Sel. b. Mark

Entered for taxation 29th day
of January A.D. 2003
Shaun McGrath, Auditor
By Deb Becker, Deputy
87-74

DELAWARE COUNTY IOWA
FILED
03 JAN 21 AM 10:41
BOOK 2003 PAGE 310
DEBORAH L. PEYTON
DELAWARE COUNTY RECORDER
N/C

THIS DOCUMENT WAS PREPARED BY MARK NAHRA, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., DELAWARE, IA 52036, 563-927-3505

PERMANENT WETLAND EASEMENT

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

RAPTORS, INC. BY PAMELA S. LEDENBACH, PRESIDENT AND JAMES D. LEDENBACH, SECRETARY

In consideration of the lump sum of one dollar ($1.00) and other valuable consideration, in hand paid by Delaware County, hereby grants unto said Delaware County and the City of Hopkinton a permanent easement upon sellers real estate, hereafter referred to as the premises, for the purpose of wetland construction and maintenance. Said wetland is being constructed in compliance with U. S. Army Corps of Engineers Permit number CEMVR-OD-P423770, which is attached and recorded as part of this document. This easement shall remain with the land and binds the owners and successors that the premises shall not be converted from wetland once construction is completed.

Said premises is situated in the County of Delaware, State of Iowa, to-wit:

A tract of land located in the Southeast Quarter of the Southeast Quarter of Section 14, Township 87 North, Range 4 West, of the 5th P.M., Delaware County, Iowa lying within that land conveyed to Grantor as recorded in Book 134, Page 292, office of the Delaware County Recorder.

Said tract of land is described as follows:

Commencing at the Southeast Corner of said Section 14; thence N 26°50'06" W (assumed reference bearing for this project) a distance of 977.19, feet along the east line of the Southeast Quarter of said Section 14; thence S 63°09'54" W a distance of 84.15 feet to a point on the south right-of-way line of Pheasant Road; thence S 29°46'39" W a distance of 193.21 feet; thence N 85°50'19" W a distance of 161.49 feet; thence N 41°30'25' W a distance of 144.92 feet; thence N 52°06'31" W a distance of 134.00 feet; thence N 19°34'46" E a distance of 165.15 feet to a point on the south right-of way line of Pheasant Road; thence S 64°43'52" E a distance of 446.16 feet along the south right-of- way line of Pheasant Road to the point of beginning; containing 2.05 acres as shown on drawing A-7 and made part thereof.

and **RAPTORS, INC. BY PAMELA S. LEDENBACH, PRESIDENT AND JAMES D. LEDENBACH, SECRETARY** hereby covenant with the said Delaware County and the City of Hopkinton that **RAPTORS, INC. BY PAMELA S. LEDENBACH, PRESIDENT AND JAMES D. LEDENBACH, SECRETARY** are lawfully seized of said premises; that said premises are free from encumbrance, that there are no known wells, solid waste disposal sites, hazardous wastes, underground storage tanks, or any other similar hazardous conditions adversely affecting the environment, that **RAPTORS, INC. BY PAMELA S. LEDENBACH, PRESIDENT AND JAMES D. LEDENBACH, SECRETARY** have good and lawful authority to sell and convey the same, and **RAPTORS, INC. BY PAMELA S. LEDENBACH, PRESIDENT AND JAMES D. LEDENBACH, SECRETARY** hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 24 day of December A.D. 2002

Raptors, Inc.
Pamela S. Ledenbach, Pres

STATE OF IOWA)
Delaware County)s.s
)

James D. Ledenbach, Sec
Landowner(s) of Record

On this 24th day of December A.D. 2002, before me, the undersigned Notary Public in and for the State of Iowa, personally appeared PAMELA S. LEDENBACH AND JAMES D. LEDENBACH known by me to be the person(s) named herein who, being by me duly sworn did say that they are the President and Secretary respectively of said corporation executing the within and foregoing instrument to which this is attached, that no seal has been secured by said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and that PAMELA S. LEDENBACH AND JAMES D. LEDENBACH as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Mark J. Nahra
COMMISSION NUMBER 165627
MY COMMISSION EXPIRES
7-2-2004

Seal or Stamp above

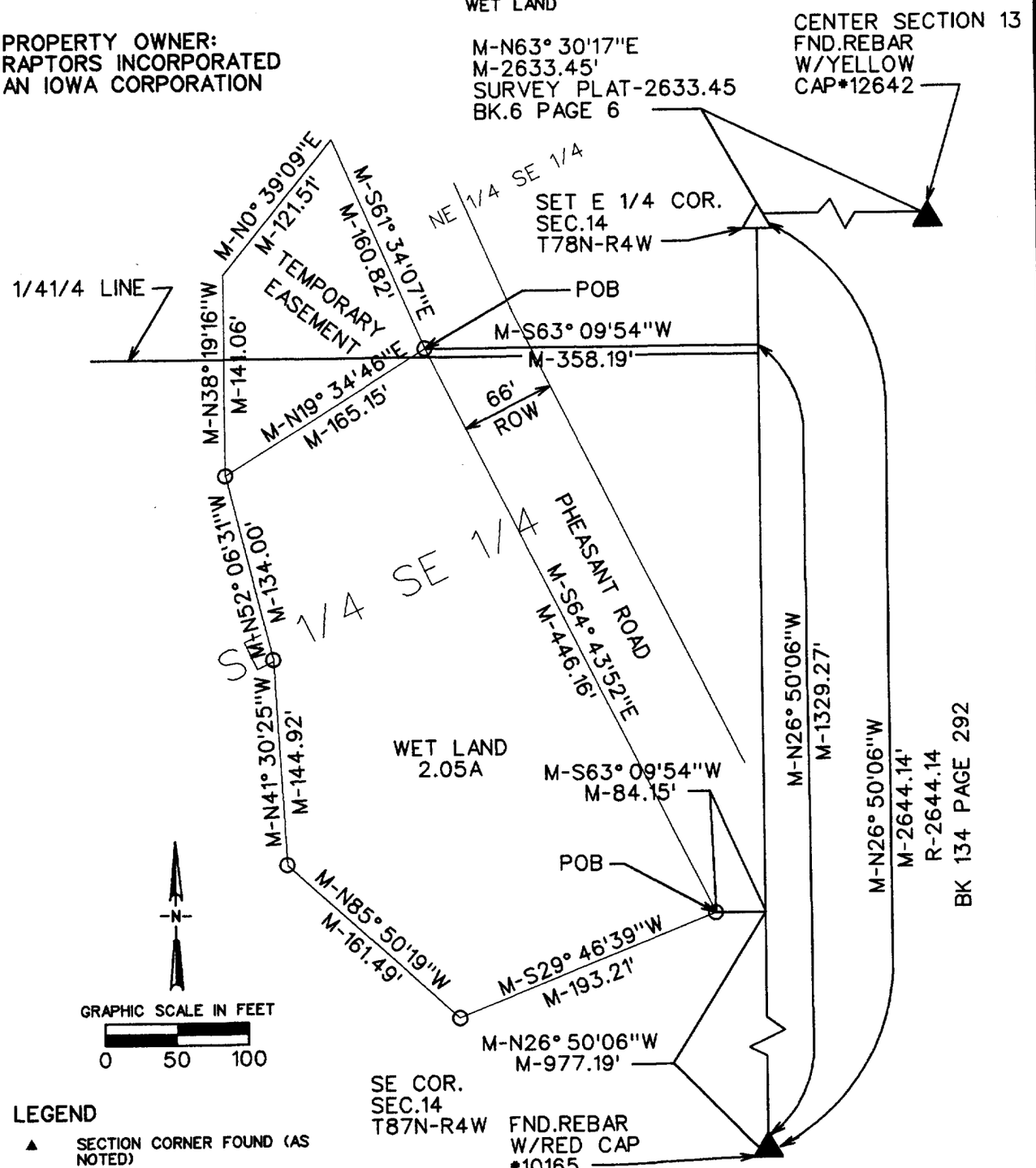
Mark J. Nahra
Notary Public in and for said County

