



# PUBLIC NOTICE

US Army Corps  
of Engineers  
Rock Island District

Applicant: Apple Inc.  
CEMVR-OD-P-2018-0438

Date: December 5, 2018  
Expires: January 3, 2019  
Section 404

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

1. **Applicant:** Apple Inc., c/o Ms. Angela Rundle, One Apple Park Way, Cupertino, California 95014.

2. **Project Location:** The project is located in the City of Waukee, Iowa, Dallas County, Iowa. The approximate center of the project is located at: Latitude 41.6154, Longitude -93.9151.

3. **Project Description:**

A. The project site consists of approximately 1,005 acres of property north and south of Highway 6, within the municipal boundary of Waukee, Dallas County, Iowa. North of Highway 6 the project site is bounded by 280<sup>th</sup> Place to the north, to the east by T Avenue, and it extends up to half mile west of S Avenue. The portion of the project site south of Highway 6 includes an approximately 150 acre parcel on the southwest corner of Highway 6 and Richland Place.

B. The applicant plans to develop the portion of the site between S Avenue and T Avenue, north of Highway 6, as a data center campus. The property south of Highway 6 will contain a constructed swale to transport storm water flows from the project site north of Highway 6 southward to an existing unnamed drainage to Sugar Creek.

C. The applicant has stated that a range of alternatives for the project were developed and considered to reduce and avoid impacts to aquatic resources while maintaining project purpose. The applicant's selected alternative would result in the discharge of fill material into approximately 4.34 acres of emergent wetland including wetlands HUG14, HUG15, and SLM1. The applicant is aware that compensatory mitigation would be required for the loss of wetland resources and has proposed to mitigate wetland losses through onsite restoration/enhancement or purchasing credits at an established wetland mitigation bank.

D. Impacts to aquatic resources are shown on the attached map. Impacts would be associated with the construction of storm water detention basins, storm sewer, water mains, sewer mains, utilities, and overall site grading.

4. **Agency Review.** 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) and determined minor portions of the proposed project area have been previously surveyed. The applicant also submitted a report entitled: “*Phase IA and Phase I Cultural Resource Investigations, Potential Development Project Site in Dallas County, Iowa*” dated September 2018. The report was completed by Mr. David Wilcox with Golder Associates, Inc. of Green Bay, Wisconsin. The report will be coordinated with the Iowa State Historic Preservation Office (IA SHPO) under a separate cover letter. Based on a review of the plans and the results of the previous surveys 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.

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 Dallas County, Iowa:

- Prairie bush clover. The threatened prairie bush clover (*Lespedeza leptostachya*) is considered to potentially occur statewide based on historical habitat. It occupies dry to mesic prairies with gravelly soil.
- Western prairie fringed orchid. The threatened western prairie fringed orchid (*Platanthera praeclara*) is considered to potentially occur statewide in Iowa based on historical records and occupies wet to mesic grassland habitats.
- Northern long-eared bat. The threatened northern long-eared bat (*Myotis septentrionalis*) is considered to potentially occur statewide. It hibernates in caves and mines and swarms in surrounding wooded areas in autumn. It roosts and forages in upland forests during late spring and summer.
- Indiana bat. The endangered Indiana bat (*Myotis sodalis*) hibernates in caves and mines and forages in small stream corridors with well-developed riparian woods. It roosts and forages in upland forests during late spring and summer.
- Topeka shiner. The endangered Topeka shiner (*Notropis topeka*) lives in pool and run areas in prairie streams that have good water quality and cool temperatures and prefer pool like areas that are outside of the main channel.

B. The Corps has made a determination of “no effect” for the above mentioned species. The proposed project is being coordinated with the FWS. Any comments it may have concerning Federally-listed threatened or endangered species or their critical habitat will be considered in the final assessment of the proposed 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 of Engineers.** Comments concerning the Corps permit should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: OD-PP (Popkin), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. Mr. Trevor Popkin (309/794-5329) may be contacted for additional information or emailed at [trevor.e.popkin@usace.army.mil](mailto:trevor.e.popkin@usace.army.mil).



