DEPARTMENT OF THE ARMY PERMIT
Regional Permit 40
Fill Material Placed in Waters of the United States for Bank Stabilization Activities
In the State of Iowa

Permittee: General Public meeting the terms and conditions herein.

Number: CEMVR-OD-P-2020-641 (Regional Permit 40)

Expiration Date:

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 Limits.

A. The following bank stabilization techniques will be authorized under this regional permit: blanket riprap, seawalls, gabions, minor bank shaping with appropriate biotechnical streambank protection techniques, bendway weirs, longitudinal peaked stone riprap, stone hardpoints, channel defining structures, and grade control structures. For design projects not specifically listed, the plans must be approved by the Corps of Engineers and the Iowa Department of Natural Resources, Water Quality Bureau.

B. Impacts to Waters of the United States authorized within this permit shall not exceed **2,000 linear feet and/or a maximum of two cubic yards per running foot below the Ordinary High Water Mark (OHWM)** of shoreline for the entirety of the proposed project. If armoring opposite banks of the same waterway, you are limited to a maximum of armoring **1,000 linear feet per bank.** A waiver can be requested if exceeding 1,000 linear feet per bank and/or exceeding two cubic yards per running foot of fill material placed below the ordinary high water mark design specification. IA Department of Natural Resources, Fish and Wildlife Service, and United States Environmental Protection Agency must be given an opportunity to comment on the proposed waiver before permit authorization.

2. Project Location. All waters of the United States in the state of Iowa, within the regulatory boundaries of the Rock Island District, except within the exterior boundaries of Federally recognized Indian Reservations or Lands.

3. Permit Conditions:

A. <u>General Conditions:</u>

1) The permittee must notify the District Engineer (DE), Rock Island District, for authorization of this Regional General Permit (RP). 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 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, an individual 401 Water Quality Certification 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 National Register of Historic Places.

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) **The following materials may be used:** suitable clean materials (free from debris, trash, and other deleterious materials); rock, *broken concrete, steel sheet piling, cellular blocks, fabric-formed concrete, concrete filled fabric mats, gabion baskets, rock and wire mattresses, sand/cement filled bags, geotechnical fabric materials, natural vegetation (with proper grading), and **treated wood. *If broken concrete is used, all protruding material such as reinforcing rods shall be removed or cut flush with the surface of the concrete and removed from the construction area. Broken concrete should be cut into pieces no larger than 3 feet by 3 feet, to prevent the pieces from washing downstream in high flow events. **If treated wood is used, it shall be made from newer water based wood preservatives designed for residential uses, as listed on the EPA website: https://www.epa.gov/ingredients-used-pesticide-products/overview-wood-preservative-chemicals. If approval is not specifically granted for a specific material, it is deemed to not be allowable under this Regional Permit.

2) Design Specifications:

a. Blanket riprap.

- Bank shoreline protection shall not exceed 2,000 feet in length and must contain less than two cubic yards of fill material per running foot below the ordinary high water mark.

- For projects involving continuous placement of riprap along the bank, toe of the bank, or other similar applications, the cross sectional area of the natural channel shall not be reduced by more than 10 percent nor the volume of material exceed 2 cubic yards per lineal foot of stream bank or shoreline. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.

- A well distributed mix of stones weighing from 20 to 200 pounds should be used.

- The riprap should be from 12 inches to 18 inches thick. Portions of the riprap layer under water should be increased to 18 inches to 30 inches thick.

- Riprap materials shall not be placed at a steeper slope than 2:1 (2 horizontal to 1 vertical) for dumped riprap and 1.5:1 for hand-placed riprap. A bedding layer of either six inches of gravel or filter material must be used if required to prevent loss of fines through the riprap material. The riprap must be sized to withstand the anticipated forces from flood flows or wave action.

- A riprap trench or apron should be provided at the base of the protected bank for stability.

- Both ends of the project should be tied into the bank, with the most common method being to excavate a trench in the bank and fill it with riprap. Additionally the project should be tied into the bank at regular intervals of between 100 feet and 200 feet.

- Blanket riprap shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Iowa NRCS webpage: www.ia.nrcs.usda.gov.

b. Seawalls and Gabions. Seawalls and gabions shall not exceed 500 feet in length and will be constructed at or landward of the waterline as determined by the normal pool elevation unless:

- It is constructed in alignment with an existing seawall(s) or gabion structure(s).

- The volume of material placed, including the structure, will not exceed 2 cubic yards per lineal foot.

- The cross sectional area of the natural channel shall not be reduced by more than 10 percent nor the volume of material exceed 2 cubic yards per lineal foot of stream bank or shoreline. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.

