



US Army Corps
of Engineers ®

DEPARTMENT OF THE ARMY PERMIT
Regional Permit 7
Fill Material Placed for Linear Transportation Projects
In Waters of the United States
In the State of Iowa

Permittee: General Public meeting the terms and conditions herein.

Number: CEMVR-OD-P-2019-303 (Regional Permit 7)

Expiration Date: October 2, 2024

Issuing Office: U.S. Army Corps of Engineers, Rock Island District
Clock Tower Building-P.O. Box 2004
Rock Island, Illinois 61204-2004

You are authorized to perform work in accordance with the terms and conditions specified below.

NOTE: The term “you” and its derivatives, as used in this permit, means the permittee or any future transferee. The term “this office” refers to the appropriate district or division office of the Corps of Engineers (Corps) having jurisdiction over the permitted activity, or the appropriate official of that office, acting under the authority of the Commanding Officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

1. Authorized Work.

Proposed Limits. (a) Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g. roads, highways, railways, trails, airport runways, and taxiways) that result in impacts of up to 1 acre of waters of the United States. (b) Temporary fills for construction are authorized. (c) The affected reach of stream must occur within 300 feet upstream or downstream of the centerline of the roadway (existing channel length), with a maximum distance of existing channel length impacted (filled or abandoned) not to exceed 500 feet).

2. Project Location. All waters of the United States in Iowa within the regulatory boundaries of the Rock Island District.

3. Permit Conditions:

A. General Conditions:

- 1) The permittee must notify the District Engineer (DE), Rock Island District, for authorization of this Regional General Permit (RGP). The notification must include detailed drawings and sufficient information to determine if the proposed work conforms to the criteria and conditions of the RP, as well as a mitigation plan (see Section D), if unavoidable stream or wetland impacts will occur as a part of the project. Department of the Army (DA) permit application (ENG Form 4345) should be used for this purpose and is available to download at the Rock Island District Corps Regulatory (District) webpage. If the Corps determines that the work meets the provisions of the RP and no extraordinary conditions exist that warrant evaluation as an individual permit, the proponent will be notified to proceed.
- 2) The time limit for submittals ends 60 days prior to the expiration of the RP, unless the RP is modified, reissued or revoked. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before that date is reached. If you commence or are under contract to commence this activity before the date the RP is modified or revoked, you will have twelve months from this date to complete your activity under the present terms and conditions of this RP.

- 3) If the project impacts an Outstanding Iowa Water (OIW), an individual 401 Water Quality Certification (WQC) must be obtained and permittee shall not begin work on the activity until a 401 is issued by the State or waived by the DE.
- 4) You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party. If you sell the property associated by this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 5) If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the NRHP.
- 6) You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

B. Special Conditions:

- 1) Riprap shall be clean native fieldstone, clean quarry rock, or appropriately graded clean broken concrete with all reinforcing rods and/or wire cut flush with the surface of the concrete. It shall be the permittee's responsibility to maintain the riprap such that any reinforcement material that becomes exposed in the future is removed. The concrete pieces shall be appropriately graded and no piece shall be larger than 3 feet across the longest flat surface. No riprap shall be placed at a distance greater than 4 feet horizontally from the toe of the bank. Asphalt, broken concrete containing asphalt, petroleum based material, liquid concrete, and items such as car bodies are specifically excluded from this authorization.
- 2) Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable when temporary structures, work, and discharges are necessary for construction activities, access fills, or dewatering of construction sites.
- 3) This regional permit also authorizes temporary structures, fill, and work necessary to construct the linear transportation project; temporary impacts must be the minimum necessary to achieve project objectives.
 - a. All temporary structures and fill will be removed entirely no later than 30 days after they are no longer needed for construction activities.
 - b. Temporary fill materials, cleared vegetative materials, construction debris, including old bridge materials, and other fill not necessary for meeting the project purpose must be disposed of at an upland area or licensed landfill as appropriate.
 - c. Temporary fills must consist of materials and be placed in a manner that will not be eroded by expected high flows.
 - d. Material used as temporary fill for access, cofferdams, or other temporary structures required for the construction of transportation projects shall be included in the project plans or specifications, shall be clean, appropriately sized material (less than 15% fines passing a Number 200 US sieve) and shall be free of soil, sod, and other deleterious materials; material shall be clean coarse aggregate or non-erodible non-earthen fill that will not cause siltation.
 - e. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders, and fabric lined basins may be used for temporary facilities.
 - f. Temporary work/fills shall be constructed in a manner to maintain flow in these waters by utilizing, fluming, culverts, dam and pumping methods, or other such techniques.

