



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

August 20, 2008

REPLY TO

Regulatory Branch

SUBJECT: Application No. 2008-888, Nationwide Permit No. (27) as Published in the Federal Register, Volume 72, No. 47, on Monday, March 12, 2007

Mr. Matt Horvat
Maumee River Coordinator
Toledo Metropolitan Area Council of Governments
300 Dr. Martin Luther King Jr. Drive
Toledo, Ohio 43604

Dear Mr. Horvat:

This pertains to your preconstruction notification for Nationwide Permit 27 on behalf of the Partners for Clean Streams and the City of Toledo. The proposed project involves constructing three rock ramps downstream of the existing low head dam in Swan Creek. The purpose of the project is to allow for fish passage beyond the existing low head dam. The project is located in Highland Park on South Avenue in the city of Toledo Lucas County, Ohio.

I have evaluated the impacts associated with your proposal, and have concluded that they are authorized by the enclosed Nationwide Permit 27 provided that the attached conditions are satisfied.

Verification of the applicability of this Nationwide Permit is valid for two years from the date of this correspondence unless the Nationwide Permit is modified, suspended or revoked, or your activity complies with any subsequent permit modification. Absent any changes to the current Nationwide Permits, reverification of the applicability of your project under the Nationwide Permit is not required if work is completed prior to March 19, 2012.

It is your responsibility to remain informed of changes to the Nationwide Permit program. A public notice announcing any changes will be issued when they occur. Finally, note that if your activity is not undertaken within the defined period or the project specifications have changed, you must immediately notify this office to determine the need for further approval or reverification.

This affirmation is limited to the attached Nationwide Permit and associated Water Quality Certification, and does not obviate the need to obtain any other project specific Federal, state, or local authorization.

Finally, this letter contains an approved jurisdictional determination for the subject parcel. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal the above determination, you must submit a completed RFA form within 60 days of the date on this letter to the Great Lakes/Ohio River Division Office at the following address:

Mr. Mike Montone, Regulatory Review Officer
Great Lakes and Ohio River Division
CELRD-PDS-O
550 Main Street, Room 10032
Cincinnati, OH 45202-3222
Phone: 513-684-6212

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete; that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address within 60 days of the date of this letter.

In addition to the general conditions attached to the Nationwide Permit, your attention is directed to the following Special Conditions which are also appended at the end of the Nationwide Permit General Conditions:

1. The proposed project lies within the range of the rayed bean mussel (*Villosa fabalis*) and the Indiana bat (*Myotis sodalis*). The U.S. Fish and Wildlife Service and the Corps of Engineers conducted an affects determination for the above referenced project and have concluded that although three trees will be removed during the summer months, none of these trees exhibited Indiana bat roosting characteristics and is not likely to adversely affect the Indiana bat. In addition, no impacts are anticipated on the rayed bean mussel. Should additional information on listed or proposed species or their critical habitat become available or if new information reveals effects of the action that were not previously considered, this determination may be reconsidered. If project plans change or if portions of the proposed project were not evaluated, you shall contact this office for further review and work shall not commence until you receive written authorization from the Corps.
2. That the fill material shall consist of clean non- erodible stone obtained from an upland source, shall be free of fines, oil and grease, debris, wood, general refuse, plaster, and other pollutants, and shall contain no broken asphalt.
3. All erosion and sediment control practices shall be in place prior to any grading or filling operations and installation of proposed structures or utilities. They shall remain in place until construction is completed and the area is stabilized.
4. Prior to the discharge of any dredged or fill material into wetlands or other waters of the U.S. authorized by this permit, the permittee shall install and maintain erosion and sedimentation controls in and/or adjacent to wetlands or other waters

of the United States which are not immediately scheduled to be filled and/or authorized to be filled. Plans for erosion and sedimentation controls in and/or adjacent to wetlands or other waters of the U.S. shall comply with the Ohio Environmental Protection Agency (OEPA) Construction Storm Water Program. OEPA administers a permitting program designed to document construction activity in the state and requires practices that keep pollutants out of the streams. The point of contact for OEPA is Ms. Lynette Hablitzel and she may be reached at 419-373-3009 or by email at lynette.hablitzel@epa.state.oh.us.

Questions pertaining to this matter should be directed to me at (419) 898-3491, by writing to the following address: U.S. Army Corps of Engineers, Buffalo District, Oak Harbor Field Office, 240 Lake Street, Unit D, Oak Harbor, Ohio 43449, or by email at <mailto:paul.f.wetzel@usace.army.mil>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Wetzel", written in a cursive style.

Paul Wetzel
Biologist

Enclosures

COMPLIANCE CERTIFICATION

General Condition 14 of the Nationwide Permit you were affirmed requires that:

"Every permittee who has received a Nationwide permit verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include: a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; b) A statement that any required mitigation was completed in accordance with the permit conditions; c) The signature of the permittee certifying the completion of the work and mitigation."

APPLICANT:

City of Toledo
Div. of Recreation
2201 Ottawa Parkway
Toledo, Ohio 43606

POINT of CONTACT:
Matt Horvat
300 Dr. Martin Luther King Jr.
Dr., Toledo, Ohio 43604

File Number: 2008-888
File Closed: 08/20/08

Upon completion of the activity authorized by this permit sign this certification and return it to the address listed below within 30-days of project completion.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

Applicant

Date

Permittee Telephone Number: _____

Project Location: Highland Park, City of Toledo, Lucas County, Ohio.

Project Description: constructing three stone rock ramps downstream of the existing low head dam

Authorized Impacts (Waters of U.S. Impacted by Project): 0.41 acres

Waterway and/or Project Setting: Swan Creek

Return Completed form to:

Regulatory Branch
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: City of Toledo

File Number: 2008-888

Date: 08/20/08

Attached is:

See Section below

	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. Paul Wetzel
U.S. Army Corps of Engineers, Buffalo District
Oak Harbor Field Office
240 Lake Street, Unit D
Oak Harbor, Ohio 43449, or by
<mailto:paul.f.wetzel@usace.army.mil>.

If you only have questions regarding the appeal process you may also contact:

Mr. Michael Montone
U.S. Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street, Room 10032
Cincinnati, OH 45202-3222
(513) 684-6212; FAX(513) 684-2460
michael.g.montone@lrdor.usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

**NWP 27: “Aquatic Habitat Restoration,
Establishment and Enhancement”
Application and
Pre-Construction Notification**

Highland Park Dam Mitigation

**City of Toledo (Owner)
Partners for Clean Streams (Project Initiator)**

Prepared for:

**U. S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199**

Prepared by:



**605 South Main Street, Suite 1
Ann Arbor, MI 48104
(734) 222-9690 (phone)
(734) 222-9655 (fax)**

The Public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, Section 103, 33 USC 1413. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

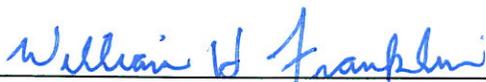
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME see attached sheet	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) JFNew, Erin Switala, Ecological Resource Specialist
6. APPLICANT'S ADDRESS see attached sheet	9. AGENT'S ADDRESS 605 S. Main St., Suite 1 Ann Arbor, MI 48104
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence b. Business see attached sheet	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business 734-222-9690

11. STATEMENT OF AUTHORIZATION

I hereby authorize, JFNew to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.



APPLICANT'S SIGNATURE

5-19-08

DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Highland Park Dam Mitigation and Riparian Enhancement	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Swan Creek	14. PROJECT STREET ADDRESS (if applicable) Highland Park South Avenue between Champion St. and Shasta Dr. Toledo, OH
15. LOCATION OF PROJECT Lucas COUNTY Ohio STATE	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)

Sections 9 and 10, Township 3, Range 7 East, second principal meridian. Swan Creek River Mile 4.3. Project area is downstream of South Avenue Bridge and upstream of pedestrian bridge in Highland Park.

17. DIRECTIONS TO THE SITE

From I-75 S, take Exit 201A, OH-25 towards Maumee. Follow OH-25 approximately 1.5 miles, and turn Right onto South Avenue. Continue on South Avenue approximately 0.8 miles. Highland Park will be on the Right. Swan Creek flows through Highland Park.

