

Shoultz cries foul over city encroaching on wetlands

■ **Waterloo trespassed on forbidden territory for the Martin Luther King Jr. Drive project.**

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WATERLOO

A state legislator is criticizing the city of Waterloo for filling in part of a wetland area for the Martin Luther King Jr. Drive project.

The city is rerouting the road because of the error, but state Rep. Don Shoultz says the design should have been that way from the beginning.

"They were definitely wrong, from the planning stages to the execution," Shoultz, D-Waterloo, said.

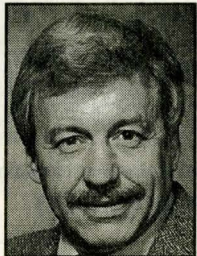
According to a public notice by the U.S. Army Corps of Engineers, the city "placed fill material (dirt) in an adjacent wetland" along Blowers

Creek in conjunction with the MLK Jr. Drive project between Idaho Street and North Elk Run Road, which will serve the northeast industrial area.

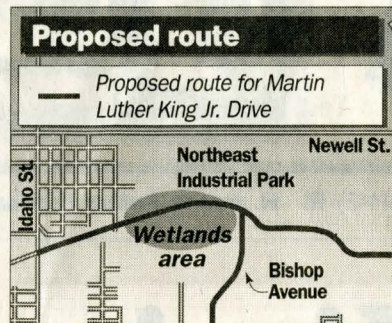
"Approximately 3.5 acres of emergent wetland has been filled as part of the original roadway embankment alignment," the Corps notice states.

Through "further coordination," the notice continues, "a new alternative roadway with less wetland impact has been proposed," affecting only 2.4 wetland acres.

To compensate for the wetland intrusions, the city proposes to preserve an adjacent 40 acres of new, restored or existing wetland and



Don Shoultz
says design was
flawed from start



COURIER Graphic

buffer area.

"The bigger part of the question is the whole idea of putting the wetlands in jeopardy in the first place," Shoultz said. "I just anticipated a ribbon cutting for a (recreational) trail in the Cedar Falls Industrial Park. The city there has created two lakes and a recreational trail," part of Prairie Lakes Park.

"Here we have an industrial park in Waterloo that actually destroyed 3.5 acres of wetland," Shoultz said.

"I understand it's going to be rebuilt in the mitigation, but you need to take a look at this thing.

"It does call into question whether Waterloo, in its planning, has taken into account more than just economic needs, and the needs of the land and people at the same time."

City Planner Don Temeyer said Waterloo received a Corps of Engineers permit for the original work where the wetland was filled in, but the permit expired and the city had to reapply. In the interim, he said, regulators began taking a "much stricter" view of wetlands preservation.

After consulting with Waterloo engineering firm RUST Environment and Infrastructure, Temeyer said, planners did not believe a second permit would be authorized as long as alternatives were available.

"This (rerouting) is a better alternative, when you look at wetlands," Temeyer said. "We said this is a

viable alternative. ... We have a viable alternative and we agree with it."

The rerouting will not cost additional money, he said. It will lengthen the road, but the city will not have to bridge the wetland as it would have under the first proposal, an equally expensive proposition.

"I don't have a problem with the mitigation," Shoultz said. "Neither does the DNR (Department of Natural Resources) and the county Conservation Commission," but that doesn't answer why it happened in the first place.

"My suggestion to Mr. Temeyer was that they ought to have one map that shows where all the wetlands are and take some sort of a positive measure to see that they are protected."

Shoultz said legislators frequently field complaints from farmers who are required to preserve wetlands, and cities should be held to the same standard.