



State of Ohio Environmental Protection Agency

Isolated Wetland Permits and 401 Water Quality Certifications in Ohio

State Fiscal Year 2005



Prepared by:
Division of Surface Water
401/Wetland Section

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prepared by

Ohio Environmental Protection Agency
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This report describes isolated wetland permitting and 401 water quality certification activities and resulting mitigation for projects acted upon by Ohio EPA during the period beginning on July 1, 2004 and ending June 30, 2005 (end of the State Fiscal Year). This report is intended to satisfy the reporting requirements specified in Ohio Revised Code (ORC) 6111.025(C), which applies to the isolated wetlands only. In order to provide a more complete picture of the impacts generated by permitting activities in the state, information regarding individual 401 water quality certifications as well as projects that are covered by Ohio EPA certification of the US Army Corps of Engineers' Nationwide Permits (NWP) and which address impacts to non-isolated waters, has been included.

Program Background

The Ohio EPA isolated wetland permitting program was legislatively created in response to a U.S. Supreme Court Decision in the case of Solid Waste Agency of Northern Cook County (SWANCC) v. United States Army Corps of Engineers (Corps) 531 U.S. 159 (January 9, 2001). In its decision, the U.S. Supreme Court ruled that the Corps did not have authority to regulate isolated wetlands under Section 404 of the Clean Water Act (CWA). Prior to that ruling, the Corps regulated activities in all streams and wetlands through the issuance of 404 permits.

Section 401 of the CWA requires applicants to obtain a 401 water quality certification from the State having jurisdiction over the water body in order to obtain a 404 permit. As a result of the SWANCC decision, activities in isolated wetlands could not be permitted in the state of Ohio because there would be no 404 permit to trigger a 401 water quality certification, and because there was no independent State permitting program to take its place. Emergency rules adopted in April 2001 established a State permitting mechanism; however, these rules were effective for only 90 days.

On July 17, 2001, House Bill 231 was signed into law by Governor Bob Taft. The bill establishes a permanent permitting process for isolated wetlands. The provisions of this bill were incorporated in ORC 6111, more specifically, Sections 6111.02 through 6111.029. The Corps retained all of its original authority to issue 404 permits for wetlands that are not considered isolated (jurisdictional wetlands), as well as other waters of the U.S.

When the Corps requires an individual 404 permit be issued, an individual 401 water quality certification is also required. The Corps can also utilize Nationwide Permits (NWP) to authorize impacts to waters of the U.S. The NWPs issued by the Corps address 43 types of activities that range from boat ramp construction to surface coal mining activities. Ohio EPA certified, with conditions, 40 of those activities on May 22, 2002. Information has been provided by the four Corps districts which operate in Ohio (Huntington, Buffalo, Pittsburgh, and Louisville), regarding which of the NWPs have been utilized, and how much of an impact has been authorized, in Ohio during SFY 2005.

Program Description

Reviewers in the 401 Water Quality Certification Section are responsible for the 401 water quality certifications that are required by the CWA and for the isolated wetland permits that are required by State law.

Program Staffing

At the beginning of State Fiscal Year (SFY) 2005, the Division of Surface Water's 401 Water Quality Certification Section table of organization contained six full time equivalents (FTEs), classified as Environmental Specialist 2. The positions included five general 401 application reviewers and one reviewer funded by the Ohio Department of Transportation (ODOT) whose duties were limited to ODOT highway projects. This staffing level was increased by one FTE during the SFY. This position was placed in Ohio EPA's Northeast District Office (NEDO) to address the significant workload that exists in that part of the state. By placing an application reviewer in NEDO, Ohio EPA has been able to increase its responsiveness to the regulated community and the general public, while reducing the travel time needed to perform our responsibilities.

At the end of the state fiscal year, all staff positions in the 401 Water Quality Certification Section were filled.

Program Fees

During SFY 2005, fees for 401 water quality certifications were established in Ohio Administrative Code (OAC) 3745-45-02. Fees ranged from a minimum of \$15 to a maximum of \$200 per 401 certification. Some of the fees are fixed amounts based on the type of project, while others are on a sliding scale based on the magnitude of the impact.

Fees for the isolated wetland permitting program are contained in ORC 3745.113. These fees include an application fee of \$200 per application as well as a review fee of \$500 per acre of wetland impacted. The maximum review fee allowed by the code is \$5,000 per application. If the application is for activities that have previously taken place without first obtaining an isolated wetland permit, the review fee is doubled (up to \$10,000).

Program Budget

Funds for issuing 401 water quality certifications and isolated wetland permits in SFY 2005 came from a number of different sources. Funding information is summarized in the following table:

SOURCE OF FUNDING	AMOUNT	% of Total
401 Certification Fees	\$4,795.00	0.53%
Isolated Wetland Permit Fees	\$22,062.00	2.47%
Surface Water Fee Fund	\$54,834.00	6.15%
ODOT	\$67,972.00	7.62%
U.S. EPA Wetland Grants	\$45,549.00	5.11%
U.S. EPA Grant (106 funds)	\$23,187.00	2.60%
General Revenue Fund	\$673,605.00	75.52%
TOTAL	\$892,004.00	100%

This expenditure level represents a more than 11% increase over that observed in SFY 2004 (\$802,329).

Please note that the costs in the above table include all of the costs involved in the isolated wetland permit and 401 water quality certification processes. Other ancillary program costs included in this analysis of the total program budget include support from legal staff, enforcement staff, administrative staff and data management staff.

This analysis highlights that the permitting fees covered only a small portion of the cost associated with this program.

