



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

# PUBLIC NOTICE

Applicant: City of Davenport, IA

Date: October 14, 2022

Expires: November 12, 2022

CEMVR-RD-2022-1296

Section 404

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

1. **Applicant:** City of Davenport, POC: Mr. Brian Schadt, 1200 East 46<sup>th</sup> Street, Davenport, Iowa 52807.

2. **Project Location:** The proposed project is located at the Davenport Compost Facility, 2606 S. Concord Street in Davenport, Iowa. Section 9, Township 77 North, Range 3 East, Scott County, Iowa. Latitude 41.4892, Longitude -90.6291.

3. **Project Description:**

a. The Applicant proposes to construct a 4,355 linear foot levee with a 10-foot top width and 3:1 side slopes to protect the City of Davenport's Compost Facility and the Davenport Water Pollution and Control Plant from flood waters. Approximately 104,344 cubic yards of fill material will be required to complete the project. As part of this project, a new storm water detention basin and pump station (for storm water only) will be constructed inside the levee and the pump station will have a 493-linear foot, 18-inch diameter outlet pipe that will discharge to the Mississippi River.

b. The purpose of this project is to protect Davenport's Water Pollution and Control Plant and the Compost Facility from floodwaters. This project will result in 64,200 cubic yards of fill material placed into Waters of the U.S. (4.88 acres of wetlands). Approximately 2.38 acres are emergent wetland and 2.5 acres are forested wetland. The City has proposed to purchase wetland mitigation credits from an Approved Wetland Mitigation Bank within the service area of the proposed impacts.

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 E. 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:

a. The District consulted with the Iowa online geographic information systems archeological site and survey databases. Including the HILD and Notable Locations layers. The review indicates that the permit area had not been previously surveyed. The District Archaeologist determined that the project area had potential for historic properties to be present.

b. The Applicant submitted a Phase I survey entitled: “*Phase I Archaeological Survey of the Proposed City of Davenport Water Pollution Control Plant Berm Project, Sections 8 and 9, T77N-R03E, Scott County, Iowa*” dated April 2021. The report was completed by the Office of the State Archaeologist in Iowa City, Iowa. William Whittaker was the Principal Investigator on the project. The report appears to be adequate and will be coordinated with the Iowa State Historic Preservation Office and any Tribe that indicates an interest in reviewing the report. The applicant, in addition to this Phase I report, may be required to conduct additional Phase II test excavations to evaluate sites for eligibility for inclusion in the NRHP as well as other studies, site avoidance, or data recovery as may be the case.

## 6. Endangered Species:

a. 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 (FWS) as occurring in Scott County, Iowa:

- Indiana Bat (*Myotis sodalist*)
- Northern Long-eared Bat (*Myotis septentrionalis*)
- Higgins Eye (pearlymussel) (*Lampsilis higginsii*)
- Sheepnose Mussel (*Plethobasus cyphyus*)
- Spectaclecase (mussel) (*Cumberlandia monodonta*)
- Monarch Butterfly (*Danaus plexippus*)
- Rusty Patched Bumble Bee (*Bombus affinus*)
- Eastern Prairie Fringed Orchid (*Platanthera leucophaea*)

b. The project area contains suitable habitat for the Indiana and Northern Long-eared Bats. It is expected that the overall clearing of land surrounding the project will be less than 10-acres. The Corps will coordinate a May Affect, but Not Likely to Adversely Affect determination for the two bat species based on cutting restriction dates.

c. There will be no work in the river, therefore there will be **no effect** on the three mussel species. Suitable habitat does not exist within the project area for the two insect species and the orchid; therefore, this project will have **no effect** on these three species.

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: CEMVR-RD-Frohlich, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. For additional information contact **Mr. Albert Frohlich (309-794-5859)** or email: [Albert.J.Frohlich@usace.army.mil](mailto:Albert.J.Frohlich@usace.army.mil).



