Public Notice
Antidegradation Analysis

Notice is hereby given that a draft antidegradation analysis (AA), associated with an application for Iowa Department of Natural Resources (DNR) Section 401 Water Quality Certification, has been completed for the following projects.

PROJECT DESCRIPTION: The purpose of this project is to stop the ongoing erosion of the shoreline (~50 feet with 18" to 48" native field stone) belonging to the property located on West Lake Okoboji at address: 15700 Rusty Road, Spirit Lake, Iowa, 51360 (hereinafter referred to as Gratitude Cottage).

Project Location: 43.419324/-95.177836, Dickinson County

The AA and supporting information are available at https://www.iowadnr.gov/Environmental-Protection/Water-Quality/Section-401-Water-Quality-Certification.

Anyone wishing to comment on the AA must do so in writing by 4:30 PM on January 3, 2025. All relevant comments will be considered by the DNR. Written comments should be submitted by email to Section401WQC@dnr.iowa.gov or by mail to the DNR, Attn: Section 401 Water Quality Certification, 6200 Park Ave., Des Moines, IA 50319.

Memorandum

DATE: December 1, 2025
FROM: Brandon Harland
RE: Rationale for Section 401 Water Quality Certification for 2025-1572_Bill Van Orsdel - West Okoboji Shoreline Work

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Project Description: The purpose of this project is to stop the ongoing erosion of the shoreline (~50 feet with 18" to 48" native field stone) belonging to the property located on West Lake Okoboji at address: 15700 Rusty Road, Spirit Lake, Iowa, 51360 (hereinafter referred to as Gratitude Cottage).

[See the Corps/DNR public notice for more detail.]

Project Location: 43.419324/-95.177836, Dickinson County

Receiving Water Bodies
West Okoboji Lake is an A1, BLW, C, HH designated use waterbody. The designated uses have been adopted in Iowa's state rule, described in the rule-referenced document of Surface Water Classification effective on July 24, 2019. West Okoboji Lake is an Outstanding Iowa Water, per the State adopted Iowa Antidegradation Implementation Procedure (2010 and 2016).

Antidegradation
Pollutants of Concern
This project proposes armoring a lake bank by adding native fieldstone riprap to prevent shore erosion. Chemicals will not be used. Thus, the pollutants present in the discharge from such construction are substances present in runoff, or are the result of a spill. The DNR has identified the following pollutant of concern in discharges from this project and the potential impacts on water quality:

Increased Turbidity/Total Suspended Solids
The turbidity of water is related to the amount of suspended solids contained in the water. Suspended solids decrease the clarity of water, reduce light penetration, and can impair the photosynthetic activity of aquatic plants. Suspended solids can be aesthetically displeasing and can reduce the recreational value of a water body. If suspended solids screen out light and impair growth of aquatic plants, dissolved oxygen levels can decrease. Suspended solids can be harmful to fish and other aquatic life by causing abrasive injuries and clogging gills and respiratory passages.

Increases in turbidity/total suspended solids from projects authorized by this project will generally be local and temporary. To address turbidity/total suspended solids, the permittee will control runoff to water bodies using a variety of best management practices (BMPs).

Best Management Practices in Permit and Certification Conditions
Permit-Based
The Corps has BMP-based conditions in the Section 404 permit.

Construction activity that disturb one or more acres require a storm water NPDES permit from the DNR. For projects that require storm water NPDES permits, Storm Water Pollution Prevention Plans (SWPPPs) are developed, which typically include BMP-based conditions.

Certification-Based
The DNR is adding BMP-based conditions to the certification. The combined listed BMPs, when adhered to by the permittee, protect Iowa's water quality by controlling erosion and sediment runoff to prevent pollution from reaching the nearby water bodies. Antidegradation requirements will be considered to be met if all appropriate and reasonable BMPs required by permit and certification are applied and maintained. See, 567 IAC 61.2(2); Iowa Antidegradation Implementation Procedure § 6.3.

Temporary and Limited Degradation
The State adopted Iowa Antidegradation Implementation Procedure (2010 and 2016) states that "A regulated activity shall not be considered to result in degradation, if the activity will result in only temporary and limited degradation of water quality as defined in the glossary and as further described in Sections 1.2 and 2.4." The effects can be regarded as temporary and limited following a review of all of the following factors, if applicable:

a) Length of time during which water quality will be lowered
The length of time where there might be a lowering of water quality is relatively short for the proposed activity.

b) Percent change in ambient conditions
The only significant change that is reasonably expected to occur would be for the presence of sediment in the stream if there is a heavy rainstorm or if the BMPs fail.

c) Pollutants affected
Turbidity, total suspended solids.

d) Likelihood for long-term water quality benefits to the water body
This activity provides water quality benefits by stabilizing a bank/shore.

e) Degree to which achieving the applicable Water Quality Standards during the proposed activity will be at risk
The use of BMPs installed prior to construction, maintained during construction, and until the site has returned to pre-construction conditions should greatly increase the degree to which a project achieves the applicable water quality standards.

f) Potential for any residual long-term effects on existing uses
The BMP-based conditions included in the Section 404 permit and certification include activities such as appropriate riprap and reseeding disturbed areas. This project should not contribute to any ongoing impacts to water quality.