SPACE ABOVE FOR RECORDER'S USE

PLAT OF SURVEY

PREPARED FOR DELAWARE COUNTY
WET LAND

PROPERTY OWNER:
RAPTORS INCORPORATED
AN IOWA CORPORATION



LEGEND

- ▲ SECTION CORNER FOUND (AS NOTED)
- △ SECTION CORNER SET (3/4" IRON PIPE W/YELLOW CAP *12972)
- ● OTHER FOUND MONUMENT (AS NOTED)
- ○ SET MONUMENT (3/4" IRON PIPE W/YELLOW CAP *12972)
- (M) AS MEASURED
- (R) AS RECORDED

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Signed _____ Date 30 Oct 02

Dale W. Sorensen, L.S.
Iowa License No. 12972
My license renewal date is December 31, 2003 Drawings covered by this seal: A-7

LICENSED LAND SURVEYOR
Dale W. Sorensen
No. 12972
IOWA

SCALE	1"=100'
DRAWN	BAB
CHECKED	DWS
APPROVED	DWS
DATE	10/9/02
A.C.	

V&K

PLAT OF SURVEY
WETLAND
DELAWARE COUNTY, IOWA

DWG. NO. A-7

PROJECT 29271

VEENSTRA & KIMM, INC. 3000 Westown Parkway • West Des Moines, Iowa 50266-1320
515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

c:\dgn\hopkinton\dwg7.dgn
DRAWN BAB CHECKED DWS APPROVED DWS
16:37:14
PLOTTED: 13 NOV 2002

DEPARTMENT OF THE ARMY PERMIT

Permit Number:	CEMVR-OD-P423770	Section: 404
Permittee:	City of Hopkinton, Iowa PO Box 154 City Hall Hopkinton, Iowa 52237	Tel: 563-926-2181 POC: Daniel J. Tucker
Effective Date:	October 4, 2002	
Expiration Date:	December 31, 2006	
Issuing Office:	U.S. Army Corps of Engineers, Rock Island District Clock Tower Building - P.O. Box 2004 Rock Island, Illinois 61204-2004	

RECEIVED
OCT - 8 2002
DELAWARE CO. ENGR.

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 having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

Project Description: To replace two (2) bridges on the Maquoketa River near Hopkinton, Iowa. The main river bridge will be replaced with a new 243-foot-long P.P.C.B. bridge and the overflow channel bridge will be replaced with a 188-foot-long P.P.C.B. bridge. An existing low head dam at each bridge site will be lowered to approximately the streambed elevation and rock riffles will be installed on the downstream side of each dam. Approximately 0.81-acres of emergent wetland will be impacted by filling associated with the bridge replacements and roadway improvements. Approximately one acre of wetland mitigation will be constructed northwest of the project site. The mitigation site will be graded to create a basin approximately two feet deep. The site will be seeded with a wetland seed mix and existing springs and groundwater seepage will provide hydrology for the site.

Project Location: Sections 13 and 24, Township 87 North, Range 4 West, Delaware County, Iowa; on the Maquoketa River.

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit.

Drawings No.

Sheet 1 of 6, Project Location
Sheet 2 of 6, Site Plan
Sheet 3 of 6, Main Bridge
Sheet 4 of 6, Overflow Bridge
Sheet 5 of 6, Cross Sections
Sheet 6 of 6, Wetland Mitigation Ste Cross Sections

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on the date specified on page 1. 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.

2. 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, in compliance with General Condition 4 below. 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.

3. 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.

4. If you sell the property associated with 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.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions. (Condition is not applicable for Section 10 Permits.)

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.

Special Conditions:

1. That general conditions 1 through 11 and mitigation conditions 1 through 4 listed in the attached June 7, 2002, Section 401 Water Quality Certification from the Iowa Department of Natural Resources are considered a part of this permit.

2. That bank and shoreline protection shall consist of suitable clean materials, free from debris, trash, and other deleterious materials. If broken concrete is used as riprap, all reinforcing rods must be cut flush with the surface of the concrete. Asphalt, broken concrete containing asphalt, and car bodies are specifically excluded from this authorization.

3. Construction of the wetland mitigation site will be concurrent with construction at the project site.

4. A final species list and planting plan for the wetland mitigation site will be submitted to the Corps of Engineers for approval prior to planting.

5. The permittee will submit wetland mitigation monitoring reports to the Corps of Engineers for the wetland mitigation site on an annual basis for a minimum of 5 years. Reports are due on or before August 31 of each year.

a. Monitoring must begin one full growing season after construction of the mitigation site and documentation of site conditions must occur during the growing season.

b. The reports must include photos taken at established photo points, a list of dominant vegetative species, the average percent cover for each of the dominant vegetative species, an assessment of wetness indicating the presence or absence of hydrology defined as inundation of 2 feet or less and/or saturation within 12 inches of the ground surface for at least 5% of the average growing season, and details of any corrective actions taken or needed.

6. You must take the actions required to record this permit with the Registrar of Deeds and/or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property for all land parcels where construction activities or wetland mitigation associated with this project will occur. A copy of the recorded permit with a "Filed" stamp must be submitted to the Rock Island District Corps of Engineers, Regulatory Branch, within 60 days of the receipt of this permit.