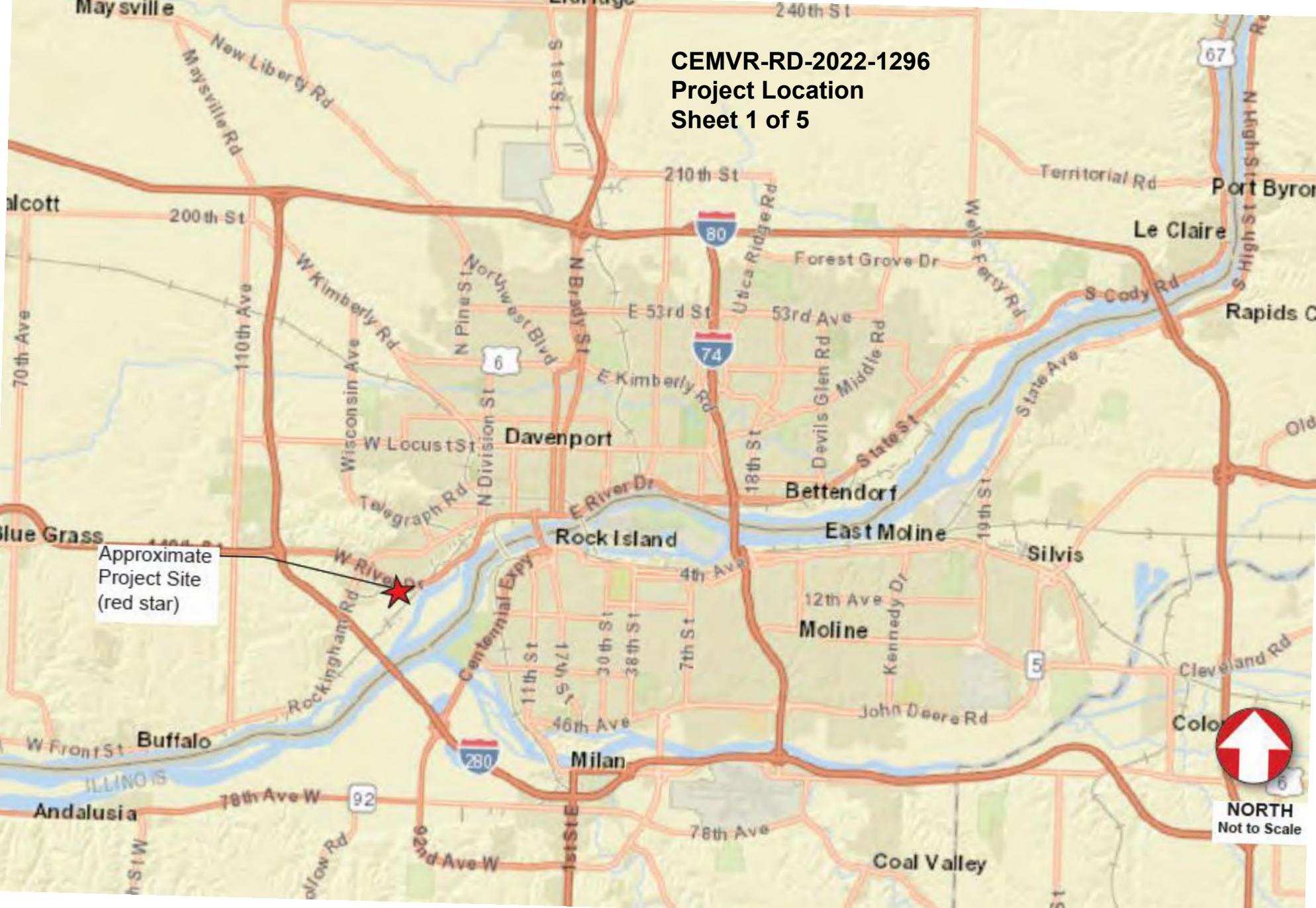
Attach  
Plan

Mr. Albert 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.

**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.

**CEMVR-RD-2022-1296**  
**Project Location**  
**Sheet 1 of 5**



Approximate  
Project Site  
(red star)



**NORTH**  
Not to Scale



Figure 1: Aquatic Resources Map - Overview



**Legend:**

-  Approximate Boundaries of Project Area
-  PEM Wetland
-  PFO Wetland
-  Wetland extends beyond the project limits

