

# **Reference: RGL 84-16**

## **Subject: SPECIAL CONDITIONS**

### **Title: CONDITIONING OF DA PERMITS TO COMPLY WITH SECTION 401**

**Issued: 09/18/84      Expires: 12/31/86**

**Originator: DAEN-CWO-N**

**Description: SPECIFIES THAT 401 CERTIFICATION CONDITIONS WILL BECOME SPECIAL CONDITIONS TO THE 404 PERMIT**

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1. Section 401 water quality certification conditions will become special conditions to any permit issued pursuant to Section 404 of the Clean Water Act. If those conditions conflict with the terms of Section 325.4, the district engineer should discuss the conflict with the certifying agency and request that the agency consider modifying or deleting those conditions.
  2. Special conditions to water quality certification may be incorporated by reference rather than retyping the language verbatim on the DA permit. In such cases, the water quality certification, including its conditions, should be attached to the DA permit.

FOR THE CHIEF OF ENGINEERS: