Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Instructions

Please use the ***Instructions for Completing the Section 401 Water Quality Certification Application and/or Isolated Wetland Permit*** for guidance in filling out this form (see INSERT LINK).

This application must be completed whenever a proposed activity requires an individual Clean Water Act Section 401 Water Quality Certification (401 WQC) or an Isolated Wetland Permit (IWP) from Ohio EPA. A 401 WQC from the State is required to obtain a federal Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers (USACE), or any other federal permits or licenses for projects that will result in a discharge of dredged or filled material to any waters of the State.

To determine whether you need to submit this application to Ohio EPA, contact the U.S. Army Corps of Engineers District Office with jurisdiction over your project, or other federal agencies reviewing your application for a federal permit to discharge dredged or fill material to waters of the State, or the Ohio EPA Section 401 Coordinator at (614) 644-2001.

Appropriate fees must accompany the printed copy of the complete application (see Section 1.4). Failure to submit appropriate fees or not filling out all required sections completely may result in the application being considered administratively incomplete and action

Version Number:	
Version Date:	
Ohio EPA ID#	

401 Staff Use Only	
Date Received	
Coordinator	
Ohio EPA ID #	
USACE PN #	
Project Name	

DSW Fiscal Use Only		
PERSON ID		
PLACE ID		
DOCUMENT ID		
ORGANIZATION ID		
REVENUE ID		
CID		
Amount		
Paid		
Date		
Check #		
Date		

Choose ONE Option to Submit Your Application:

- One signed and printed copy of the complete application and supporting documentation and upload an electronic file of the complete application and supporting Attachments (only .pdf, .jpg, and .bmp files of the supporting documentation will be accepted) to the following web link: (no link yet available – coming soon);

- One signed and printed copy of the complete application and supporting documentation and e-mail the complete application (excel workbook) and supporting Attachments (only .pdf, .jpg, and .bmp files of the supporting documentation will be accepted) to dsw.webmail@epa.state.oh.us

- One signed and printed copy of the complete application and supporting documentation and up load the complete application and supporting attachments (only .pdf, .jpg, and .bmp files will be accepted) to the eBusiness Center Website (https://ebiz.epa.ohio.gov//) .

- If electronic versions of the documents cannot be provided, submit the original signed and completed application and three (3) copies of the signed and completed application (print the entire excel workbook) and supporting Attachments;

Printed copies and fees shall be submitted to:
Ohio EPA, Attn: Supervisor DSW, 401/Wetlands Unit, P.O. Box 1049, Columbus, OH 43216-1049

Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

A. Pre-Application and Type of Review Checklist

	Coordination/Review Type	Checklist To Be Completed By Applicant	Ohio EPA Use Only
	1. Pre-Application Coordination:		
	1. Has pre-application coordination taken place for this project?	NO	
	2. Who was the 401 Contact?	SELECT	
	3. When did you submit the pre-application request form?		
	4. When did the pre-application site visit/meeting occur?		
	5. What was the date of Ohio EPA's pre-application follow-up letter?		
	6. What was the date of Applicant's response letter?		
	2. Type of Review:		
	1. Section 401 Water Quality Certification Review	YES	
	2. State Isolated Wetlands Level 1 Review	NO	
	3. State Isolated Wetlands Level 2 Review	NO	
	4. State Isolated Wetlands Level 3 Review	NO	
	5. After-the-Fact Review (NOTE 1: You must also select another type of review. NOTE 2: You must provide "as built" drawings and submit them in Attachment 5.13)	NO	

B. Section 401 WQC Administrative Completeness Checklist

This is a check list for both the applicant and the 401 Coordinator. Indicate that you have provided the specified content and that you have included it in the appropriate location within the application by selecting Yes, No or NA for Not Applicable, in the box to the left of each of the required items.

Checklist For Applicant	Applicant Content Required for Completeness Review	Where Located In Application	Ohio EPA Use Only
SELECT	1. A complete 401 WQC application form	All Sections must be completed in their entirety, except where impact tables are not applicable. Provide attachments as applicable.	
SELECT	2. Applicable fees	Section 1.4 and Attachment 5.2	
SELECT	3. USACE Public Notice	Attachment 5.3	
SELECT	4. USACE Jurisdictional Determination Letter	Attachment 5.4	
SELECT	5. Delineation of Waters Report	Attachment 5.5	
SELECT	6. Stream Assessments	Section 3.4, Attachment 5.6.1	
SELECT	7. Wetland Assessments	Section 3.5, Attachment 5.6.2	
SELECT	8. Photos of each individual water resource	Attachment 5.6.3 and 5.6.4	
SELECT	9. Descriptions, schematics, and appropriate economic information for the applicant's preferred alternative, non-degradation alternative and minimal degradation alternative	Section 3, Attachments Section 5.8	
SELECT	10. Documentation confirming that the applicant has requested comments from the Ohio Department of Natural Resources and the United States Fish & Wildlife Service regarding threatened and endangered species, including the presence or absence of critical habitat	Attachment 5.10	
SELECT	11. A mitigation proposal, including the location and proposed legal mechanism for protecting the property in perpetuity	Section 4.0 and Attachments Section 5.12	

Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Instructions

A. Pre-Application and Type of Review Checklist
B. Section 401 Water Quality Certification Administrative Completeness Checklist
C. State Isolated Wetland Permit Level 1 Administrative Completeness Checklist
D. State Isolated Wetland Permit Level 2 Administrative Completeness Checklist
E. State Isolated Wetland Permit Level 3 Administrative Completeness Checklist

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5.6.1	Stream Assessments
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5.6.3	Water Resource Photographs
5.6.4	Water Resource Photo Location Map
5.7	Existing Conditions Map(s)
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5.8.1	Preferred Alternative
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5.8.2	Minimal-Degradation Alternative
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5.8.3	Non-Degradation Alternative
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5.9	State Isolated Wetland Documentation
	State Isolated Wetland Level 1 or 2 Project Drawing
	State Isolated Wetland Level 2 Documentation: Wetland Scarcity and Threatened/Endangered Species
	State Isolated Wetland Level 2 Documentation: Project Impacts regarding Degradation of Aquatic Ecosystem
5.10	Documentation Requesting Comments from ODNR and USFWS

5.11	Appropriate Sections of TMDL
5.12	Mitigation Documentation
5.12.1	On-site Permittee-responsible Mitigation Project Documentation
	On-site Permittee-responsible Mitigation Project Purchase Agreement/Options
	On-site Permittee-responsible Mitigation Project Photographs
	On-site Permittee-responsible Mitigation Project Photograph Location Map
5.12.2	Off-site Permittee-responsible Mitigation Project Documentation
	Off-site Permittee-responsible Mitigation Project Purchase Agreement/Options
	Off-site Permittee-responsible Mitigation Project Photographs
	Off-site Permittee-responsible Mitigation Project Photograph Location Map
5.12.3	Mitigation Bank Documention
	Mitigation Bank Documention that Required Mitigation is Available
	Mitigation Bank Documention that Required Mitigation is Reserved
	Second Mitigation Bank Documentation that Required Mitigation is Available
	Second Mitigation Bank Documention that Required Mitigation is Reserved
5.12.4	Final Mitigation Plan (not required until project/impacts have been reviewed by Ohio EPA)
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Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 1: Administrative Information

1.1 Applicant Information

Applicant Contact Name and Title (Person who owns property or has the legal authority to conduct work on the property):

1. First Name	Michael	MI	C	Last Name:	Reed				
2. Company Name:	The East Ohio Gas Company								
3. Phone:	(330) 664-2440	Ext:		4. Fax:	(866) 314-8246	5. Alternate phone:		Ext:	
6. Email:	mike.c.reed@dom.com								
7. Website:	www.dom.com								
8. Street:	320 Springside Drive, Suite 320								
9. City:	Akron								
10. State:	Ohio	11. ZIP Code:		44333					

