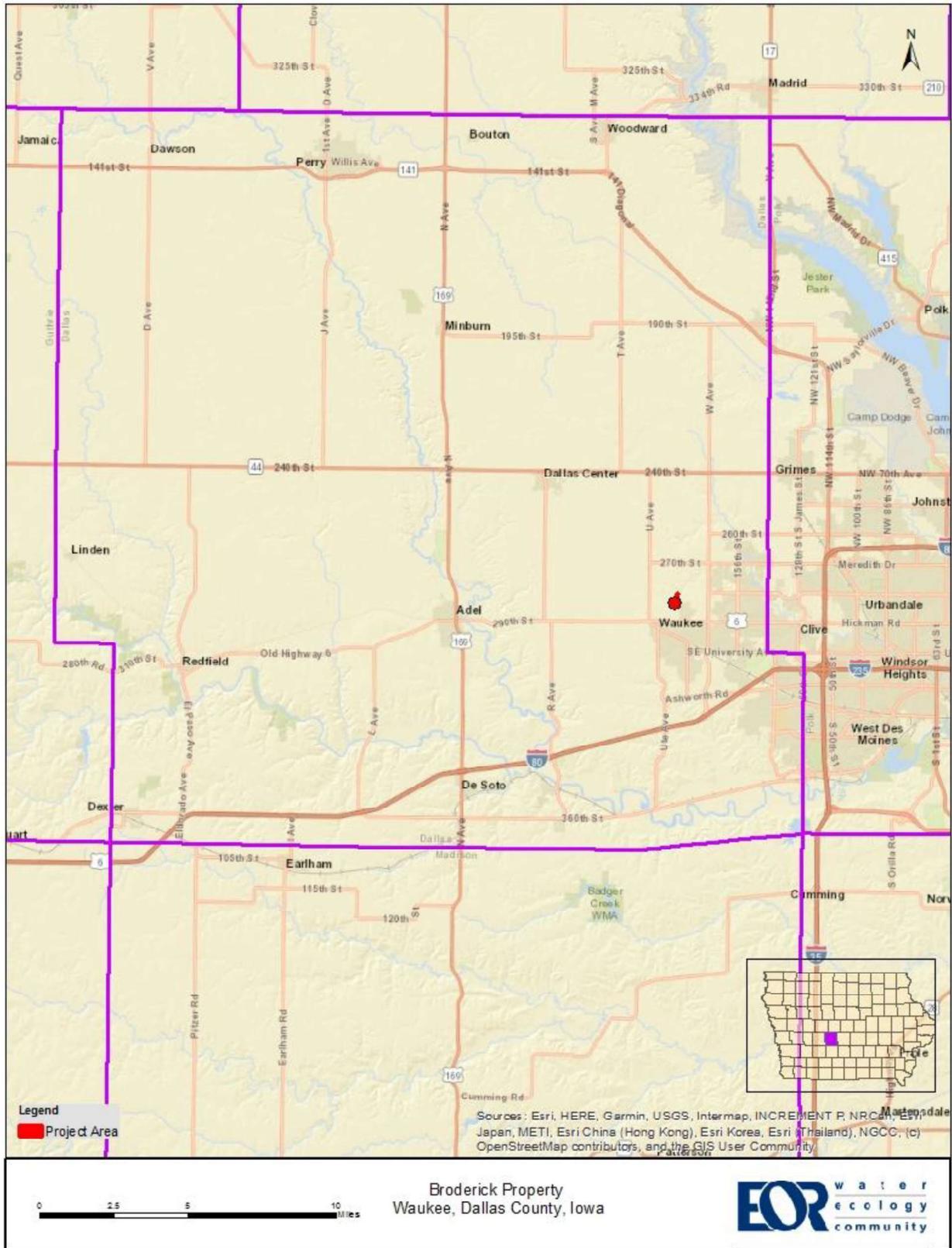


Figure 1. Project Location.
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End 1 of 5