18. Nature of Activity *(Description of project, include all features)*

Partners for Clean Streams proposes to construct three rock ramps (55-105 ft long and 56-86 ft wide) downstream of an existing low head dam on Swan Creek. The proposed work includes over-excavation in the channel to anchor the rock and minor excavation into the banks to key in the rock. Rock will be placed in the channel to build the ramps. In addition to the ramps, rock will also be placed upstream of the dam to concentrate low flows towards the low flow notch. The rock will be placed with an excavator stationed on the West streambank. The excavator may drive out on top of the rock if necessary to reach the opposite bank. All disturbed areas will be restored with native plantings.

19. Project Purpose *(Describe the reason or purpose of the project, see instructions)*

This project is part of a Joyce Foundation grant spearheaded by Partners for Clean Streams. An existing low head dam has created a blockage for fish passage. The dam encases a sewer main and thus, cannot be removed. Therefore, the applicant is proposing to construct three rock ramps with low flow notches to allow fish passage. Optimal construction period is during low flow, July 2008 through September 2008, and we are planning to construct in August 2008.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Rock will be placed in the channel to raise the low-flow water surface elevation and allow fish passage over an existing low head dam. The low head dam cannot be removed because it encases a large sewer main.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

Total Rock - 1340 CY, includes D50 = 24 inches and stone filter layer of D50 = 2.5 inches

22. Surface Area in Acres of Wetlands or Other Waters Filled *(see instructions)*

A total of 0.41 acres of Swan Creek will have rock fill placed to build the rock ramps and concentrate flow. Rock will be placed using an excavator. Any material dredged will be taken off-site for disposal. No wetlands will be impacted by the proposed construction.

23. Is Any Portion of the Work Already Complete? Yes No **IF YES, DESCRIBE THE COMPLETED WORK**

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

The project area is bordered on both sides by Highland Park, owned by the City of Toledo.

City of Toledo
Division of Recreation
2201 Ottawa Parkway
Toledo, OH 43606

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
Ohio EPA	401 Water Quality Certification		concurrent		
City of Toledo	Special Flood Hazard Development Permit		concurrent		

*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Additional Information for 404 Permit Application:

BLOCK 5 –

Partners for Clean Streams (grant recipient)

Contact person: Matt Horvat

City of Toledo (owner)

Contact person: Dennis Garvin

BLOCK 6 –

Partners for Clean Streams (grant recipient)

Contact person: Matt Horvat

300 Dr. Martin Luther King Jr. Drive

Toledo, OH 43604

(419)241-9155 ext. 123

City of Toledo (owner)

Contact person: Dennis Garvin

2201 Ottawa Parkway

Toledo, OH 43606

(419)936-2326

BLOCK 7 –

Partners for Clean Streams (grant recipient)

Contact person: Matt Horvat

(419)241-9155 ext. 123

City of Toledo (owner)

Contact person: Dennis Garvin

(419)936-2326



May 20, 2008

Mr. Alan Sisselman
Regulatory Branch
U.S. Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

605 S. Main Street, Suite 1
Ann Arbor, MI 48104
Phone: 734-222-9690
Fax: 734-222-9655

Erin Switala
Ecological Resource Specialist
eswitala@jfnew.com

Corporate Office:
Walkerton, Indiana

Chicago, Illinois

Indianapolis, Indiana

Grand Haven, Michigan

Cincinnati, Ohio

Madison, Wisconsin

Native Plant Nursery:
Walkerton, Indiana

www.jfnew.com

**Re: NWP 27 Application and Pre-Construction Notification
Highland Park Dam Mitigation
Fish Passage Improvement,
City of Toledo and Partners for Clean Streams,
Toledo, Lucas County, Ohio**

Dear Mr. Sisselman:

JFNew is contacting the U.S. Army Corps of Engineers on behalf of the City of Toledo (owner) and Partners for Clean Streams (grant recipient), who seek authorization under NWP 27: "*Aquatic Habitat Restoration, Establishment and Enhancement*" to construct 3 rock ramps downstream of a low-head dam to improve fish passage over the dam in Swan Creek. We are requesting authorization that the project, as proposed below, meets the conditions of Nationwide Permit (NWP) program and that the necessary work in non-tidal waters of the U.S. can be completed under NWP 27: "*Aquatic Habitat Restoration, Establishment and Enhancement*" This letter serves as our preconstruction notification (PCN) and request for Nationwide Permit authorization.

PROJECT LOCATION

The project is located in the City of Toledo's Highland Park between the South Avenue bridge and Champion Street bridge, Toledo, Lucas County, Ohio (**Drawing 1**). The work will be conducted in Swan Creek, a perennial tributary to the Maumee River. Specifically, it is located in Sections 9 and 10 of Township 3 and Range 7 East, of the second principal meridian, on the Toledo (OH, MI) USGS quadrangle (**Drawing 1**). Below, I have provided a brief description of the project, existing site conditions and the proposed site conditions.

PROJECT DESCRIPTION AND NEED

This project is part of a Joyce Foundation grant spearheaded by the non-profit organization Partners for Clean Streams. An existing low head dam has created a blockage for fish passage. The dam encases a sewer main and thus, cannot be removed. Therefore, the applicants are proposing to construct three rock ramps with low flow notches to allow fish passage. This minimal activity within waters of the U.S. appears to be authorized under Section B.27(a)(3) of the 2007 NWP Program and the Ohio State 401 Certification for NWP 27.

Although a main entrance road exists, temporary access paths will be needed to access the streamside project area. The primary access for this project will be from the existing Shasta Drive. The parking lot near the swimming pool complex will be used as a staging area for equipment. An access path from the parking lot will extend to the south along the existing and proposed portions of the walking path (**Drawing 6**). The wetland area will not be impacted. Three construction paths will be utilized, one at the upstream end of each rock ramp, to get equipment to the edge of the stream for rock placement.

In order to access the edge of the stream, a few trees and some brush in the riparian area will be removed. The trees are labeled on the proposed plan view (**Drawing 6**). None of the trees in the construction area are potential Indiana Bat habitat. The temporary access paths will be restored through re-seeding. In order to key the rock ramp structures into the bed and banks, approximately 40 cubic yards (CY) will be removed. All dredged material is proposed to be taken off site for disposal. All disturbed areas will be restored through native plantings and installation of live stakes, which will not only stabilize the banks, but also will provide wildlife habitat (**Drawing 9**).

Thus, the City of Toledo and Partners for Clean Streams wish to perform this work under Nationwide Permit 27: Aquatic Habitat Restoration, Establishment and Enhancement.

EXISTING CONDITIONS

To determine if concerns for impacts to waters of the U.S. would limit the enhancement potential of the project, JFNew completed a "Waters of the U.S." delineation in the project area at Highland Park (**Attachment 1**) on April 4, 2008. The site consists predominantly of old-field/manicured lawn with a forested area in the northwest portion of the site. The forest is dominated by sassafras, box elder, cockspur thorn, and sycamore. We identified one 0.20 acre emergent floodplain wetland and one perennial stream, Swan Creek (\pm 500 linear feet).

Approximately 500 linear feet (lf) of streams and 0.20 acre of emergent floodplain wetland exist in the project area (2.1 acres) of the approximately fifty-eight (58) acre Highland Park property (**Exhibit 1 in Attachment 1**). There were no other jurisdictional

or isolated waters identified within the study area. **Table 1** summarizes the identified waters and their jurisdictional measurements.

Table 1: Approximate Lengths and Acreage of Identified Waters of the US

<i>ID</i>	<i>Type</i>	<i>Length (LF) or Area (ac)</i>	<i>QHEI / ORAM</i>	<i>“Waters of the U.S.”</i>	<i>QHEI / ORAM Classification</i>
<i>Swan Creek</i>	<i>Perennial</i>	<i>500</i>	<i>31</i>	<i>Yes</i>	<i>Modified warm water habitat</i>
<i>Wetland A</i>	<i>PEM</i>	<i>0.20</i>	<i>27</i>	<i>Yes</i>	<i>Class 1</i>

PROPOSED PROJECT

The applicants propose to construct three rock ramps downstream of an existing low head dam on Swan Creek in order to allow fish passage over the dam. The proposed work includes over-excavation in the channel to anchor the rock and minor excavation into the banks to key in the rock. Rock will be placed in the channel to build the ramps. In addition to the ramps, rock will also be placed upstream of the dam to concentrate low flows toward the low flow notch, allowing adequate water depth for fish passage.