- Seawalls and Gabions shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Iowa NRCS webpage: www.ia.nrcs.usda.gov.

c. Bank shaping with appropriate biotechnical streambank protection techniques. Minimal grading and bank shaping activities for state-of-the-art natural vegetative stabilization methods, such as the willow post method or other approved methods, will be authorized under this regional permit. No material produced as a result of grading and bank shaping shall be deposited into any water of the US, including wetland areas. Material produced by grading and bank shaping shall be pulled back from the water's edge.

d. Hard points. Hard points are short rock intrusions extending only a short distance from the bank. Jetties, which extend from the bank further than hard points, are specifically excluded from this regional permit. Hard points may be used if they are keyed into the bank and if they do not extend from the bank more than the minimum necessary to achieve adequate erosion protection. The Corps of Engineers will determine on a case by case basis whether the proposed hard point is acceptable for the stream.

e. Longitudinal peaked stone riprap. Longitudinal peaked stone riprap is a continuous stone dike placed along the toe of the bank. Riprap with a gradation from maximum stone size of 400 pounds to 50 to 70 percent smaller than a 90 pound stone size is placed in a pyramid or triangular shaped cross section at the toe of an eroding bank without shaping the banks. The riprap should be tied into the bank at both the upstream and downstream ends. Additionally, short riprap dikes should be tied into the bank at regular intervals of between 100 feet and 200 feet. Longitudinal peaked stone riprap shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Iowa NRCS webpage: www.ia.nrcs.usda.gov. The construction of longitudinal peaked stone riprap is not

authorized under this Regional Permit on the Mississippi River, Missouri River or on the Des Moines River.

f. Bendway weirs. A bendway weir is a low-level rock sill located in the channel of a bend angled 0 degrees to 25 degrees upstream into the stream flow. The structures are spaced approximately 50 feet to 150 feet apart. The weirs should be attached (keyed into) the outer bank of the stream bend. The weirs should be built of well-graded stone with an upper weight limit of 650 pounds to 1000 pounds. Typically, the weirs are 2 feet high at the stream end and rise to 4 feet high at the bank end. Bendway weirs act to redirect the flow away from the eroding bank as flow over the weir is redirected at right angles to the downstream face of the weir. Bendway weirs may extend into the channel a maximum of 33% of stream width. Bendway weirs should be constructed based on engineering/design principles developed by the U. S. Army Corps of Engineers and current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Iowa NRCS webpage: www.ia.nrcs.usda.gov. The construction of bendway weirs are not be authorized under this Regional Permit on the Mississippi River, Missouri River, or on the Des Moines River.

g. Channel Defining Structures. A channel defining structure is a rock structure which projects out from the bank on a sharp upstream angle of 20 to 30 degrees, measured from bank tangent line. Channel defining structures are designed to direct the stream current away from the eroding bank to the center of the channel. The structures will be built of well-graded stone with an upper weight limit of 650 pounds to 1000 pounds. At the bank, the top of the structures will be constructed to the design height, typically 4 to 8 feet above the streambed. The top of the structures will incline from the bank end to streambed level at the streamward end. The incline will be according to design, typically 10% (10 horizontal to 1 vertical). On silt-bottom streams, the structures will be keyed into the streambed by excavating a core trench for the full length of the structure and backfilling with riprap rock. The structures will be keyed into the outer bank. The bank key trench will be excavated perpendicular to the streambank from streambed to top-of-bank, and backfilled with riprap rock. Channel defining structures are designed to extend into the channel a maximum of 33% of stream width. Channel defining structures should be constructed on engineering/design principles developed by the U.S. Army Corps of Engineers and current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Iowa NRCS webpage: www.ia.nrcs.usda.gov. The construction of channel defining structures is not to be authorized under this Regional Permit on the Mississippi River, Missouri River, or on the Des Moines River.

h. Grade Control Structures. Grade control structures are low-head weir structures constructed over the streambed from bank-to-bank. Constructed grade control structures are used to stabilize the streambed where downcutting erosion is occurring. Grade control structures must allow for upstream and downstream passage of fish during all flows. Grade control structures will be built of well-graded riprap rock with an upper weight limit of 650 pounds to 1000 pounds. The largest individual stones will be sorted from the stockpiled rock to be placed as emergent boulders and crest stone. The crest of the structure will be “V” shaped on the centerline of the structure. From the crest, the downstream slope will be no steeper than 20H:1V, and the upstream slope will be no steeper than 4H:1V. Grade control structures will be keyed into the streambed and bank using riprap rock. Bed keys will be constructed from bank-to-bank with a minimum depth of 2 feet and minimum width of 4 feet. Bank keys will be constructed into both banks with a minimum depth of 5 feet and a minimum width of 4 feet, extending upward on a 1.5H to 1V slope toward the top-of-bank. Grade control structures shall be constructed to current design standards of the U.S. Department of Agriculture, Natural Resources Conservation Service. Current NRCS design materials are available online through links on the Iowa NRCS webpage: www.ia.nrcs.usda.gov. The construction of grade control structures is not to be authorized under this regional permit on the Mississippi River, Missouri River, or on the Des Moines River.