Applicant - Technical Point-of-Contact:

14. First Name	Tara	MI	E	Last Name:	Miletti				
15. Company Name:	The East Ohio Gas Company								
16. Phone:	(330) 664-2579	Ext:		17. Fax:	(330) 664-2669	18. Alternate phone:		Ext:	
19. Email:	tara.e.miletti@dom.com								
20. Website:	www.dom.com								
21. Street:	320 Springside Drive, Suite 320								
22. City:	Akron								
23. State:	Ohio	24. ZIP Code:		44333					

1.2 Consultant/Agent Information (if applicable)

Consultant/Agent Technical Point-of-Contact Name and Title *(Project Manager or other person in charge of authorizing contracts for 401 permitting):*

1. First Name		MI		Last Name:					
2. Company Name:									
3. Phone:		Ext:		4. Fax:		5. Alternate phone:		Ext:	
6. Email:									
7. Website:									
8. Street:									
9. City:									
10. State:	Ohio	11. ZIP Code:							

Other Consultant/Agent

14. First Name		MI		Last Name:					
15. Company Name:									
16. Phone:		Ext:		17. Fax:		18. Alternate phone:		Ext:	
19. Email:									
20. Website:									
21. Street:									
22. City:									
23. State:	Ohio	24. ZIP Code:							

27. Who is the MAIN POINT OF CONTACT for the Project?

Name:	Tara Miletti

1.3 Agent Authorization and Application Signatures

I hereby designate and authorize the primary agent/consultant named in Section 1.2 to **act on my behalf** in the processing of this permit application, and to furnish, upon request, supplemental information in support of the application*.

Applicant Printed Name	Applicant Signature	Date

Application is hereby made for a Section 401 Water Quality Certification and/or State Isolated Wetland Permit. I certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or I am acting as the duly authorized agent of the applicant.

Applicant Printed Name	Applicant Signature	Date
Michael Reed, Director of Gas Operations	Michael E Reed	12/19/2012

Primary Agent Printed Name	Agent Signature	Date

***If the agent has been designated and authorized to act on the applicant's behalf, then both the applicant and agent must sign the application.**

Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 1: Administrative Information

1.4 Fees

Are you exempt from fees?	NO

Complete the red underlined areas of Section 1, Section 2.2, Section 3.2 and Section 3.3. NOTE that the impact and total fees will be automatically populated and calculated once you have entered impact data in the tables in Sections 3.4, 3.5 and/or 3.6. It is suggested that you complete the rest of the workbook first and come back to this page to check fee calculations. If you are exempt from fees, provide supporting documentation in Attachment 5.2 and skip to Section 1.5.

1. Application Fees:

Water Quality Certification Application Fee	Yes	$200.00 =	$200.00
Isolated Wetland Permit Application Fee	No	$200.00 =	NA

2.1 Water Quality Certification Impact Review Fees:

Wetland:	acres impacted:	1.15	x	$500.00	=	$577.00
Ephemeral Stream:	linear feet impacted:	0.00	x	$5.00	=	$0.00
Intermittent Stream:	linear feet impacted:	0.00	x	$10.00	=	$0.00
Perennial Stream:	linear feet impacted:	15.00	x	$15.00	=	$225.00
Lake (Other Water Body):	cubic yards of fill:	0.00	x	$3.00	=	$0.00
		Impact Review Fees:			=	**$802.00**

2.2 Is Impact Fee Cap Exceeded?

* Are you a County, Township or Municipal Corporation? (Select Yes / No)			No
* Cap for County, Township or Municipal Corporation only			
Is fee cap exceeded?	Not Applicable	No	NA
* Cap for Standard Applicant			
Is fee cap exceeded?	$25,000.00	No	NA
	Adjusted Impact Review Fees		$802.00

WQC fee due at time of application (Application fee + 1/2 of Review fee) = $601.00
Total WQC fee due upon disposition of application = $401.00

3.1 Isolated Wetland Permit Impact Review Fees:

Wetland:	acres impacted:	0.00	x	$500.00	=	$0.00
		Impact Review Fees:			=	**$0.00**

3.2 Is Impact Fee Cap Exceeded?

* Are you a County, Township or Municipal Corporation? (Select Yes / No)			No
* Cap for County, Township or Municipal Corporation only			
Is fee cap exceeded?	NA	No	NA
* Cap for Standard Applicant			
Is fee cap exceeded?	$5,000.00	No	NA
	Adjusted Impact Review Fees		$0.00

3.3 Did After the Fact Impacts Occur? No **$0.00**

Isolated Wetland Permit fee due at time of application =

4. Total Fees

Total Fees due at the time of application =
Total Fees due upon disposition of application = $401.00

Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 1: Administrative Information

1.5 Other Permit Information

Are Other Permits Required For This Project? Please refer to the instructions to help determine if other permits are necessary for this project.

	Is Permit Required?	Agency:	Identification Number:	Date Applied	Date Received	Status
Federal Permits:						
1. Section 10:	NO	SELECT				
2. Section 404:	NO	SELECT				
3. Nationwide Permit [indicate which one(s)]	YES	USACE-HUNTINGTON	LRH-2012-858-Nimisila Creek	November 14, 2012	November 27, 2012	issued pending 401 approval
4. Other Federal Permits (list):						
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
State Permits						
5. Ohio EPA – General NPDES	YES	Ohio Environmental Protection Agency				pending
6. Ohio EPA – Individual NPDES	NO					
7. Ohio EPA – PTI	NO					
8. ODNR – OCMP – Shore Structure Permit	NO					
9. ODNR – OCMP – Submerged Lands Lease	NO					
10. ODNR - DMRM-Oil and Gas Well Permit	NO					
11. ODNR - Coal and Industrial Minerals Permit	NO					
12.Other State of Ohio Permits (list):						
ODNR - Threatened and Endangered Species Coordination	YES	Ohio Department of Natural Resources	12-567	August 29, 2012	October 10, 2012	complete
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
13. Local Permits (list):						
City of Green Land Disturbance	YES	City of Green				pending
Summit SWCD Storm Water Review Permit	YES	Summit Soil and Water Conservation District				pending
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					
	SELECT					

Application for an Ohio EPA Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 2: Project Information Overview

