



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
ROGER L. LANDE, DIRECTOR

April 18, 2012

Mr. Ward Lenz
Chief, Regulatory Branch
Rock Island District Corps of Engineers
Clock Tower Building – PO BOX 2004
Rock Island, IL 61204-2004

Subject: Section 401 Water Quality Certification for the 2012 Nationwide Permits

Dear Mr. Lenz,

The Environmental Protection Commission granted Section 401 Water Quality Certification for the 2012 Nationwide Permits on April 17, 2012. An administrative rule reflecting the Commission's actions was adopted and has an effective date of June 20, 2012.

Based on the inclusion of the 6 Iowa Regional Conditions, the Iowa Department of Natural Resources is issuing Section 401 Water Quality Certification for the 2012 Nationwide Permits with the following conditions:

- For projects that impact an outstanding national resource water, outstanding Iowa water, fens, bogs, seeps, or sedge meadows, an individual Section 401 Water Quality Certification will be required.
- For nationwide permits when the Corps' district engineer has issued a waiver to allow the permittee to exceed the limits of the nationwide permit, an individual Section 401 Water Quality Certification will be required.
- Heavy equipment shall not be used or operated within the stream channel. If in-stream work is unavoidable, it shall be performed in such a manner as to minimize the duration of the disturbance, turbidity increases, substrate disturbance, bank disturbance, and riparian vegetation. This condition does not further restrict otherwise authorized drainage ditch maintenance activities.

For any project that occurs on a water body listed in the Iowa Department of Natural Resources (IDNR) "Special Waters of Concern" list, attached, the Corps of Engineers will contact the IDNR for project-specific comments/conditions to protect the water quality/aquatic resources of the site prior to finalizing the permit decision.

In accordance with the Iowa antidegradation rules, an individual Section 401 Water Quality Certification will be required for any project occurring within an Outstanding Iowa Water or its designated watershed/drainage area. The list and maps of the Outstanding Iowa Waters

and their designated watersheds/drainage areas can be found on the IDNR website <http://www.iowadnr.gov/InsideDNR/RegulatoryWater/WetlandsPermitting.aspx>.

Best management practices must be used to prevent and control spills of hazardous substances and if there is a release, it must be immediately reported to the Iowa Department of Natural Resources at 515-281-8694.

We would like to ask the Corps to encourage applicants to use natural channel design principles and bioengineering techniques when the project involves reconstructing stream channels. This will help restore or enhance the habitat values of the reconstructed stream channel.

If you have any questions or comments regarding this Section 401 Water Quality Certification, please contact me at the address shown below or call (515) 281-6615.

Sincerely,



Christine M. Schwake
Environmental Specialist

Attachment

Iowa Special Waters of Concern

Coordinate for comments:

Mississippi River

Missouri River

Category 4c 303(d) list water bodies (most-recently EPA-approved)

Coordinate for Section 401 Water Quality Certification:

Outstanding national resource waters (currently Iowa doesn't have any)

Outstanding Iowa waters

Fens

Bogs

Seeps

Sedge Meadows

Category 4c Impaired Waters

<u>County(ies)</u>	<u>Water body</u>	<u>Location</u>
Adams	Binder Lake	S25, T72N, R34W
Boone & Dallas	Little Beaver Creek	S14, T81N, R27W (Dallas) to S29, T82N, R27W (Boone)
Cherokee & Ida	Maple River	S13, T88N, R40W (Ida) to S5, T91N, R39W (Cherokee)
Cherokee	Maple Creek	S5, T91N, R39W to S1, T91N, R39W
Clarke	South White Breast Creek	S3, T71N, R24W to headwaters
Clayton	Roberts Creek	S25, T94N, R5W to S16, T94N, R5W
Dallas & Boone	Little Beaver Creek	S14, T81N, R27W (Dallas) to S29, T82N, R27W (Boone)
Des Moines	Allen Green Refuge Marsh	S29, T72N, R1W
Fremont	Missouri River	Entire length
Guthrie	Lakin Slough	S34, T81N, R30W
Harrison	Round Lake	S13, T80N, R45W
Harrison	Missouri River	Entire length
Harrison & Shelby	Mosquito Creek	S9, T78N, R41W (Harrison) to NW 1/4, S12, T80N, R40W (Shelby)
Ida & Cherokee	Maple River	S13, T88N, R40W (Ida) to S5, T91N, R39W (Cherokee)
Ida	Halfway Creek	S22, T89N, R39W to SE 1/4, S24, T89N, R39W
Jasper & Poweshiek	North Skunk River	S20, T78N, R16W (Poweshiek) to S22, T81N, R19W (Jasper)
Kossuth & Winnebago	Little Buffalo Cr. (aka N. Buffalo)	S4, T97N, R27W (Kossuth) to S5, T98N, R26W (Winnebago)
Louisa	Klum Lake	S25, T75N, R2W
Lucas	White Breast Creek	S11, T73N, R22W to S22, T72N, R23W
Mahaska & Marion	Des Moines River	S33, T75N, R17W (Mahaska) to S19, T76N, R18W (Marion)
Marion & Mahaska	Des Moines River	S33, T75N, R17W (Mahaska) to S19, T76N, R18W (Marion)
Mills	Missouri River	Entire length
Monona	Missouri River	Entire length
Monona	Badger Lake	S29, T85N, R46W
Monona	Blencoe Lake	S31, T82N, R45W
Monona	Upper Blencoe Lake	S7, T82N, R46W
Monona	Rabbit Island Lake	S28, T85N, R47W
Pocahontas	Little Clear Lake	S6, T91N, R34W
Pottawattamie	Missouri River	Entire length
Poweshiek & Jasper	North Skunk River	S20, T78N, R16W (Poweshiek) to S22, T81N, R19W (Jasper)
Sac	Black Hawk Wildlife Area	S9, T86N, R36W
Shelby & Harrison	Mosquito Creek	S9, T78N, R41W (Harrison) to NW 1/4, S12, T80N, R40W (Shelby)
Winnebago & Kossuth	Little Buffalo Cr. (aka N. Buffalo)	S4, T97N, R27W (Kossuth) to S5, T98N, R26W (Winnebago)
Woodbury	Missouri River	Entire length