

## DEPARTMENT OF THE ARMY PERMIT

Permittee: General Public

Permit No.: 11-02 (2011-2364)

Issuing Office: **U.S. ARMY CORPS OF ENGINEERS, NEBRASKA REGULATORY OFFICE**

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 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.

### Project Description:

This Regional General Permit (**RGP**) authorizes the following flood protection, reconstruction and repair work for flood damaged areas:

- (1) Repair and reconstruction of existing roads.
- (2) Construction of temporary roads.
- (3) Construction of temporary levees, dikes and berms.
- (4) Repair of levees including breach closures.
- (5) Protection (e.g. armoring) and/or repair of bridge and linear transportation embankments.
- (6) Protection and/or repair of utility structures.
- (7) Placement of suitable material for bank stabilization.
- (8) Construction of temporary drainage ditches to facilitate the removal of flood water, sheetwater or excess water.
- (9) Restoration of channels and ditches to pre-flooding alignment and capacity.
- (10) Protection and restoration of intake and outfall structures.
- (11) Removal of flood-deposited sediments and grading/restoration to pre-flood contours. The disposal of flood-deposited sediment should be performed within uplands. Flood-deposited sand/silt material from the Missouri River may be returned back into the Missouri River up to 100,000 cubic yards of material per activity. The authorization of in-stream disposal of flood-deposited sand/silt material back into other rivers will be determined on a case-by-case basis. Issues considered will include total and daily amounts of proposed disposal, method of disposal, location of disposal, concurrent disposal activities, time of year and flow rates.

Project Location: Waters of the United States, including wetlands, in the State of Nebraska and the Missouri River in the State of Iowa.

This Regional General Permit expires on **March 31, 2022.**

## APPLICATION PROCEDURES

All interested parties proposing work under this Regional General Permit are required to contact:

U.S. ARMY CORPS OF ENGINEERS  
NEBRASKA REGULATORY OFFICE  
8901 SOUTH 154<sup>TH</sup> STREET, SUITE 2  
OMAHA, NEBRASKA 68138-3635

FAX: 402-896-0997

The following information is required:

1. Name, address and telephone number of the landowner and the person responsible for the work if other than the landowner.
2. A written description of the proposed work, including the purpose and need; type, composition and volume of fill and/or excavated material; length, width and depth of fill material and/or excavation area; disposal site for the fill and/or excavated material; borrow site for fill material; types of equipment to be used; and amount and location(s) of impacts to wetlands, streams or other waters of the United States.
3. A location map that delineates an accurate depiction of the project boundary. Include a written legal description of the project location that contains the section, township, range and county.
4. Names, addresses, and telephone numbers of adjacent property owners.
5. A set of drawings on 8 ½ by 11 inch paper, with dimensions of the proposed work, showing:
  - a. A plan or top view of the project area that shows existing and proposed site conditions.
  - b. A typical cross-section or side view of the project area that shows existing and proposed site conditions.
  - c. Photographs of the project area.
  - d. As applicable, a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
6. Mitigation to offset impacts to wetlands and streams may be required. The Nebraska Regulatory Office will make this determination on a case by case basis.
7. For all activities located on tribal land, the Nebraska Regulatory Office will coordinate the project with the applicable tribe prior to authorization.
8. No project may proceed until notification approval has been received from the Nebraska Regulatory Office that the proposal meets the Regional General Permit criteria.

Note: Permittees proposing work in the Missouri River in the State of Iowa should also submit the above information to the Iowa Department of Natural Resources. It is recommended the information be submitted using the Joint Application Form, "Protecting Iowa Waters", found at: <http://www.iowadnr.gov/Environmental-Protection/Land-Quality/Flood-Plain-Management/Flood-Plain-Dev-Permits>.

Permit Conditions:

General Conditions:

1. This RGP will expire on March 31, 2022.
2. 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 in compliance with General Condition 4 below. 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.
3. If you discover any previously unknown historic or archeological 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 National Register of Historic Places.
4. If you sell the property associated with 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.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
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.