2.1 Project Overview

1. Project Name:	Base Gas Projects, Group 5, Line 3301 from Line 2925 (East Comet Road)
2. Project Purpose and Activity:	The purpose of the project is to replace approximately 2,717 feet of existing 8-inch natural gas pipeline (Line 3301) with 12-inch natural gas pipeline in order to maintain the integrity and reliability of this utility line. Three (3) wetlands and one (1) perennial stream must be crossed to allow for the necessary activities required for the pipeline replacement. All wetland and stream impacts will be temporary. In order to complete the project, a trench, 3 feet wide and 5 feet deep, will be constructed along the entire length of replaced pipeline. The preferred alternative proposes a disturbance width of 60 feet along the entire pipeline to be replaced. Construction will be limited to these areas and will require soil disturbance to accommodate areas for the trench excavation, side-cast spoil, temporary storage of the new pipe, and equipment/vehicular traffic. All work shall be performed within these authorized limits of disturbance. The minimal degradation alternative proposes a 50 foot wide construction width when crossing water resources during pipeline replacement. This minimizing effort will result in a reduction of temporary impacts to 0.18 acres of wetland. New impervious surfaces will not be created with either alternative. The majority of area that will be affected currently exists as maintained ROW. Although the project is located primarily within areas where the vegetation is routinely maintained in a typically herbaceous state, some minor tree and shrub clearing may be required. However, tree and shrub clearing will be minimized as much as possible and will be confined to the work and disturbance areas. No permanent filling of wetlands or waterbodies will occur.
3. Site Description of Project Area (Provide existing conditions mapping as indicated in the instructions. Label attachments appropriately)**:**	The project area is located along the existing Line 3301 pipeline within EOG's existing 60-foot right-of-way (ROW) north of Deer Valley Drive and east of South Main Street in the City of Green, Summit County, Ohio. The project area is comprised of a 2,717 foot segment of pipeline that needs to be replaced. Coordinates for the center of the project area are 40.920992"N, -81.532291"W. Portions of Line 3301 pipeline that need replaced are situated within palustrine emergent and palustrine scrub/shrub wetlands (W-1, W-2, and W-3) and one (1) perennial stream (Nimisila Creek). The project area is surrounded by residential, agricultural, and forested property. The project area is predominantly maintained ROW surrounded by scrub/shrub and forest along the edges where maintenance does not occur. Water within the project area drains north into Nimisila Creek and Nimisila Reservoir, a tributary of the Tuscarawas River (Hydrologic Unit # 05040001). A Wetland Delineation Report was completed for this project area by EnviroScience on August 15, 2012 (Attachment 5.5). This report contains the topographic map, NWI map, soil survey map, and aerial photograph discussed below. The project area is located on the Canal Fulton quadrangle of the 7.5-minute series USGS topographic maps. The land gently slopes to the north with elevations that range from 970 feet above mean sea level (AMSL) to 1,000 feet AMSL. A perennial stream (Nimisila Creek) flows east to west in the northern portion of the property. The Canal Fulton quadrangle NWI map depicts two wetland systems within the project area. A palustrine, scrub/shrub, broad-leaved deciduous, seasonally flooded (PSS1C) system is shown on the southern portion of the project area and corresponds to W-3. The northern end of the study area is shown within a palustrine, scrub/shrub, broad-leaved deciduous/palustrine emergent, persistent, saturated (PSS1/EM1B) system. This wetland corresponds to W-1 and W-2. The soils map of the project area depicts five soil types: Carlisle muck (Cg), Chili loam, 0 to 2 percent slopes (CnB), Chili gravelly loam, 6 to 12 percent slopes, moderately eroded (CoD2), Conotton-Oshtemo complex, 12 to 18 percent slopes (CyD), Chili gravelly loam, 2 to 6 percent slopes, moderately eroded (CoC2) . Cg is the only hydric soil type listed within the project area. The aerial photograph depicts the project area and surrounding area as residential, forest and agricultural fields. The maintained ROW is visible from the aerial photograph.

2.2 Project Location

1. Parcel #:	NA				
	Latitude			**Longitude**	
Select and Provide Project Location on Land:	40.92099			-81.53229	
2. Total Project Acres:	3.74				
3. Street Address or Nearest Intersection:	East Comet Road and South Main Street				
4. County:	Summit	**5. City:**	Green	**6. Township:**	Green
7. State:	Ohio	**8. Zip Code**	44232		
9. Directions to Project Site:	From Columbus: Take I-71N for 58.4 miles and then take exit #176 for OH-30E. Follow OH-30E for 41.4 miles and then take the OH-172 exit and merge onto Lincoln Way West. Continue on Lincoln Way West for 2.4 miles and then turn left onto OH-93 (Manchester Avenue). Follow OH-93 for 6.2 miles and then turn right onto West Comet Drive. After 1.7 miles turn right onto South Main Street. After 0.2 miles turn left on Deer Valley Drive. The project area is located approximately 0.2 miles down and to the north of Deer Valley Drive.				
10. Other Project Location Information:					
11. Hydrologic Unit Code (HUC) 8 digit:	05040001	**12. HUC 10 digit**	0504000103	**13. HUC 12 digit:**	050400010303
14. Watershed Name:	Tuscarawas		Nismisila Creek-Tuscarawas River		Lake Lucern-Nimisila Creek
15. River Mile:					
16. Shoreline Mile:					

2.3 General Project Questions		
1. Is the project site located in a watershed in which a Total Maximum Daily Load (TMDL assessment was conducted?)	YES	
If yes, provide the name of the TMDL watershed:	Tuscarawas River below Wolf Creek to below Sippo Creek (excluding Chippewa Creek) 05040001-030	
2. Does the project involve the placement of dredged material?	YES	
2.1. Material will be dredged from what location?	Dredged material to be discharged is associated with temporary disturbance of the existing substrate along the entire length of pipeline to be replaced. The type of materials being discharged will be clean earthen fill as a result of excavating the 3 foot wide x 2,717 foot long x 5 foot deep trench. Additional wetland soil disturbance will result from heavy equipment needed to complete project activities. All activity within wetland and stream will be confined to the 60 foot wide construction limits for the preferred alternative and 50 foot wide construction limits for the minimal degradation alternative. Soils disturbed during trench excavation will be replaced within the trench once work activities are complete. Wetland soils that would be subject to discharge include wetland muck and silt loam. A description of the soils within the project area is provided in the attached Wetland Delineation Report (Attachment 5.5; see Section 3.3 and Table 4). Dataforms for each wetland, which include specific soil descriptions, are included in Attachment 5.5; Appendix C.	
2.2. Where will dredged material be placed?	The dredge materials will be placed within the construction area, including within wetland area. Soils disturbed during the trench excavation will be replaced within the trench once the work was complete. The top 12 inches of topsoil will be segregated and replaced on top during backfilling. Additional disturbance will result from the tracking of heavy equipment within the construction area. All disturbed soils will be returned to pre-construction grade.	
3. Has any portion of the project already started or been completed?	NO	
4. Have unauthorized stream or wetland impacts already occurred?	NO	
5. Is this application for a project that is part of a phased development? If yes, please answer the following questions:	NO	
6. Has any information submitted previously or presented to Ohio EPA during the pre-application coordination changed or been revised?	NO	

