



# PUBLIC NOTICE

US Army Corps  
of Engineers  
Rock Island District

Applicant: Rick and Cyndi Winter

Date: September 25, 2018

Expires: October 24, 2018

CEMVR-OD-P-2018-789

Section 10/404

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

1. **Applicant:** Rick and Cyndi Winter, 22965 Great River Road North, Le Claire, Iowa 52753.

2. **Project Location:**

- Dredging Location: Section 23, Township 79 North, Range 5 East; LeClaire, Iowa, Scott County, Iowa; approximate Mississippi River mile 500.0. Datum NAD-83. UTM Zone 15. Northing 4613276.749757, Easting 720874.250994, Latitude: 41.640647, Longitude: -90.347986.
- Disposal Location: Section 24, Township 18 North, Range 1 West, (South end of Campbell's Island) Rock Island County, Illinois; approximate river mile 490.0.

3. **Project Description:** Dredging. The applicant proposes to perform mechanical dredging via barge mounted excavator and hopper barges. Area is approximately 112 x 122 feet and a water depth of 3 feet. Dredged material will be transported to Campbell's Island and placed with proper sedimentation controls.

- Drawing 1 of 3, Dredging Location Map
- Drawing 2 of 3, Disposal Location Map
- Drawing 3 of 3, Vicinity Map

4. **Agency Review and Where to Reply:**

A. The Department of the Army application is being processed under provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

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). 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 50319-0034. 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 Illinois geographic information systems archeological site and survey databases online and determined there are no previously identified historic properties in the vicinity of the dredge disposal area. In addition, the Corps consulted “*An Investigation of Submerged Historic Properties in the Upper Mississippi River and Illinois Waterway*” (October 1997) prepared by American Resources Group, Ltd. for the Corps (Contract No. DACW25-93-D-0012, Delivery Order No. 37). There is a shipwreck indicated within the vicinity of the dredge location. However, the proposed action includes dredging on the opposite side of the river from the vicinity of the reported wreck. In addition, the proposed disposal areas are previously disturbed through the construction and use as disposal areas. Therefore, it is the opinion of the District there is low to no potential for intact historic properties to be affected by the proposed action and there will be **no historic properties affected** by the 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.**

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:

- Northern Long-eared Bat (*Myotis septentrionalis*) & Indiana Bat (*Myotis sodalist*)
- Western Prairie Fringed Orchid (*Platanthera praeclara*)
- Prairie Bush-Clover (*Lespedeza leptostachya*)
- Higgins Eye Pearly Mussel (*Platanthera praeclara*) & Spectaclecase Mussel (*Cumberlandia monodonta*) & Sheepnose Mussel (*Plethobasus cyphus*)

B. The proposed project is being coordinated with the FWS through this public notice. According to plans, designs and information provided by the Applicant, there will be no tree removal as part of this project, therefore there will be *no effect* on either bat species. There is no habitat that would support the plant species listed for Scott County, therefore the proposed project will have *no effect* on these two listed species. Lastly, there is a potential for mussel habitat in the project dredging area, a mussel survey will be performed and coordinated with the FWS.

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 US Army Corps of Engineers, Rock Island District, Attn: OD-P (Hardy), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mrs. Donna Hardy** may be contacted for additional information at (309) 794-5378 or email at [donna.r.hardy@usace.army.mil](mailto:donna.r.hardy@usace.army.mil).

Attach  
Plan

  
Mrs. Donna Hardy, Project Manager  
Iowa Section  
Regulatory Branch

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**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

# Rick & Cyndi Winter

22965 Great River Rd N  
Le Claire, IA 52753

## Legend

-  Dredge Area
-  Rick & Cyndi Winter

Rick & Cyndi Winter



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2018-789

LOCATION MAP  
Page 1 of 3

Google Earth

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100 ft

# Untitled Map

Write a description for your map.