Attach  
Plan

*for* Mr. Trevor Popkin, PM  
Iowa Section  
Regulatory Branch

**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

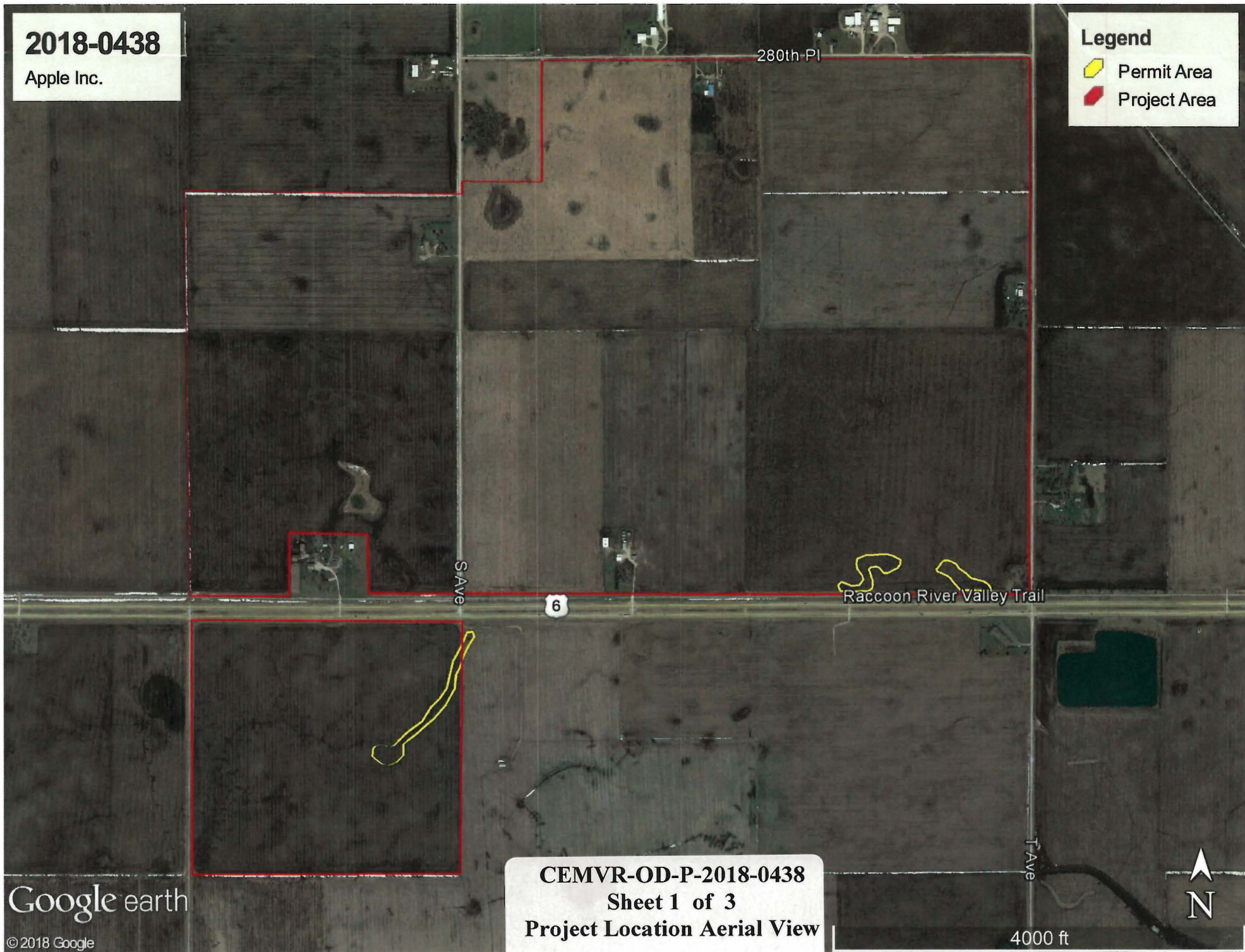


**2018-0438**

Apple Inc.

