



11/12/2020

DOUG BRYAN  
C/O JON BIEDERMAN  
FEHR GRAHAM  
128 S VINE ST  
WEST UNION, IA 52175

Project Description: Other Structures, Obstructions, Fill, And Spoil, Deposits: The proposed project is to dredge the lake. It includes building a temporary containment/access berm to allow for equipment to access the heavy sediment area. The area of berm construction has a normal water depth of around 6". The berm will be approx. 2'-2.5' in height (from lake bottom) and will have an approximate top width of 10'-12' and will be constructed of clay, all of which will be removed upon completion of sediment removal. Two 24" diameter culverts will be placed through the berm to allow for water transfer. (Lake Oelwein)

Project Latitude / Longitude Location(s): Other Structures, Obstructions, Fill, Spoil, Deposits 42.6537/-91.9205; Fayette County

*Iowa DNR Project Tracking Number: 2020-0928*

Dear Jon Biederman:

The application for an Iowa DNR Flood Plain Development Permit for the above referenced project has been approved. Flood Plain Development Permit Number 2020-0928FP-01 and an approved copy of the Iowa DNR Approved Plans are enclosed. You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/permt/>)

Please review all permit conditions. If you don't agree with any of the permit conditions, you have 30 days from the date of mailing of the permit to appeal. If you wish to appeal, it is suggested that you contact David Scott at 319-653-2135, Iowa DNR Legal Services Bureau, within 15 days to determine the correct procedure and format. Also, you should be aware of the fact that any person can appeal the issuance of this permit within the same 30 day period.

Within 30 days of the completion of construction, proper completion of construction notice shall be provided to the Department. Notice may be provided through the Department PERMT website <https://programs.iowadnr.gov/permt/>, or by certified mail. Certified mail requirements are provided in permit document post construction condition section.

The project may require a local flood plain development permit(s) from Fayette County. If you have not yet done so, please contact the following local Flood Plain Manager(s) for assistance in applying for the local flood plain permit(s):

- Fayette County: Catherine Miller, Fayette County, Fayette County Courthouse, PO Box 269, West Union, IA, 52175-0269, [cmiller@co.fayette.ia.us](mailto:cmiller@co.fayette.ia.us), 563-422-3767

No land or water, under the jurisdiction of the State of Iowa, is involved in the project area; therefore, a Sovereign Lands Construction Permit pursuant to Chapter 461A of the Iowa Code will not be required for this project.

The permittee is responsible for complying with all other local, state, and federal statutes, ordinances, rules, and permit requirements applicable to the construction, operation, and maintenance of the approved works. Approval through the Corps of Engineers Section 404 Permit Program may be required for this project. The Corps of Engineers will contact you separately regarding their approval. Questions can be directed to the Corps by phone at 309-794-5376 or by email at [iowaregulatory@usace.army.mil](mailto:iowaregulatory@usace.army.mil).

Please contact me by phone at 515-725-8369 or by email at [Asia.Azam@dnr.iowa.gov](mailto:Asia.Azam@dnr.iowa.gov) with any questions.

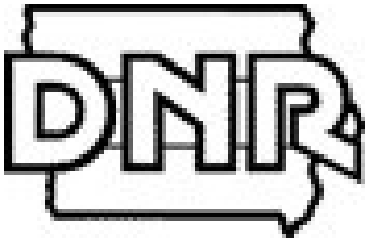
Sincerely,



Asia Azam  
Iowa DNR, Flood Plain Management and Dam Safety Section

CC: Doug Bryan; 101 County Line Rd; Oelwein, IA 50662  
Fayette County: Catherine Miller, Fayette County, Fayette County Courthouse, PO Box 269, West Union, IA, 52175-0269, [cmiller@co.fayette.ia.us](mailto:cmiller@co.fayette.ia.us)