Further information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) 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 this 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 1 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.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Daniel J. Tucker — 9-30-02

Daniel J. Tucker
Mayor, City of Hopkinton

Date

The issuing officer for this permit is William J. Bayles, Colonel, U.S. Army, District Engineer, Rock Island District.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, and in accordance with CEMVR-OD-P appointment order 28 March 2000 has signed below.

Jon C. Klingman — 10/4/2002

Jon A. Klingman
Project Manager
Operations Division

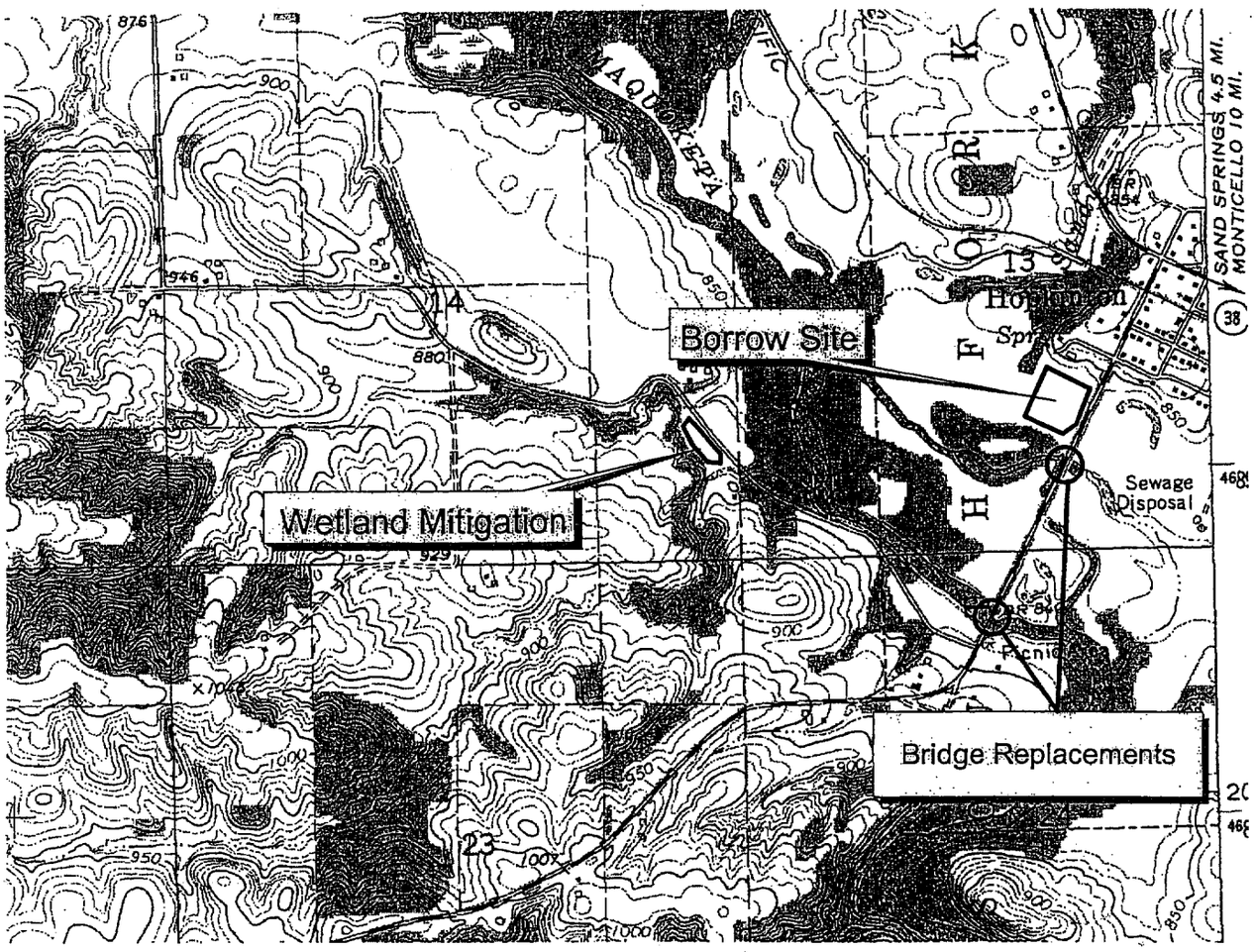
Date

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 the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____ _____

Transferee Date

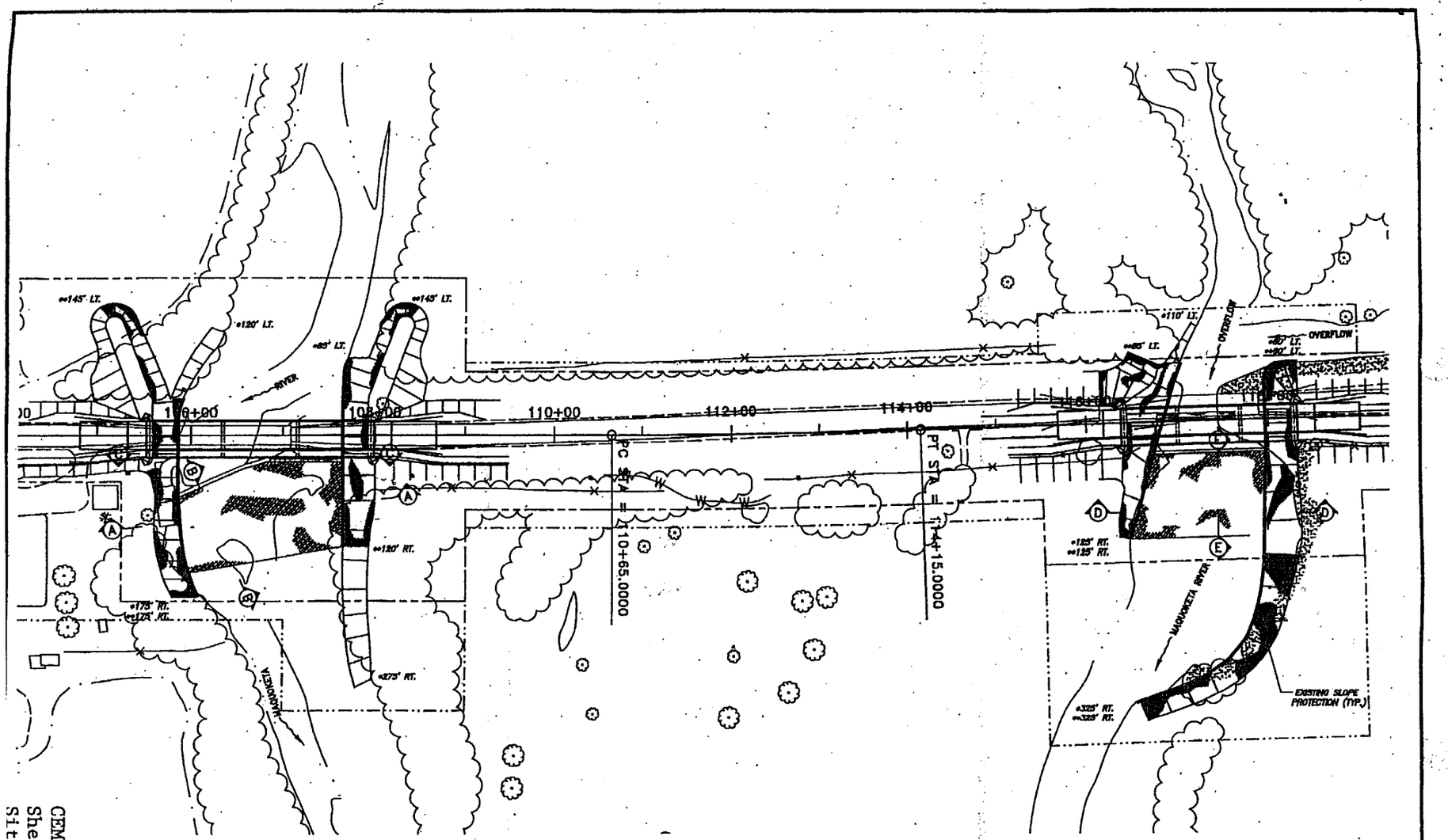
Bridge Replacements
Sections 13 & 24, T87N, R4W, Delaware County, Iowa
on the Maquoketa River



