



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.

MAY 21 2014

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Certified Mail

May 21, 2014

Jerry Wray, Director
Ohio Department of Transportation
Office of Environmental Services
Mailstop #4170, 3rd Floor
1980 West Broad Street
Columbus, OH 43223

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Dmytro Cassler Date: 5-21-14

Attn: Tim Hill, Administrator

Re: Hancock County / Liberty Township / City of Findlay
Grant of Level 2 Isolated Wetland Permit; Minimal Degradation Alternative
HAN-75-14.39 PID 87005
Ohio EPA ID No. 134308

Dear Stakeholders:

I hereby authorize the above referenced project under the following authorities and it is subject to the following modifications and/or conditions:

Ohio Isolated Wetland Permit

Pursuant to Ohio Revised Code Chapter 6111, I hereby conclude that the above-referenced project will comply with the applicable provisions of Ohio Revised Code Sections 6111.02 through 6111.028.

This authorization is specifically limited to an Ohio Isolated Wetlands Permit (here after referred to as "permit") with respect to water pollution and does not relieve the applicant of further Certifications or Permits as may be necessary under the law. I have determined that a lowering of water quality in the Blanchard River Watershed (HUC 04100008) as authorized by this permit is necessary. I have made this determination based upon the consideration of all public comments, if submitted, and the requirements set forth in Ohio Revised Code Sections 6111.02 through 6111.028.

PART I ON-SITE WATER RESOURCES AND IMPACTS

A. Watershed Setting

The watershed in which the isolated wetlands are located, Aurand Run (HUC 04100008-03-03) has an area of 18.03 square miles of which 17.2% is developed, 5.1% is forest, 2.2% is grass/pasture, 75.3% is row crops and 0.2% is other.

B. Project Description

The project involves full-depth pavement replacement on I-75 and the addition of one travel lane both northbound and southbound, and widening I-75 from two lanes to three lanes in each direction. The project also includes reconstruction of the I-75 interchange with US 68/SR 15 and the US 68/SR 15 interchange with Lima Avenue, as well as replacement of the Harrison Avenue overpass.

C. Impacts

Under the minimal degradation alternative, impacts to waters of the state are as follows:

1. Wetlands

Wetland C will be entirely filled for the construction of ramps E and F. Wetland I will be impacted by the placement of embankment fill and ditch excavation for the construction of ramp C. The remaining 12.42 acres of Wetland I will be protected from indirect impacts by the construction of an earthen berm and clay-lined trench. Wetland O will be impacted by ditch excavation for the construction of ramp C. The remaining 0.19 acres of Wetland O will be protected from indirect impacts by the construction of an earthen berm and clay-lined trench. Wetland Q will not be impacted by the project.

Wetland ID	Isolated or Non-isolated	Forested or Non-forested	Category	Total Acreage on Site	Total Acreage Impacted	Percent Avoided
C	Isolated	Non-forested	1	0.22	0.22	0.0%
I	Isolated	Non-forested	1	19.97	7.55	62.2%
O	Isolated	Non-forested	1	0.29	0.1	65.5%
Q	Isolated	Non-forested	1	0.03	0	100.0%
Totals				20.51	7.87	61.6%

PART II TERMS & CONDITIONS

- A. Terms and conditions outlined in this section apply to project and mitigation construction as described in this permit.
- B. This permit shall be valid for a period of five years from the date of issuance.
- C. The Permittee shall notify Ohio EPA, in writing, and in accordance with *Part IV (NOTIFICATIONS TO OHIO EPA)* of this permit, upon the start and completion of site development and mitigation construction.
- D. A copy of this permit shall remain on-site for the duration of the project and mitigation construction activities.
- E. In the event of an inadvertent spill, the Permittee must immediately call the Ohio EPA Spill Hotline at 1-800-282-9378, as well as the Ohio EPA Section 401/IWP Manager (614-644-2872).
- F. Unpermitted impacts to surface water resources and/or their buffers occurring as a result of this project must be reported within 24 hours of occurrence to Ohio EPA, Division of Surface Water, Section 401/IWP Manager (614-644-2872), for further evaluation.
- G. Pesticide application(s) for the control of plants and animals shall be applied in accordance with rule 3745-1-01 of the Ohio Administrative Code, and may require a site specific application permit from Ohio EPA. Such a permit may be obtained by calling 614-644-2001 and speaking with the Toxicology Specialist.
- H. Blasting shall not be done within or near waters of the state (including wetlands) without prior consultation with the Ohio Department of Natural Resources, Division of Wildlife, to determine what protective measures should be taken to minimize damage to wildlife.
- I. Any authorized representative of the director shall be allowed to inspect the authorized activity at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.