For the above discussed reasons, the DNR makes the following finding:
This review concludes that water quality degradation due to this activity is temporary and limited.

Social and Economic Importance
This project is socially important for maintaining water quality for a recreational water body used for swimming, boating, etc..

This project is economically important for the community, by creating jobs in the planning and construction of this project and likely using materials from local sources, for the value of the property.

For the above discussed reasons, the DNR makes the following finding:
This review concludes that water quality degradation due to this activity is necessary to accommodate important economic and social development.

Iowa Department of Natural Resources
Section 401 Water Quality Pre-Filing Meeting and Certification Request Form

Pre-Filing Meeting Request Form

1a. Property Owner/Project Proponent (aka Applicant) Name: Bill Van Orsdel

Company Name (if applicable):

Mailing Address: 15700 Rusty Road, Spirit Lake, Iowa, 51360

Email Address: bill@vanorsdel.us

Phone numbers (with area code): Home: Cell: 9499336254 Business:

1b. Authorized Agent's Name (if applicable): Trevor Kunzman

Company Name: Kunzman Landscaping

Mailing Address:

Email Address: Trevor Kunzmann <trevorkunzmann@gmail.com>

Phone numbers (with area code): Business: Cell: 7123467997

2. Identify the Proposed Project:

Shoreline Stabilization at Gratitude Cottage, 15700 Rusty Road, Spirit Lake, IA. Placement of natural stone riprap below OHWM (~150 sq ft). Work entirely from upland. March–October 2026

Upland-only access, placement of natural stone riprap, filter fabric underlayment, no in-water equipment.

Iowa DNR Sovereign Lands Permit 2025-1572SL-01; Iowa DNR Floodplain Review (Not Required); Dickinson County Permit (Pending).

3. Project Location:

County: Dickinson Latitude: 43.4188 Longitude: -95.1781

Receiving Water(s): West Lake Okoboji

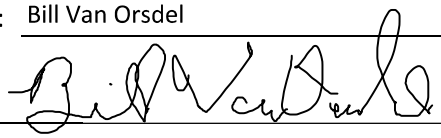
Discharge: clean, natural field stone.

4. Pre-filing Meeting Request Verification:

I certify that I have read and understand the following statements per the Clean Water Act Section 401 Certification Rule:

- Submission of this form completes the requirement of the pre-filing meeting request.
- I cannot submit my certification request until at least 30 calendar days after submitting this pre-filing meeting request. This request must be signed by the Property Owner/Applicant and the Authorized Agent, if applicable.
- I have included the following materials in the application:
  - ☒ Map/diagram of the proposed project area (required)
  - ☒ Photographs of the proposed project area (required)
  - ☒ Relevant site data (if applicable)

Property Owner/Applicant's Name (printed): Bill Van Orsdel

Property Owner/Applicant's Signature:  Date: 11/25/2025

If applicable: Authorized Agent's Name (printed):

Authorized Agent's Signature: Date:

Submit Request and attachments by email to Section401WQC@dnr.iowa.gov.

Iowa Department of Natural Resources
Section 401 Water Quality Pre-Filing Meeting and Certification Request Form

Certification Request Form

5. Corps Project Manager*:

Email Address: Jeffrey.E.Nelson@usace.army.mil

Phone numbers (with area code): Business: (309) 216-5036 Cell: _____

*The corps project manager must be cc'ed on the certification request email.

6. Federal Permit / License Requiring Section 401 Water Quality Certificate and its Project Number*

Permit/License Number: 2025-1572SL-01 Federal Agency: ☐ Corps of Engineers ☐ FERC

☒ Other: Iowa DNR Sovereign Lands Permit

*A copy of the federal permit or license application is **required** to be submitted with a certification request.

7. Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge. (Please provide a description of the best management practices you will use to protect water quality as well as any methods and means proposed to monitor the discharge/equipment or measures planned to treat or control the discharge.)

All work will be performed from the upland terrace above the Ordinary High Water Mark. No construction equipment will enter the lake. Clean, natural stone riprap will be placed by hand or from upland machinery in a controlled manner to prevent turbidity. Filter fabric/geotextile underlayment will be installed to stabilize the bank and prevent fines from migrating into West Lake Okoboji.

The contractor will monitor the water adjacent to the work area continuously during material placement and will pause work if any visible turbidity plume develops outside the immediate footprint. Only clean, washed stone will be used, and no concrete, treated wood, or other potential pollutants will be introduced into the water. Disturbed upland soil will be stabilized immediately with vegetation or erosion control matting to prevent runoff.