- g. Areas affected temporarily must be returned to pre-construction contours, and must be re-vegetated.
- 4) Temporary and permanent structures must be installed to maintain normal flow conditions and to pass expected high flows or be removed prior to high water events.
- 5) Operation of heavy equipment within the stream channel should be avoided. 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 disturbance to vegetation.
- 6) Measures must be taken for heavy equipment usage in wetland areas to minimize soil disturbance and compaction. All exposed soils and other fills, as well as any work below the ordinary high water mark (OHWM), must be permanently stabilized at the earliest practicable date using permanent native vegetation, bioengineering methods, or armoring.
- 7) Any spoil material excavated, dredged, or otherwise produced, must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.

C. Temporary Impacts/Restoration Requirements:

- 1) Side slopes of a newly constructed channel will be no steeper than 2:1 and planted to permanent, perennial, native vegetation if not armored.
- 2) For newly constructed channels through areas that are unvegetated, native grass filter strips, or a riparian buffer with native trees or shrubs a minimum of 35 feet wide landward from the top of bank must be planted along both sides of the new channel. A survival rate of 80 percent of native species shall be achieved within three (3) years of establishment of the buffer strip.
- 3) During the excavation of the project area, the permittee will side-cast and stockpile the topsoil (top 10-12 inches), if practicable and/or if site conditions allow, that is being removed during the initial construction, in order to re-establish the topsoil once construction is complete. The soil must be returned to its original contours and a re-established topsoil is present prior to the re-planting of woody vegetation. This ensures that the organic/hydric soils that were present prior to construction are returned to their natural condition and can provide for a fertile habitat to re-plant woody vegetation and increase the survival rate of any new habitat.
- 4) Emergent wetland impacts must be replaced with a native wetland seed mix. At least 75 percent of the dominant plant species within the vegetative community shall be designated per Midwest regional wetland plant list as obligate (OBL), facultative wetland (FACW), or facultative (FAC) as defined in the 1987 delineation manual. Each acre of restored wetland must contain at least seven (7) native hydrophytic vegetative species. The total vegetative cover must be at least 80 percent by the end of the monitoring period. No more than 20 percent aerial coverage of non-native, aggressive, invasive species to include Reed canary grass (*Phalaris arundinacea*), Common reed (*Phragmites*), Purple loosestrife (*Lythrum salicaria*), Garlic mustard (*Alliaria petiolata*), Flowering rush (*Butomus umbellatus*), Canada thistle (*Cirsium arvense*), Purple crownvetch (*Securigera varia*), Autumn olive (*Elaeagnus umbellata*), Hairy cupgrass (*Eriochola villosa*), Leafy spurge (*Euphorbia esula*), Glossy buckthorn (*Rhamnus frangula*), Amur honeysuckle (*Lonicera maackii*), Morrow's honeysuckle (*Lonicera morrowii*), Tatarian honeysuckle (*Lonicera tatarica*), Bell's honeysuckle (*Lonicera bella*), Eurasian water milfoil (*Myriophyllum spicatum*), Japanese knotweed (*Fallopia japonica*), Common buckthorn (*Rhamnus cathartica*), and Multiflora rose (*Rosa multiflora*) in any 50 feet by 50 feet area and no more than 15 percent of the entire wetland area vegetation.
- 5) The permittee is required to replant all temporary construction right-of-way (ROW) located within wetlands per the Rock Island District (MVR) Regulatory Branch Mitigation and Monitoring Guidelines.

