



# PUBLIC NOTICE

US Army Corps  
of Engineers  
Rock Island District

Applicant: Krause Holdings, Inc.

Date: December 17, 2008

Expires: January 15, 2009

CEMVR-OD-P-2008-1505

Section: 404

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

1. **Applicant.** Krause Holdings, Inc., 6400 Westown Parkway, West Des Moines, Iowa 52160.
2. **Project Location.**  
Raccoon River in Section 30, Township 78 North, Range 26 West, Dallas County, Iowa.  
Datum NAD-83. UTM Zone 15, Northing 4597727, Easting 425636.
3. **Project Description** The applicant proposes a bank stabilization project along the Raccoon River. The design includes the installation of 4 rock spurs and 5 bend-way weirs in, and the placement of 900 linear feet of riprap along the Raccoon River. The spurs and bend-way weirs will be placed approximately 155 feet apart. The project will effect 2,100 linear feet of stream bank. Approximately 6,000 cubic yards of Class E riprap will be used in the project.
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 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 Corps consulted with the District geographic information systems (GIS) archeological site and survey databases. The query determined that the permit area has not been surveyed for historic properties and that no archeological sites are located in the permit area. Based on this information and on the nature and location of this project, which is for placing spurs, bend-way weirs and riprap located in the active channel of the Raccoon River, the Corps has determined that issuance of this permit will have no effect on historic properties 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).
6. **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 Corps has made a preliminary determination that the proposed activity is 'not likely to adversely effect' any listed species or critical habitat. The proposed project is being coordinated with the United States Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered species or their critical

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habitat will be considered in the final assessment of the proposed project. Accordingly, our preliminary determination is subject to change should further information become available.

**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-P (Michael Hayes), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mr. Michael D. Hayes (309/794-5367)** may be contacted for additional information.

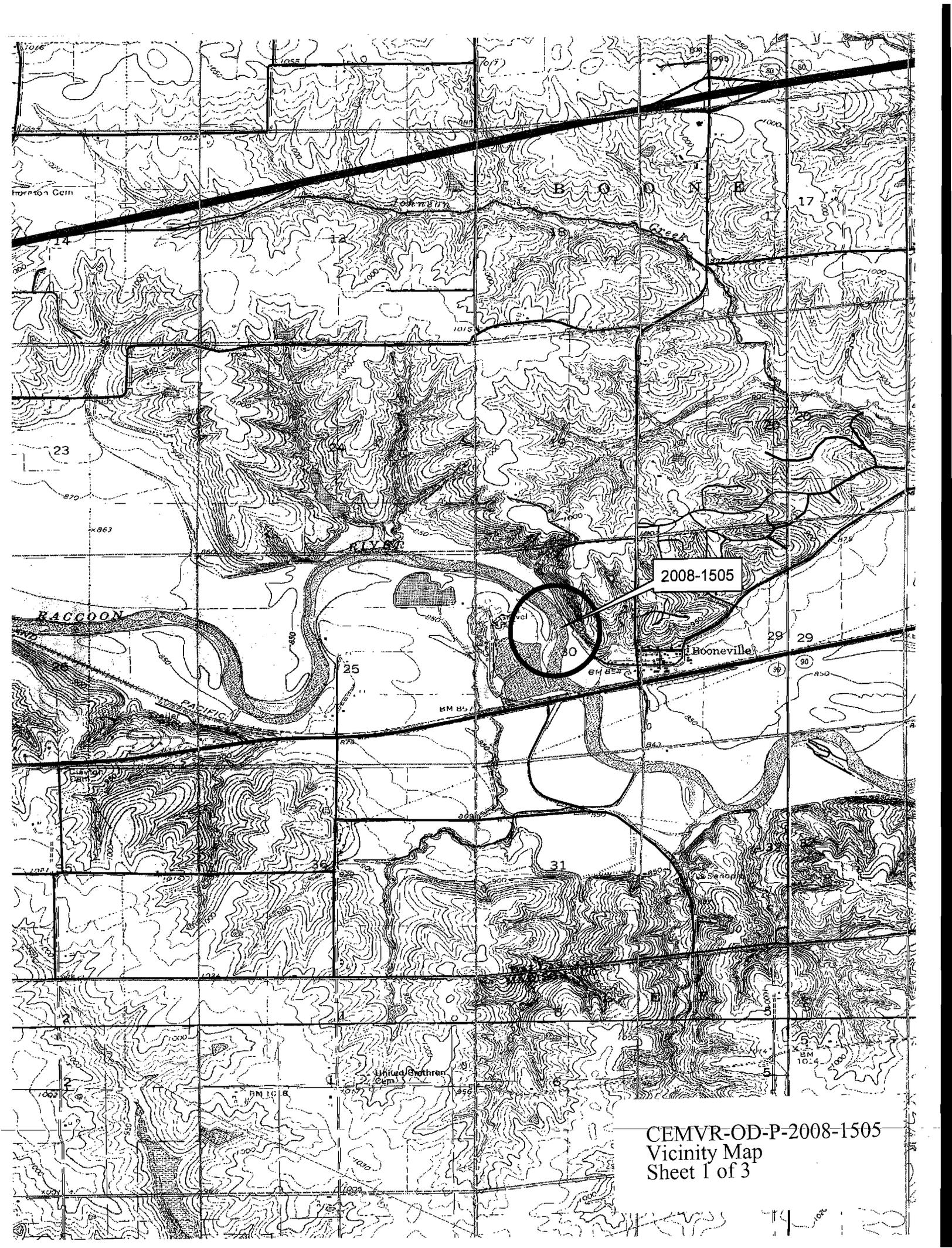
Attach Plan

  
for Mike Hayes  
Project Manager  
Regulatory Branch

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