Additional BMPs include: silt fence or wattles installed upslope if soil is exposed, covering stockpiled materials during rain, and daily inspection of the shoreline for displaced material or turbidity. Because the work occurs in an existing riprap footprint and uses upland-only access, discharge is minimal and confined to the project area.

8. Dates*

Planned Start Date of Proposed Project: March 2026

Planned End Date of Proposed Project: December 2026

Approximate date(s) of discharge(s) (if known): _____

*In normal situations, the DNR issues certifications within 90 days. This period of time accommodates internal review and the mandatory public comment period. If your project is scheduled to start sooner, please contact us at Section401WQC@dnr.iowa.gov. Be advised that the DNR is entitled up to six months by law to review certification requests.

9. List all other federal (not listed in #6), interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received:

Agency	Type of Authorization	Agency Number	Date Applied	Date Approved	Date Denied
IOWA DNR	Sovereign Lands Constr	2025-1572SL-01	09/12/2025	10/03/2025	
Iowa DNR	Floodplain Determinatio	N/A	09/12/2025	09/17/2025	
Dickinson County	Landscaping / Grading P	N/A	Pending		

10. Date Pre-filing Meeting Request was submitted 09/12/2025

11. Certification Request Verification

This request is hereby made for the activities described herein. I hereby certify that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. I have completed the following tasks, as required for the certification request:

- [X] Cc'ed the Corps contact associated with the proposed project
- [X] Attached a copy of the federal permit or license application
- [X] Submitted a complete pre-filing meeting request at least 30 days ago

I further certify that I possess the authority to undertake the proposed activities. I hereby request that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time. This application must be signed by the Property Owner/Applicant and the Authorized Agent, if applicable.

Property Owner/Applicant's Name (printed): Bill Van Orsdel

Property Owner/Applicant's Signature:  Date: 11/25/2025

If applicable: Authorized Agent's Name (printed): _____

Authorized Agent's Signature: _____ Date: _____

December 1, 2025 (DRAFT)

Bill Van Orsdel
15700 Rusty Road
West Okoboji, Iowa 51360

Dear Mr. Van Orsdel:

After reviewing your request for State 401 Water Quality Certification (Certification), the Iowa Department of Natural Resources (DNR) has issued the enclosed Certification. Please read the attached conditions carefully before beginning work on the project.

A copy of this Certification has been forwarded to the office of the U.S. Army Corps of Engineers as indicated below.

Please note:

1. Prior to construction, the permittee is responsible for securing such other permits or approvals as may be required by the DNR, federal, state, or local governmental agencies for the project activities described. Issuance of this certification does not relieve you of the responsibility to comply with all local, state and federal laws, ordinances, regulations or other applicable legal requirements.

2. The permittee is responsible for ensuring that whoever performs, supervises, or oversees any portion of the physical work associated with the construction of this project complies with all the terms and conditions of this Certification as well as the associated Section 404 Permit.

If you have any questions about the certification or attached conditions contained therein, my contact information is provided in the certification.

Sincerely,

Brandon Harland
Natural Resource Biologist

cc: Jeffrey Nelson, Department of the Army Corps of Engineers, Rock Island District (jeffrey.e.nelson@usace.army.mil)

IOWA DEPARTMENT OF NATURAL RESOURCES
SECTION 401 WATER QUALITY CERTIFICATION

Certification issued to:

Bill Van Orsdel
15700 Rusty Road
West Okoboji, Iowa 51360

Project certified: Bill Van Orsdel No. 2025-1572

Project Description: The purpose of this project is to stop the ongoing erosion of the shoreline (~50 feet with 18" to 48" native field stone) belonging to the property located on West Lake Okoboji at address: 15700 Rusty Road, Spirit Lake, Iowa, 51360 (hereinafter referred to as Gratitude Cottage).

Project Location: 43.419324/-95.177836, Dickinson County

The Iowa Department of Natural Resources (DNR) has issued this State 401 Water Quality Certification (Certification) pursuant to Section 401 {40 C.F.R. §121}. The U.S. Army Corps of Engineers requires state Certification before a Section 404 permit can be issued.

Subject to the attached conditions, incorporated by reference herein, the DNR has determined that a discharge from the proposed project will comply with water quality requirements of the state of Iowa {567 IAC 61}.

Prepared By/Date Executed: _____

Brandon Harland
Iowa DNR
brandon.harland@dnr.iowa.gov
515-954-9559
6200 Park Ave. Ste. 200, Des Moines, IA 50321

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 requirements. 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 requirements. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2);

(6) Riprap, treated lumber products, and temporary structures 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 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); and

(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 requirements. This condition will ensure permittees comply with Iowa's narrative water quality standards found at 567 IAC 61.3(2).