The rock structures were designed using the Rock Ramp Design Guidelines (Mooney et. al., 2007) published by the U.S. Department of the Interior’s Bureau of Reclamation. The guidelines include several equations used to design the ramps and to size the stone, the stone filter layer, and the low flow channel. The stone sizing calculations are based on the 100-year event flow (9000 cfs), while the low-flow channel sizing is based on a low flow of 40 cfs. The low-flow channel calculations incorporate interstitial flow, depth-based roughness, and velocity to ensure that flow conditions are suitable for fish passage. We are confident that the rock ramp design will be stable up to the 100-year event, and that we will have sufficient flow in the low flow channel to allow passage of fish with body length greater than 4 inches. The design process also included consultation with Dave Derrick, a research hydraulic engineer with the U.S Army Corps of Engineers’ Coastal and Hydraulics Laboratory in Vicksburg, Mississippi.

To ensure that the rock structures would not adversely affect flood elevations, we modeled the preliminary design using HEC-2. The existing HEC-2 model was obtained from FEMA and field surveyed cross-sections were added upstream and downstream of the proposed project location. The existing conditions HEC model was validated to low-flow conditions (flow, velocity, and water surface elevations) observed during field work. The proposed rock ramps were then added to the model to effectively “lift” the streambed elevations. The proposed structures resulted in no significant changes in the flood elevations. Our HEC model is conservative because the preliminary design had included a series of four rock ramps, while the current design only includes three rock ramps.

PROPOSED IMPACTS ASSOCIATED WITH HABITAT ENHANCEMENT

Due to the elevational change from the encased sewer pipe (low head dam), a blockage to fish passage has existed for several decades. The applicants are proposing to restore fish passage by constructing a series of three rock ramps downstream of the dam. The rock will consist of stone with a D_{50} of 24 inches and the ramps will be underlain by a stone filter (D_{50} = 2.5 inches). The rock ramps will be keyed into the banks and into the streambed to provide stability during high flows. Each rock ramp will drop the pool water surface elevation by 0.75 feet (**Drawing 7**). One low flow sinuous notch channel will be constructed on each rock ramp to be 0.75 feet deep and 10 to 20 feet wide (notch top width is different for each rock ramp). These low flow notches are designed to allow warm-water fish with a body length of 4 inches or less to pass during low flow (approximately 40 cubic feet per second).

The fill will consist of 1275 cubic yards of stone for the three rock ramps and an additional 65 cubic yards upstream of the dam to concentrate the flow. The rock size will be the same for the upstream discharge as for the rock ramps.

The total acreage of waters to be impacted as a result of discharge activities is 0.41 acre. The total volume of material to be discharged into the river will be approximately 1340 CY.

The following table (**Table 2**) summarizes the narrative text description and discusses the proposed impacts under Nationwide Permit 27: Aquatic Habitat Restoration, Establishment and Enhancement in accordance with **Drawing 6**.

Table 2: Proposed Impact Lengths and Acreages to Identified Waters of the US

	Impact Acreage	Perennial Impacts (LF)	Cubic Yards Dredged / Fill
Nationwide 27 Impacts			
Swan Creek – Rock Ramp Construction	0.39	278 LF	1275 CY
Swan Creek- upstream rock to concentrate flow	0.02	35 LF	65 CY
TOTAL for NWP 27	0.41	313 LF	1340 CY
TOTAL FOR PROJECT	0.41 ACRE		

Request for a Letter from the Corps

It is our understanding that this project is within the limitations of Nationwide Permit 27 and does not cause more than minimal impact to jurisdictional natural resources. Because impacts to waters of the U.S. for this project are minimal, we are requesting nationwide general permit coverage. Partners for Clean Streams is requesting a letter from the Corps indicating that the project as represented in this letter and on the attached site plan is authorized by Nationwide Permit 27 and can be completed upon receipt of authorization.

Enclosed with this PCN are copies of the site impact plan (**Drawing 6**) and relevant natural resource maps (USGS Topographic Map, NWI Map, and Soil Survey of Lucas County) (**Drawings 2-4**), as well as appendices highlighting the original site assessment (Waters of the U.S. Delineation) report with necessary maps and photos describing current site conditions. Detailed draft construction drawings for the project are also included.

We are concurrently requesting consultation regarding rare, threatened and endangered (RTE) species from Ohio Dept. of Natural Resources (ODNR) and the U.S. Fish and Wildlife Services (USFWS). Partners for Clean Streams initiated discussions with Mr. John Navarro and Ms. Becky Jenkins at ODNR regarding potential mussel populations in the project area. Initially, it does not appear that any federally-listed species are in the project area; however state-listed species may be present. Partners for Clean Streams has received permission from ODNR to have a local malacologist perform a mussel survey in the project area, however this survey has not yet been conducted. Partners for Clean Streams has agreed to relocate existing mussel populations if necessary.

Due to the scale and scope of the proposed project, JFNew feels that it is unlikely that there will be impact to any present cultural resources. However, if further cultural resource investigations are required, the applicant will complete them.

If you have any questions concerning this PCN and NWP 27 authorization request, please do not hesitate to call me at 734.222.9690 or contact me by email at eswitala@jfnew.com.

Sincerely,



Erin Switala
Project Manager

Attachments

cc:

Matt Horvat, Partners for Clean Streams

Dennis Garvin, City of Toledo

Cherie Blaire, OEPA

Dr. Mary Knapp, USFWS

ODNR

Mooney, DM, CL Holmquist-Johnson, and S Broderick. 2007. Rock Ramp Design Guidelines. Reclamation: Managing Water in the West. U.S. Department of the Interior, Bureau of Reclamation, Technical Services Center.

SITE IMPACT PLAN

DRAWING 6 – PROPOSED CONDITIONS PLAN VIEW

DRAWINGS

- DRAWING 1 - SITE LOCATION MAP**
- DRAWING 2 - NATIONAL WETLAND INVENTORY (NWI) MAP**
- DRAWING 3 - SOIL SURVEY OF LUCAS COUNTY, OH**
- DRAWING 4 - AERIAL MAP OF SITE**
- DRAWING 5 - EXISTING CONDITIONS PLAN VIEW**
- DRAWING 6 - PROPOSED CONDITIONS PLAN VIEW**
- DRAWING 7 - PROFILE AND CROSS-SECTIONS**
- DRAWING 8 – DETAILS**
- DRAWING 9 – PATH DETAILS AND PLANTING PLAN**

ATTACHMENT 1.

WATERS OF THE U.S. DELINEATION REPORT

APPENDIX A - SITE PHOTOGRAPHS

APPENDIX B – ORAM, QHEI DATA SHEETS

ATTACHMENT 2.

COORDINATION LETTERS

**RARE, THREATENED, AND ENDANGERED SPECIES
CONSULTATION**



605 S. Main Street, Suite 1
Ann Arbor, MI 48104
phone: 734-222-9690
fax: 734-222-9655

Erin Switala
Ecological Resource
Specialist
eswitala@jfnew.com

Corporate Office:
Walkerton, Indiana

Chicago, Illinois

Indianapolis, Indiana

Ann Arbor, Michigan

Grand Haven, Michigan

Cincinnati, Ohio

Madison, Wisconsin

Native Plant Nursery:
Walkerton, Indiana

www.jfnew.com

May 16, 2008

Dr. Mary Knapp
United States Fish and Wildlife Service
Ecological Services
6950 Americana Parkway, Suite H
Reynoldsburg, Ohio 43068-4132

***Re: Request for Endangered, Threatened and Rare
Species Review for City of Toledo and Partners for
Clean Streams, Toledo, Lucas County, Ohio***

Dear Dr. Knapp:

JFNew is contacting the United States Fish and Wildlife Resources (USFWS) on behalf of the City of Toledo (owner) and Partners for Clean Streams (grant recipient), who are planning to construct 3 rock ramps downstream of a low-head dam to improve fish passage over the dam in Swan Creek.

The project is located in Highland Park between the South Avenue bridge and Champion Street bridges, Toledo, Lucas County, Ohio (**Drawing 1**). The work will be conducted in Swan Creek, a perennial tributary to the Maumee River. The site is located on the Toledo (OH, MI) USGS quadrangle at 41°37'56"N latitude and -83°35'05"W longitude.

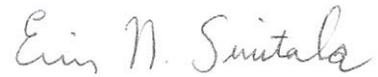
This project is part of a Joyce Foundation grant spearheaded by Partners for Clean Streams. An existing low head dam has created a blockage for fish passage. The dam encases a sewer main and thus, cannot be removed. Therefore, the agency is proposing to construct three rock ramps with low flow notches to allow fish passage. The work includes discharge of approximately 1340 cubic yards of rock to create the ramps. There will be a few trees and brush cleared in the process in order to gain access to the work area.

