



October 12, 2021

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

Dear Mr. Lenz:

The Iowa Department of Natural Resources (DNR) issued a Section 401 Water Quality Certification (certification) for reissued and new Nationwide Permits (NWP) on December 14, 2020. On August 18, 2021, the Rock Island District of the U.S. Army Corps of Engineers (Corps) sent a letter allowing for revised certification of the 41 NWP that were not finalized by the Corps on March 15, 2021.

In accordance with Section 401 of the Federal Water Pollution Control Act (40 C.F.R. Part 121, effective September 11, 2020), the DNR has reviewed the proposed modifications and additions to the NWP and Iowa Regional Conditions and, by this letter, is issuing certification for NWP numbered 3, 4, 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 27, 30, 31, 32, 33, 34, 36, 37, 38, 41, 45, 46, 49, 53, 54, and 59 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, and 35 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**

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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)