Special Conditions:

1. This RGP will expire on March 31, 2022. The time limit for completing each authorized activity is limited to the expiration date of this RGP. 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 the above date is reached.
2. This RPG authorizes the discharge of dredged or fill material and other work associated with flood protection measures and restoration, repair or reconstruction measures performed in waters of the U.S. within the States of Nebraska and Iowa as a result of damages caused by flooding. The work will be limited to that authorized by the Corps through the issuance of the RGP.
3. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency (e.g., National Park Service) with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

The following link provides a map showing the location of the Niobrara National Scenic River:

<https://www.nps.gov/niob/planyourvisit/maps.htm>

The following link provides a map showing the location of the Missouri National recreational River:

<https://www.nps.gov/mnrr/planyourvisit/maps.htm>

The following link provides a map showing the location of the Nebraska rivers listed on the Nationwide Rivers Inventory list:

<https://www.nps.gov/ncrc/programs/rtca/nri/states/ne.html>

4. All restoration and restoration work will be limited to restoring the area to pre-flood conditions and verified using U.S. Department of Agriculture, Natural Resources Conservation Service aerial photographs, or other qualifiable data, plans, etc.
5. Repair measures authorized herein do not allow for improved drainage of legally drained wetlands or new, permanent drainages that would result in the lowering of basin water retention capacity and/or impacts to the wildlife value of that wetland.
6. Repair and protection measures authorized herein do not allow for the construction of structures (e.g. jetties) which would result in stream channel construction, relocation or in the redirection of flows in such a way as to cause upstream or downstream erosion.
7. Temporary levees, accesses and other fills must involve the least damaging and minimum amount of disturbance/impacts to waters of the United States. Appropriate measures must be taken to maintain near normal downstream flows to minimize flooding.
8. All sediment disposed of in-stream must be free of large wood and other large debris. Sediment is to be returned back to its immediate source (i.e. sediment from the Missouri River is to be returned back into the Missouri River).
9. All fill must be of suitable materials and placed in such a manner that the material will not be eroded by expected high flows. The following link includes a list of unsuitable materials:  
<http://www.nwo.usace.army.mil/Media/Fact-Sheets/Fact-Sheet-Article-View/Article/487696/prohibited-restricted-materials/>
10. All fill material will be obtained from a non-wetland, upland source.
11. The permittee is responsible for ensuring that the Corps is notified of the location of any borrow site that will be used in conjunction with the construction of the authorized activity so that the Corps may evaluate the site for potential impacts to aquatic resources, historic properties, and endangered species. For projects where there is another lead Federal agency, the permittee shall provide the Corps documentation indicating that the lead Federal agency, the permittee shall provide the Corps documentation indicating that the lead Federal agency has complied with the National Historic Preservation Act and Endangered Species Act for the borrow site. The permittee shall not initiate work at the borrow site in conjunction with the authorized activity until approval is received from the Corps.
12. If using any riprap/concrete other than quarry graded/sized rock riprap, the following special conditions will apply:
  - a. Small aggregate with a maximum dimension less than 6 inches may not be placed below the ordinary high water mark (OHWM) of a water body for the purpose of bank stabilization or erosion control when such aggregate will be unstable or subject to frequent failure. Small aggregate however, may be placed below the OHWM if its purpose is to fill the interstices of a well graded riprap

structure, geo-membrane or other channel lining.

b. Slab material, regardless of source, must be broken before placement so that the maximum dimension of an individual piece of material is no more than 3.5 times its minimum dimension unless otherwise justified by a qualified engineer. All material must be free of exposed rebar, wire and wire mesh.

c. The use of clean brick, broken concrete and cinder block for erosion control or bank stabilization will be considered on a case by case basis. If allowed, the broken concrete must be free of exposed rebar, wire, wire mesh, asphalt paving material, paint, and other erodible materials. Broken concrete must range in size from 6 to 36 inches unless otherwise justified by a qualified engineer.

13. Mitigation plans will be developed in accordance with the 2008 Mitigation Rule and coordinated with the applicable resource agencies on a case-by-case basis.

14. All temporary work, including fills and excavations, within waters of the United States must be completely removed and the area restored to pre-flood conditions immediately after the flood waters recede and the discrete flood event is over.