We have included a copy of the Nationwide Permit application, which contains photographs, and a Waters of the U.S. delineation report.

We are soliciting information from USFWS on the presence of any Federally listed (or proposed for listing) endangered or threatened species or critical habitat in the project area that may be affected by the proposed development. Please also inform us of known locations of species. This information is being requested as part of the U.S. Army Corps of Engineers Section 404 permitting process.

Thank you for your assistance in this matter. If you have any questions regarding our request, please contact me at your convenience at 734-222-9690, or by email at eswitala@jfnew.com.

Sincerely,

A handwritten signature in cursive script that reads "Erin N. Switala".

Erin Switala
Ecological Resource Specialist

Enclosure
PN: 070812



May16, 2008

Ohio Department of Natural Resources
Division of Natural Areas and Preserves
Ohio Natural Heritage Program
2045 Morse Road, Building F-1
Columbus, Ohio 43229

Re: Request for Endangered, Threatened and Rare Species Review for Highland Park Dam Mitigation, Toledo, Lucas County, Ohio

Dear Project Manager:

JFNew is contacting the Ohio Department of Natural Resources (ODNR) on behalf of Partners for Clean Streams, who is planning to construct 3 rock ramps downstream of a low-head dam to improve fish passage over the dam in Swan Creek.

The project is located in Highland Park between the South Avenue bridge and Champion Street bridges, Toledo, Lucas County, Ohio (**Figure 1**). The work will be conducted in Swan Creek, a perennial tributary to the Maumee River. Specifically, it is located in Sections 9 and 10, Township 3, and Range 7 East of the second principal meridian. The site is located on the Toledo (OH, MI) USGS quadrangle.

This project is part of a Joyce Foundation grant spearheaded by Partners for Clean Streams. An existing low head dam has created a blockage for fish passage. The dam encases a sewer main and thus, cannot be removed. Therefore, the agency is proposing to construct three rock ramps with low flow notches to allow fish passage. The work includes discharge of approximately 1340 cubic yards of rock to create the ramps. There will be a few trees and brush cleared in the process in order to gain access to the work area.

We are soliciting information from ODNR on the presence of any State listed (or proposed for listing) endangered or threatened species or critical habitat in the project area that may be affected by the proposed construction. This information is being requested as part of the Section 404 permitting process.

Mr. Matthew Horvat from Partners for Clean Streams (PCS) has been in contact with Mr. John Navaro and Ms. Becky Jenkins of ODNR and has discussed the potential for existence of state-listed mussel populations on the project site. Mr. Horvat has received permission for PCS to have a local malacologist perform a mussel survey of the project site. PCS has also agreed to relocate mussel populations if necessary.

JFNew has contacted USFWS, for site-specific information on Federal listed

605 S. Main Street, Suite 1
Ann Arbor, MI 48104
phone: 734-222-9690
fax: 734-222-9655

Erin Switala
Ecological Resource
Specialist
eswitala@jfnew.com

Corporate Office:
Walkerton, Indiana

Chicago, Illinois

Indianapolis, Indiana

Ann Arbor, Michigan

Grand Haven, Michigan

Cincinnati, Ohio

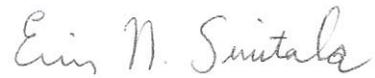
Madison, Wisconsin

Native Plant Nursery:
Walkerton, Indiana

www.jfnew.com

plants and animals. Thank you for your assistance in this matter. If you have any questions regarding our request, please contact me at your convenience at 734-222-9690, or by email at eswitala@jfnew.com.

Sincerely,

A handwritten signature in cursive script that reads "Erin N. Switala".

Erin Switala
Project Manager

Enclosure
JFNew Project No. 070812



DATA REQUEST FORM

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF NATURAL AREAS AND PRESERVES
OHIO NATURAL HERITAGE PROGRAM
2045 MORSE RD., BLDG. F-1
COLUMBUS, OHIO 43229-6693
PHONE: 614-265-6453; FAX: 614-267-3096

INSTRUCTIONS:

Please complete both sides of this form, sign and return it to the address or fax number given above along with: **(1)** a brief letter describing your project, and **(2)** a map detailing the boundaries of your project site. A copy of the pertinent portion of a USGS 7.5 minute topographic map is preferred but other maps are acceptable. Our turnaround time is two weeks, although we can often respond more quickly. If you fax in your request you do not need to mail the original unless otherwise requested.

FEES:

Fees are determined by the amount of time it takes to complete your project. The charge is \$50.00 per half hour with a one hour minimum. A cost estimate can be provided upon request. An invoice will be included with our response.

WHAT WE PROVIDE: The Natural Heritage Database is the most comprehensive source of information on the location of Ohio's rare species and significant natural features. 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. Records for the following will be provided from the Natural Heritage Database: plants and animals (state and federal listed species), high quality examples of natural plant communities, geologic features, breeding animal concentrations, and unprotected natural areas. In addition, we report locations for managed areas including federal, state, county, local and non-profit areas, as well as state and national scenic rivers. Natural Heritage Data can be provided in many formats, including GIS shapefiles, spreadsheets, printed reports or maps. A minimum one mile radius around the project site will automatically be searched. Because Natural Heritage data is sensitive information, it is our policy to provide only the data needed to complete your project.

Date: May 16, 2008

Company name: JFNew

Your name: Erin Switala

Address: 605 S. Main St, Suite 1

City/State/Zip: Ann Arbor, MI 48104

Phone: (734) 222-9690 Fax: (734) 222-9655

E-mail address: eswitala@jfnew.com



June 16, 2008

Mr. David Golles
City of Toledo
Division of Building Inspection
One Government Center, Suite 1600
Toledo, OH 43604

605 S. Main Street, Suite 1
Ann Arbor, MI 48104
Phone: 734-222-9690
Fax: 734-222-9655

**Re: Flood Hazard Development Permit Application
Highland Park Dam Mitigation
Fish Passage Improvement,
City of Toledo and Partners for Clean Streams,
Toledo, Lucas County, Ohio**

Erin Switala
Ecological Resource Specialist
eswitala@jfnew.com

Corporate Office:
Walkerton, Indiana

Chicago, Illinois

Indianapolis, Indiana

Grand Haven, Michigan

Cincinnati, Ohio

Madison, Wisconsin

Native Plant Nursery:
Walkerton, Indiana

www.jfnew.com

Dear Mr. Golles:

JFNew is contacting the City of Toledo Division of Building Inspection on behalf of the City of Toledo Parks Department (owner) and Partners for Clean Streams (grant recipient), who seek approval to construct 3 rock ramps downstream of a low-head dam to improve fish passage over the dam in Swan Creek.

The project is located in the City of Toledo's Highland Park between the South Avenue Bridge and Champion Street Bridge, Toledo, Lucas County, Ohio (**Drawing 1**). The work will be conducted in Swan Creek, a perennial tributary to the Maumee River. Specifically, it is located in Sections 9 and 10 of Township 3 and Range 7 East, of the second principal meridian, on the Toledo (OH, MI) USGS quadrangle (**Drawing 1**). Below, I have provided a brief description of the project and items included with this application.

This project is part of a Joyce Foundation grant spearheaded by the non-profit organization Partners for Clean Streams. An existing low head dam has created a blockage for fish passage. The dam encases a sewer main and thus, cannot be removed. Therefore, the applicants are proposing to construct three rock ramps with sinuous, low flow channels to allow fish passage.

The rock structures were designed using the Rock Ramp Design Guidelines (Mooney et. al., 2007) published by the U.S. Department of the Interior's Bureau of Reclamation. The guidelines include several equations used to design the ramps and to size the stone, the stone filter layer, and the low flow channel. The stone sizing calculations are based on the 100-year event flow (9,000 cfs), while

the low-flow channel sizing is based on a low flow of 30-40 cfs. The low-flow channel calculations incorporate interstitial flow, depth-based roughness, and velocity to ensure that flow conditions are suitable for fish passage. We are confident that the rock ramp design will be stable up to the 100-year event, and that we will have sufficient flow in the low flow channel to allow passage of fish with body length greater than 4 to 6 inches. The design process also included consultation with Dave Derrick, a research hydraulic engineer with the U.S Army Corps of Engineers' Coastal and Hydraulics Laboratory in Vicksburg, Mississippi. Construction drawings are included with this permit application for your reference.

