APPENDIX A

Nationwide Permit Application
PRE-CONSTRUCTION NOTIFICATION
USE OF NATIONWIDE PERMIT NUMBER(s) 39 – Commercial and Institutional Development

APPLICANT: _________  Date: 8/6/2013
Company: 
Phone: _________________ e-mail: ________________________________
Address: ___________________ City: Delaware State: OH  Zip Code: ___

AGENT:  Ms. Marion Wells
Company: EMH&T
Phone: 614-775-4506   e-mail: mwells@emht.com
Address: 5500 New Albany Road  City: Columbus  State: OH  Zip Code: 43054

PROJECT LOCATION OR ADDRESS:
The proposed site is located in the City of Delaware, Delaware County, Ohio.

City: Delaware  County: Delaware  State: Ohio

PROJECT DESCRIPTION:
The client is proposing to develop a new automobile dealership located in the City of Delaware, Delaware County, Ohio (Exhibits 1-2). The subject property is currently occupied by a church.

As shown in the photographs, the project area consists of a church, parking lot, maintained grassy areas, and a wooded area. A limited wooded riparian corridor and two small streams are located on the southern portion of the property. Exhibit 3 shows the site plan consisting of one commercial building for the dealership, affiliated parking, and an access drive. The Site Mitigation Plan (Exhibit 4) shows the southeastern corner of the property being put into a conservation easement, including 332 linear feet of stream and 0.4 acres of riparian corridor. This proposed project will require permanent impacts to 136 linear feet of stream (Stream 1), through the placement of Stream 1 into a box culvert.

Location maps (Exhibits 1-2), an engineer drawing (Exhibit 3), a Site Mitigation Plan (Exhibit 4), and literature review maps are attached to this document. A photographic log and photograph location map of the development site are included as Appendix A.
LITERATURE REVIEW

As shown on Exhibit 2, the subject property is mapped between the elevations of 880 feet to 900 feet (National Geodetic Vertical Datum) according to the USGS 7.5' Series Delaware, Ohio quadrangle (USGS, Photorevised 1973). No drainageways, open water ponds, or marsh symbols were mapped on the property.

As shown on Exhibit 5, the Web Soil Survey for Delaware County, Ohio was reviewed for the site (USDA-SCS, 2012). The property contains four soil types. These soils are listed in Table 1 along with their hydric status. No drainageways, marsh symbols, or areas of open water are mapped on the site.

**TABLE 1**
Mapped Onsite Soils

<table>
<thead>
<tr>
<th>Mapped Soil Unit</th>
<th>Hydric Inclusions</th>
<th>% of Inclusion</th>
<th>Location of Hydric Inclusions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glynwood silt loam, 2 to 6 percent slopes (Gwd1B1)</td>
<td>Partially hydric</td>
<td>7</td>
<td>-</td>
</tr>
<tr>
<td>Lybrand silt loam, 12 to 18 percent slopes, eroded (LyD2)</td>
<td>Unknown hydric</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Lybrand silty clay loam, 12 to 18 percent slopes, severely eroded (LzD3)</td>
<td>Unknown hydric</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sloan silty clay loam, till substratum, 0 to 2 percent slopes, occasionally flooded (SoA)</td>
<td>Partially hydric</td>
<td>85/8</td>
<td>Flats, Floodplains/Depressions, Ground moraines</td>
</tr>
</tbody>
</table>

A hydric soil is a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of hydrophytic vegetation (USDA-SCS, 1985). Map units are composed of one or more map unit components or soil types, each of which is rated as hydric or not hydric soil. Map units that are made up dominantly of hydric soils may have small areas of minor non-hydric components in the higher positions on the landform, and map units that are made up dominantly of non-hydric soils may have small areas of minor hydric components in the lower positions on the landform. As noted each map unit is designated as "all hydric," "partially hydric," "not hydric," or "unknown hydric," depending on the rating of its respective components.