15. Revegetation of Disturbed Areas

a. All areas adjacent (contiguous, bordering, neighboring) to jurisdictional waters disturbed by construction shall be revegetated with appropriate perennial, native grasses and forbs and maintained in this condition. In accordance with Executive Order 13112, the use of invasive species and non-native species is not appropriate for revegetation of disturbed areas. An annual cover crop may be planted to aid in the establishment of native vegetation. The disturbed areas shall be reseeded concurrently with the project or immediately upon completion. Revegetation shall be acceptable when ground cover of appropriate perennial, native grasses and forbs reaches 75%. If this seeding cannot be accomplished by September 15 in the year of project completion, then an erosion blanket shall be placed on the disturbed areas. The erosion blanket shall remain in place until ground cover of appropriate perennial, native grasses and forbs reaches 75%. If the seeding can be accomplished by September 15, all seeded areas shall be properly mulched to prevent erosion.

b. When the vegetation has become established, all temporary erosion control materials shall be removed from Waters of the United States on the project site. Biodegradable or photodegradable materials need not be removed.

16. For permanent bank protection activities, the riprap revetment shall be covered, from the top of the structure down to the annual ordinary high water line, with a minimum of six inches of soil compacted into the voids of the riprap and immediately seeded with either annual rye grass, oats and/or wheat (nurse crop) plus a mixture of native grass species. The Corps must be notified that this has been completed with photo documentation and seed tags.

17. The clearing of vegetation, including trees located in or immediately adjacent to waters of the United States, will be limited to that which is absolutely necessary for construction of the project.

18. All construction debris will be disposed of on an approved upland site in such a manner that it cannot enter waters of the U.S. The construction debris will be disposed of immediately during the project construction.

19. Equipment for handling and conveying materials during construction will be operated to prevent dumping or spilling materials into the water except as approved herein.

20. All dredged or excavated materials, with the exception of that authorized herein, will be placed on an upland site above the ordinary high water mark in a confined area, not classified as a wetland, to prevent the return of such materials to the waterway.
21. All equipment, including concrete trucks, will be washed at a site and in a manner that washwater cannot enter the waterway. The fueling, construction staging areas and overnight parking of equipment will not occur within the channel high banks.
22. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
23. During construction, no petroleum products, chemicals, or other harmful materials shall be allowed to enter or be disposed of in such a manner so that they could enter the water and that precautions be taken to prevent entry of these materials into the water.
24. All work in the waterway will be performed in such a manner so as to minimize increases in suspended solids and turbidity that may degrade water quality and damage aquatic life outside the immediate area of operation.
25. All earthwork operations on shore will be carried out in such a manner that sediment runoff and soil erosion to the waterbody are controlled.
26. If and when the District Commander has been notified that a dredging or fill activity is adversely affecting fish or wildlife resources or the harvest thereof and the District Commander subsequently directs remedial measures, the permittee will comply with such directions as may be received to suspend or modify the activity to the extent necessary to mitigate or eliminate the adverse effect as required.
27. The use of machinery in the waterway will be kept to a minimum.
28. A discharge of material may not occur in the proximity of a public water supply unless appropriate approval is given and mitigation measures are identified to offset any adverse effects.
29. If the Corps is notified that work being performed does not comply with, or fall within the scope of, this RGP, the responsible party will take immediate steps, as directed by the Corps, to bring the work into compliance with the permit.
30. If threatened or endangered species are sighted at or near the project site, particularly during construction, work must cease and the Nebraska Regulatory Office and U.S. Fish and Wildlife Service contacted immediately.
31. The permittee, the permittee's contractor or any of the employees, subcontractors or other person working in the performance of the contract shall immediately report the discovery of subsurface features, possible scientific, prehistorical, historical, or archeological data, giving the location and nature of the findings to their respective State Historic Preservation Officer, the Nebraska Regulatory Office and any appropriate Federally Recognized Tribe. The permittee shall cease construction or operation at the site of any cultural resource discovery. Work shall not begin until notified by the Nebraska Regulatory Office.
32. The permittee understands and agrees that, if future operations by the United States require 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, to remove, relocation, 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.

33. Modification of any existing Federal navigation structure (e.g., revetment, dike, levee, etc.) is NOT authorized by this RGP.
34. Due to public safety concerns and potential structural instability, no equipment shall be staged on Federal navigation structures.
35. The District Commander may require additional special conditions be included in any authorization issued under this RGP to avoid or minimize adverse environmental impacts. The District Commander may also require the processing of an individual permit for an activity determine to have more than minimal adverse environmental effects, individually or cumulatively, or would be contrary to the public interest.