The proposed work includes over-excavation in the channel to anchor the rock and minor excavation into the banks to key in the rock. Rock will be placed in the channel to build the ramps. In addition to the ramps, rock will also be placed upstream of the dam to concentrate low flows toward the low flow notch, allowing adequate water depth for fish passage. A total of approximately 1,340 CY of stone will be added to the channel. The rock will consist of stone with a D_{50} of 24 inches and the ramps will be underlain by a stone filter ($D_{50}= 2.5$ inches). The rock ramps will be keyed into the banks and into the streambed to provide stability during high flows. Each rock ramp will drop the pool water surface elevation by 0.75 feet (**Drawing 7**). One low flow notch channel will be constructed on each rock ramp to be 0.75 feet deep and 10 to 20 feet wide (notch top width is different for each rock ramp). These low flow notches are designed to allow warm-water fish with a body length of 4 to 6 inches or greater to pass during low flow (approximately 40 cubic feet per second).

To ensure that the rock structures would not adversely affect flood elevations, we modeled the preliminary design using HEC-2. The existing HEC-2 model was obtained from FEMA and field surveyed cross-sections were shot upstream and downstream of the proposed project location. The existing conditions HEC model was validated to low-flow conditions (flow, velocity, and water surface elevations) observed during field work. The proposed rock ramps were then added to the model to effectively "lift" the streambed elevations. The proposed structures resulted in no significant changes in the 100-year flood elevations upstream of the dam (see **Table 7** in attached memo). Our HEC model is conservative because the preliminary design had included a series of four rock ramps, while the current design only includes three rock ramps. The technical memorandum included with this application shows the results of the hydrologic/hydraulic analysis.

If you have any questions concerning this permit application, please do not hesitate to call me at 734.222.9690 or contact me by email at eswitala@jfnew.com.

Sincerely,

Erin Switala
Project Manager

Attachments

cc:

Matt Horvat, Partners for Clean Streams

Dennis Garvin, City of Toledo

Mooney, DM, CL Holmquist-Johnson, and S Broderick. 2007. Rock Ramp Design Guidelines. Reclamation: Managing Water in the West. U.S. Department of the Interior, Bureau of Reclamation, Technical Services Center.

CITY OF TOLEDO



Division of Building Inspection

National Flood Insurance Program

NOTICE: Lending Institutions, Real Estate Agencies, and Insurance Agencies

SUBJECT: Flood Insurance Information – City of Toledo

AS A PUBLIC SERVICE, THE City of Toledo WILL PROVIDE YOU WITH THE FOLLOWING INFORMATION UPON REQUEST:

- Whether the property is located in a Special Flood Hazard Area (SFHA) based on the Flood Insurance Rate Maps (FIRM) within the City of Toledo.
- Provide additional information such as FIRM Zones, Base Flood Elevation (BFE) data elevation and depth.
- Provide informational handouts regarding flood insurance within SFHA's.

The Division of Building Inspection is located on the 16th Floor at One Government Center. The Office hours are Mon. thru Friday from 7:30AM to 4:30PM. The Phone number is 419-245-1220. There is no charge for this service and the information requested may take a couple of days. The Office can also provide Elevation Certificates for buildings constructed in the Flood Plain since 2000 and also provide Elevation Certificate Applications for new construction.



CITY OF TOLEDO



Division of Building Inspection

FLOOD INSURANCE

NFIP: The City of Toledo participates in the National Flood Insurance Program (NFIP). The NFIP makes federally backed flood insurance available for all buildings, whether they are in a floodplain or not. Flood insurance covers direct loss caused by surface flooding.

The NFIP insures buildings for structure and contents, which have to be purchased separately. The content coverage is for the contents actually located within the insured building and include HVAC equipment.

MANDATORY PURCHASE REQUIREMENT: The mandatory purchase requirement applies to all forms of federal or federally related financial assistance for buildings located in a special flood hazard area (SFHA). This requirement affects loans and grants for the purchase, construction, repair, or improvement of any publicly or privately owned building within the SFHA, including machinery, equipment, fixtures, and furnishings contained in such buildings.

Financial assistance programs affected include loans and grants from agencies such as the Dept. of Veterans Affairs, Farmers Home Administration, Federal Housing Administration, Small Business Administration, and Federal Emergency Management Agency. The requirement also applies to secured mortgage loans from financial institutions and mortgage loans purchased by Fannie Mae or Freddie Mac in secondary mortgage market.

HOW IT WORKS: Before a person can receive a loan or other financial assistance from one of the affected agencies or lenders, there must be a check to see if the building is in a SFHA. The SFHA is the base (100-year) floodplain mapped on a Flood Insurance Rate Map (FIRM). It is shown as one or more zones that begin with the letter "A" or "V."

Copies of the FIRM are available for review at the Division of Building Inspection located at One Government Center, Suite 1600 in Toledo, OH 43604. It is the agency's or the lender's responsibility to verify the FIRM data to determine if the building is in an SFHA. If the building is located within an SFHA, the agency or lender is required by law to require the recipient to purchase a flood insurance policy on the building. The requirement is for structural coverage equal to the amount of the loan or the maximum amount available, whichever is less. The maximum amount available for a single-family house is \$250,000.

The mandatory purchase requirement does not affect loans or financial assistance for items that are not covered by a flood insurance policy, such as vehicles, business expenses, landscaping, and vacant lots. It does not affect loans for buildings that are not in the SFHA, even though a portion of the lot may be flood prone. While not mandatory by law, a lender may require a flood insurance policy for a property in any zone on a Flood Insurance Rate Map.

PT08-01481

Special Flood Hazard Area Development Permit Application

Application is hereby made for a DEVELOPMENT PERMIT as required by the Flood Damage Prevention Ordinance No. (908-00) of (Toledo, Ohio) for development in an identified flood hazard area. All activities shall be completed in accordance with the requirement of said Ordinance. The development to be performed is described below and in attachments hereto. The applicant understands and agrees that:

- This permit is issued on the conditions and facts described;
- Any permit may be repealed if conditions or facts change;
- Permit void if the activity has not begun within 180 days of the issuance date;
- The permit will remain valid for one year from date of issuance.

Grant Recipient:
 Partners for Clean Streams
 300 Dr. Martin Luther King Jr. Dr.
 Toledo, OH 43604
 Contact: Matt Horvat
 Toledo, OH 43604
 (419) 241-9155 ext. 123
 Contact: Matt Horvat

Owner's Name: City of Toledo (Dennis Garvin) Builder: JFNew (Erin Switala) (419)241-9155 ext. 123
City of Toledo (Dennis Garvin) JFNew (Erin Switala)
 Address: 2201 Ottawa Parkway, Toledo, OH, 43606 Address: 605 S. Main St., Suite 1, Ann Arbor, MI, 48104
2201 Ottawa Parkway, Toledo, OH, 43606 605 S. Main St., Suite 1, Ann Arbor, MI, 48104
 Phone: 419-936-2326 Phone: 734-222-9690
419-936-2326 734-222-9690

NOTE: In addition to completion of this form the applicant agrees to submit any additional information required by the administrator in order to determine that the proposed development is compliant with the local and federal flood damage prevention criteria of the National Flood Insurance Program. Additional information may include but is not limited to: site specific plans to scale showing the nature, location, dimensions and elevations of the area and structure(s) in question.

DESCRIPTION OF WORK

1. Location of proposed development site-address: 1765 Finch
Swan Creek at Highland Park, (South Avenue at Woodsdale Ave)
Swan Creek at Highland Park, (South Avenue at Woodsdale Ave)
2. Kind of development proposed:
- | | | |
|---|---|---|
| new building <input type="checkbox"/> | existing structure <input type="checkbox"/> | filling/grading <input type="checkbox"/> |
| residential <input type="checkbox"/> | alteration <input type="checkbox"/> | mining/dredging <input type="checkbox"/> |
| nonresidential <input type="checkbox"/> | addition <input type="checkbox"/> | watercourse alteration <input type="checkbox"/> |
| manufactured <input type="checkbox"/> | materials storage <input type="checkbox"/> | other* <input checked="" type="checkbox"/> |

*Describe activity: Improve fish passage in Swan Creek over low-head dam at South Avenue, by
constructing improve fish passage in Swan Creek over low-head dam at South Avenue, by

3. If the proposed construction is an alteration, addition or improvement to an existing structure, indicate the cost of proposed construction \$_____. What is the estimated market value of the existing structure \$_____?