Attachments



## Iowa Department of Natural Resources

### Flood Plain Development Permit

- I. Permit Number 2020-0928FP-01
- II. Project Latitude / Longitude Other Structures, Obstructions, Fill, Spoil, Deposits 42.6537/-91.9205; Fayette  
Location(s) County
- III. Approved Activity Other Structures, Obstructions, Fill, Spoil, Deposits: The proposed project is to dredge the lake. It includes building a temporary containment/access berm to allow for equipment to access the heavy sediment area. The area of berm construction has a normal water depth of around 6". The berm will be approx. 2'-2.5' in height (from lake bottom) and will have an approximate top width of 10'-12' and will be constructed of clay, all of which will be removed upon completion of sediment removal. Two 24" diameter culverts will be placed through the berm to allow for water transfer. (Lake Oelwein)
- IV. Applicant(s) / Permittee(s) DOUG BRYAN  
Company(s)  
Address(s) 101 COUNTY LINE RD  
  
City State Zip OELWEIN, IA 50662
- V. Authorized Agent JONBIEDERMAN  
Company FEHR GRAHAM  
Address 128 S VINE ST  
City State Zip WEST UNION, IA 52175
- VI. Basis for Issuance The decision to issue this permit was based on a staff review of the project with respect to relevant approval criteria contained in 567 IAC 72 and applicable provisions of Iowa Code Sections 455B.262, .264, .275 and .277.
- VII. General Permit Conditions
- a. Responsibility No legal or financial responsibility arising from the construction or maintenance of the approved works shall attach to the state of Iowa or the agency due to the issuance of a permit, order, or administrative waiver.
  - b. Lands The permittee shall be responsible for obtaining such government licenses, permits, and approvals, and lands, easements, and rights-of-way which are required for the construction, operation, and maintenance of the authorized works prior to construction.
  - c. Change in plans No material change from the plans and specifications approved by the Department shall be made unless authorized by the Department.
  - d. Revocation of order A Department permit may be revoked if construction is not completed within the permit construction period of time specified in the Department permit, or extended by official post permit response letter from this Department.
  - e. Appeal of Initial Decision Per 567 IAC 70.5(4), this permit represents the initial decision of the Department. You have 30 days from the date of mailing of the permit to appeal. If you wish to appeal, it is suggested that you contact our Legal Services Section within 15 days to

determine the correct procedure and format. Also, you should be aware of the fact that any person can appeal the issuance of this permit within the same 30 day period.

VIII. Permit Special Construction Conditions

a. Permit Construction Period Covered 11/12/2020 to 11/12/2021

b. Temporary Flood Plain Obstruction Requirement All temporary flood plain obstructions to be used during construction shall comply with all sections of 567 IAC 72.1(6).

c. **Temporary Berm Removal.** The temporary berm will be removed by the end of this permit construction period.

d.

e.

IX. Permit Post Construction Conditions

a. Certification of Completion of Construction Requirement The permittee is required to provide notice to the Iowa DNR that construction of the project authorized by the Iowa Department of Natural Resources was completed in accordance with Iowa DNR Approved Plans and specifications.

1. This notice may be provided on the Iowa DNR PERMT Website  
Iowa DNR PERMT Website (use Permit Number)  
<https://programs.iowadnr.gov/permt/>

2. If computer access is unavailable, the permittee shall submit a signed certification of project construction completion. The certification(s) shall be submitted to:

FLOOD PLAIN PERMITS  
IOWA DNR  
502 E 9TH ST  
DES MOINES IA 50319

b. General Maintenance and Storm Damage Restoration Requirement The permittee, and any successor, in interest to the real estate on which the permitted project or activity is located shall be responsible for proper maintenance of the project until this permit is revoked, or replaced with a new permit. The required maintenance shall include, but is not limited to, the restoration of the project back to the permit condition shown on the enclosed Iowa DNR Approved Plan document.

c.

d.

e.

X. Permit Issued By:



Asia Azam; Iowa DNR, Flood Plain Management and Dam Safety Section  
Date: 10/23/2020