6.8. Other	

2.4 Section 401 and State Isolated Wetland Level 3 Project Questions	
1. Human Health Impacts:	The proposed lowering of water quality should not have any effect on human health. The overall quality of the wetland will be temporarily reduced during clearing, trenching, and regrading of the wetland within the construction limits. Contractors will comply with BMPs and the use of erosion and sediment control devices will minimize the impacts of the runoff on the downstream water sources. Placement of fill will be temporarily adjacent to the wetlands and stream and will be replaced in a timely manner following replacement of the pipeline.
2. Conservation Projects:	No known environmental or recreational improvement projects are targeted for the affected surface waters at the project area or in the immediate vicinity of the project area at this time.
3. Public Need:	SELECT
4. Adverse Impacts:	Category 2 wetlands and 15 linear feet (bank to bank) of perennial stream. The Minimal Degradation Alternative proposes a 50 foot construction width with impacts to 0.97 acres of Category 2 wetlands and 15 linear feet (bank to bank) of perennial stream. Category 2 wetlands are medium quality systems which represent the majority of Ohio's wetlands. All proposed impacts to stream and wetland will be temporary and will be restored to preconstruction contours. Following construction, the wetlands and stream will be restored to pre-construction grade and wetlands will be allowed to naturally revegetate. The anticipated water quality impacts are low and result in a temporary loss of wetland and stream function. These functions include wetland habitat for birds and amphibians, flood control abilities of the wetland, and water pollution filtering capacity of the wetlands. However, only a very small linear portion of each entire wetland complex will be affected and will still provide similar habitat, flood retention, and water quality functions. In addition to the onsite restoration and offsite mitigation will be purchased to offset the impacts to wetland area. No net loss of water quality is expected at the conclusion of the construction activities. The project will temporarily adversely affect animal life within the current upland and wetland habitat, which will cause the temporary loss of available habitat for wildlife that currently use the project for feeding, breeding, or wintering. The project will affect plant life by clearing the wetlands and uplands within the construction limits. This will result in a temporary loss of habitat for these plants during construction. The total effect on upland wildlife is expected to be minimal, as the impacts are temporary and surrounding property will remain undisturbed. A small number of shrubs will be cleared and wetlands and perennial stream disturbed as a result of this project. Federally listed species that are known to occur in Summit County include the federally endangered Indiana bat (Myotis sodalis), the federal species of concern bald eagle (Haliaeetus leucocephalus), and the federally threatened northern monkshood (Aconitum noveboracense). Living or dead trees with shedding bark, peeling bark, or cavities may serve as roosting trees for the Indiana bat. Seven (7) potential habitat trees for Indiana bat exists within the project area. Potential habitat trees (PRTs) are black cherry (Prunus serotina), white oak (Quercus alba), and red pine (Pinus resinosa) with diameters at breast height (dbh) ranging from 5.5 to 48 inches. The PRTs had 60 to 100 percent solar exposure peeling bark and/or crevices. Because of the size and solar exposure, two trees may be considered potential maternity roost trees (PMRTs) by the U.S. Fish and Wildlife Service (USFWS). No potential winter hibernaculum is located within the project area. Preferred habitat for the northern monkshood includes cool, moist, shaded cliff faces or talus slopes in wooded ravines near water seeps. The project area does not contain any suitable habitat for the northern monkshood. The bald eagle nests in large trees near water. No bald eagle habitat is present within the project area. However, according to the EOG Categorical Exclusion Agreement with the U.S. Fish and Wildlife Service (USFWS) dated December 19, 2011, Green Township in Summit County has known occurrences of bald eagle nesting sites. David Henry of the USFWS was contacted via email on July 27, 2012. A response was received that indicated one record of a bald eagle nest exists approximately 1 mile northeast of the project area. However, due to the small size of the project, it is not likely that any avoidance measures or permits will be necessary. Threatened and Endangered Species agency correspondence was submitted to the Ohio Department of Natural Resources (ODNR) on August 29, 2012. A response from ODNR was received on October 10, 2012. (Section 5.10). The project is within the range of the Indiana bat (Myotis sodalis), a state and federally endangered species; the elfin skimmer (Nannothemis bella), a state endangered dragonfly; the racket-tailed emerald (Dorocordulia libera), a state endangered dragonfly; the chalk-fronted corporal (Ladona julia), a state endangered dragonfly; the black bear (Ursus americanus), a state endangered species; and the Iowa darter (Etheostoma exile), a state endangered species. In addition, "The ODNR, Ohio Biodiversity Database has no records for rare or endangered species at this project site. We are unaware of any unique ecological sites, geologic features, animal assemblages, scenic rivers, state wildlife areas, nature preserves, parks or forests, national wildlife refuges or other protected natural areas within the project area. Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area." The ODNR has restricted in-water work from April 15 to June 30 to prevent direct and in-direct impacts to the Iowa darter. Additionally, if any of the above listed species are encountered during construction, work is to be stopped immediately.

Application for an Ohio EPA Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 3: Alternatives Analysis

It is of utmost importance to use the instructions to complete this section. All plans and drawings shall be provided as attachments.

3.1 Preferred Alternative

1. Project Description for the Preferred Alternative:	The Preferred Alternative will involve project activities within a 60 foot wide construction corridor along the 2,717 feet of pipeline to be replaced and will occur within the existing 60 foot wide utility ROW. Replacement of the pipeline segment will temporarily impact 1.15 acres of Category 2 palustrine emergent (PEM) and palustrine emergent/scrub shrub (PEM/PSS) wetland (W-1, W-2, and W-3) and 15 linear feet (bank to bank) of Nimisila Creek, a perennial stream. The construction activities will cause soil disturbance within the 60 foot wide ROW to accommodate areas for the trench excavation, side-cast spoil, temporary storage of the new and removed pipe, and equipment/vehicular traffic. All work will be performed within these limits of disturbance. In order to complete the project, a trench will be excavated to facilitate removal of the old pipeline segment and to allow 3 to 5 feet of cover over the new pipeline following installation and backfilling. The constructed trench will be approximately 3 feet wide x 2,717 feet long x 5 feet deep. The backfill material returned to the trench will consist of the same material removed from the trench, to the best extent practicable. The top 12 inches of wetland soil will be segregated and kept separate from subsoil during trenching and will be replaced on top during backfilling. Following pipeline installation, all disturbed areas will be returned to their original slope and contour and stabilized. Wetlands will be allowed to naturally revegetate with the original seed bank. All other vegetated areas that undergo project-related soil disturbance will be seeded and re-vegetated to provide a permanent herbaceous cover to stabilize the soils, and temporary erosion controls will be maintained until this permanent cover is established. Construction of the Preferred Design Alternative would include clearing of vegetation, trench excavation, re-grading, and removal and construction of the new pipeline segment as shown in Section 5.8.1.
2. Avoidance:	Due to the nature of the project, avoidance within the project area is not feasible with the preferrred alternative. However, all of the wetlands within the ROW are connected to larger wetland systems and the proposed impacts will not affect the general quality of these systems.
3. Minimization:	The preferred alternative will not minimize impacts to the ROW. However, the construction corridor will be maintained to the 60 foot wide ROW. Additioanlly, all impacts will be temporary and after work is completed, grades will be returned to pre-construction contours.
4. Magnitude of Proposed Lowering of Water Quality:	The Preferred Alternative proposes temporary impacts to 1.15 acres of PEM, PSS, and PEM/PSS wetlands (W-1, W-2, and W-3) and 15 linear feet (bank to bank) of perennial stream (Nimisila Creek). The project impacts are temporary and will not result in any permanent loss of wetland acreage or stream channel. No permanent relocation of wetlands or waterbodies is planned. The proposed lowering of water quality and the anticipated impact of the proposed lowering of water quality on aquatic life and wildlife, including threatened and endangered species, important commercial or recreational sport fish species, other individual species, and the overall aquatic community structure and function are minimal as the construction area is relatively small and the surrounding property will remain undisturbed. Additionally, erosion and sediment control devices and BMPs will be used during construction.
5. Technical Feasibility and Cost Effectiveness:	The Preferred Alternative is technically feasible to construct using currently available engineering practices and technology within the 60 foot wide ROW. The total anticipated cost to construct the Preferred Alternative is $840,000.
6. Cumulative Impacts:	The Preferred Alternative will cause minor temporary impacts. Following regrading of the area to pre-construction contours, the impacted area will be restored to prexisting conditions. There are no anticipated cumulative impacts considering the wetland and stream will be restored to prexisting conditions.
7. Indirect Impacts:	Indirect impacts may include the temporary loss of a portion of the wetland function due to the clearing of wetland vegetation, changes in hydrology for that portion of the wetland, and removal of soils. The wetland is anticipated to regain full and proper functionality following restoration of the temporarily impacted wetland. In addition, temporary impacts to Nimisila Creek may cause minor indirect impacts to downstream water flow.
8. Construction Storm Water Management Plans:	Best Management Practices (BMPs) and erosion and sediment control devices will be implemented throughout construction to minimize stormwater runoff, soil erosion and the transport of sediments from the construction area, and to protect surface waters and wetlands located in and adjacent to the project area. A project specific Storm Water Pollution Prevention Plan
9. Post-Construction Storm Water Management Plans:	Following pipeline replacement, all disturbed areas will be returned to their original slope and contour and stabilized. Wetlands will be allowed to naturally revegetate with the original seed bank. All other vegetated areas that undergo project-related soil disturbance will be seeded and re-vegetated to provide a permanent herbaceous cover to stabilize the soils, and