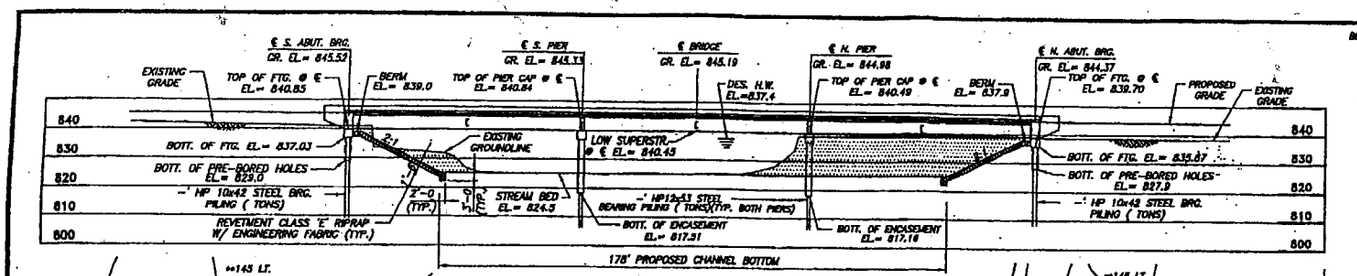
4000 0 4000 Feet

N
W E
S

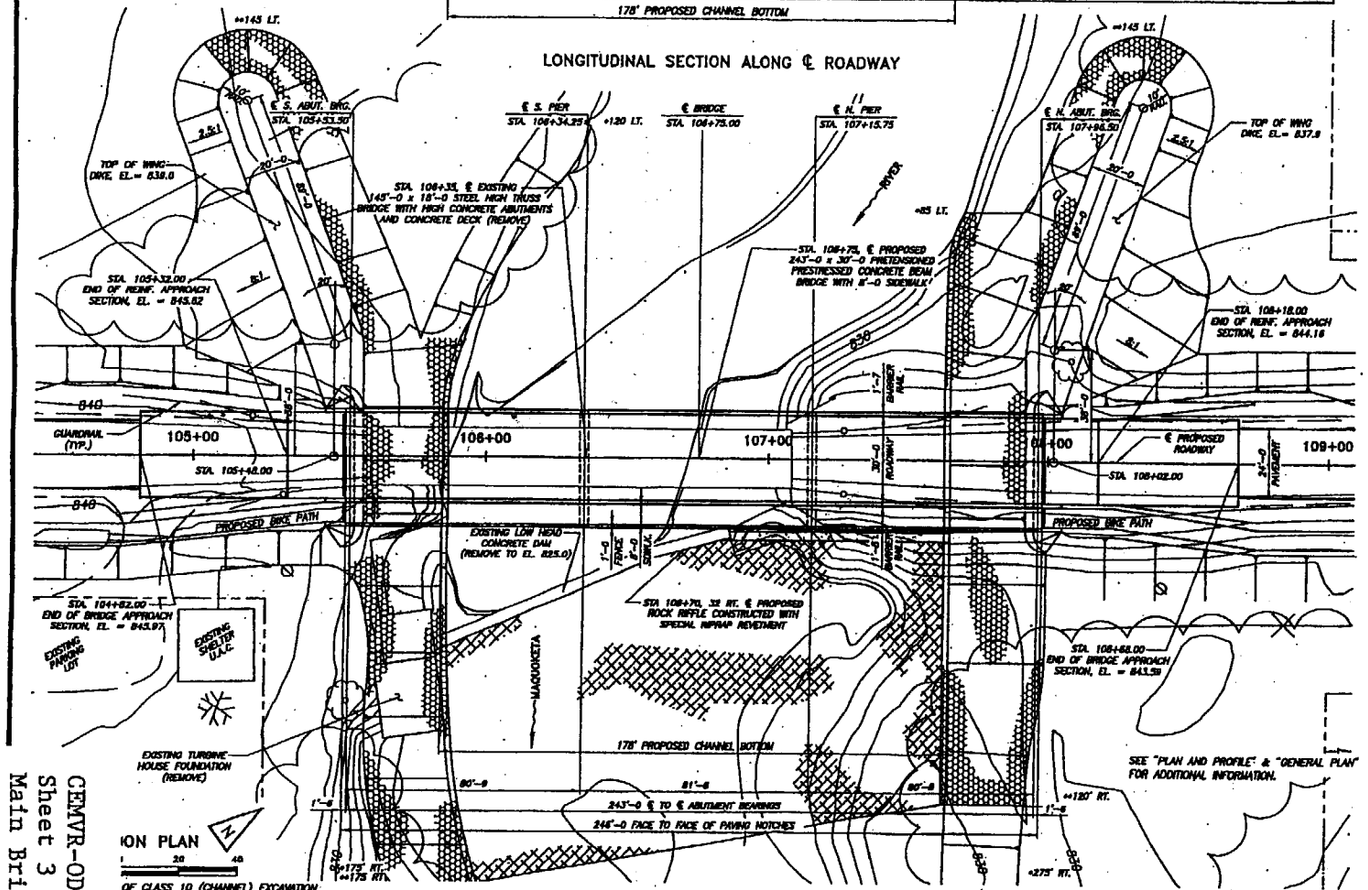
CEMVR-OD-P-423770
Sheet 1 of 6
Project Location



