



December 14, 2020

M. Ward Lenz
Rock Island District Corps of Engineers
Clock Tower Building
PO Box 2004
Rock Island, IL 61204-2004

Dear Mr. Lenz:

On September 15, 2020, the U.S. Army Corps of Engineers (Corps) announced in the Federal Register the proposed reissuance of 52 existing nationwide permits (NWP) and issuance of five new NWP. On September 30, 2020, the Rock Island District Corps issued a public notice with proposed Regional Conditions for the State of Iowa.

In accordance with Section 401 of the Federal Water Pollution Control Act (40 C.F.R. Part 121, effective September 11, 2020), the Iowa Department of Natural Resources (DNR) has reviewed the proposed modifications and additions to the NWP and Iowa Regional Conditions and, by this letter, is issuing Section 401 Water Quality Certification for NWP numbered 3, 4, 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 49, 50, C, D, and E with the following conditions:

- (1) During construction and upon completion of the project, actions must be taken to prevent pollution affecting public health, fish, shellfish, wildlife, and recreation due to turbidity, pH, nutrients, suspended solids, floating debris, visible oil and grease, or other pollutants entering a water of the state. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);
- (2) Equipment used in waters of the state shall be cleaned of all hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related, potentially hazardous substances before arriving on site. Wash water shall not be discharged into a water of the state. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);
- (3) All cleared vegetative material shall be properly managed in such a manner that it cannot enter a water of the state and cause a violation of water quality standards. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);
- (4) All construction debris shall be properly managed in such a manner that it cannot enter a water of the state. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);

(5) Erosion shall be managed so that sediment is not discharged to a water of the state in a manner that causes a violation of water quality standards. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);

(6) Riprap and temporary crossings shall consist of clean material free of coatings of potentially hazardous substances. No asphalt or petroleum-based material shall be used as or included in riprap material placed in any water of the state or within the high-water table. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);

(7) Stockpiled dredged materials on the shore shall be managed so that sediment is not discharged to a water of the state in a manner that causes a violation of water quality standards. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2); and

(8) Hydraulically dredged material shall be managed to ensure the return water meets water quality standards found at 567 IAC 61.3(2).

Nationwide permits numbered 1, 2, 8, 9, 10, 11, 24, 28, 35, A, and B do not require certification because they would authorize activities which could not reasonably be expected to result in a discharge into waters of the United States.

The DNR has determined that the discharges from the proposed projects to be authorized using the nationwide permits will comply with water quality requirements. If you have any questions about the certification or any conditions contained therein, please contact me at Christine.schwake@dnr.iowa.gov, or call (515) 725-8399.

Sincerely,



Christine Schwake
Environmental Specialist

cc: Mr. John Moeschen, U.S. Army Corps of Engineers, Nebraska Regulatory Field Office, 8901 S. 154th ST, STE 1, Omaha, NE 68138-3635 (email)