**Legend**

-  Permit Area
-  Project Area



**CEMVR-OD-P-2018-0438**  
**Sheet 1 of 3**  
**Project Location Aerial View**

Google earth

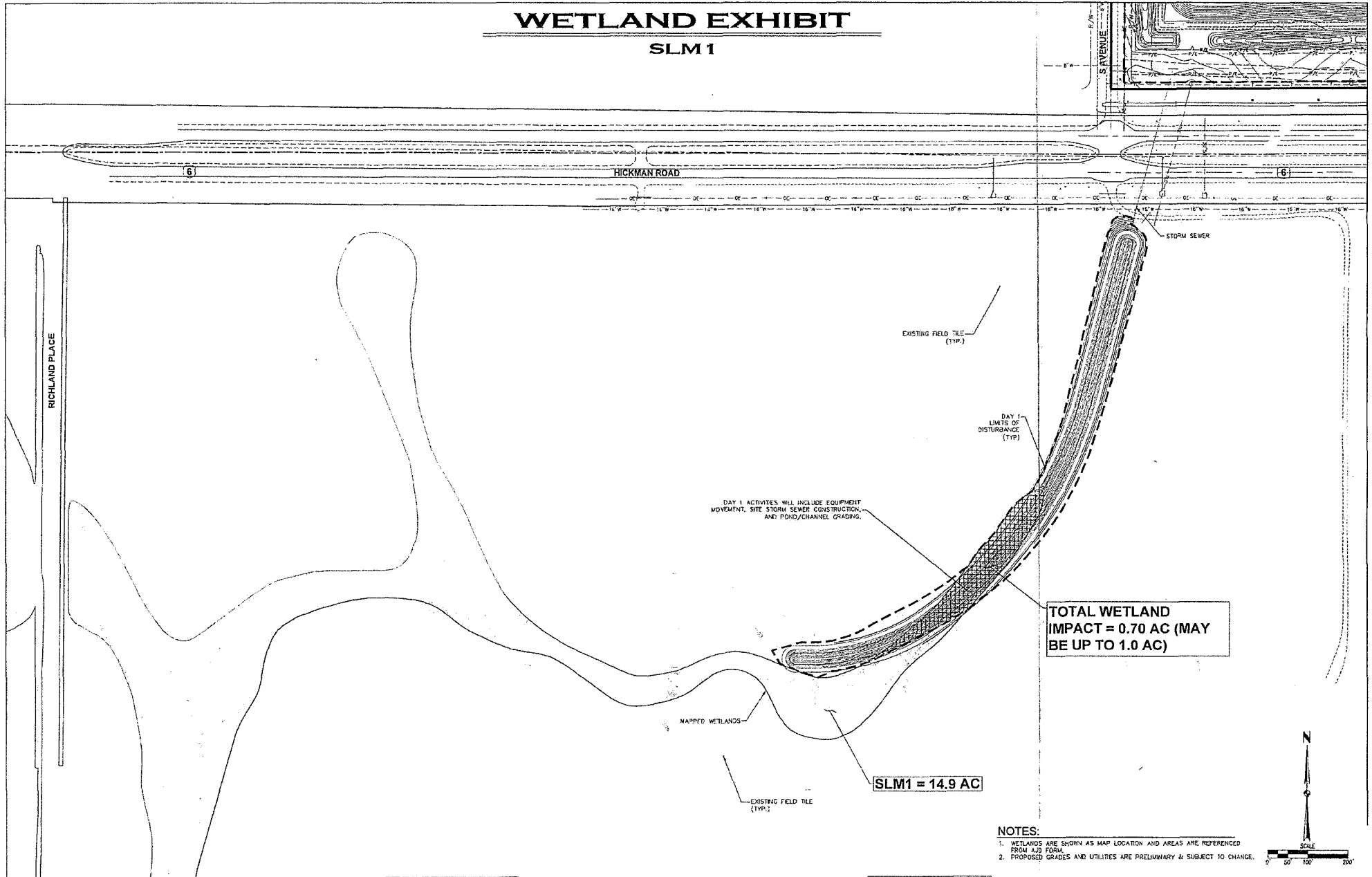
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4000 ft