CEMVR-OD-P-423770
Sheet 2 of 6
Site Plan



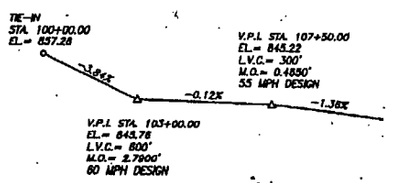
LONGITUDINAL SECTION ALONG ℄ ROADWAY



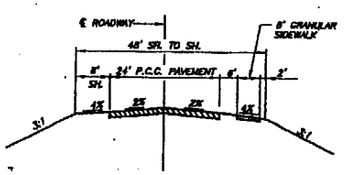
ION PLAN

OF CLASS 10 (CHANNEL) EXCAVATION.
OF CLASS 'E' RIPRAP REVETMENT AND ENGINEERING FABRIC.

BENCH MARK



PROPOSED GRADE



TYPICAL APPROACH SECTION
(LOOKING NORTH)

LOCATION

DELAWARE COUNTY
CITY OF HOPKINTON
T-87N, R-4W
SECTION 24
UNION TOWNSHIP
OVER MAQUOKETA RIVER

HYDRAULIC DATA

DRAINAGE AREA = 511.8 SQ. MI.
DESIGN DISCHARGE = 13,050 C.F.S.
DESIGN HIGH WATER EL. = 837.4
MANNING SLOPE = 0.000408 FT./FT.
BRIDGE WATERWAY AREA = 2,578 SQ. FT.
DESIGN VELOCITY = 5.2 F.P.S.
Q25 = 11,150 C.F.S. STAGE EL. = 836.2
Q50 = 13,050 C.F.S. STAGE EL. = 837.4 (DESIGN)
Q100 = 15,200 C.F.S. STAGE EL. = 838.7
Q500 = 19,150 C.F.S. STAGE EL. = 841.0
EXT. H.W. EL. = 835.86
ANTICIPATED SCOUR EL.=

243'-0 x 30'-0 PRETENSIONED PRESTRESSED CONCRETE BEAM BRIDGE WITH 8' SIDEWALK

INTEGRAL ABUTMENTS
80'-9 END SPANS
SINGLE ROW ENCASED PIERS
81'-6 INTERIOR SPAN

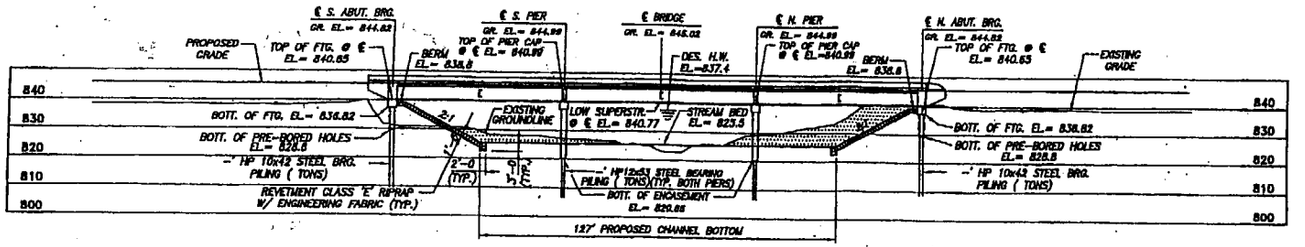
SITUATION PLAN - MAIN BRIDGE

STATION 106+75.00
CITY OF HOPKINTON,
0° SKEW
IOWA

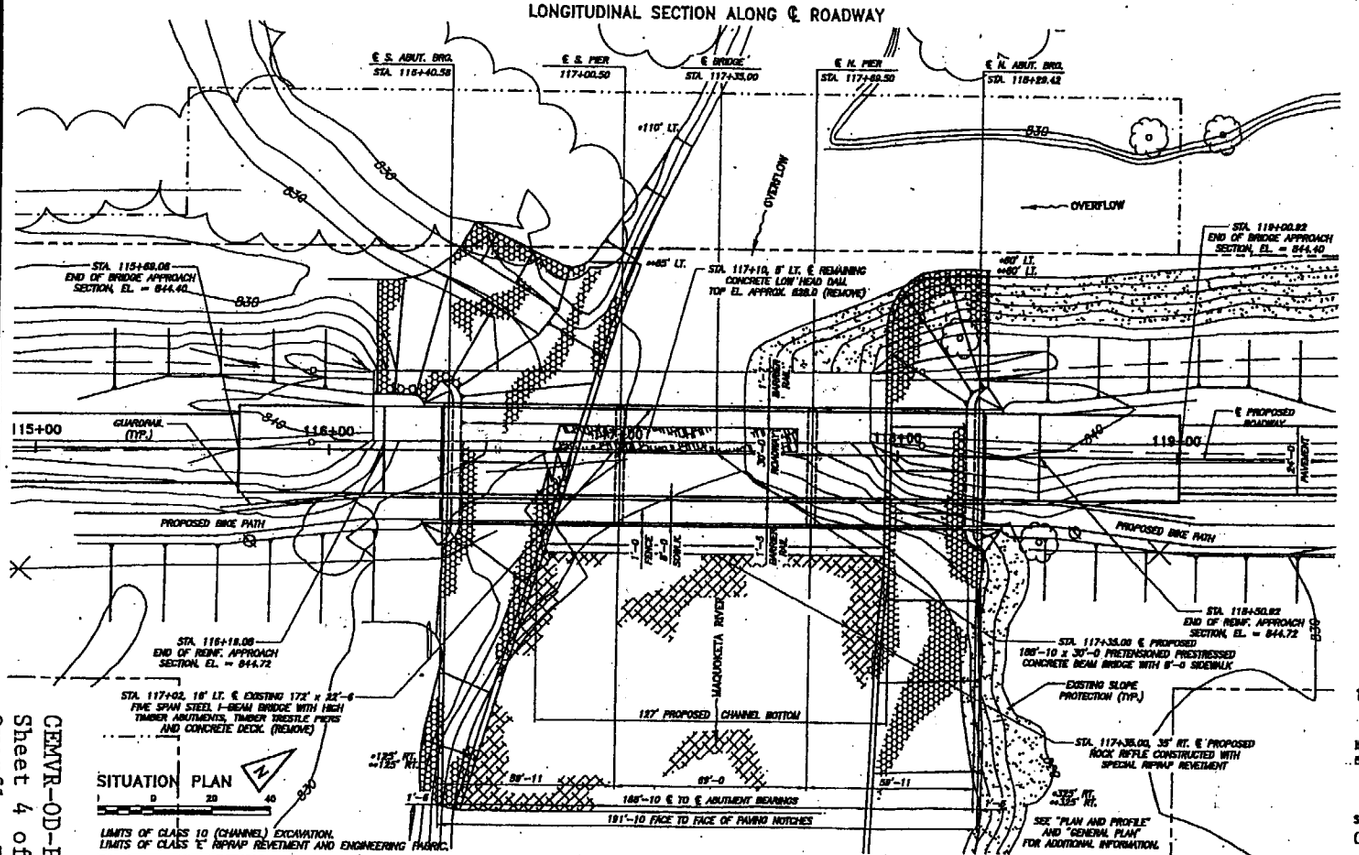
IRNS & ASSOCIATES, INC. CONSULTING ENGINEERS
INES, IOWA 50265 (515)224-4344
JOB NO. 2000243
DESIGNED BY
DRAWN BY
CHECKED BY
DELAWARE COUNTY
PROJECT NO. BRM-3542(801)--8N-28
SHEET 2 OF 7