According to the Delaware County Web Soil Survey, Glynwood silt loam and Sloan silty clay loam are partially hydric soils that contain hydric inclusions. "Partially hydric" means that at least one component of the map unit is rated as hydric and at least one component is rated as not hydric. Hydric inclusions within this soil unit may be found in depressions, flood plains, and abandoned channels. "Unknown hydric" indicates that at least one component is not rated so a definitive rating for the map unit cannot be made.

A review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) was conducted for the site (Exhibit 6). According to the FIRM, the entire site lies within Zone X (unshaded), an area mapped outside the 500-year floodplain.
As shown on Exhibit 7, the United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) Map for the Delaware, Ohio quadrangle was reviewed for the site (USFWS, 1995). No drainageways, marsh symbols, or areas of open water are mapped on the site.

PROJECT PURPOSE:
The development project seeks to construct a commercial building for a car dealership and a parking lot on a site in the City of Delaware, Delaware County, Ohio. The existing church, parking lot, and grassy area on the property will be replaced by the proposed car dealership and parking lot. The concept plan for the proposed commercial development is shown on Exhibit 3.

TYPE(S) OF MATERIAL DISCHARGED AND AMOUNTS IN CUBIC YARDS:
The development of the site will require a total of approximately 50 cubic yards of permanent fill within jurisdictional features to complete the project. The permanent fill material for the project includes 30 cubic yards of compacted clay material, 20 cubic yards of riprap, and a concrete box culvert. The box culvert will be 60 by 60 inches with a length of 100 feet. The permanent fill material will be placed along a maximum of 136 linear feet of Stream 1.

SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED:
Approximately 0.01 acres of Stream 1 will be disturbed as part of the project.

STREAM DELINEATION RESULTS:
A delineation investigation was performed on the site in February 2013. The investigation identified one intermittent stream, Stream 1, and one ephemeral stream, Stream 2. Both the surface waters are classified as potentially jurisdictional features. The Mitigation Plan shows the extent of both streams on the site (Exhibit 4). A field evaluation of Stream 1 and Stream 2 were performed using the Ohio Environmental Protection Agency’s (Ohio EPA) Headwater Habitat Evaluation Index (HHEI). Table 2 shows the extent as well as the classification of the streams.

<table>
<thead>
<tr>
<th>Resource ID</th>
<th>Onsite Extent</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stream 1</td>
<td>330 linear feet</td>
<td>Intermittent / Modified Class II PHWH</td>
</tr>
<tr>
<td>Stream 2</td>
<td>138 linear feet</td>
<td>Ephemeral / Modified Class II PHWH</td>
</tr>
</tbody>
</table>

Stream 1 enters the site via a culvert at the western site boundary and then flows east across the site to the eastern site boundary. It then flows approximately 0.45 miles to the Olentangy River. Stream 2 flows north from the southern site boundary to its confluence with Stream 1. The substrate within both channels is dominated by sand with significant siltation. In addition to the sedimentation, both of the channels also have apparent entrenchment and lack a riparian corridor. Photographs of Stream 1 and Stream 2 are provided in Appendix A. Copies of the HHEI data forms for the site are provided in Appendix B.
STREAM IMPACT AVOIDANCE/MINIMIZATION MEASURES EMPLOYED:

The proposed dealership project is planned to minimize impacts to Streams 1 and 2 as much as possible and still fulfill the purpose of the project. Based on the delineation investigation, the site contains two streams, Stream 1 and Stream 2. No impacts will occur to Stream 2; however, 136 linear feet of Stream 1 is proposed to be impacted as part of the development. Due to the location of Stream 1, avoidance of this feature is not feasible. The impacts are associated with a parking area. Best Management Practices (BMPs) will be implemented during and following construction activities to minimize water quality impacts.

Numerous layouts were reviewed that may have reduced the amount of stream impact, but because of the need of an alternate access drive for the site per the City of Delaware, the current site plan was chosen.