- J. In the event that there is a conflict between the permit application, including the mitigation plan, and the conditions within this permit, the condition shall prevail unless Ohio EPA agrees, in writing, that the permit application or other provision prevails.
- K. This proposal may require other permits from Ohio EPA. For information concerning application procedures, contact the Ohio EPA District Office as follows:

Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
419-352-8461

Additional information regarding environmental permitting assistance at Ohio EPA can be found at http://www.epa.ohio.gov/dir/permit_assistance.aspx

- L. Best Management Practices (BMPs)
 - 1. All water resources and their buffers, which are to be avoided, shall be clearly indicated on site drawings, demarcated in the field and protected with suitable materials (e.g., silt fencing) prior to site disturbance. These materials shall remain in place and be maintained throughout the construction process.
 - 2. All BMPs for storm water management shall be designed and implemented in accordance with the most current edition of the Ohio Department of Natural Resources Rainwater and Land Development Manual, unless otherwise required by the National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharges associated with construction activities (construction general permit), if required.

A copy of the Rainwater and Land Development Manual is available at: <http://soilwater.ohiodnr.gov/water-conservation/stormwater-management>

A copy of the NPDES construction general permit is available at: http://www.epa.ohio.gov/dsw/storm/construction_index.aspx#Construction%20General%20Permit
 - 3. Straw bales shall not be used as a form of erosion/sediment control.

4. Temporary fill shall consist of suitable non-erodible material and shall be stabilized to prevent erosion.
5. Materials used for fill or bank protection shall consist of suitable material free from toxic contaminants in other than trace quantities. Broken asphalt is specifically excluded from use as fill or bank protection.
6. Concrete rubble used for fill or bank stabilization shall be in accordance with ODOT specifications; free of exposed re-bar; and, free of all debris, soil and fines.
7. Chemically treated lumber which may include, but is not limited to, cadmium chromium arsenate (CCA) and creosote treated lumber shall not be used in structures that come into contact with waters of the state.
8. Trees removed from temporary impact areas to facilitate construction shall be replaced with appropriate tree species native to Ohio.

PART III MITIGATION

A. Description of Required Mitigation

As mitigation for impacts to 7.87 acres of non-forested, category 1 wetlands, the applicant shall purchase 15.8 acres of non-forested wetland credit from the following mitigation banks operated by the North Coast Regional Council of Park Districts: *White Star Park* (4.1 acres) and *Blue Heron Reserve* (1.7 acres) located in Sandusky County, Sandusky River Watershed (HUC 04100011), *White Star III* (9.5 acres) located in Sandusky County, Portage River Watershed (HUC 04100010), and *Castalia Quarry* (0.5 acres) located in Erie County, Sandusky River Watershed (HUC 04100011). All of the above mitigation banks are within the Buffalo District of the United States Army Corps of Engineers.

B. Mitigation and Monitoring Plan

As mitigation for impacts described in Part I.C of this permit the applicant shall implement the mitigation plan dated March 19, 2014, and in accordance with the conditions in this permit.

C. Timing of Mitigation Requirements

Within 30 days of the date of permit, a copy of the fully executed mitigation bank agreement with North Coast Regional Council of Park Districts shall be provided to Ohio EPA. **Impacts to waters of the state shall not occur until the terms of this condition have been met.**

PART IV NOTIFICATIONS TO OHIO EPA

All notifications, correspondence, and reports regarding this permit shall reference the following information:

Permittee Name: Jerry Wray, Ohio Department of Transportation
Project Name: HAN-75-14.39 PID 87005
Ohio EPA ID No.: 134308

and shall be sent to:

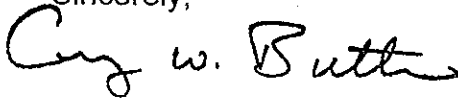
Ohio Environmental Protection Agency
Division of Surface Water, 401/IWP Unit
Lazarus Government Center
50 West Town Street
P.O. Box 1049
Columbus, Ohio 43216-1049

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 30 days after notice of the director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the director within three days of filing with the Commission. Ohio EPA requests that a copy

of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

Sincerely,



Craig W. Butler
Director

cc: Tim Long, Columbus Transportation Office, USACE Huntington
Peter Swenson, U.S. EPA, Region 5
Mary Knapp, U.S. Fish & Wildlife Service
Brian Mitch, ODNR, Office of Real Estate
Dave Snyder, Ohio Historical Preservation Office
Joni Lung, Ohio EPA, DSW, Section 401/IWP
Jeff DeShon, Ohio EPA, DSW, EAS
Dan Glomski, Ohio EPA, NWDO
Vicki Derr, Envirotech Consultants, Inc., 5380 Township Road 143 NE, Somerset, OH 43783
Adrienne Earley, Supervisor, Waterway Permits Section, OES/ODOT
Craig Kerscher, Coordinator, Waterway Permits Section, OES/ODOT

Attachments: Resource Location Map (project)

Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted Ohio EPA for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal.

Please take a few minutes to complete this survey and share your experience with us at <http://www.surveymonkey.com/s/ohioepacustomersurvey>.

ATTACHMENT 1
HAN-75-14.39 PID 87005
Ohio EPA Project #134308
Resource Location Map and Plans