CEMVR-OD-P-423770
Sheet 3 of 6
Main Bridge

BENCH MARK :



LONGITUDINAL SECTION ALONG ℄ ROADWAY



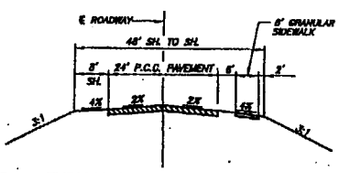
SITUATION PLAN

0 20 40

V.P.I. STA. 117+35.00
EL.= 847.08
L.V.C.= 600'
M.O.= 2.0400'
55 MPH DESIGN

+1.36% −1.36%

PROPOSED GRADE



TYPICAL APPROACH SECTION
(LOOKING NORTH)

LOCATION

DELAWARE COUNTY
CITY OF HOPKINTON
T-87N, R-4W
SECTION 13
UNION TOWNSHIP
OVER MAQUOKETA RIVER OVERFLOW

HYDRAULIC DATA

DRAINAGE AREA = OVERFLOW
DESIGN DISCHARGE = 9,250 C.F.S.
DESIGN HIGH WATER EL. = 837.4
MANNING SLOPE = 0.000408 FT./FT.
BRIDGE WATERWAY AREA = 1,747 SQ. FT.
DESIGN VELOCITY = 5.3 F.P.S.

Q25	= 7,850 C.F.S.	STAGE EL. =	836.2
Q50	= 9,250 C.F.S.	STAGE EL. =	837.4 (DESIGN)
Q100	= 10,900 C.F.S.	STAGE EL. =	838.7
Q500	= 13,850 C.F.S.	STAGE EL. =	841.0

EXT. H.W. EL. = 835.88
ANTICIPATED SCOUR EL.=

188'-10 x 30'-0 PRETENSIONED PRESTRESSED CONCRETE BEAM BRIDGE WITH 8' SIDEWALK

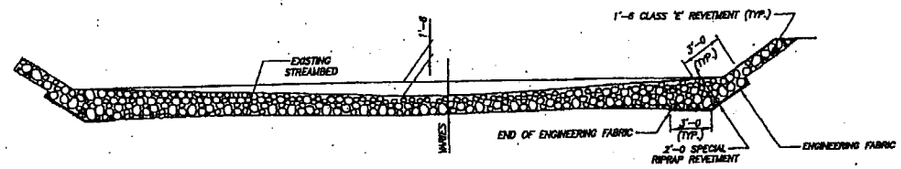
INTEGRAL ABUTMENTS
59'-11 END SPANS
SINGLE ROW ENCASED PIERS
69'-0 INTERIOR SPAN

SITUATION PLAN — OVERFLOW BRIDGE

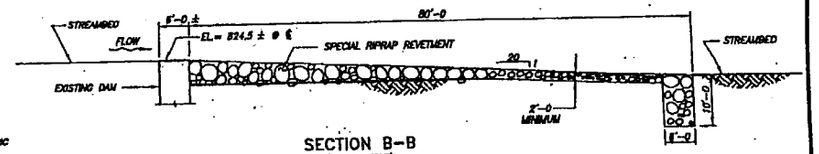
STATION 117+35.00
CITY OF HOPKINTON,
0° SKEW
IOWA

BURNS & ASSOCIATES, INC. CONSULTING ENGINEERS
MOINES, IOWA 50265 (515)224-4344
JOB NO. 2000243
DESIGNED BY :
DRAWN BY
CHECKED BY
DELAWARE COUNTY
PROJECT NO. BRM-3542(802)--8N-28
SHEET 3 OF 7

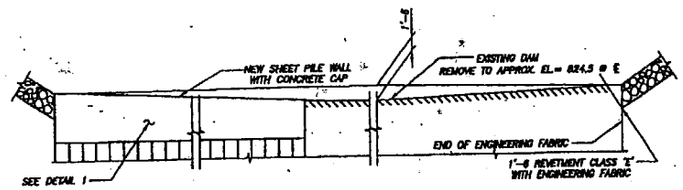
CEMVR-OD-P-423770
Sheet 4 of 6
Overflow Bridge



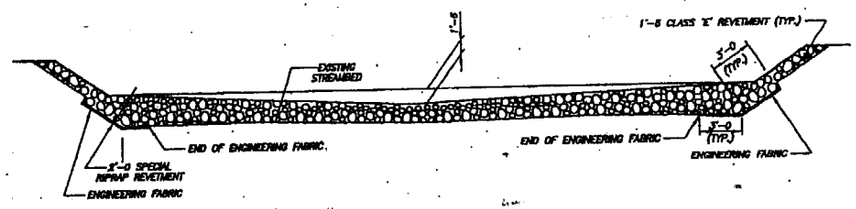
SECTION A–A
(ROCK RIFFLE)