NOTE: An existing structure must comply with the flood protection standards if it is substantially improved (an improvement equal to or greater than 50% of the market value of the structure). FEMA maintains that the "substantial improvement" definition applies to existing structures only and that once a structure meets the definition of "new construction" any further improvements to that structure must meet "new construction" requirements. For floodplain management purposes "new construction" means structures for which "start of construction" began on or after the effective date of the Initial Flood Insurance Rate Map issued by FEMA for the community.

4. Does propose development involve a subdivision or other development containing at least 50 lots or 5 acres (whichever is less) Yes__ No ?

NOTE: If yes, base flood elevation data is required from applicant if it has not been provided by FEMA.

I AGREE THAT ALL STATEMENTS IN AND ATTACHMENTS TO THIS APPLICATION ARE A TRUE DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSED DEVELOPMENT ACTIVITY. I UNDERSTAND THE DEVELOPMENT REQUIREMENTS FOR SPECIAL FLOOD HAZARD AREA ACTIVITIES PER THE APPROPRIATE ORDINANCE (RESOLUTION) AND AGREE TO ABIDE THERETO. I UNDERSTAND IT IS MY RESPONSIBILITY TO OBTAIN ALL APPLICABLE FEDERAL, STATE AND LOCAL PERMITS.

Applicant's Signature William H Franklin

Date: 6/11/08

FEE: \$35.00

ADMINISTRATIVE

NOTE: The following is to be completed by the local floodplain administrator. All references to elevations are in feet mean sea level (m.s.l.). The term base flood elevation means the same as the 100-year elevation.

5. Is the proposed development located in:

- An identified floodway
- A flood hazard area where base flood elevations exist with no identified floodway
- An area within the floodplain fringe
- An approximate flood hazard area (Zone A). If yes, complete only 6a in the following question. See No. 9

NOTE: Floodway development must demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice, that no increase in base flood elevation would result during occurrence of the base flood discharge. If base flood elevations exist with no floodway delineation, hydrologic and hydraulic analysis is required to demonstrate no more than one foot increase at any point to the water surface elevation of the base flood.

6a. Does proposed development meet NFIP and local Specific Standards at Section TMC 1110 of your regulations?

- Construction materials and methods resistant to flood damage
- Anchored property
- Subdivision designed to minimize flood damage
- Utilities safe from flooding

6b. Does proposed development meet NFIP and local Specific Standards at Section TMC 1169.0 of your regulations?

- Encroachments-proposed action will not obstruct floodwaters
- Proposed site grade elevations if fill or topographic alteration is planned
- Proposed lowest floor elevation expressed in feet mean sea level
- Proposed flood proofed elevation expressed in feet mean sea level (nonresidential only)

7. Base flood elevation (100-year) at proposed site _____ feet m.s.l.

Date source _____

Map effective date _____ Community-Panel No. _____

8. Does the structure contain:

basement enclosed area other than basement below lowest floor?

9. For structure located in approximate A zones (no BFE available) the structure's lowest floor is _____ feet above the highest grade adjacent to the structure.

10. The proposed development is in compliance with applicable floodplain standards.

PERMIT ISSUED ON _____

11. The proposed development is not in compliance with applicable floodplain standards.

PERMIT DENIED ON _____

Reason: _____.

NOTE: All structures must be built with the lowest floor, including the basement, elevated or flood proofed to or above the base flood elevation (100-year) unless a variance has been granted. Only nonresidential structure may be flood proofed.

12. The proposed development is exempt from the floodplain standards per Section TMC 1110.0 of the Flood Damage Prevention Ordinance No. 908-00

Administrator's Signature _____ Date _____

13. The certified as-built elevation of the structure's lowest floor is _____ feet above m.s.l.*

14. The certified as-built flood proofed elevation of the structure is _____ feet above m.s.l.*

Note: Certification by registered engineer or land surveyor documenting these elevations is necessary if applicant provides elevations.

DRAWINGS

- DRAWING 1 - SITE LOCATION MAP**
- DRAWING 2 - NATIONAL WETLAND INVENTORY (NWI) MAP**
- DRAWING 3 - SOIL SURVEY OF LUCAS COUNTY, OH**
- DRAWING 4 - AERIAL MAP OF SITE**
- DRAWING 5 - EXISTING CONDITIONS PLAN VIEW**
- DRAWING 6 - PROPOSED CONDITIONS PLAN VIEW**
- DRAWING 7 - PROFILE AND CROSS-SECTIONS**
- DRAWING 8 – DETAILS**
- DRAWING 9 – PATH DETAILS AND PLANTING PLAN**

ATTACHMENT 1.

Technical Memorandum – Hydrologic/Hydraulic Analysis

Storm Water Pollution Prevention Plan Highland Park Dam Mitigation and Restoration Project

LUCAS COUNTY, TOLEDO, OHIO

AUGUST 2008

Prepared For:

Highland Park Dam Mitigation and Restoration Project

City of Toledo (owner)

**In partnership with:
Partners for Clean Streams (grant recipient)**

Prepared By:



Eastern Michigan Office
605 South Main Street, Suite 1
Ann Arbor, MI 48104
(734) 222-9690

Storm Water Pollution Prevention Plan

Table of Contents

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APPENDIX A	ENGINEERING DRAWINGS
APPENDIX B	CONSTRUCTION DISTURBANCE AREAS
APPENDIX C	BMP LOCATIONS
APPENDIX D	BMP INSPECTION FORM

Storm Water Pollution Prevention Plan Highland Park Dam Mitigation and Restoration Project, Toledo, OH

1.0 Owner and Agent Contact Information

The proposed project will take place at the City of Toledo's Highland Park. The park is located on South Avenue between Champion Street and Shasta Drive. The landowner is the City of Toledo. The project is in partnership with the Partners for Clean Streams, the recipient of a Joyce Foundation Grant. The City of Toledo has designated JFNew as their permitting agent, and Ecological Restoration, Inc is acting as the construction contractor.

Landowner: City of Toledo
2201 Ottawa Parkway
Toledo, OH 43606
Attn: Dennis Garvin
Phone: (419)936-2326

Grant Recipient: Partners for Clean Streams
300 Dr. Martin Luther King Jr. Drive
Toledo, OH 43604
Attn: Matt Horvat
Phone: (419)241-9155 ext. 123

Agent : JFNew
605 S. Main Street
Suite 1
Ann Arbor, MI 48104
Phone (734)222-9690

Construction Contractor: Ecological Restoration, Inc.
194 Goodview Dr.
Apollo, PA 15613
Attn: Dave Hails
Phone (724)727-3771

2.0 Site Location and Overview

This project is part of a Joyce Foundation grant spearheaded by the non-profit organization Partners for Clean Streams. An existing low head dam has created a blockage for fish passage.

The dam encases a sewer main and thus, cannot be removed. Therefore, we are proposing to construct three rock ramps with low flow notches to allow fish passage.

The project is located in the City of Toledo's Highland Park between the South Avenue bridge and Champion Street bridge, Toledo, Lucas County, Ohio (**Drawing 1**). The work will be conducted in Swan Creek, a perennial tributary to the Maumee River. Specifically, it is located in Sections 9 and 10 of Township 3 and Range 7 East, of the second principal meridian, on the Toledo (OH, MI) USGS quadrangle (**Drawing 1**). A vicinity map is included in the attached Engineering Drawings for your reference (**Appendix A**).

The applicants propose to construct three rock ramps downstream of an existing low head dam on Swan Creek in order to allow fish passage over the dam. The proposed work includes trenching in the channel to anchor the rock and minor excavation into the banks to key in the rock. Rock will be placed in the channel to build the ramps. In addition to the ramps, rock will also be placed upstream of the dam to concentrate low flows toward the low flow notch, allowing adequate water depth for fish passage. In-stream work will involve approximately 315 ft of stream. The project will also include construction of a new walking path and a native plant demonstration garden (**Sheet 9**).

The total area to be disturbed is 0.85 acres (**Appendix B**). Because the disturbance area is less than 1 acre, a storm water permit is not required by the State of Ohio or the City of Toledo.

3.0 Soils and Wetlands

The soils at the project site in Highland Park are loams. The soils on both streambanks in the project area are classified as Udorthents, while the soils downstream of the project area are classified Sisson Loams. See the attached Soils Map and Reports (**Sheet 3**).