3) Measures must be taken for heavy equipment usage in wetland areas to minimize soil disturbance and compaction.

4) Any spoil material excavated, dredged, or otherwise produced, must **NOT** be returned to the waterway or wetlands 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.

5) No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterway, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

6) Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. No activity may occur in areas of concentrated shellfish populations without an opportunity for the USFWS to comment first.

7) If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

8) To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g. stream restoration or relocation activities).

C. General restrictions:

These general restrictions must be met for all bank stabilization projects to be authorized under this regional permit.

1) The total affected length of shoreline, stream bank, or channel to be protected shall not exceed **2,000 feet** in length. Projects greater than 2,000 feet in length would require Individual Permit authorization.

2) Generally, only those reaches of shoreline, stream bank, and channel which are experiencing erosion are covered by this regional permit. No material shall be placed in excess of the minimum needed for erosion protection.

3) **This Regional Permit does not authorize any of the following activities:** stream channelization; channel modifications such as excavating pilot channels; the placement of materials other than on an area of eroded bank; and projects which conflict with a Federal, state, or local project or improvement.

4) **The following materials may not be used for projects to be authorized under this regional permit:** auto bodies, tires, garbage or debris, scrap lumber, metal refuse, roofing materials, broken concrete containing asphalt, asphalt or other bituminous materials, or any material which would cause water pollution as defined by the Environmental Protection Agency. If approval is not specifically granted for a specific material, it is deemed to not be allowable under this Regional Permit.

5) All material utilized shall be properly sized or anchored to resist anticipated forces of current and wave action.

6) Materials shall be placed in such a way which will not cause erosion, or the accumulation of debris on properties adjacent to or opposite the project.

7) Materials shall be placed so that the modified bank full width and cross sectional area of the channel will conform to, or be no more restrictive than, that of the natural channel upstream and downstream of the site.

8) Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed areas shall be seeded or otherwise stabilized upon completion of construction.

9) Excess material excavated during the construction of bank or shoreline protection shall be placed in accordance with local, state, and Federal laws and shall not be placed in a floodway or in any water of the U.S. including wetlands.

D. Temporary Impacts/Restoration Requirements:

1) The permittee is required to replant all temporary construction right-of-way (ROW) located within wetlands to the standards stated in the Rock Island District (MVR) Regulatory Branch Mitigation and Monitoring Guidelines.

2) Side slopes of a newly constructed channel will be no steeper than 2H:1V and planted with permanent, perennial, native vegetation if not armored.

3) If jurisdictional wetlands and/or streams will be excavated within the permit 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 shall be present prior to the re-planting of vegetation. This ensures that the soils that were present prior to construction are returned to their natural condition and can provide for a fertile habitat to re-plant vegetation and increase the survival rate of any new habitat.

E. Mitigation:

1) If the permanent loss of wetland exceeds 0.10 acre 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,"(Mitigation Rule) and any such Corps regulation/guidance that would supplement these mitigation requirements such as the Rock Island District Mitigation and Monitoring Guidelines.

2) 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 WUS. For all permanent stream losses greater than 300 feet completion of the Iowa Stream Mitigation Method is required to determine adequate compensatory stream mitigation. The Corps has the final approval in determining the appropriate and practicable mitigation necessary. The discharge of fill material into WUS prior to Corps approval of the mitigation plan is prohibited.

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 permittees should follow their own procedures for complying with the requirements of Section 106 of NHPA, permittees must provide the DE with the appropriate documentation to demonstrate compliance with those requirements.

3) Non-federal permittees 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) and/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) Permittees 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.

F. <u>Endangered Species:</u>

1) No activity is authorized under this RP 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 RP 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 taking 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 takings 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.

G. **<u>Water Quality Certification:</u>** By letter dated XXXXX the Iowa Department of Natural Resources issued Section 401 water quality certification for this regional permit.

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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 of 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 Date
Chief, Rock Island District
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 associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____ _____

Transferee Date