



# STATE OF IOWA

CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
RICHARD A. LEOPOLD, DIRECTOR

August 8, 2008

Mr. Prahip L. Dalal, P.E.  
Chief, Wastewater and Infrastructure Management Branch  
United States Environmental Protection Agency  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101

Subject: Vessel General Permit (VGP) and Recreational Vessel Permit (RGP)  
Request for Clean Water Act (CWA) Section 401 Certification

Dear Mr. Dalal:

After reviewing your request for State 401 Water Quality Certification, the Iowa Department of Natural Resources has issued the enclosed Certification.

If you have any questions or comments about the certification or any conditions contained therein, please contact me at the address shown below or call (515) 281-6615.

Sincerely,

*Christine M. Schwake*

Christine M. Schwake  
Environmental Specialist

## IOWA DEPARTMENT OF NATURAL RESOURCES SECTION 401 WATER QUALITY CERTIFICATION

### Certified Projects:

#### US Environmental Protection Agency National Pollutant Discharge Elimination System Permits:

- ◇ General Permit for Discharges Incidental to the Normal Operation of Commercial and Large Recreational Vessels
- ◇ General Permit for Discharges Associated with Recreational Vessels

US Environmental Protection Agency No.: EPA-HQ-OW-2008-0056

State 401 Water Quality Certification, Application Log No.: 08-Iowa-07-03-S

### Water quality use designations:

Existing surface water uses and the level of water quality necessary to protect the existing uses will be maintained and protected. All waters of the state are classified for protection of beneficial uses. At a minimum, all surface waters in Iowa, including those designated for Class "A", "B", and/or "C" are classified for the following general uses: livestock and wildlife watering, noncontact recreation, crop irrigation, and industrial, agricultural, domestic, and other incidental withdrawal uses.

The Iowa Department of Natural Resources (IDNR) has issued this State 401 Water Quality Certification pursuant to Section 401 of the Clean Water Act. The United States Environmental Protection Agency (EPA) may not issue a permit authorizing discharges into the waters of Iowa until the IDNR has granted this certification under Clean Water Act Section 401. Section 401 Certification represents the IDNR's concurrence that the project certified is consistent with the Water Quality Standards of the state of Iowa as set forth in Chapter 61, Iowa Administrative Code.

Subject to the attached conditions, incorporated by reference herein, the IDNR has determined that there is reasonable assurance the proposed activities will be conducted in a manner that will not violate water quality standards of the state of Iowa.

Prepared By: Christine M. Schwake Date Executed: August 8, 2008  
Christine M. Schwake, IDNR, Wallace State Office Building, Des Moines, IA 50319-0034 (515) 281-6615

### CONDITIONS:

1. Permittee is responsible for securing and for compliance with such other permits or approvals as may be required by the IDNR, federal, state, or local governmental agencies for the project activities described.
2. If the vessel discharges oil or hazardous substances in the water, immediately call the U.S. Coast Guard at 1-800-424-8802 and the IDNR Emergency Response Unit at 1-515-281-8694.
3. Discharge of ballast water into Iowa's waters is authorized only if there has been an open sea exchange or if the vessel has treated its ballast water to meet water quality standards set by the IDNR in 567-61.3(455B). See [www.iowadnr.com/water/standards/files/chapter61.pdf](http://www.iowadnr.com/water/standards/files/chapter61.pdf).
4. It is illegal for anglers to possess, introduce, purchase, sell, or transport aquatic invasive species in Iowa except when a species is being removed from watercraft or equipment, is caught and immediately killed or returned to the water from which it came, or is being transported in a sealed

container for identification purposes. It is also illegal to introduce any live fish, except for hooked bait, into public waters.

5. It is illegal to dump trash into federally controlled or state waters.
6. It is illegal to discharge oil or hazardous substances into the water.
7. Oil may not be dumped into the bilge of the vessel without means for proper disposal.
8. Oil waste must be disposed of at an approved reception facility. On recreational vessels, a bucket or bailer is adequate for temporary storage.
9. Recreational vessels with installed toilets must have an operable marine sanitation device on board. All installed devices must be U.S. Coast Guard-certified.
10. The United States Coast Guard's Mandatory Practices for all vessels with ballast tanks on all waters of the United States, regardless of Exclusive Economic Zone (EEZ) Entry (33 CFR 151.2035(a)) must be followed.
11. The United States Coast Guard's Additional Mandatory Practices for all vessels transiting to U.S. waters with ballast water that was taken on within 200 nautical miles of any coast after operating beyond the U.S. EEZ (33 CFR 151.2035(b)) must be followed.

#### COMMENTS:

1. The U.S. Coast Guard states that the ballast water management practices shall not jeopardize the safety of a vessel, its crew, or its passengers. If the master of a vessel decides the practices would be a threat to safety, stability, or security due to adverse weather, vessel design, equipment failure or any other extraordinary condition. All vessels, however, must discharge only the minimal amount of ballast water operationally necessary and ensure ballast water records accurately reflect any reasons for not complying with the mandatory requirements. (For Coast Guard's Standards, see [www.uscg.mil/hq/g-m/mso/ans.htm](http://www.uscg.mil/hq/g-m/mso/ans.htm) )
2. To view the handbook of Iowa Boating Laws and Responsibility, see [www.boat-ed.com/ia/handbook/wastedischarge.htm](http://www.boat-ed.com/ia/handbook/wastedischarge.htm) .
3. The following actions will help prevent the spread of aquatic invasive species from recreational vessels: Inspect the boat, trailer, and equipment and remove any visible plants, animals, or mud before leaving a water body.
  - ◇ Drain water from the boat, motor, live well, bilge, waders, hip boots, and bait containers before leaving a water body.
  - ◇ Avoid running engine through aquatic plants. Remove aquatic plants, animals, and mud from water intake grate, steering nozzle, watercraft hull, trailer, waders, hip boots, and fishing equipment.
  - ◇ Run the engine for 5-10 seconds on the trailer to blow out excess water and vegetation from the internal drive and then turn off the engine.
  - ◇ Dispose of unwanted bait in the trash. Never release fish, animals, or plants into a water body unless they came from that water body.
  - ◇ Rinse or dry the boat, trailer, and fishing equipment to remove or kill species that were not visible when leaving the water body. Before transporting to another water body, rinse with high pressure and/or hot (104 degrees) water or dry for at least five days.
  - ◇ Learn to identify aquatic nuisance species and report any suspected sightings to the nearest IDNR fisheries station.