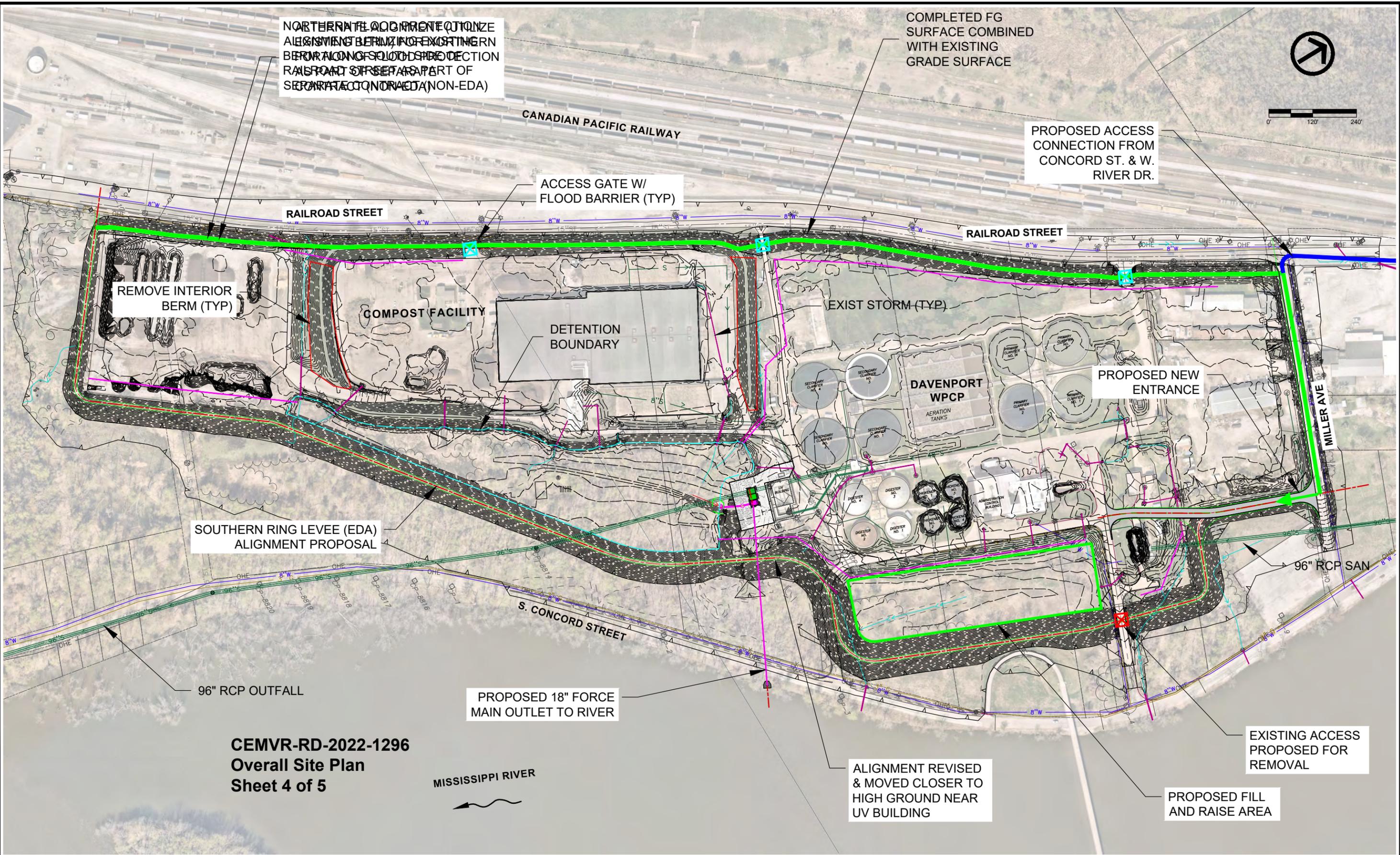
 Data Point and Data Point Number

**CEMVR-RD-2022-1296**  
**Wetland Location**  
**Sheet 3 of 5**

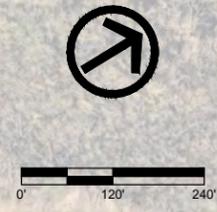


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X-REFS: 222169 topo & Day GIS parcels WPCP & Aerial Fade60  
 FILE PATH: C:\CIVIL 3D PROJECTS\DAVENPORT 222 WPCP FLOOD PROTECTION\CADD\PRODUCTION DRAWINGS 222169\222169 PROCESS SITE PLAN



**CEMVR-RD-2022-1296**  
**Overall Site Plan**  
**Sheet 4 of 5**



DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	EWL
		CHECKED	LFF
		APPROVED	EWL
		DATE	05-16-2022
		ISSUED FOR	REVIEW




