

IOWA PERMIT FACT SHEET¹⁻²

<i>Permits & Forms</i>	<i>Responsible Authority</i>	<i>Scope</i>
Joint Application Form For Iowa Fillable Form & Instructions found under “Forms & Instructions” @ : Iowa DNR-USACE Joint Permit Application	Iowa DNR/USACE	Assists applicants in initiating the permit process with both agencies for construction, excavation or filling in a water of the state or on a floodplain.
Dams Use Joint Application Form For Iowa	Iowa DNR	An application for construction, operation or maintenance of a dam in the floodway or flood plain. <i>State criteria regarding construction and water storage permits for dams are located in Chapter 567-73.3 of the Iowa Administrative Code:</i> 567—73.3(455B) Regulated dams Note: This information is reprinted on Page 2 of CPS 378 (Pond), Jan. 2023.
Application to Store Water for Beneficial Use	Iowa DNR	An application to store water. <i>The Iowa Code was amended in 2021 to include all construction permit size dams for structures requiring a water storage permit. There is no longer separate criteria for the two permits. A separate water storage permit is still required but a link is provided in the on-line Joint Application Form.</i>

¹ [Link to Summary of 2022 Nationwide Permits](#)

² US Army Corps of Engineers Regulatory Jurisdiction:

Rock Island District covers most of Iowa.

Omaha District covers a narrow corridor along the Missouri River (Contact the Area Engineer if you have questions regarding jurisdiction)

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<p>Section 404 of the Clean Water Act</p> <p>Use Joint Application Form For Iowa</p>	<p>EPA & USACE</p> <p>Fish and Wildlife Service has an advisory role.</p>	<p>CWA Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands. Responsibility for administering and enforcing Section 404 is shared by the U.S. Army Corps of Engineers (USACE) and EPA. USACE administers the day-to-day program, including individual permit decisions and jurisdictional determinations; develops policy and guidance; and enforces Section 404 provisions. EPA develops and interprets environmental criteria used in evaluating permit applications, identifies activities that are exempt from permitting, reviews/comments on individual permit applications, enforces Section 404 provisions, and has authority to veto USACE permit decisions.</p>
<p>Section 401 Water Quality Certificate</p> <p>When Joint Application Form For Iowa is submitted to DNR, they forward a copy to the Water Quality Section for 401 Certification</p>	<p>Iowa DNR</p>	<p>A Section 401 Water Quality Certificate is Iowa Department of Natural Resource's certification that a project will not violate state water quality standards and is required before the Corps of Engineers can issue a Section 404 permit.</p>
<p>Regional General Permit 33</p> <p>Non-exempt ponds, dams, grade stabilization structures, grassed waterways and subsurface drains associated with grassed waterways in Waters of the U.S. in the State of Iowa</p> <p>Notification: <i>May use Joint Application Form For Iowa</i></p>	<p>USACE</p> <p><i>Expires 03/22/2026</i></p>	<p>The purpose of the Regional General Permit 33 (RGP 33) is to authorize discharge of dredged or fill material in association with specific U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) and Department of Housing and Urban Development (HUD)-sponsored activities which do not qualify for the Clean Water Act (CWA) 404(f)(1) exemptions. Specific practices included in this permit are non-exempt ponds, dams, grade stabilization structures, grassed waterways and subsurface drains associated with grassed waterways.</p> <p>See the following link to USACE for RGP 33 Criteria: https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll15/id/4668</p>

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<p>Regional General Permit 34 Structures requiring fill materials in waters of the US under the CREP and CRP programs in the State of Iowa</p> <p>Notification: <i>May use Joint Application Form For Iowa</i></p>	<p>USACE</p> <p><i>Expires 12/31/27</i></p>	<p>Regional General Permit 34 (RP34) authorizes the discharge of dredged and/or fill materials in waters of the U.S. (WOTUS) in Iowa for specific (USDA) Natural Resources Conservation Service (NRCS), and Farm Service Agency (FSA) sponsored activities. Specific practices included in this permit are NRCS Conservation Practice Standard (CPS) 656, Constructed Wetlands; CPS 657, Wetland Restoration; CPS 658, Wetland Creation; and CPS 659, Wetland Enhancement.</p> <p>See the following link for RP 34 Criteria: https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll15/id/4681</p>
<p>Regional General Permit 39 IDALS targeted water quality improvement created/restored wetlands in waters of the United States in the State of Iowa</p>	<p>USACE</p> <p><i>Expires 12/31/27</i></p>	<p>Regional General Permit 39 (RP39) authorizes the discharge of dredged and/or fill material in waters of the U.S. (WOTUS) in the State of Iowa to create/restore wetlands through the construction of earthen embankments and/or dams when funding or technical assistance is being provided through the Iowa Department of Agriculture and Land Stewardship (IDALS) with Corps approval in conjunction with a provided watershed plan.</p> <p>See the following link for RP 39 Criteria: https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll15/id</p>
<p>Regional Permit 40 Fill material placed in waters of the United States for Bank Stabilization Activities in the State of Iowa.</p>	<p>USACE</p> <p><i>Expires 03/09/26</i></p>	<p>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.</p> <p>See the following link for RP 40 Criteria: https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll15/id/4685</p>

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Nationwide Permit 27 Aquatic Habitat Restoration, Establishment and Enhancement Activities Notification: See Nationwide Permit for requirements <i>May use Joint Application Form For Iowa</i>	USACE <i>Expires 03/14/26</i>	Activities in waters of the U.S. associated with the restoration, enhancement, and establishment of tidal and non-tidal wetlands and riparian areas and the restoration and enhancement of non-tidal streams and other non-tidal open waters, provided those activities result in net increases in aquatic resource functions and services. <i>Fact Sheet No. 9 (IA) Effective Date February 25, 2022</i>
Nationwide Permit 40 Agricultural Activities Notification: See Nationwide Permit for requirements <i>May use Joint Application Form For Iowa</i>	USACE <i>Expires 03/14/26</i>	Agricultural Activities. Discharges of dredged or fill material into non-tidal waters of the US for agricultural activities. <i>Fact Sheet No. 9 (IA) Effective Date February 25, 2022</i>
Nationwide Permit 41 Reshaping Existing Drainage Ditches Notification: See Nationwide Permit for requirements <i>May use Joint Application Form For Iowa</i>	USACE <i>Expires 03/14/26</i>	Reshaping Existing Drainage Ditches. Discharges of dredged or fill material into non-tidal waters of the US, excluding non-tidal wetlands adjacent to tidal waters, to modify the cross-sectional configuration of currently serviceable drainage ditches constructed in WOTUS, for the purpose of improving water quality by re-grading the drainage ditch with gentler slopes, which can reduce erosion, increase growth of vegetation, and increase uptake of nutrients and other substances by vegetation. <i>Fact Sheet No. 9 (IA) Effective Date February 25, 2022</i>