- 6) The reforested areas (forested and scrub-shrub wetlands) within the temporary construction ROW shall be monitored for a minimum of three (3) years after the tree and shrub plantings have been established. At the end of the monitoring period there must be a minimum of 100 native hydrophytic (FAC, FACW, OBL) trees per acre and they must exhibit live growth at or above 3 feet for the permittee to be released from further planting and monitoring requirements.
 - a. The permittee shall provide an annual monitoring report to the Corps documenting the extent of the mitigation and restoration work completed within the project ROW for a minimum of three (3) years. The reports must describe whether or not the site has met, or is making progress towards, wetland re-establishment per the wetland criteria as established in the Corps of Engineers Wetland Delineation Manual Technical Report Y-87-1. Such things as planting success rates, on-site photos, estimation of vegetative covers, demonstration of hydrology, and planned or completed remedial work should also be included in the monitoring report. The results of the survey shall be documented annually in a progress report as specified in RGL 08-03, located on the District webpage or RGL 08-03 located on the Corps Regulatory Headquarters webpage.
 - b. If at any time during the monitoring period, the total number of live trees falls below 75 per acre, supplemental planting shall be completed within the same or following growing season. The monitoring report following the supplemental planting shall document the plantings and the resulting number of live trees per acre. All planting shall be completed to ensure compliance with the diversity and density requirements described above.
 - c. The permittee shall be responsible to perform any corrective actions deemed necessary by this District to insure the success of the wetland mitigation and restoration activities.
 - d. The permittee shall notify this office in writing upon completion of all wetland.

D. Mitigation:

- 1) If the permanent loss of wetland exceeds 0.10 acres or for stream losses greater than 300 linear feet, compensatory mitigation is required and must follow the regulations published in the Federal Register dated April 10, 2008 under 33 CFR Parts 332 and 40 CFR Part 230 – Subpart J entitled “Compensatory Mitigation for Losses of Aquatic Resources,” or any such Corps regulation/guidance that would supersede these mitigation requirements.
- 2) Compensatory mitigation may be required for stream impacts resulting in a loss of less than 300 linear feet, and/or for wetland losses less than 0.10 acre, if the DE determines mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment.
- 3) The amount of mitigation required will be determined during review for authorization under this permit as per the mitigation rule requirements. Mitigation must be adequate to offset unavoidable impacts or losses to regulated waters of the United States (WOUS). For all permanent stream losses greater than 300 feet completion of the Iowa Stream Mitigation Method (ISMM) is required to determine adequate compensatory stream mitigation, see section 6 below. The Corps has the final approval in determining the appropriate and practicable mitigation necessary. The discharge of fill material into WOUS prior to Corps approval of the mitigation plan is prohibited.
- 4) **Mitigation Banks and In-lieu Fee:** When permitted impacts are located within the service area of an approved mitigation bank or in-lieu fee program and the bank sponsor has the appropriate number and resource type of credits available, the permittee’s compensatory mitigation requirements may be met by securing those credits from the sponsor. The Corps has the final approval in determining the number and types of credits required to offset the project impacts to WOUS. Documentation of the purchase of mitigation credits must be provided to and approved by the Corps.