Further Information:

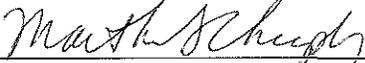
1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and 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, tribal, 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 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 this 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 1 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.

  
\_\_\_\_\_  
(DISTRICT ENGINEER)

John W. Henderson, P.E.  
Colonel, Corps of Engineers  
District Commander

2/17/2017  
\_\_\_\_\_  
(DATE)

By:  
Martha S. Chieply  
Chief, Omaha Regulatory Branch

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 the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

# NEBRASKA

Good Life. Great Environment.

DEPT. OF ENVIRONMENTAL QUALITY

ISSUED

JAN 27 2017



Mr. John Moeschen  
U.S. Army Corps of Engineers  
Nebraska Regulatory Office - Wehrspan  
8901 South 154<sup>th</sup> Street, Suite 1  
Omaha, NE 68138-3621

Nebraska Dept. of Environmental Quality  
Water Quality Division

RE: State Water Quality Certification for Regional General Permit 11-02 Amendment #1 (NWO-2011-02364)

Dear Mr. Moeschen,

We have reviewed the information submitted to this office regarding the above-referenced application. We feel the proposed activity will comply with § 401 of the Clean Water Act of 1977, as amended by the Water Quality Act of 1987, and Title 117 – Nebraska Surface Water Quality Standards based on the following conditions:

1. **State Resource Waters – Class A.** No individual action which may result in a discharge into water bodies designated as State Resource Waters – Class A pursuant to Title 117 - Nebraska Surface Water Quality Standards (Ch. 5 -6) shall be allowed unless Nebraska Department of Environmental Quality has determined in writing that the proposed action will not adversely affect the water quality of the respective water body. Additional information and maps regarding State Resource Waters can be acquired by contacting NDEQ
2. **Compensatory mitigation for wetlands.** Compensatory mitigation shall be required for all unavoidable and permanent impacts to wetlands that exceed 1/10th of an acre (0.10 acres). Compensatory mitigation shall be accomplished by restoring or establishing functionally equivalent, in-kind habitat at a minimum ratio of 1.5 restored or established acres for every 1.0 acre of affected area. Wetland compensatory mitigation through the use of credits at a certified wetland mitigation bank at a minimum ratio of 1.0:1.0, or through the use of in-lieu fee program credits as approved by the U.S. Army Corps of Engineers (USACE), District Engineer, will also fulfill any requirements as issued by the Nebraska Department of Environmental Quality. Compensatory mitigation located in upland habitat shall not substitute for replacement of wetland habitat. Compensatory mitigation utilizing out-of-kind habitat, and requirements established by USACE as a condition of a permit, may exceed these minimum ratios.
3. **Compensatory mitigation for rivers and streams.** When activities resulting in unavoidable and permanent impacts to rivers and streams require compensatory mitigation, mitigation

Jim Macy, Director

Department of Environmental Quality

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1200 N Street, Suite 400

Lincoln, Nebraska 68509-8922

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deq.ne.gov

should be accomplished through in-kind rehabilitation, enhancement, or preservation if practicable. Compensatory mitigation shall be based on beneficial use/s of the impacted stream segment as described in Nebraska Title 117 (Chapter 5), and assessed stream function. Mitigation shall be implemented in a manner that self-sustaining ecological function is established, as demonstrated by meeting USACE, District Engineer approved performance standards. Biological, chemical, and physical parameters and functions of the stream shall be monitored as determined by the USACE, District Engineer and reported, at a minimum, annually to USACE.

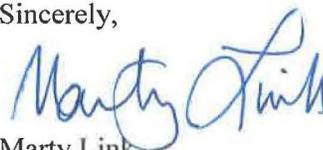
4. **Repair and reconstruction of existing roads.** To the extent practicable, repair and reconstruction of existing roads should remain along pre-flood alignments and contours.
5. **Temporary work.** All temporary work, including fills and excavations, within surface waters, as defined in Title 117 - Nebraska Surface Water Quality Standards (Ch. 1, 067), shall be completely removed and the area restored to pre-flood conditions immediately after flood waters recede and the discrete flood event is over.