3.2 Minimal-Degradation Alternative

1. Project Description for the Minimal-Degradation Atlernative:	The Minimal Degradation Alternative will involve project activities within a 50 foot wide construction corridor along the 2,717 feet of pipeline to be replaced and will occur within the existing 60 foot wide utility ROW. Replacement of the pipeline segment will temporarily impact 0.97 acres of Category 2 palustrine emergent (PEM) and palustrine emergent/scrub shrub (PEM/PSS) wetland (W-1, W-2, and W-3) and 15 linear feet (bank to bank) of Nimisila Creek, a perennial stream. The construction activities will cause soil disturbance within a 50 foot wide construction corridor to accommodate areas for the trench excavation, side-cast spoil, temporary storage of the new and removed pipe, and equipment/vehicular traffic. All work will be performed within these limits of disturbance. In order to complete the project, a trench will be excavated to facilitate removal of the old pipeline segment and to allow 3 to 5 feet of cover over the new pipeline following installation and backfilling. The constructed trench will be approximately 3 feet wide x 2,717 feet long x 5 feet deep. The backfill material returned to the trench will consist of the same material removed from the trench, to the best extent practicable. The top 12 inches of wetland soil will be segregated and kept separate from subsoil during trenching and will be replaced on top during backfilling. Following pipeline installation, all disturbed areas will be returned to their original slope and contour and stabilized. Wetlands will be allowed to naturally revegetate with the original seed bank. All other vegetated areas that undergo project-related soil disturbance will be seeded and re-vegetated to provide a permanent herbaceous cover to stabilize the soils, and temporary erosion controls will be maintained until this permanent cover is established. Construction of the Minimal Degradation Alternative would include clearing of vegetation, trench excavation, re-grading, and removal and construction of the new pipeline segment as shown in Section 5.8.2.
2. Minimization:	The Minimal Degradation Alternative will minimize impacts to the ROW. Additionally, overall impacts to the wetland systems and Nimisila Creek will be reduced by 0.18 acres of wetland and 11 linear feet of stream from the preferred alternative. All impacts will be temporary and after work is completed, grades will be returned to pre-construction contours.

3. Magnitude of the Proposed Lowering of Water Quality:	The Minimal Degradation Alternative proposes temporary impacts to 0.97 acres of PEM, PSS, and PEM/PSS wetlands (W-1, W-2, and W-3) and 15 linear feet (bank to bank) of perennial stream (Nimisila Creek). The project impacts will be temporary and will not result in any permanent loss of wetland acreage or stream channel. No permanent relocation of wetlands or waterbodies is planned. The proposed lowering of water quality and the anticipated impact of the proposed lowering of water quality on aquatic life and wildlife, including threatened and endangered species, important commercial or recreational sport fish species, other individual species, and the overall aquatic community structure and function are minimal as the construction area is relatively small and the surrounding property will remain undisturbed. Additionally, erosion and sediment control devices and BMPs will be used during construction.
4. Technical Feasibility and Cost Effectiveness:	The Minimal Degradation Alternative is technically feasible to construct using currently available engineering practices and technology within the 60-foot wide ROW. The total anticipated cost to construct the Minimal Degradation Alternative is $815,000.
5. Cumluative Impacts:	The Minimal Degradation Alternative will cause minor temporary impacts. Following regrading of the area to pre-construction contours, the impacted area will be restored to prexisting conditions. There are no anticipated cumulative impacts considering the wetland and stream will be restored to prexisting conditions.
6. Indirect Impacts:	Indirect impacts may include the temporary loss of a portion of the wetland function due to the clearing of wetland vegetation, changes in hydrology for that portion of the wetland, and removal of soils. The wetland is anticipated to regain full and proper functionality following restoration of the temporarily impacted wetland. In addition, temporary impacts to Nimisila Creek may cause minor indirect impacts to downstream water flow.
7. Construction Storm Water Management Plans (if they are different than the preferred alternative):	Best Management Practices (BMPs) and erosion and sediment control devices will be implemented throughout construction to minimize stormwater runoff, soil erosion and the transport of sediments from the construction area, and to protect surface waters and wetlands located in and adjacent to the project area. A project specific Storm Water Pollution Prevention Plan (SWPPP) will be prepared for the project following the ODNR Ohio Rain Water and Land Development Manual.
8. Post-Construction Storm Water Management Plans (if they are different than the preferred alternative):	Following pipeline replacement, all disturbed areas will be returned to their original slope and contour and stabilized. Wetlands will be allowed to naturally revegetate with the original seed bank. All other vegetated areas that undergo project-related soil disturbance will be seeded and re-vegetated to provide a permanent herbaceous cover to stabilize the soils, and temporary erosion controls will be maintained until this permanent cover is established.

3.3 Non-Degradation Alternative

1. Is project water dependent? If project is not water-dependent, comlpete information requested below. If project is water-dependent, do not complete the information requested below. Instead, provide documentation that the project meets the definition of water dependent and include as Attachment.	NO
2. Project description for the Non-Degradation Alternative:	The Non-Degradation Alternative will replace the 2,717 feet of pipeline using horizontal directional drilling (HDD) technology. No impacts to wetland or stream would occur with this alternative. Construction of the Minimal Degradation Alternative would include ground disturbance within the northern teminus, southern teminus, either side of East Comet Road as shown in Section 5.8.3.
3. Minimization:	The Non-Degradation Alternative would eliminate impacts to wetlands and streams and no direct or indirect impacts are proposed to occur.
4. Technical Feasiblility and Cost Effectiveness:	The Non-Degradation Alternative is not technically feasible to construct for several reasons. First, the bend in the line within W-1 would be difficult to navigate with the HDD equipment. Typically, the HDD bore is only used for straight segments of pipeline. Secondly, access is necessary to both ends of the proposed replacement pipeline. Access to the northern segment of pipeline would be difficult due to the lack of roadway and amount of wetlands within and surrounding the project area. Wetlands and Nimisila Creek would need to be crossed in order to access the northern terminus of the project area. Lastly, the HDD bore technology is expensive. The total anticipated cost to construct the Non-Degradation Alternative is $1.2 million.
5. Construction Storm Water Management Plans: (if they are different than the preferred and minimal-degradation alternatives)	A SWPPP is not required in this alternative. Best Management Practices (BMPs) and erosion and sediment control devices will be implemented throughout construction to minimize stormwater runoff, soil erosion and the transport of sediments from the construction area, and to protect surface waters and wetlands located in and adjacent to the project area.
6. Post-Construction Storm Water Management Plans: (if they are different than the preferred and minimal-degradation alternatives)	A Post-Construction Storm Water Management Plan is not required in this alternative. Best Management Practices (BMPs) and erosion and sediment control devices will be implemented throughout construction to minimize stormwater runoff, soil erosion and the transport of sediments from the construction area, and to protect surface waters and wetlands located in and adjacent to the project area.