## Legend

-  950 Feet
-  Dredge Area

Disposal Sites

Bolster Ct

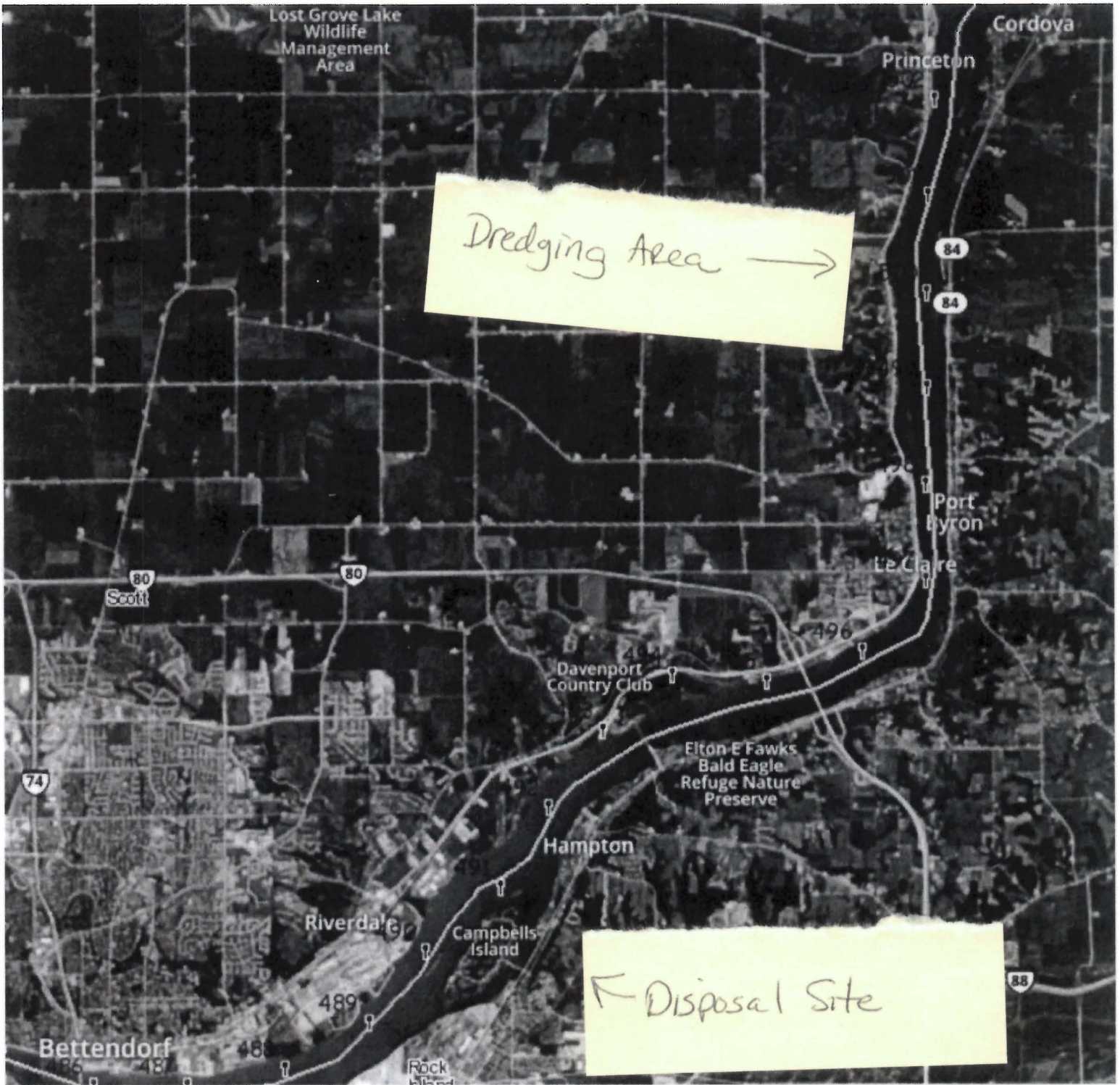
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LOCATION MAP  
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Google Earth

N41°31'59.52"



700 ft



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VICINITY MAP

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