The proposed project was engineered to meet the City of Delaware’s design and construction standards. The City is committed to the protection of the natural waterways that exists throughout the community and has adopted the Ohio EPA’s ‘General Permit Authorization for Storm Water Discharges Associated with Construction Activity Located within Portions of the Olentangy River Watershed under the National Pollutant Discharge Elimination System’ as the City’s stormwater quality regulations. The proposed project design and mitigation plan was adapted to follow the City’s rules as well as Volume 2 of the Ohio Department of Transportation’s (ODOT) Location and Design Manual (L&D Manual).

COMPENSATORY MITIGATION PLAN SUMMARY:

Based on the approximately 136 linear feet of potentially jurisdictional intermittent stream impact (0.01 acre) associated with the project, BMPs will be used during the completion of the project to ensure that during and following construction activities, water quality impacts will be minimized. BMPs will follow the City of Delaware’s construction standards and the stormwater quality regulations. Additional mitigation includes placing a conservation easement on 332 linear feet of Stream 1 and Stream 2 and 0.4 acre of riparian corridor on the project site for impacts to Stream 1. The Site Mitigation Plan, attached as Exhibit 4, shows the impacted and preserved areas. A total of 0.8 acre of the stream corridor located in the conservation easement will have invasive plants removed. This area as well as the temporarily impacted area will be seeded with a fast growing seed mix. The entire preserved area will be planted with native trees and shrubs to increase riparian and stream quality. In addition, live stakes will be planted along the stream for bank stabilization. ‘No mow’ signs will be installed throughout the stream buffer to cease mowing.

STATEMENT REGARDING PRESENCE OF ENDANGERED SPECIES:

On February 25, 2013 EMH&T completed an on-line request and reviewed the U.S. Fish and Wildlife Service’s (USFWS) Section 7 Consultation list of species and critical habitat that “may be present” within the project area. There are four species indicated for Delaware County: Indiana bat (Myotis sodalis)—endangered, clubshell (Pleurobema clava)—endangered, rayed bean (Villosa fabalis)—endangered, and snuffbox (Epioblasma triquetra)—endangered. No endangered or threatened species were observed within or adjacent to the project area. Because no potential Indiana bat habitat was observed, EMH&T requested summer clearing of the wooded area on the site. Photographs of the project area are attached to this document (Appendix A).
At this time, a response from USFWS has not yet been received. Upon receipt, a copy of the USFWS correspondence letter will be forwarded to the appropriate reviewer at the USACE.

In a letter dated February 26, 2013, the Ohio Department of Natural Resources (ODNR) Division of Wildlife (DOW) stated that, in a review of the Natural Heritage Database, no records of rare or endangered species were found for the project area. The Olentangy State Scenic River, Stratford Woods State Nature Preserve, and three easements are located in the search area; however, they are more than 1,000 feet from the project site. Therefore, further approval from ODNR was not required. A copy of the ODNR correspondence letter is included in Appendix C.

**STATEMENT REGARDING PRESENCE OF HISTORIC OR ARCHAEOLOGICAL RESOURCES:**

EMH&T staff archaeologists conducted a Cultural Resources Management (CRM) literature review for the commercial development project site. The review indicated that none of the project area has been previously surveyed. However; two portions of the study area have been previously surveyed. Fifteen archaeological sites, one earthen mound site, and three historic structures were identified.

Both historic atlases combined with the 7.5 and 15 minute topographic maps showed that the project area never had any documented historic structures within it. Because there are no historically documented buildings located in the project area, no historic era archaeology sites are expected. Although there is documented soil disturbance with the construction of the church and parking lot, portions of the site appear to be undisturbed. With the proximity to the Olentangy River, there is a potential to encounter undisturbed prehistoric era archeological sites.

While there are many historic buildings located within the study area, the standing church is the only building that has ever been documented within the property area. The five National Register of Historic Places (NRHP) properties, six Ohio Historic Inventory (OHI) properties, and fifteen archaeological sites identified in the study area are all located well outside of the project area. It is unlikely that there would be any impacts on these properties due to the development of this project area. A copy of the cultural resources coordination letter is included in Appendix D.