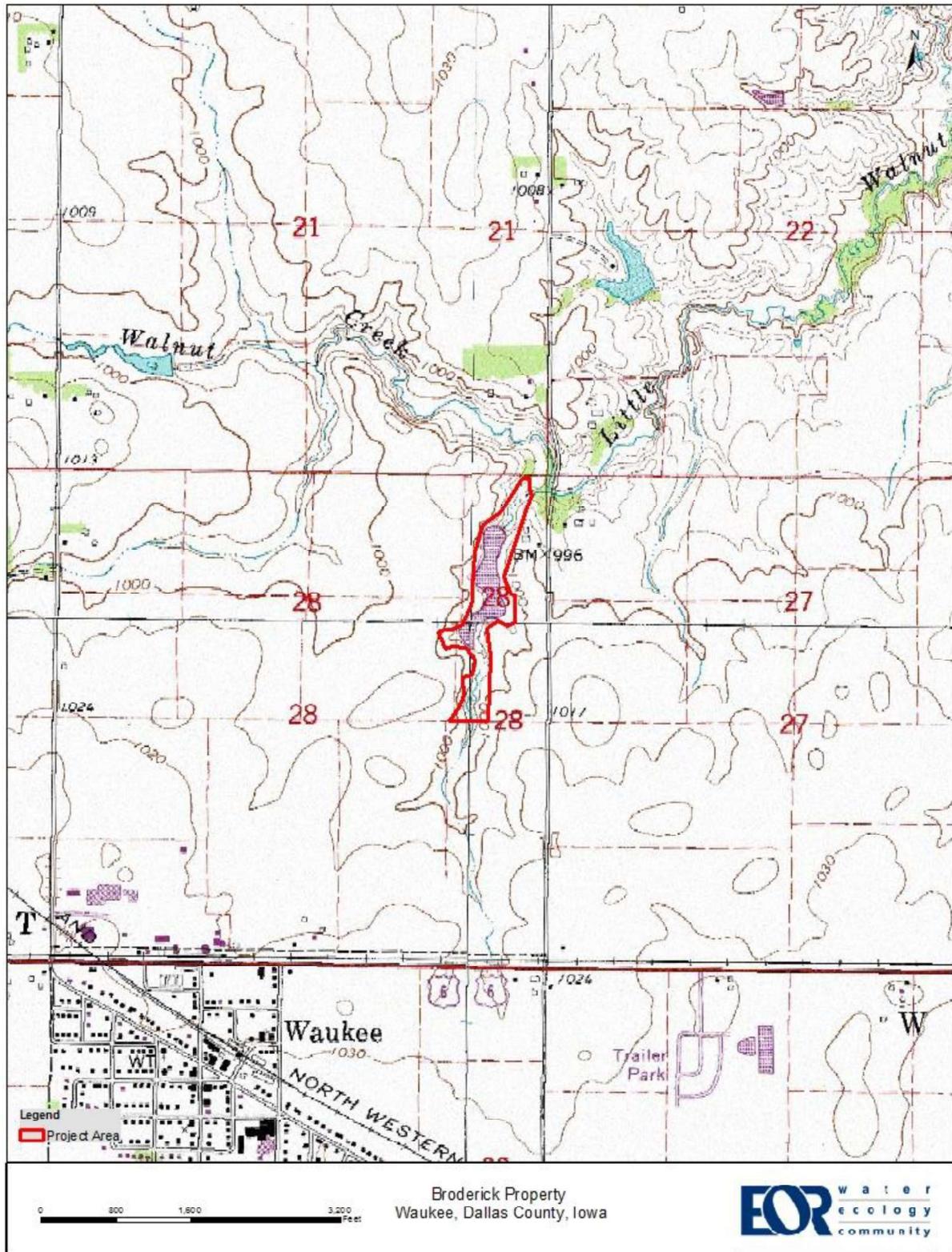


Figure 2. Project Overview Map.