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Section 3: Alternatives Analysis

3.4 Stream Resources and Impact Comparison Table

1. Applicant Name:	The East Ohio Gas Company	**5. Type of JD Letter:**	PRELIMINARY	**9. Revision Number:**	
2. Project Name:	Base Gas Projects, Group 5, Line 3301 from Line 2925 (East Comet Road)	**6. Ohio EPA ID#:**		**10. Revision Date:**	
3. Jurisdictional Determination Letter Dated:	November 27, 2012	**7. Total Project Acreage**	3.74		
4. 12-Digit Hydrologic Unit Code:	050400010303	**8. Watershed Name:**	Tuscarawas-Nismisila Creek-Tuscarawas River-Lake Lucern-Nimisila Creek		

Stream ID	**Jurisdictional?**	**Stream Flow Type**	**Use Designations**			**Antidegradation Category**	**Stream Assessment**					**Total Length Delineated (lf)**	**Proposed Impacts**			
													Preferred Alternative		**Minimal Degradation Alternative**	
			Aquatic Life Habitat	**Water Supply**	**Recreation**		**Type**	**Score**	**Additional Assessment?**	**Type**	**Score**		**Impacts (lf)**	**Impact Type**	**Impacts (lf)**	**Impact Type**
Nimisila Creek	Yes	P	WWH	AWS, IWS	PCR	Undesignated	QHEI	61	NO	Select Type		66	15	Utility Line Crossing	15	Utility Line Crossing
	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type
	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type
	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type
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	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type

Totals	**66**		**15**		**15**	
Ephemeral	**0**	**0**	**0**	**0**	**0**	**0**
Intermittent	**0**	**0**	**0**	**0**	**0**	**0**
Perennial	**66**	**0**	**15**	**0**	**15**	**0**
Jurisdictional/Non-Jurisdictional	**Jurs**	**Non-Jurs**	**Jurs**	**Non-Jurs**	**Jurs**	**Non-Jurs**
	66	**0**	**15**	**0**	**15**	**0**

12-Digit Hydrologic Unit Code: SELECT --

Stream ID	Jurisdictional?	Stream Flow Type	Use Designations			Antidegradation Category	Stream Assessment					Total Length Delineated (lf)	Proposed Impacts			
													Preferred Alternative		Minimal Degradation Alternative	
			Aquatic Life Habitat	Water Supply	Recreation		Type	Score	Additional Assessment?	Type	Score		Impacts (lf)	Impact Type	Impacts (lf)	Impact Type
	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type
	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type
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Totals	0		0		0	
Ephemeral	0	0	0	0	0	0
Intermittent	0	0	0	0	0	0
Perennial	0	0	0	0	0	0
Jurisdictional/Non-Jurisdictional	Jurs	Non-Jurs	Jurs	Non-Jurs	Jurs	Non-Jurs
	0	0	0	0	0	0

12-Digit Hydrologic Unit Code: SELECT --

Stream ID	Jurisdictional?	Stream Flow Type	Use Designations			Antidegradation Category	Stream Assessment					Total Length Delineated (lf)	Proposed Impacts			
													Preferred Alternative		Minimal Degradation Alternative	
			Aquatic Life Habitat	Water Supply	Recreation		Type	Score	Additional Assessment?	Type	Score		Impacts (lf)	Impact Type	Impacts (lf)	Impact Type
	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type	Select Type		SELECT	Select Type				Select Type		Select Type
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Totals	0		0		0	
Ephemeral	0	0	0	0	0	0
Intermittent	0	0	0	0	0	0
Perennial	0	0	0	0	0	0
Jurisdictional/Non-Jurisdictional	Jurs	Non-Jurs	Jurs	Non-Jurs	Jurs	Non-Jurs
	0	0	0	0	0	0

Application for a Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 3: Project Information

3.5 Wetland Resources and Impact Comparison Table

1. Applicant Name:	The East Ohio Gas Company	**5. Date:**		**9. Revision Number:**	
2. Project Name:	Base Gas Projects, Group 5, Line 3301 from Line 2925 (East Comet Road)	**6. Ohio EPA ID#:**		**10. Revision Date:**	
3. Jurisdictional Determination Letter Dated:	November 27, 2012	**7. Total Project Acreage:**	3.74		
4. 12-Digit Hydrologic Unit Code:	050400010302	**8. Watershed Name:**	Tuscarawas-Nismisila Creek-Tuscarawas River-Nimisila Reservoir-Nimisila Creek		

Wetland ID	Jurisdictional	Forested	Wetland Assessment						Total Acreage Delineated	Proposed Impacts			
										Preferred Alternative		Minimal Degradation Alternative	
			ORAM Score	Category	Additional Assessment? (approval required)	Assessment Type	Score	Category		Impacts* (Acres)	Impact Type	Impacts* (Acres)	Impact Type
W-1	Yes	No	50.00	2	NO	Select Type			0.713	0.71	Utility Line Crossing	0.60	Utility Line Crossing
W-2	Yes	No	49.00	2	NO	Select Type			0.163	0.16	Utility Line Crossing	0.13	Utility Line Crossing
W-3	Yes	No	53.00	2	NO	Select Type			0.278	0.28	Utility Line Crossing	0.23	Utility Line Crossing
	Select Type	Select			SELECT	Select Type					Select Type		Select Type
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	Total Acreage Delineated (Jurisdictional)	(Isolated)	Preferred Impacts (Jurisdictional)	(Isolated)	Minimal Degradation Impacts (Jurisdictional)	(Isolated)
Total Acreage Delineated:	**1.15**		**1.15**		**0.97**	
Acreage Totals for Category 1 Wetlands Jurisdictional/Isolated:	**0.00**	0.00	**0.00**	0.00	**0.00**	0.00
Acreage Totals for Category 2 Wetlands Jurisdictional/Isolated:	**1.15**	0.00	**1.15**	0.00	**0.97**	0.00
Acreage Totals for Category 3 Wetlands Jurisdictional/Isolated:	**0.00**	0.00	**0.00**	0.00	**0.00**	0.00
Wetland Acreage Totals for Jurisdictional/Isolated:	**1.15**	**0.00**	**1.15**	**0.00**	**0.97**	**0.00**

* Isolated wetland permitting requirements do not apply to isolated wetlands created by previous coal mining activities where remining is propos

Application for a Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 3: Alternatives Analysis

3.7 Social and Economic Justification

1. County Unemployment Rate:	6.20%	**2. County Median Household Income:**	45,768
3. County Poverty Rate:	14.80%	**4. County Population Growth:**	1.10%

	PREFERRED ALTERNATIVE	**MINIMAL DEGRADATION ALTERNATIVE**	**NON-DEGRADATION ALTERNATIVE**
Important Social and Economic Benefits to be Gained			
5. No. of New Direct Jobs - Permanent	0	0	0
1. Payroll Dollars/year			
2. Payroll Taxes/year			
6. Number of New Temporary Direct Jobs	4	4	2
1. Payroll Dollars/year	$203,775.00	$203,775.00	$244,530.00
2. Payroll Taxes/year	$81,510.00	$81,510.00	$122,265.00
7. Number of New Permanent Indirect Jobs	1	1	0
8. Other Tax Dollars	0	0	0
9. Revenue Generated	0	0	0
10. Local Property Taxes Generated	0	0	0
11. Land Donated to Community (acres)	0	0	0
12. Royalties to ODNR for oil, gas, or coal projects	0	0	0
Important Social and Economic Benefits to be Lost			
13. Environmental	There are minor, temporary environmental losses for the Preferred Alternative.	There are minor, temporary environmental losses for the Minimal Degredation Alternative.	There are no environmental losses for the Non-Degradation Alternative.
14. Social	This project will benefit the community by maintaining the safety of the pipeline system as well as protecting it from further damage, it also allows the pipeline to continue transporting energy to EOG's customers and other networked pipeline systems. The project is not expected to have any impact on surrounding property values. Businesses that will be positively impacted by the construction of the proposed project include pipeline construction contractors, excavators, haulers, pipeline retailers, erosion control retailers, engineers, and surveyors. Local, state, and federal government would benefit by increased tax revenues and increased jobs.	This project will benefit the community by maintaining the safety of the pipeline system as well as protecting it from further damage, it also allows the pipeline to continue transporting energy to EOG's customers and other networked pipeline systems. The project is not expected to have any impact on surrounding property values. Businesses that will be positively impacted by the construction of the proposed project include pipeline construction contractors, excavators, haulers, pipeline retailers, erosion control retailers, engineers, and surveyors. Local, state, and federal government would benefit by increased tax revenues and increased jobs.	This project will benefit the community by maintaining the safety of the pipeline system as well as protecting it from further damage, it also allows the pipeline to continue transporting energy to EOG's customers and other networked pipeline systems. The project is not expected to have any impact on surrounding property values. Businesses that will be positively impacted by the construction of the proposed project include pipeline construction contractors, excavators, haulers, pipeline retailers, erosion control retailers, engineers, and surveyors. Local, state, and federal government would benefit by increased tax revenues and increased jobs.
15. Recreational	The Preferred Alternative will have no impacts on the recreational aspects of downstream water bodies.	The Minimal Degredation Alternative will have no impacts on the recreational aspects of downstream water bodies.	The Non-Degredation Alternative will have no impacts on the recreational aspects of downstream water bodies.
16. Other (Specify)			