The site consists predominantly of old-field/manicured lawn with a thin strip of forested riparian area along the streambanks. JFNew completed a "Waters of the U.S." delineation in the project area at Highland Park on April 4, 2008, and identified one 0.20 acre emergent floodplain wetland in the project area (**Sheet 5**).

4.0 Proposed Work

Proposed earth changes will occur to build temporary stone access paths, to create the new walking path and garden, and within the stream and streambanks to create the rock ramps and key them into the banks.

Although a main entrance road exists, temporary stone access paths will be needed to access the streamside project area. The primary access for this project will be from the existing Shasta Drive. The parking lot near the swimming pool complex will be used as a staging area for equipment and materials. An access path from the parking lot will extend to the south along the existing and proposed portions of the walking path (**Drawing 6**) on the west bank. The construction access will be from the western stream bank, where the native plant garden and proposed walking path will also be built. The only disturbance on the east bank will be the removal of a portion of retaining wall and re-grading, as well as excavation to key in the rock ramp structures.

Three construction paths will be utilized, one at the upstream end of each rock ramp, to get equipment to the edge of the stream for rock placement. In order to access the edge of the stream, a few trees and some brush in the riparian area will be removed. The trees are labeled on the proposed plan view (**Drawing 6**). The wetland area will not be impacted. The temporary access paths will be restored through re-seeding and will be covered with erosion control blanket.

The proposed in-stream work will extend 35 feet upstream of the low-head dam and approximately 280 ft downstream of the dam. **Sheet 6** of the Plans (attached) shows the site plan with proposed rock ramps. The rock will consist of stone with a D50 of 24 inches and the ramps will be underlain by a stone filter (D50= 2.5 inches). The rock ramps will be keyed into the banks and into the streambed to provide stability during high flows. Each rock ramp will drop the pool water surface elevation by 0.75 feet (**Drawing 7**). One low flow sinuous notch channel will be constructed on each rock ramp to be 0.75 feet deep and 10 to 20 feet wide (notch top width is different for each rock ramp). These low flow notches are designed to allow warm-water fish with a body length of 4 inches or less to pass during low flow (approximately 40 cubic feet per second).

The fill will consist of 1,275 cubic yards of stone for the three rock ramps and an additional 65 cubic yards upstream of the dam to concentrate the flow. The rock size will be the same for the upstream discharge as for the rock ramps. In order to key the rock ramp structures into the bed and banks, approximately 40 cubic yards (CY) will be removed. All dredged material is proposed to be taken off site for disposal.

The total acreage of in-stream impact as a result of building the rock ramps is 0.41 acres (**Appendix B**). The total volume of material to be permanent placed into the river will be approximately 1,340 CY. All disturbed riparian areas will be restored through native plantings and installation of live stakes, which will not only stabilize the banks, but also will provide wildlife habitat (**Drawing 9**).

5.0 Construction Sequence

Construction will take place the last two weeks of August and the first week in September, if necessary. The swimming pool complex parking lot (off of Shasta Drive) will be used to stockpile erosion control blankets, gravel, stone, and planting materials.

Construction will begin with creation of the access paths in order to reach the streamside construction areas. Access paths will be created by laying gravel over the existing grass. Because no removal of turf grass or grading will take place to construct the access paths, little or no soil will be disturbed in these areas. Tree removal and grubbing of brush will be done and stone laid for the access paths as needed. Swamp mats may be used in some riparian areas to decrease the amount of stone needed and minimize impacts to riparian vegetation.

The in-stream work will begin with the construction of the rock ramp immediately downstream of the low-head dam. The excavator will work from west streambank to east streambank, first excavating a small amount of bed material to key the ramps into the streambed. Then the stone filter will be laid, and then the large anchor rock lain on top. Each ramp will be built with the stone in compression, so as you move upstream, the stone is laid on top of the downstream stone. The excavator will build the portion of the ramp closest to the west bank, and then move out onto the stone in the stream as necessary to continue across the stream width.

The second and third ramps downstream of the dam will be built in sequence, in the same manner as the first rock ramp. Bank keying will be done for the two further downstream ramps, at the crests of the ramps. The bank keys will be excavated and rock laid in place. Non-woven geotextile will be placed between the back and sides of the keys to prevent loss of virgin soil by seepage piping through the key. The rock will be covered with a thin layer of topsoil, and seeded and blanketed at the conclusion of construction on each rock ramp. After construction of rock ramps is completed, volunteer crew will be utilized to plant bare-root shrubs and small trees in the bank key areas. Prior to keying in the third ramp on the east bank,

a portion of the crumbling concrete retaining wall will be removed. The last rock placed in the stream will be the flow-narrowing rock on the upstream side of the dam.

Because excavation equipment will be readily available on-site during construction, the turf grass where native vegetation will be planted will be scraped off the surface rather than using an herbicide to kill the grass. The grass will be removed and the area re-graded as necessary within a day of planting the native plant demonstration garden. In the native garden area, a three inch thick layer of hardwood mulch will be spread and native plugs will be planted into the mulch and covered with erosion control blanket.

6.0 Soil Erosion and Sedimentation Control Measures

Temporary Measures During Construction

Because the work will be occurring on the streambank and in the channel, it will be important to follow Best Management Practices (BMPs) to minimize soil erosion and minimize the amount of sediment entering Swan Creek. Silt fences will be employed on much of the site (**Appendix C**), including on the downstream side of all floodplain soil disturbances (i.e. native planting area, re-graded areas, etc). Sediment discharges into the river during construction will be minimized as much as possible through careful excavation of as little material as possible by skilled operators. The large stone will be underlain by gravel in order to minimize disturbance of the stream sediments.

Any stockpiles of dirt or fill material left on-site (in parking lot) will be covered with a tarp during rain events. Silt fence will also be used on the downstream sides of the parking lot pavement. Inlet protection, such as the GSI Dandy® Bag will be used around any stormwater inlet drains in the parking lot. Temporary erosion control measures in and around the parking lot will be installed prior to stockpiling, and be removed after all stockpiled material is removed.

Permanent Measures

Disturbed areas immediately along the streambank (bank keys and re-graded area where retaining wall removed) will be seeded with a native plant buffer and covered with a coir fabric erosion control blanket. The native plant seed mix will include annual oat and rye species to take hold and provide protection within weeks of construction and perennial species that will come up the following spring. All seeding will be done immediately following final grading. In

addition to seeding, live stakes and bare-root trees and shrubs will also be planted in these areas.

Much of the area disturbed to create the access paths will be converted into the proposed walking path. After construction has been completed, gravel will be removed from the remaining access path areas and turf re-seeding will be done as necessary.

7.0 Inspection and Maintenance

During construction, all stormwater pollution prevention BMPs should be inspected once a week and after major storm events. An inspection form is included in **Appendix D**.

For the first year following the project, monitoring will be done to assess plant growth, survival, and invasive species presence in the riparian area and native plant garden areas. Hand pulling and spot herbicide treatment may be used to remove invasive plants that compete with the natives. As a general rule of thumb, prairies should be mowed 1-3 times during the first year. The mower blade should be sharp (to avoid ripping seedlings out of the ground) and should be set at a height of 6". Exact mowing schedules are dictated by the growth of the vegetation, and should be performed when the weeds reach a height of 1-2 feet, or begin to flower. In the second year, an early summer mow may be all that is needed to give the natives the jump they need.

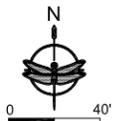
Monitoring of the rock ramps will also be done, looking for signs of shifting rock, piping, wash out, and blockage of the meandering notch channels within the rock ramps. Any obstructions (debris that has come into the reach from upstream, or trees that have fallen into the reach) will be evaluated to determine if it is blocking fish passage or adversely affecting the stability of the rock ramps. If so, the obstruction will be removed.

Long-term maintenance required for the native plant buffer is very minimal. Ideal maintenance for the native plant buffer is by prescribed burning, approximately every three years. If prescribed burning is not done, mowing may be a suitable alternative. Maintenance responsibility lies with the City of Toledo Department of Parks and Forestry.

APPENDIX A
Engineering Drawings

APPENDIX B

Construction Disturbance Areas



SCALE IN FEET
 GRAPHIC SCALE VERIFICATION
 This bar measures 1" on 22"x34"
 or 1/2" on 11"x17" original.
 Adjust scale accordingly.