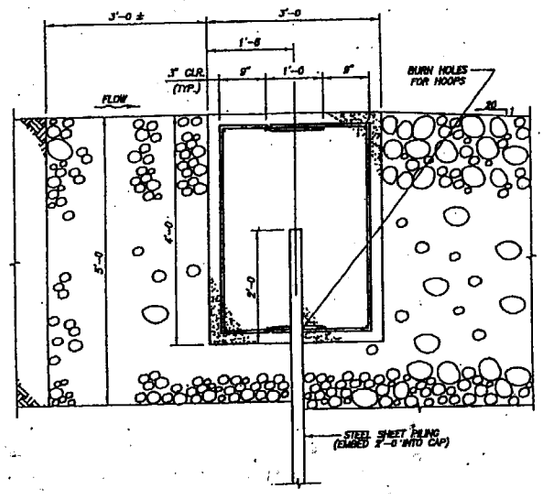
SECTION B–B
(ROCK RIFFLE)



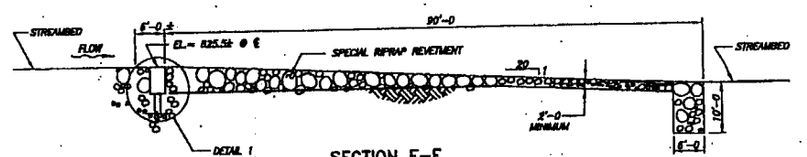
SECTION C–C
(ROCK RIFFLE)



SECTION D–D
(ROCK RIFFLE)



DETAIL 1



SECTION E–E
(ROCK RIFFLE)

RIFFLE DETAILS

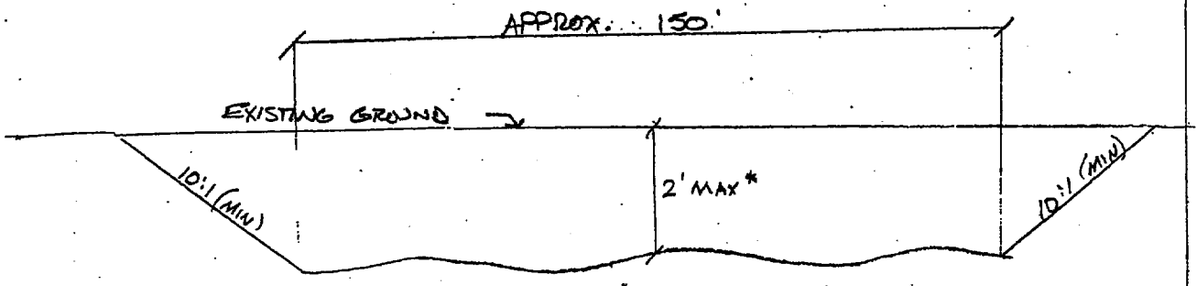
CITY OF HOPKINTON, IOWA

CEMVR-OD-P-423770
Sheet 5 of 6
Cross Sections

DELAWARE COUNTY / CITY OF HOPKINTON

WETLAND MITIGATION SITE

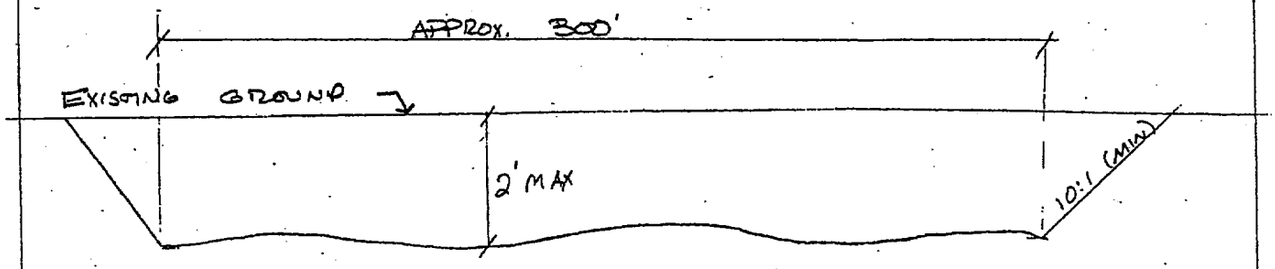
- AREA TO BE SEEDED WITH ATTACHED WETLAND SEED MIX



SECTION A-A

* NOTE! - OUTLET EL. TO BE PLACED APPROXIMATELY 2' ABOVE MITIGATION SITE FLOOR ELEVATION.

- SIDES OF SITE TO BE SCALLOPED



SECTION B-B

CEMVR-OD-P-423770
Sheet 6 of 6
Wetland Mitigation Site

IOWA DEPARTMENT OF NATURAL RESOURCES

SECTION 401 WATER QUALITY CERTIFICATION

Certification issued to: Effective: June 7, 2002

City of Hopkinton
PO Box 38
Hopkinton, IA 52237

Project certified: US Army Corps of Engineers, Joint Public Notice No. CEMVR-OD-P-423770
State 401 Water Quality Certification, Application Log No.: 02-N-055-05-17-S

Proposal to replace 2 bridges over the Maquoketa River in Sections 13 & 24, T87N, R4W in Delaware County. An existing low head dam at each bridge site will be lowered to approximately the streambed elevation and rock riffles will be installed on the downstream side of each dam. Approximately 0.81 acre of emergent wetland will be impacted by filling associated with the bridge replacements and roadway improvements. Approximately 1 acre of wetland mitigation will be constructed northwest of the project site.

Water quality use designation:

This reach of the Maquoketa River is designated as a Class A Primary Contact recreation and Class B Significant Resource Warm Water stream. Such waters are to be protected for primary contact recreation, and for the maintenance of a wide variety of warm water species, including sensitive species, for wildlife, aquatic and semiaquatic uses. This reach of the Maquoketa River also a High Quality Resource, or a water of substantial recreational or ecological significance. such waters warrant special protection to preserve the unusual, outstanding or unique physical, chemical, or biological characteristics which enhance beneficial uses. The wetlands and other streams are designated as General Use Water and are protected at all places at all times for livestock and wildlife water, aquatic life, non-contact recreation, crop irrigation, and industrial, domestic, agricultural, and other incidental water withdrawal uses.

The Iowa Department of Natural Resources (Department) has issued this State 401 Water Quality Certification pursuant to Section 401 of the Clean Water Act. The Army Corps of Engineers requires state Certification before a Section 404 permit can be issued. Section 401 Certification represents the Department'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 Department 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.