- 5) **Permittee Responsible Mitigation:** When no bank or in-lieu fee credits are available, or permittee responsible mitigation is deemed environmentally advantageous to compensate for impacts to WOUS, a mitigation plan must be provided prior to Corps approval. Specific mitigation conditions are required to ensure mitigation success and must be included with the authorization letter accompanying this permit. When permittee responsible mitigation is required the following conditions will apply, in addition to those requirements listed in Section C:
- a. Mitigation shall be constructed prior to or concurrent with the discharge of dredged or fill material into WOUS, including wetlands.
 - b. The technical specifications listed in the permittee's mitigation plan will be used as a compliance document for construction, monitoring, site protection, etc., of the mitigation plan. However, the information contained in this plan is superseded by any additional permit conditions or written specifications provided by the Corps.
 - c. If excavation and construction are completed outside an optimal seeding period, temporary erosion control protection shall be implemented immediately upon completion of excavation and construction, and shall be maintained until such time as wetland plantings can be completed during an optimal period. The permanent wetland plantings shall then be completed during the next optimal seeding period.
 - d. The boundaries of mitigation sites shall be identified clearly by the placement of permanent markers.
 - e. If tiling is present in the mitigation site the tile must not detract from the function of the wetland or stream hydrology.
 - f. Mitigation sites shall be fenced with a permanent structure if any domestic livestock are allowed to graze in adjacent areas to the mitigation site.
 - g. It is the permittee's responsibility to complete the required mitigation, as set forth in the project details. Compliance will not be considered fulfilled until the permittee has demonstrated mitigation success and received written verification from the Corps.
- 6) **Stream Mitigation:**
- a. Permittees must take all practicable measures to avoid and minimize impacts, but if stream loss of greater than 300 linear feet is determined unavoidable, permittees will provide stream mitigation to replace lost aquatic functions and services resulting from authorized impacts. On a case-by-case basis, the DE may determine compensatory mitigation may be required for stream impacts resulting in a loss of less than 300 linear feet.
 - b. Proposed project designs resulting in reductions in stream length or stream bed loss, will require applicants to complete the ISMM and provide the completed worksheets. Completion and utilization of the ISMM is required for all stream impacts. The results of the ISMM and the proposed mitigation will be provided to the Corps for review and approval. Information and the worksheets for the ISMM are available on the District webpage.
- 7) **Monitoring Reports:** Monitoring reports must be submitted to the Rock Island District Regulatory Branch and the Iowa Department of Natural Resources by December 31 of every year following mitigation site construction. Reports will be required for a minimum of five (5) years with emergent or scrub-shrub wetlands, and/or stream mitigation sites, and a minimum of 10 years for forested wetland sites.
- a. The results of the reports will be documented annually on the Rock Island District Standard Mitigation Reporting Form located on the District webpage or the RGL 06-03 located on the Corps Regulatory Headquarters webpage. All annual monitoring reports shall be formatted for 8.5 x 11 inch paper.
 - b. The report must include project details, plan view drawings, and cross sectional drawings of all excavations and fills at the mitigation site(s). It must also include planting plans, planting lists, and maps showing the locations of all areas where mitigation construction has been completed.

- c. The annual reports must include photos, a map with drawn boundaries indicating exactly what areas are wetland according to the 1987 Corps of Engineers Wetland Delineation Manual (Technical Report Y-87-1), and the most recent version of the Midwest Supplement.
- d. Data points where data was gathered to determine wetland presence, will be identified on a map, and a data sheet will be supplied showing evidence that wetlands or uplands were identified.
- e. Neither the FAC-Neutral Test (D5) nor Geomorphic Position (D2), secondary hydrology indicators, can be utilized to claim wetland hydrology.
- f. The reports must also include assessments of the functionality of each splash basin, rock riffle, and streambed stabilization structure, new stream meandered sections, and aerial coverage calculations of native vegetation within each filter strip area and any corrective actions taken or needed.
- g. Projects with mitigation require site protection. Options include recording of the permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property. Proof of recording must be provided to the Corps within 60 days of filing. If the permit cannot be recorded in the manner indicated, the permittee shall provide the Corps with documentation of agreements, contracts, etc., demonstrating to the Corps' satisfaction that the mitigation site will be protected from future activities that may interfere with or be detrimental to wetland functions and values to a level of assurance equivalent to that provided by the aforementioned recording process.
- h. The mitigation site shall be protected from future activities that may interfere with or be detrimental to wetland/stream functions and values, e.g. commercial and agricultural activities.
- i. It is the permittee's responsibility to complete the required compensatory mitigation actions, and the mitigation will not be considered fulfilled until success has been demonstrated with a written verification from the Corps of Engineers.