WPCP & COMPOST FACILITY FLOOD PROTECTION - CONTRACT 1  
 CITY OF DAVENPORT, IA

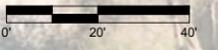
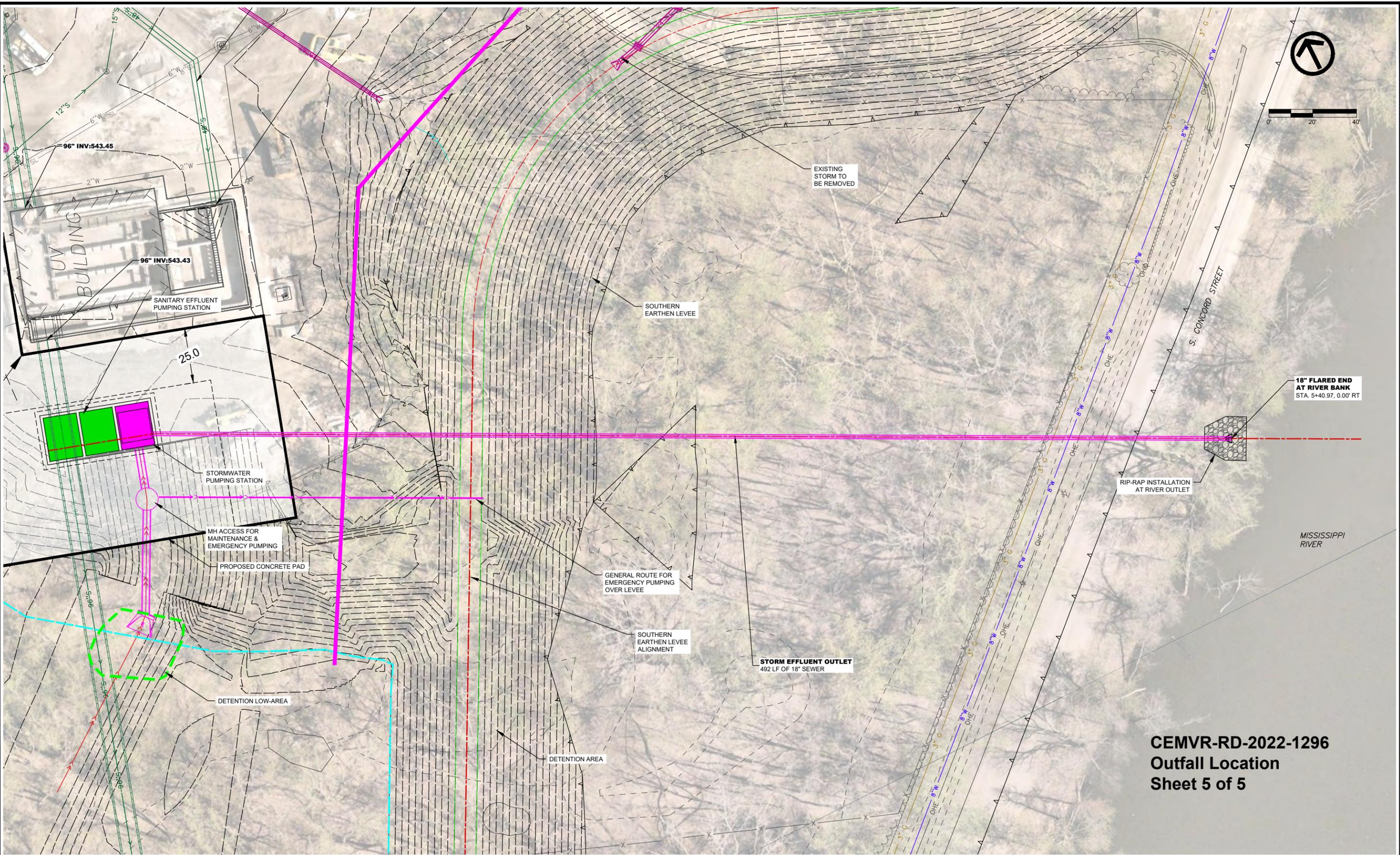
1800 5th Avenue • Rock Island, Illinois 61201  
 309-786-7590 • 309-797-0996(FAX) • 877-241-8010(WATS)

**SOUTHERN EARTHEN LEVEE ALIGNMENT**  
**SITE PLAN LAYOUT AT WPCP**

DWG. NO.	C.1
PROJECT	222169

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**CEMVR-RD-2022-1296**  
**Outfall Location**  
**Sheet 5 of 5**

DATE	REVISIONS

SCALE	AS NOTED
DRAWN	EWL
CHECKED	LFF
APPROVED	EWL
DATE	05-16-2022
ISSUED FOR	REVIEW



WPCP & COMPOST FACILITY FLOOD PROTECTION - CONTRACT 1  
 CITY OF DAVENPORT, IA  
 1800 5th Avenue • Rock Island, Illinois 61201  
 309-786-7590 • 309-797-0996(FAX) • 877-241-8010(WATS)

STORM PUMP STATION FORCE MAIN PLAN

DWG. NO.
C.12
PROJECT 222169