



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

November 27, 2006

Colonel Robert A. Sinker, District Engineer
U.S. Army Corps of Engineers
Rock Island District – Clock Tower Building
PO Box 2004
Rock Island, IL 61204-2004

Subject: Nationwide Permit Comments and Regional Conditions for Projects in Iowa

Dear Colonel Sinker,

This letter is in response to the September 26, 2006 Federal Register regarding the proposal to reissue and modify the Nationwide Permits (NWP) as well as the October 17, 2006 Public Notice issued by the Rock Island District. The Iowa Department of Natural Resources would like the seven Regional Conditions for Iowa to be reworded as such:

REGIONAL CONDITIONS WITHIN IOWA

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. Nationwide permits with mitigation may require recording of the nationwide permit and pertinent drawings with the registrar of deeds or other appropriate official charged with the responsibility for maintaining records of title to, or interest in, real property and may also require the permittee to provide proof of that recording to the Corps.
3. Mitigation shall be scheduled for construction prior to, or concurrent with, the discharge of dredged or fill material into waters of the United States.
4. For discharges of dredged or fill material resulting in the permanent loss of more than 1/10 acre of waters of the United States (including jurisdictional wetlands), a compensatory mitigation plan to offset those losses will be required. In addition, a preconstruction notice to the Corps of Engineers in accordance with general condition 27 will be required.
5. For newly constructed channels through areas that are not naturally vegetated, native grass filter strips or a riparian buffer with native trees or shrubs a minimum of 35 feet wide must be planted along both sides of the new channel.
6. For single-family residences authorized under nationwide permit 29, the permanent loss of waters of the United States (including jurisdictional wetlands) must not exceed 1/4 acre.
7. For nationwide permit B, the discharge of dredged material into ditches and canals that would sever the jurisdiction of an upstream water of the United States from a downstream water of the United States is not allowed.

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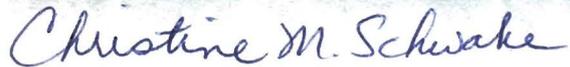
I have started the process to get the new nationwide permits (and two new regional permits) into my rules. I will let you know when the new rules become effective (hopefully in early March 2007).

I would like to continue receiving pre-construction notices (PCNs) for projects located on any of the waterbodies listed on Iowa's Special Waters of Concern list. I will provide an updated list with the Section 401 Water Quality Certification.

If the final NWP #13 still allows for the waiver of the linear feet limit, the IDNR would like to receive a PCN for the project.

Thanks you for considering my comments. If you have any questions, please feel free to contact me at (515) 281-6615.

Sincerely,

A handwritten signature in blue ink that reads "Christine M. Schwake". The signature is written in a cursive style and is positioned above the typed name.

Christine M. Schwake
Environmental Specialist