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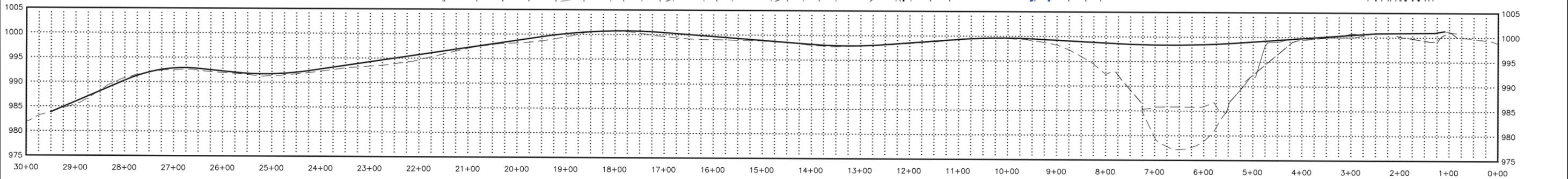
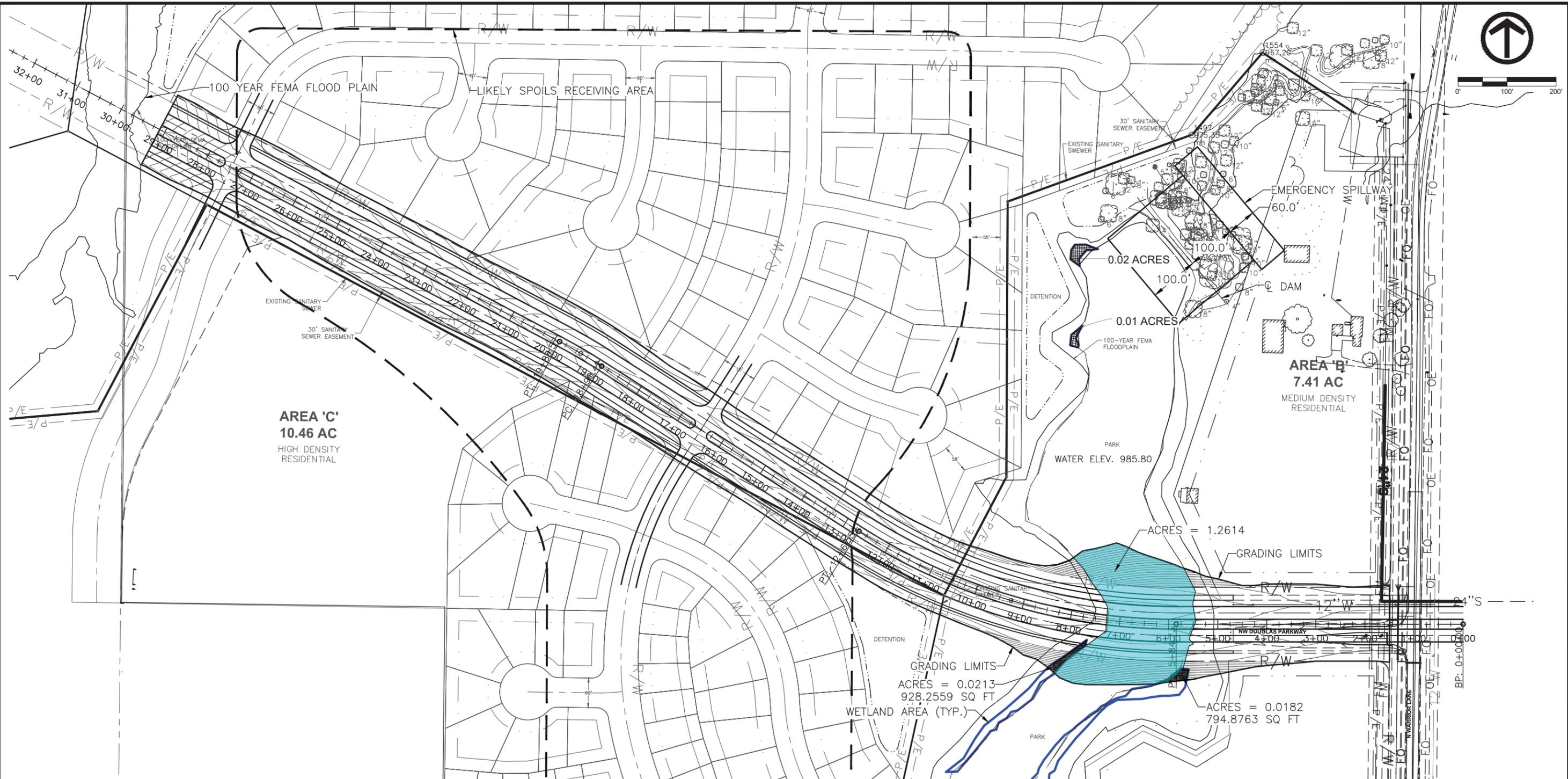


Figure 3. Current Conditions.
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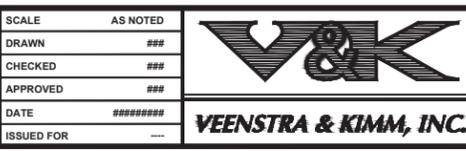


Figure 6. Wetlands and waters of the United States Map.
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X-REFS: 292276 - Design & Wetland_ExportCAD1 & Prairie Rose Plat 1 - Grading CADD File - 2020-10-07 & 292276 - TOPO & 292276 - pdf imported & Prairie Rose - Concept CADD File - 2020-11-11
 FILE PATH: M:\PROJECTS\292276\CIVIL\PRODUCTION DRAWINGS\292276 - PLAN AND PROFILES



DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	###
		CHECKED	###
		APPROVED	###
		DATE	#####
		ISSUED FOR	---



WAUKEE DOUGLAS EXTENSION AND POND
 CITY OF WAUKEE, IOWA
 3000 Westown Parkway • West Des Moines, Iowa 50266-1320
 515-225-8000 • 515-255-7848(FAX) • 800-241-8000(WATS)

PLAN VIEW CEMVR-RD-2020-1707 Encl 5 of 5	DWG. NO. 10 PROJECT 292276
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