Application for an Ohio EPA Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 4: Mitigation

4.1 Mitigation Overview

1. Where is mitigation being proposed? (select all that apply)	ON-SITE	OFF-SITE
2. Briefly describe mitigation for Preferred Alternative:	All impacts to wetlands and stream will be temporary and will be returned to pre-construction grade and allowed to naturally vegetate. In addition, 2.3 acres of Category 3 non-forested wetland and 15 feet of Chippewa Creek, a perennial tributary to the Tuscarawas River, will be preserved at an off-site location (Chippewa Creek Lowlands) within the Tuscarawas River Watershed (see mitigation maps in Attachment 5.12.2).	
3. Briefly describe mitigation for Minimal Degradation Alternative:	All impacts to wetlands and stream will be temporary and will be returned to pre-construction grade and allowed to naturally vegetate. In addition, 2 acres of Category 3 non-forested wetland and 15 feet of Chippewa Creek, a perennial tributary to the Tuscarawas River, will be preserved at an off-site location within the Tuscarawas River Watershed (see mitigation maps in Attachment 5.12.2).	

4.2 Stream Mitigation Calculations

1. PREFERRED Alternative: In the space below, please enter the amount (in linear feet) of required mitigation as determined for the preferred alternative.

Habitat Type	Restoration		Relocation		Enhancement		Preservation		Buffer		Mitigation Bank
	On	Off	On	Off	On	Off	On	Off	On	Off	Off
Perennial Stream	15							15			
Totals:	**15**	**0**	**0**	**0**	**0**	**0**	**0**	**15**	0	0	0

2. MINIMAL DEGRADATION Alternative : In the space below, please enter the amount (in linear feet) of required mitigation as determined for the minimal degradation alternative.

Habitat Type	Restoration		Relocation		Enhancement		Preservation		Buffer		Mitigation Bank
	On	Off	On	Off	On	Off	On	Off	On	Off	Off
Perennial Stream	15							15			
Totals:	**15**	**0**	**0**	**0**	**0**	**0**	**0**	**15**	0	0	0

4.3 Wetland Mitigation Calculations

1. PREFERRED Alternative: In the space below, please enter the amount (in acres) of required mitigation as determined for the preferred alternative.

Habitat Type	Restoration		Creation		Enhancement		Preservation		Buffer		Mitigation Bank
	On	Off	On	Off	On	Off	On	Off	On	Off	Off
Category 2, Non-Forested	1.15										
Category 2, Forested											
Category 3, Non-Forested								2.30			
Category 3, Forested											
Totals:	**1.15**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**2.30**	0.00	0.00	**0.00**
Mitigation Target Totals:	**1.15**		**0.00**		**0.00**		**2.30**		0.00		**0.00**

2. MINIMAL DEGRADATION Alternative: In the space below, please enter the amount (in acres) of required mitigation as determined for the minimal degradation alternative.

Habitat Type	Restoration		Creation		Enhancement		Preservation		Buffer		Mitigation Bank
	On	Off	On	Off	On	Off	On	Off	On	Off	Off
Category 2, Non-Forested	0.97										
Category 2, Forested											
Category 3, Non-Forested								1.94			
Category 3, Forested											
Totals:	**0.97**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**1.94**	0.00	0.00	**0.00**
Mitigation Target Totals:	**0.97**		**0.00**		**0.00**		**1.94**		0.00		**0.00**

4.4 Other Water Body Mitigation Calculations

1. PREFERRED Alternative: In the space below, please enter the amount (in linear feet of shoreline or total square feet of lake bottom or lakeward extent) of required mitigation as determined for the preferred alternative.

Habitat Type	Restoration		Creation		Enhancement		Preservation		Buffer		Mitigation Bank
	On	Off	On	Off	On	Off	On	Off	On	Off	Off
Shoreline											
Lake Bottom											
Lakeward Extent											
Totals:	0	0	0	0	0	0	0	0	0	0	0

2. MINIMAL-DEGRADATION Alternative: In the space below, please enter the amount (in linear feet of shoreline or total square feet of lake bottom or lakeward extent) of required mitigation as determined for the minimal-degradation alternative.

Habitat Type	Restoration		Creation		Enhancement		Preservation		Buffer		Mitigation Bank
	On	Off	On	Off	On	Off	On	Off	On	Off	Off
Shoreline											
Lake Bottom											
Lakeward Extent											
Totals:	0	0	0	0	0	0	0	0	0	0	0

4.5 On-site Permittee-Responsible Mitigation Project: Follow the instruction manual for each type of mitigation proposed (wetland, stream, other water body)

1. Does the applicant currently own the proposed mitigation site property?	YES
If no, please provide information on any purchase agreements, options, etc., that verify the applicant's right to construct on the mitigation property.	The property is currently controlled by EOG through existing utility line easements with consent of private land owners.
2. Explain on-site Mitigation Site Setting:	The onsite wetlands that will be temporarily impacted consist of palustrine emergent and palustrine scrub/shrub vegetative communities. All wetland area impacted will be restored. The project area is located within the existing EOG 60 foot wide ROW.
3. Explain on-site Mitigation Site Activites (If proposing that project is self-mitigating, provide justification):	After pipeline replacement activities are completed, the trench will be backfilled with the same material removed from the trench, to the extent practicable and grades will be returned to pre-construction contours. The wetlands will be allowed to naturally vegetate.