Corporate/Northern Indiana
 708 Roosevelt Road
 Walkerton, Indiana 46574
 574-586-3400
 Eastern Michigan
 605 S. Main Street, Suite 1.
 Ann Arbor, MI 48104
 734-222-9690

REVISION	DESCRIPTION

Highland Park Dam Mitigation and
 Riparian Enhancement
 Partners for Clean Streams
 Lucas County, Toledo, Ohio
 PROPOSED PLAN

DRAWN BY: COD
 DESIGNED BY: ES
 DATE: MAY 2008
 JOB NO: 070812.00

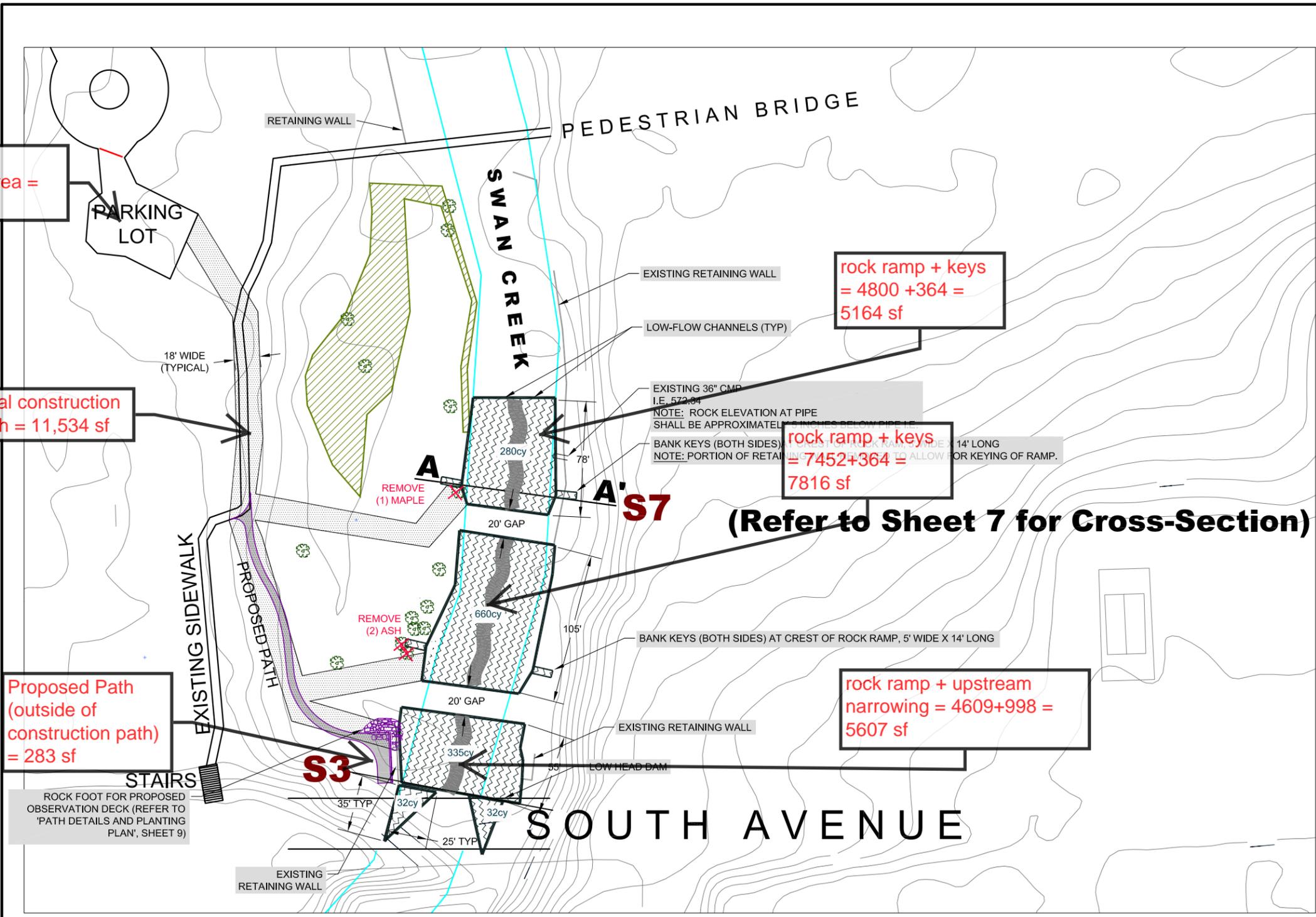
DRAFT

DRAWING NO.
6
 6 OF 9

LEGEND

- Existing Grade
- S#** Cross-Section Designation / Location
- Existing Trees
- Trees to be removed as specified
- Rock Ramp (Refer to Details, Sheet 8)
- Construction Access (Refer to Details, Sheet 8)
- Wetland

Total Areas	
Garden	2471
Construction Paths	11,534
Proposed Path	283
Rock Ramps	5164
	7816
	5607
Stockpile	3992
SUM	36,867 SF
	36,867 SF = 0.846 acres



SITE PLAN

Parking lot
 stockpile area =
 3992 sf

Total construction
 Path = 11,534 sf

Proposed Path
 (outside of
 construction path)
 = 283 sf

rock ramp + keys
 = 4800 + 364 =
 5164 sf

rock ramp + keys
 = 7452 + 364 =
 7816 sf

rock ramp + upstream
 narrowing = 4609 + 998 =
 5607 sf

(Refer to Sheet 7 for Cross-Section)

ROCK FOOT FOR PROPOSED
 OBSERVATION DECK (REFER TO
 'PATH DETAILS AND PLANTING
 PLAN', SHEET 9)

EXISTING 36" CMP
 I.E. 572.84
 NOTE: ROCK ELEVATION AT PIPE
 SHALL BE APPROXIMATELY
 572.84
 BANK KEYS (BOTH SIDES)
 NOTE: PORTION OF RETAINING WALL TO ALLOW FOR KEYING OF RAMP.

BANK KEYS (BOTH SIDES) AT CREST OF ROCK RAMP, 5' WIDE X 14' LONG

NOTE

1.) Contours on this document are derived from available public domain DEM data. This data does not constitute professional topographic survey, and may not accurately represent actual field elevations. This data is not intended to support engineering plans or detailed site design.

PRELIMINARY DRAWING:
 NOT APPROVED FOR CONSTRUCTION.

Location: S:\Water\CA\Chick\Drawings\PROJECT\CA_program\ES\070812\Highland Park Dam_Mitigation\070812\proposed_plan\070812.dwg
 Last Saved By: cod/brw, 05/02/08 9:51:43 AM
 Plot Date: 05/02/08 9:51:43 AM

APPENDIX C

BMP Locations

APPENDIX D
BMP Inspection Form

Stormwater Construction Site Inspection Report – Highland Park

General Information			
Project Name	Highland Park Dam Mitigation and Restoration		
NPDES Tracking No.		Location	Highland Park, Toledo, OH
Date of Inspection		Start/End Time	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			
Describe present phase of construction			
Type of Inspection:			
<input type="checkbox"/> Regular <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event			
Weather Information			
Has there been a storm event since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, provide:			
Storm Start Date & Time:	Storm Duration (hrs):	Approximate Amount of Precipitation (in):	
Weather at time of this inspection?			
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snowing <input type="checkbox"/> High Winds			
<input type="checkbox"/> Other: _____ Temperature: _____			
Have any discharges occurred since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, describe:			
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, describe:			

Site-specific BMPs

- Describe corrective actions initiated, date completed, and note the person that completed the work in the Corrective Action Log.

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
1	Inlet Protection in Parking Lot Stockpile Area	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Silt Fence along Parking Lot Stockpile Area	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Silt Fence along bank keys on Rock Ramp 2	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	Silt Fence along bank keys on Rock Ramp 3	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Silt Fence along Retaining Wall Removal Area (Ramp 3)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	Silt Fence along Native Plant Demo Garden	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7	Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Overall Site Issues

Below are some general site issues that should be assessed during inspections.

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Are perimeter controls and sediment barriers adequately installed (keyed into substrate) and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	Are discharge points and receiving waters free of any sediment deposits?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Are storm drain inlets properly protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	Is the construction exit preventing sediment from being tracked into the street?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7	Is trash/litter from work areas collected and placed in covered dumpsters?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10	Are materials that are potential stormwater contaminants stored inside or under cover?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11	Are non-stormwater discharges (e.g., wash water, dewatering)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
	properly controlled?			
12	(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Non-Compliance

Describe any incidents of non-compliance not described above:

CERTIFICATION STATEMENT

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Print name and title: _____

Signature: _____ **Date:** _____