# WETLAND EXHIBIT

SLM 1



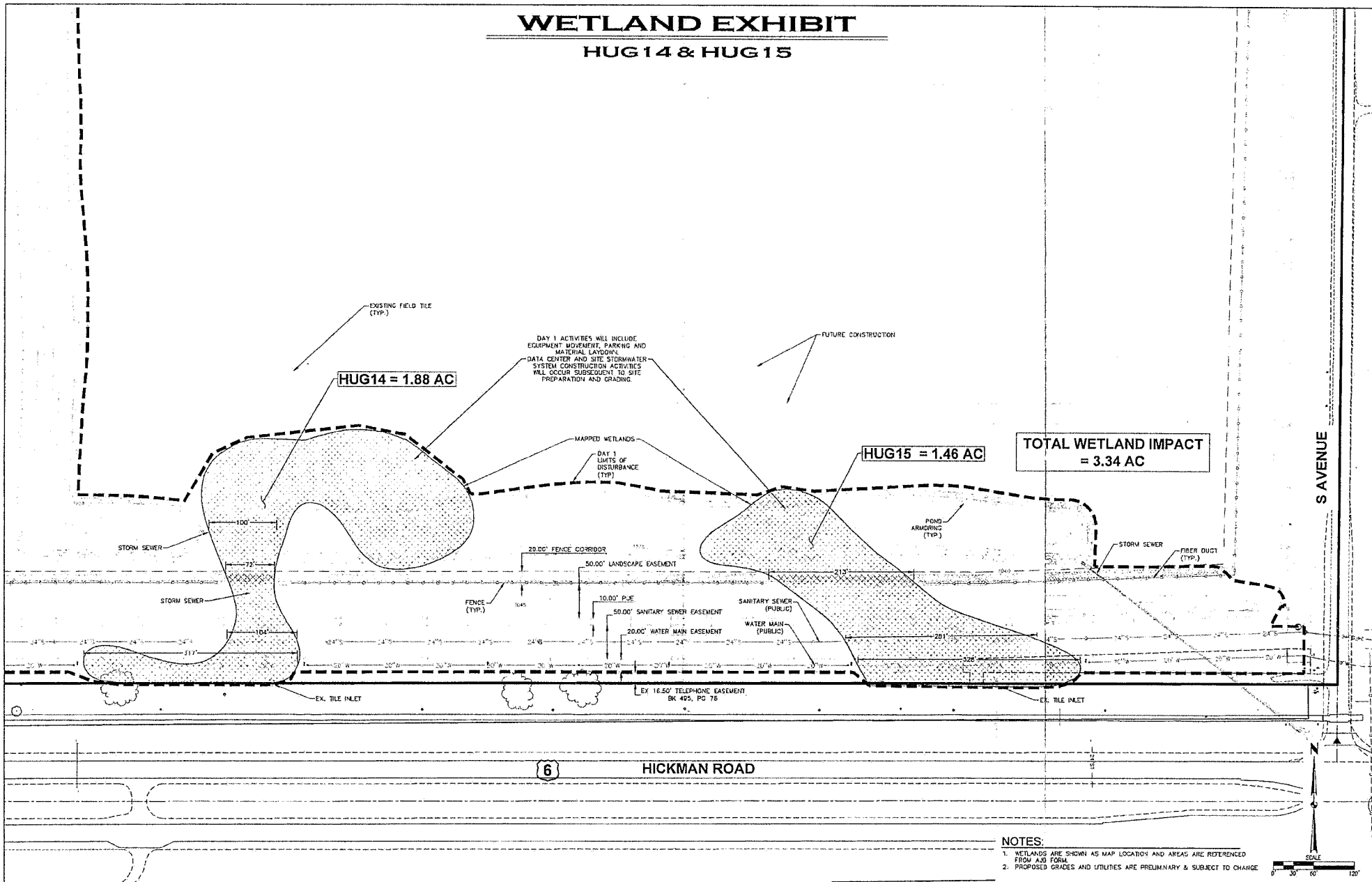
### NOTES:

1. WETLANDS ARE SHOWN AS MAP LOCATION AND AREAS ARE REFERENCED FROM AJD FORM.
2. PROPOSED GRADES AND UTILITIES ARE PRELIMINARY & SUBJECT TO CHANGE.

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Sheet 2 of 3  
Wetland Impact SLM1

# WETLAND EXHIBIT

## HUG 14 & HUG 15



**CEMVR-OD-P-2018-0438**

**Sheet 3 of 3  
Wetland Impact  
HUG4-HUG15**