4.6 Off-site Permittee-Responsible Mitigation Project: Follow the instruction manual for each type of mitigation proposed (wetland, stream, other water body)

1. Does the applicant currently own the proposed mitigation site property?	NO
If no, please provide information on any purchase agreements, options, etc., that verify the applicant's right to construct on the mitigation property.	EOG will provide funds to MetroParks Serving Summit County for the purchase of the proposed preservation.
2. Explain off-site Mitigation Site Setting:	The mitigation property (Chippewa Creek Lowlands) is bounded on the north by the railroad and on the east by SR 21, and is located north of Warwick Road (Co Hwy 116) in Chippewa Township, within Wayne County (see the Highway Map in Attachment 5.12.2). The site contains a large wetland complex associated with the mainstem branch of Chippewa Creek. The habitat types within the wetland complex include aquatic bed, emergent, shrub, forest, and open water. The total size of the preservation property is 127 acres. This property includes approximately 96.5 acres of Category 3 wetland and 2,750 linear feet of Chippewa Creek. For the Preferred Alternative, it is proposed to preserve 2.3 acres of Category 3 non-forested wetland and 15 linear feet of Chippewa Creek within a 15.1 acre parcel. For the Minimal Degradation Alternative, it is proposed to preserve 2.0 acres of Category 3 non-forested wetland and 15 linear feet of Chippewa Creek within a 15.1 acre parcel. See the Mitigation Maps in Attachment 5.12.2. The National Wetlands Inventory (NWI) wetlands mapped within the proposed 15.1 acre mitigation parcel include Palustrine, Emergent, Semipermanently Flooded wetland (PEMF) and Riverine, Lower Perennial, Unconsolidated Bottom, Permanently Flooded wetland (R2UPH). (See the NWI map in Attachment 5.12.2). The soils underlying the proposed mitigation parcel are Melvin silt loam, frequently flooded (Md) soil series which is listed as hydric. (See the Soils Map in Attachment 5.12.2). The wetlands on this property were assessed by MetroParks biologists and the Ohio EPA, and a score of 85 was attained using the ORAM method, placing the wetlands within Category 3 range (see the ORAM form in Attachment 5.12.2). In addition, Sandhill cranes (Grus canadensis), a state endangered bird, were observed using the wetlands as a migratory corridor and resting area.
3. Explain off-site Mitigation Site Activities:	The property will be preserved in perpetuity.

4.7 Protection in Perpetuity

Indicate the legal mechanism that will be used to protect the proposed mitigation property in perpetuity:

FALSE	Wetland Mitigation Bank - Bank provides the protection in perpetuity		
FALSE	Environmental Covenant with Third Party Holder	Covenant Holder:	
TRUE	Conservation Easement	Easement Holder:	Friends of MetroParks, a 501c3 conservation organization
FALSE	Environmental Covenant WITHOUT Third Party Holder		
FALSE	Deed Restriction with Management Plan - * (NOTE: This may ONLY be used in specific circumstances)		

4.8 Proposed Project Site Constraints

If you are proposing to place a conservation easement or environmental covenant on the property to protect mitigation, include the following in Attachment: (1) A draft copy of the proposed easement/convenant language, and (2) A topographic map or aerial photograph clearly showing the boudaries of the proposed mitigation and easement or covenant area(s).

Easement or EncumbranceType	Date Recorded	Term - temporary or permanent (if temp., expiration date)	Holder/Owner	Contact Information
Conservation Easement	*8/10/2000*	*Permanent*	*XYZ Metro Parks*	*Address/telephone number/email*
Conservation Easement	Pending	Permanent	Friends of MetroParks / MetroParks Serving Summit County	975 Treaty Line Road; Akron, Ohio 44313-5898 (330) 865-102

4.9 Mitigation Bank Information:	
1. Have you contacted mitigation banks to identify whether required type and amount of mitigation credit is available?	YES
1. If Yes provide names of banks contacted here:	Ohio Wetlands Foundation, NCRCPD, Panzner
2. If No, explain why:	
2. Chosen Mitigation Bank Name:	
1. Is the required type and amount of mitigation credit available? If yes, attach documentation of your communication with the bank.	NO
2. If only a portion of the required type and amount of mitigation credit is available, specify the amount available:	
3. Has the required type and amount of mitigation been reserved? If yes, attach documentation of your reservation.	SELECT
4. If only a portion of the required type and amount of mitigation credit has been reserved, specify the amount reserved:	
5. Number of Forested Credits to be Purchased:	
1. What is the type of mitigation credit?	SELECT
2. Is the mitigated wetland isolated or non-isolated?	SELECT
6. Number of Non-Forested Credits to be Purchased	
1. What is the type of wetland mitigation credit?	SELECT
2. Is the mitigated wetland isolated or non-isolated?	SELECT
7. Bank's Hydrologic Unit Code (HUC) 8 Digit:	SELECT
8. Is your project located within the service area of the bank?	SELECT
9. Is more than one mitigation bank being proposed?	SELECT

Only fill in the information below if more than one mitigation bank is being proposed to be used to fulfill the mitigation requirements.	
3. Chosen Mitigation Bank Name:	
1. Is the required type and amount of mitigation credit available? If yes, attach documentation of your communication with the bank.	SELECT
2. If only a portion of the required type and amount of mitigation credit is available, specify the amount available:	
3. Has the required type and amount of mitigation been reserved? If yes, attach documentation of your reservation.	SELECT
4. If only a portion of the required type and amount of mitigation credit has been reserved, specify the amount reserved:	
5. Number of Forested Credits to be Purchased:	
1. What is the type of mitigation credit?	SELECT
2. Is the mitigated wetland isolated or non-isolated?	SELECT
6. Number of Non-Forested Credits to be Purchased	
1. What is the type of mitigation credit?	SELECT
2. Is the mitigated wetland isolated or non-isolated?	SELECT
7. Bank's Hydrologic Unit Code (HUC) 8 Digit:	SELECT
8. Is your project located within the service area of the bank?	SELECT

4.10 Final Mitigation Plan Format

The mitigation plan must act as a stand-alone document.

Application for Section 401 Water Quality Certification and/or State Isolated Wetlands Permit

Section 5: Attachments

Section 5: Attachments	
5.1	Cover Letter
5.2	Permit Fees
5.3	USACE Public Notice
5.4	USACE Jurisdictional Determination Letter
5.5	Delineation Report (of water resources) updated per Pre-Application Coordination
5.6	Water Resource Documentation
5.6.1	Stream Assessments
5.6.2	Wetland Assessments
5.6.3	Water Resource Photographs
5.6.4	Water Resource Photo Location Map
5.7	Existing Conditions Map(s)
5.8	Alternatives Analysis and/or State Isolated Wetlands Documentation
5.8.1	Preferred Alternative
	Preferred Alternative - Drawing
	Preferred Alternative - Cross-Sections
5.8.2	Minimal-Degradation Alternative
	Minimal-Degradation Alternative - Drawing
	Minimal-Degradation Alternative - Cross-Sections
5.8.3	Non-Degradation Alternative
	Non-Degradation Alternative - Drawing
5.9	State Isolated Wetland Documentation
5.9.1	State Isolated Wetland Level 1 or 2 Project Drawing
5.9.1	State Isolated Wetland Level 2 Documentation: Wetland Scarcity and Threatened/Endangered Species
5.9.3	State Isolated Wetland Level 2 Documentation: Project Impacts regarding Degradation of Aquatic Ecosystem
5.10	Documentation Requesting Comments from ODNR and USFWS
5.11	Appropriate Sections of TMDL
5.12	Mitigation Documentation
5.12.1	On-site Permittee-responsible Mitigation Project Documentation
	On-site Permittee-responsible Mitigation Project Purchase Agreement/Options
	On-site Permittee-responsible Mitigation Project Photographs
	On-site Permittee-responsible Mitigation Project Photograph Location Map
5.12.2	Off-site Permittee-responsible Mitigation Project Documentation
	Off-site Permittee-responsible Mitigation Project Purchase Agreement/Options
	Off-site Permittee-responsible Mitigation Project Photographs
	Off-site Permittee-responsible Mitigation Project Photograph Location Map
5.12.3	Mitigation Bank Documention
	Mitigation Bank Documention that Required Mitigation is Available
	Mitigation Bank Documention that Required Mitigation is Reserved
	Second Mitigation Bank Documentation that Required Mitigation is Available
	Second Mitigation Bank Documention that Required Mitigation is Reserved
5.12.4	Final Mitigation Plan (not required until project/impacts have been reviewed by Ohio EPA)
5.13	After-the-fact Impacts Documentation
5.13.1	After-the-fact Impacts As-built Drawing
5.13.2	Project Footprint comparison from pre-application submittal
5.14	Other