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Des Moines Area Metropolitan Planning Organization (MPO)
420 Watson Powell Jr Way STE 200
Des Moines, IA 50309

3/5/24

Re: Ankeny's proposed N.E. 18th Street Overpass Project and Request for Federal Funding (Surface Transportation Block Grant Program for Fiscal Year 2028).

I have the following concerns and observations:

1. The N.E 18th street project appears to require flood plain infilling of an oxbow pond. During the flood of June 30, 2018 the flood waters flowed over I-35. The oxbow pond, just east of I-35 on the north side of the road, contributed to preventing the flood from entering my home at 2480 N.E. 102nd Ave. My home is between two bridges and the water level was lower on the east side of the I-35 bridge. Recent flooding has been much more substantial than previously thought possible. The water nearly entered my home. Reducing the flood plain in anyway could have significantly damaged my home.

The following is from the Ankeny City ordinances CHAPTER 193 ZONING ORDINANCE FLOOD PLAIN REGULATIONS :

3. Purpose. It is the purpose of this section to protect and preserve the rights, privileges and property of Ankeny, and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing flood losses with provisions designed to:

A. Reserve sufficient flood plain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially;

Comments from previous attempt at an NE18th overpass. Department of Natural Resources July 2007
Richard A. Leopold:

Dear Mr. Walters;

In response to your request for comments concerning the above referenced project, Polk County Conservation staff offers the following:

The project may have impacts on the Four Mile Creek floodplain storage capacity and on the jurisdictional wetlands as noted in the National Wetland Inventory. We assume that

2. There appears to be no EIS or environmental impact study for the current proposed NE 18th Street overpass project which is required before funding. The email I received from the MPO did not include an EIS:

SPECIAL PROJECT REQUIREMENTS

Highway Projects ** Denotes also relevant for Federal-aid Swap Project contracts must be let by the DOT.**

FHWA environmental concurrence is required.

Right-of-way activities must comply with applicable state laws** and federal laws. Refer to I.M. 3.600 for additional information.

An environmental review must be performed:

An environmental review must be performed before any funds, regardless of source, are committed to a project. Documentation of the environmental review should be maintained in the environmental review record.

A previous environmental study was in 2009:

Iowa. Office of Location and Environment. Office of Location and Environment.
United States. Federal Highway Administration.

Notes: Cover title. "**7/16/09**." "Project number: STP-U-0187(619)--70-77." With: Northeast 18th Street extension from NE Delaware Avenue to NE Frisk Drive/NE 102nd Street, City of Ankeny, Iowa STP-U-0187(619)- -70-77 environmental assessment. 21, [18] leaves.

The previous EIS is no longer valid:

T. A final EIS is considered valid up to three years following the last major approval. If no action to advance a project has occurred in the last three years, a written reevaluation is required. Project-specific issues related to reevaluation should be referred to the appropriate FHWA division office.

3. The proposed driveway entrance for 2480 NE 102nd Ave. onto or near the bridge approach will likely be excessively steep and dangerous. Since no elevation data was submitted to the MPO for approaches to the overpass it is difficult to determine the steepness of the driveway. The previous elevation for the project that was proposed in 2009 was excessively steep.

4. Substantial harm will occur to the agricultural duck operation currently being developed on my property. I currently have over 70 ducks. The ducks use the oxbow pond which will be partially infilled or damaged. The ducks also forage on the area to be taken. The ducks are used for eggs and meat, but more importantly fertilizer. These ducks are being developed for use as organic fertilizer on gardens/greenhouses. The area the bridge will most directly impact is the only site a greenhouse can be built that is not in the flood plain. The duck fertilizer was used on an experimental garden in 2023 and proved to be very successful. Unlike chickens, duck fertilizer can be used immediately without being

composted and is an extremely effective fertilizer. These ducks will eventually be used on my Missouri property in which a building has already been erected. I expect to be compensated for the damage to my agricultural operation.

5. The construction of the overpass will significantly reduce the value of my property. Not only will I have less property and reduced water resources, impacting my duck operation, but the view of the timber to the south will be significantly obstructed by the elevated approaches to the bridge. Keep in mind the road bed will not be at its current elevation. The lack of elevation data makes it difficult to determine the exact impact of this road, but it will be very significant and horrifically ugly. I expect to be compensated for this devaluation of my property.

5. There will likely be setback violations.

Questions and Observations with regards to the City of Ankeny Application for Funding:

1. The application was improperly filled out. There are hundreds of trees in the area including red oak and uncommon trees such as Kentucky coffee trees and wahoo trees which will be destroyed. This includes a row of fruit trees on the 2480 N.E. 102nd property. The City of Ankeny improperly filled out the item below on the form submitted to the MPO:

Existing street trees:	No	Proposed street trees:	No
Variety of trees planted:	0		

2. **Question in Form-** The Federal Highway Administration requires STBG funds to be used towards regionally significant projects. Please describe how this project fulfills this requirement.

The area east of I-35 being developed on NE 18th street is not commercial but is residential. This overpass will not significantly reduce traffic loads on 1st street and 36th street since there are not any off or on ramps (its an overpass). There is very little need for west to east traffic since there is no commercial development east of I-35 on N.E. 18th and the need for east to west traffic is minimal since most of the intended destinations I-35 access and access to major commercial destinations in Ankeny are not assisted by this overpass.

3. **Question-** Describe how the land-uses adjacent to this project support the development of affordable housing.

The city of Ankeny does not appear to be addressing this question in its reply. The truth is that all

properties adjacent to the development are quite expensive and the DRA development is by no means affordable housing. The overpass will not support the development of affordable housing adjacent to the project.

4. **Question-** Describe how this project impacts other city/county goals, plans, and projects.

The City of Ankeny States in its reply the bridge over Four Mile Creek was replaced because, “Polk County recently replaced and expanded the roadway bridge on the east side of I-35, over the Four Mile Creek, in anticipation of this extension and overpass”.

In reality the primary reason the bridge was replaced is because it was a one lane bridge that was 100 years old and deemed unsafe. This was a misrepresentation by the City of Ankeny in the application.

Additional questions/requests:

I would like to see the scores on the application for funding of projects proposed by the other cities.

There appears to be no EIS or any form of environmental impact study submitted with the application. Can I obtain a copy if a study exists?

Can the public attend any meeting or meetings discussing these projects before approval?

I am also requesting the specific board at the MPO which is involved in the approval of the application for the N.E. 18th overpass project, be given a copy of this document before any projects are approved.

Finally, I am requesting the attachment of this document to any federal agency involved in the approval of the application for funds with regards to the N.E. 18th overpass, if approved by the MPO.

I am currently updating my website at ankenwatch.com. This issue, along with other issues, will be discussed on the website. I am looking forward to the MPO's comments so the public can be better informed.

Scott Campbell