E. Historic Properties/Archaeological:

- 1) Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). In cases where the DE determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places (National Register), the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) are met.
- 2) Federal permittee's should follow their own procedures for complying with the requirements of Section 106 of NHPA, permittee's must provide the DE with the appropriate documentation to demonstrate compliance with those requirements.
- 3) Non-federal permittee's must submit information to the DE if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register, including previously unidentified properties. For such activities, the information must state which historic properties may be affected by the proposed work and include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), as appropriate, and the National Register (see 33 CFR 330.4(g)). The DE shall make a reasonable and good faith effort to ensure that appropriate identification efforts are carried out, which may include background research, consultation, history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the DE shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties which the activity may have the potential to cause effects, and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the DE either that the activity has no

potential to cause effects, or that consultation under Section 106 of the NHPA has been completed.

- 4) The DE will notify the prospective permittee within 45 days of receipt of a complete application whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA Section 106 consultation is required the non-Federal applicant cannot begin work until Section 106 consultation is completed.
- 5) Permittee's should be aware that section 110k of the NHPA (16 U.S.C. 16 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.
- 6) Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the DE of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The DE will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register.

F. Endangered Species:

- 1) No activity is authorized under this regional permit which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under Section 7 of the Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under this regional permit which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed to address the effects of the proposed activity on a listed species or critical habitat.
- 2) Federal permittees and their designated state agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the Corps with the appropriate documentation to demonstrate compliance with those requirements. The Corps will review the documentation and determine whether it is sufficient to address ESA compliance for the activity, or whether additional ESA consultation is necessary.
- 3) Non-federal permittees must provide the Corps with the appropriate documentation to demonstrate compliance with the ESA. If the authorized activity may have the potential to effect any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in designated critical habitat, permittee shall not begin work on the activity until notified by the DE that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The DE will determine whether the proposed activity "may affect" or will have "no effect" on listed species and designated critical habitat.

- 4) Authorization of an activity by this regional general permit does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. Fish and Wildlife Service (USFWS), both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the USFWS webpage.
- 5) Permittees shall provide all appropriate documentation to this district indicating compliance with Section 7 of the ESA.

G. Water Quality Certification: By letter dated August 13, 2019 the Iowa Department of Natural Resources issued Section 401 water quality certification for this regional permit.

The permittee understands and agrees that, if future operations by the United States requires the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

<<<< END OF SPECIAL CONDITIONS >>>>

Further information:

1. **Congressional Authorities:** You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. **Limits of this authorization.**
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. **Limits of Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. **Reliance on Applicant's Data.** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

- c. Significant new information surfaces which the issuing office did not consider in reaching the original public interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action, where appropriate. You will be required to pay for any corrective measures ordered by this office and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
6. **Extensions.** General condition 2 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below

Ward Lenz
Ward Lenz
Chief, Rock Island District
Regulatory Branch

2/0ct/2019
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

Transferee

Date



August 13, 2019

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

Subject: Section 401 Water Quality Certification for Regional Permit 7 (Fill Material Placed in Waters of the United States for Linear Transportation Projects in the State of Iowa) CEMVR-OD-P-2019-0303

Dear Mr. Lenz,

The Iowa Department of Natural Resources (IDNR) has examined the information furnished by the Rock Island District Corps of Engineers in the April 12, 2019 Joint Public Notice and the final Regional Permit 7.

Section 401 Water Quality Certification is hereby granted for Regional Permit 7 by the IDNR under the authority of Section 401 of the Clean Water Act. The IDNR certifies RP 7 (CEMVR-OD-P-2019-0303) because there is reasonable expectation that the activities identified within it will be conducted in a manner that will not violate Iowa's water quality standards.

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) 725-8399.

A handwritten signature in blue ink that reads "Christine M Schwake". The signature is written in a cursive, flowing style.

Sincerely,
Christine M. Schwake
Environmental Specialist