If the area of disturbance will be greater than 1.0 acre, we remind the applicant that a National Pollutant Discharge Elimination System Construction Stormwater Permit may be required under § 402 of the Clean Water Act. For more information and to apply online please go to: <http://deq.ne.gov/Publica.nsf/pages/WAT012>.

While USACE has jurisdiction limited to wetland features and water bodies identified as federally jurisdictional waters, our Department does have authority and responsibility under Title 117 for all surface waters in Nebraska, including wetlands. Dredge and fill activities in surface waters are subject to the Anti-degradation Clause of Title 117. We encourage project proponents to join us in working together to conserve these valuable resources through consulting with this office when so-called "non-jurisdictional" waters may be impacted.

We therefore, by this letter, provide § 401 Water Quality Certification. This certification does not constitute authorization to conduct your project, nor does it supersede additional local, state, federal, or Tribal permits as required by law. It is a statement of compliance with Nebraska Surface Water Quality Standards only. If you have any questions, please feel free to call Robert Parker on my staff, at (402) 471-2875. Thank you for your assistance in Nebraska Department of Environmental Quality's review of your project.

Sincerely,



Marty Link  
Water Quality Division Administrator

cc: Richard Chong (U.S. Army Corps of Engineers)  
Brooke Stansbury (U.S. Fish & Wildlife Service)  
John Cochran (U.S. Fish & Wildlife Service)  
Carey Grell (Nebraska Game & Parks Commission)  
Eliodora Chamberlain (U.S. Environmental Protection Agency)



# STATE OF IOWA

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

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

March 3, 2017

MR JOHN MOESCHEN  
US ARMY CORPS OF ENGINEERS  
NEBRASKA REGULATORY FIELD OFFICE  
8901 S 154<sup>TH</sup> ST STE 1  
OMAHA NE 68138-3635

Subject: Section 401 Water Quality Certification for Regional Permit 11-02

Dear Mr. Moeschchen,

In accordance with Section 401 of the Federal Clean Water Act (33 U.S.C. par. 1251 et. seq.), the Iowa Department of Natural Resources has reviewed the proposed re-issued Regional Permit 11-02 Amendment #1 and, by this letter, is issuing Section 401 Water Quality Certification with the following conditions:

1. Work proposed within the State of Iowa must be reviewed by Iowa Department of Natural Resources Flood Plain and Sovereign Lands sections to determine if permits are required. Please submit project information using the Joint Application Form, "Protecting Iowa Waters", found at: <http://www.iowadnr.gov/Environmental-Protection/Land-Quality/Flood-Plain-Management/Flood-Plain-Dev-Permits>. Submittal of this form with the listed information will prompt concurrent review by both the Flood Plain Management Program (Toll Free Help Line: 1-866-849-0321) and the Sovereign Lands/Environmental Review Program.
2. The applicant shall not cause a violation of Iowa's water quality standards (Iowa Administrative Code 567, Chapter 61).
3. Acceptable revetment material along the Missouri River shall consist of clean native fieldstone, clean quarry run rock or clean broken concrete. If broken concrete is used all reinforcement material shall be completely removed from it; if removal is not possible, said reinforcement material shall be cut flush with the flat surface of the concrete. It shall be the applicant'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 asphalt or petroleum based material shall be used as or included in riprap material. Riprap shall extend riverward from the ordinary high water line at a slope of 2 feet

horizontal to 1 foot vertical (2:1). Placement of earth fill within the ordinary high water line shall not be allowed.

4. Best management practices must be used to prevent and control spills of hazardous substances and if there is a release, it must be reported to the Iowa Department of Natural Resources at 515-725-8694 as soon as possible but not later than 6 hours after the onset or discovery of the hazardous condition. If the hazardous condition involves the release of an EPA regulated material or an oil as defined by the EPA, the release may also need to be reported to the National Response Center at (800) 424-8802. Federal Reporting is required within 15 minutes of event occurrence or discovery.

Please provide me with copies of the regional permits issued for projects within the State of Iowa.

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.

Sincerely,



Christine M. Schwake  
Environmental Specialist