By: Christine M. Schwake Date Executed: June 7, 2002

Christine M. Schwake, IDNR, Wallace State Office Building, Des Moines, IA 50319-0034 (515) 281-6615

STATE OF IOWA COUNTY OF POLK
I HEARBY CERTIFY I AM THE OFFICIAL AND LAWFUL CUSTODIAN OF THE PUBLIC RECORDS MAINTAINED BY THE IOWA DEPARTMENT OF NATURAL RESOURCES AND THE FOREGOING DOCUMENT IS A TRUE AND ACCURATE PHOTOCOPY OF THE RECORD COPY MAINTAINED IN MY CUSTODY AS A PUBLIC RECORD OF THE DEPARTMENT IN THE ORDINARY COURSE OF ITS BUSINESS.
EXECUTED AT DES MOINES ON
Cecilia Nelson JUN 07 '02

GENERAL CONDITIONS

1. Permittee is responsible for securing and for compliance with such other permits or approvals as may be required by this Department, federal, or local governmental agencies for the project activities described.

2. Clearing of vegetation, including trees located in or immediately adjacent to waters of the state, shall be limited to that which is absolutely necessary for construction of the project. All vegetative clearing material shall be removed to an upland, non-wetland disposal site.

3. All construction debris shall be disposed of on land in such a manner that it cannot enter a waterway or wetland.

4. Construction equipment, activities, and materials shall be kept out of the water to the maximum extent possible.

5. Equipment for handling and conveying materials during construction shall be operated to prevent dumping or spilling the material into waterbodies, streams or wetlands except as approved herein.

6. Care shall be taken to prevent any petroleum products, chemicals, or other deleterious materials from entering waterbodies, streams or wetlands.

7. Construction activities shall be conducted during low to normal flows and the applicant shall employ controls to reduce the erosiveness of land adjacent to surface waters and wetlands, including establishment and maintenance of the erosion controls during and after construction and revegetation of all disturbed areas upon project completion.

8. All disturbed areas not covered by riprap shall be seeded with native grasses consistent with those included in the NRCS Critical Areas Seeding Mixture, excluding Reeds Canary Grass, during an optimal seeding period. If excavation and construction are completed outside an optimal seeding period, temporary erosion control protection shall be implemented immediately upon completion of excavation and construction and shall be maintained until such time as seeding can be completed during an optimal period. The applicant shall monitor revegetated areas continuously to assure success of revegetation. If rye is initially planted to stabilize the soil then native warm season grasses shall be planted during the following growing season.

9. Riprap shall consist of clean native fieldstone, clean quarry run rock or clean broken concrete. If broken concrete is used all reinforcement material shall be completely removed from it; if removal is not possible, said reinforcement material shall be cut flush with the flat surface of the concrete. It shall be the applicant's responsibility to maintain the riprap such that any reinforcement material that becomes exposed in the future is removed. The concrete pieces shall be appropriately graded and no piece shall be larger than 3 feet across the longest flat surface. No asphalt or petroleum based material shall be used as or included in riprap material. It is recommended that the riprap, placed downstream from the overflow bridge, be as close as possible to the existing bank to minimize the filling of the plunge pool.

10. The maximum elevation of the south (main channel) riffle structure shall not exceed 824.5 feet, plan datum at the center of the structure and 826.0 feet, plan datum at the abutments. The maximum elevation of the north (bypass channel) riffle structure shall not exceed 825.5 feet, plan datum at the center of the structure and 827.0 feet, plan datum at the abutments.

11. The riffle structures shall be maintained to allow for fish passage.

MITIGATION CONDITIONS

1. Mitigation shall be completed within one year from the date that the first fill is placed in any wetland. An as-built plan, shall be submitted to the Department of Natural Resources and to the Corps of Engineers upon completion. The 1.0-acre replacement wetland shall be monitored annually and managed to confirm whether it has successfully replaced the function and values of the impacted wetlands after a five-year period. If, at the end of the fifth year, the expected water level is not achieved, more than 50 percent of the emergent vegetation are weedy, non-native species, or if evidence exists that the replacement wetland is becoming less effective, then additional monitoring and/or corrective actions shall be taken to achieve the compensation ratio as originally approved. Annual monitoring reports shall be submitted to the Department of Natural Resources and to the Corps of Engineers' office by August 31 of each year for five years following planting.

2. Future development or land-use conversion of the wetland mitigation area, or any part thereof, for any purpose which may interfere with or be detrimental to wetland functions, is prohibited without prior written approval from this Department and the Corps of Engineers. Prior to commencement of project construction the applicant shall, with the knowledge and approval of the property owner of record, file a copy of this certification in its entirety with the County Recorder for entry into the property records, thereby notifying all parties of this restriction. Further, prior to commencement of construction, said applicant shall provide the Department and the Corps of Engineers with a "Filed" stamped copy of this certification. If the certification cannot be filed in the manner indicated, the applicant shall provide the Department with documentation of agreements, contracts, etc., demonstrating to the Department's satisfaction that the wetland mitigation site will be protected from future activities that may interfere with or be detrimental to wetland functions and values to a level of assurance equivalent to that provided by the aforementioned filing process.

3. The annual site surveys of the mitigation site shall assess the vegetation, hydrology, and soils. The results of each survey will be documented in an annual monitoring report. Annual monitoring reports shall be submitted to the IDNR and to the Corps by August 31 of each year for five years following planting. The reports must include photos, a vegetative cover map indicating dominant species in each area, an assessment of wetland hydrology according to the 1987 Corps of Engineers Wetland Delineation Manual ('87 Manual), a map with drawn boundaries indicating exactly what areas are wetland according to the '87 Manual, and any corrective actions taken or needed. All maps must be to scale and have the scale plainly labeled.

4. The mitigation site will have 10:1 side slopes or flatter, scalloped edges and an irregular bottom elevation. The outlet elevation should be placed approximately 2 feet above the average elevation of the mitigation site floor.

DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

REPLY TO
ATTENTION OF

http://www.mvr.usace.army.mil

October 4, 2002

Operation Division

SUBJECT: CEMVR-OD-P-423770

Mr. Daniel J. Tucker, Mayor
City of Hopkinton
P.O. Box 154, City Hall
Hopkinton, Iowa 52237

Dear Mr. Tucker

Enclosed is a Department of the Army permit which will authorize work in conjunction with a bridge replacement project in Sections 13 and 24, Township 87 North, Range 4 West, Delaware County, Iowa; on the Maquoketa River.

If you find it necessary to make changes in this authorization, you must submit revised plans to this office for approval before beginning work. You should also have all required Federal, state, and local approvals prior to commencing work.

Please notify this office prior to starting and completion of work. A representative of this office will make periodic inspections of the work. You are required to complete and return the enclosed "Completed Work Certification" upon completion of your project.

Should you have any questions pertaining to your permit, please contact our Regulatory Branch by letter, or telephone Mr. Gene Wassenhove, 309/794-5368.

Sincerely,

Jon A. Klingman
Project Manager
Regulatory Branch

Enclosures