Applicants and Stakeholders

Applicants seeking 401 certifications and/or isolated wetland permits from Ohio EPA include, but are not limited to: residential, commercial and industrial developers; mining companies; county, state and federal agencies; utility companies; marina owners; and individual citizens. Stakeholders include the above applicants, as well as local, statewide and national citizen groups and environmental organizations.

Illegal Fills

The program received 165 illegal fill complaints during SFY 2005, one hundred and two more complaints than it received in SFY 2004 (262% of SFY 2004 levels). Staffing levels, budget constraints and statutory review time requirements make it difficult for the program to follow-up on the majority of these complaints in a timely manner. Complaints regarding isolated wetlands are given top priority for investigation since these wetlands are regulated only through State statute. Jurisdictional wetland complaints are investigated by Ohio EPA staff only as circumstances dictate, and are most often referred to the appropriate Corps district for follow-up.

Summary of Outputs

Isolated Wetland Permits

	Number permits issued	Acres of isolated wetlands filled	Acres of mitigation provided
General Permits	50	8.81	21.55
Individual Permits	12	14.07	36.08
Total	62	22.88	57.63

The information presented above represents a 16% decrease in the number of Isolated Wetland Permits issued in SFY 2005 over that issued in SFY 2004 and a 97% decrease in the acres of impacts authorized during that time period.

Figure 1 contains a map of Ohio showing the spacial distribution of the isolated wetland permits issued during SFY 2005. Due to the map scale, multiple projects may show as a single marker on the map.

Table A lists each project acted upon with columns indicating the corresponding applicant name, date action was taken, acres filled, acres mitigated, permit type (level one, two, or three review), and the number of days to process each application. This table also provides the 8 digit hydrologic unit code (HUC) for the impacts and the mitigation associated with that impact. The total number of acres impacted in each of the HUCs by the isolated wetland permitting program is also provided in this table. Please note that if a project is listed in this table more than once, it is due to the fact that mitigation for the project occurred in more than one watershed.

Individual 401 Water Quality Certifications

401s issued	Acres of Jurisdictional Wetlands		Stream Impacts (linear feet)	Lake Impacts (cubic yards)
	filled	mitigation		
124	94.1	226.34	137,162	619,747

The information presented above shows a 9% increase in the number of 401 Water Quality Certifications issued in SFY 2005 as compared to SFY 2004. However, wetland impacts showed a 23% decrease in the acres of impacts authorized during that same time period. Linear feet of stream impacted decreased approximately 70% and the amount of dredge and fill material impacting Ohio lakes decreased approximately 90%.

Figure 2 contains a map of Ohio showing the spacial distribution of the 401 Water Quality Certifications issued during SFY 2005. Due to the map scale, multiple projects may show as a single marker on the map.

401 water quality certifications can be issued to address impacts to streams and lakes as well as those jurisdictional wetlands that fall under the authority of the CWA.

Table B lists each project with wetland impacts and includes columns indicating the corresponding applicant name, date action was taken, acres filled, acres mitigated, and the number of days required to process each application. This table also provides the 8 digit HUC for the impacts and the mitigation associated with that impact. The total number of acres impacted in each of the HUCs by the 401 water quality certification program is also provided in this table. Please note that if a project is listed in this table more than once, it is due to the fact that mitigation for the project occurred in more than one watershed

Table C lists each project with stream impacts and includes columns indicating the corresponding applicant name, date action was taken, linear feet of stream impacts certified, and the number of days required to process each application.

Table D lists each project with lake impacts and includes columns indicating the corresponding applicant name, date action was taken, cubic yards of dredge materials allowed under the certification, and the number of days required to process each application.

Table E lists each of the 8 digit HUC codes and its corresponding basin name in the state of Ohio. This table also summarizes, by HUC, the impacts and mitigation acreage on both jurisdictional and isolated wetlands.

In reviewing the information contained in the tables, please note the following:

1. Adding the projects listed in Tables A, B, C and D will over-estimate the number of actions taken by Ohio EPA, since a single application may have impacts in more than one type of water body. For example, all but three of the projects with wetland impacts also had impacts in either streams or lakes. The tables were generated to show the various types of impacts certified by Ohio EPA via individual 401 water quality certifications.
2. Tables C and D do not contain a summary of mitigation resulting from the certifications issued. Current tracking of stream and lake mitigation does not allow electronic manipulation of that data. Rules to address stream mitigation requirements and to provide more structure to that aspect of 401 water quality certification program are under development to be proposed this fiscal year.

Withdrawals, Waivers, and Denials

During SFY 2005, 9 permit applications were withdrawn. In these circumstances, the applicant elected not to pursue the application process due to a variety of factors. These factors include financial considerations and the restrictive nature of Ohio EPA conditions contained in the 401 water quality certification. During this same time period, one 401 water quality certification application was denied.

The CWA provides the states a “reasonable” period of time in which to act upon a request for 401 water quality certification by the Corps. That period of time is considered one year. During SFY 2005, one project exceeded that review time and was considered to be waived by the Corps.

Nationwide Permit Certifications

Corps District	Number of permits issued	Acres of wetlands impacted	Linear feet of impacts to streams and lakes
Huntington	378	29.62	79,979
Buffalo	221	23.23	23,273
Pittsburgh	52	3.06	12,898
Louisville	163	2.34	26,734
Total	814	55.55	142,884

As discussed earlier, the Corps can utilize NWP's to authorize projects within the state of Ohio. In most cases, this authorization will not require the issuance of an individual 401 water quality certification. However, because Ohio EPA issued its certification of the NWP's with certain restrictions and conditions, there are some circumstances in which the Corps will utilize a NWP but an individual 401 water quality certification is still required. In reviewing the information presented above and in Table F, please note that some of the data may also be included in the tables summarizing the individual 401 water quality certification actions.

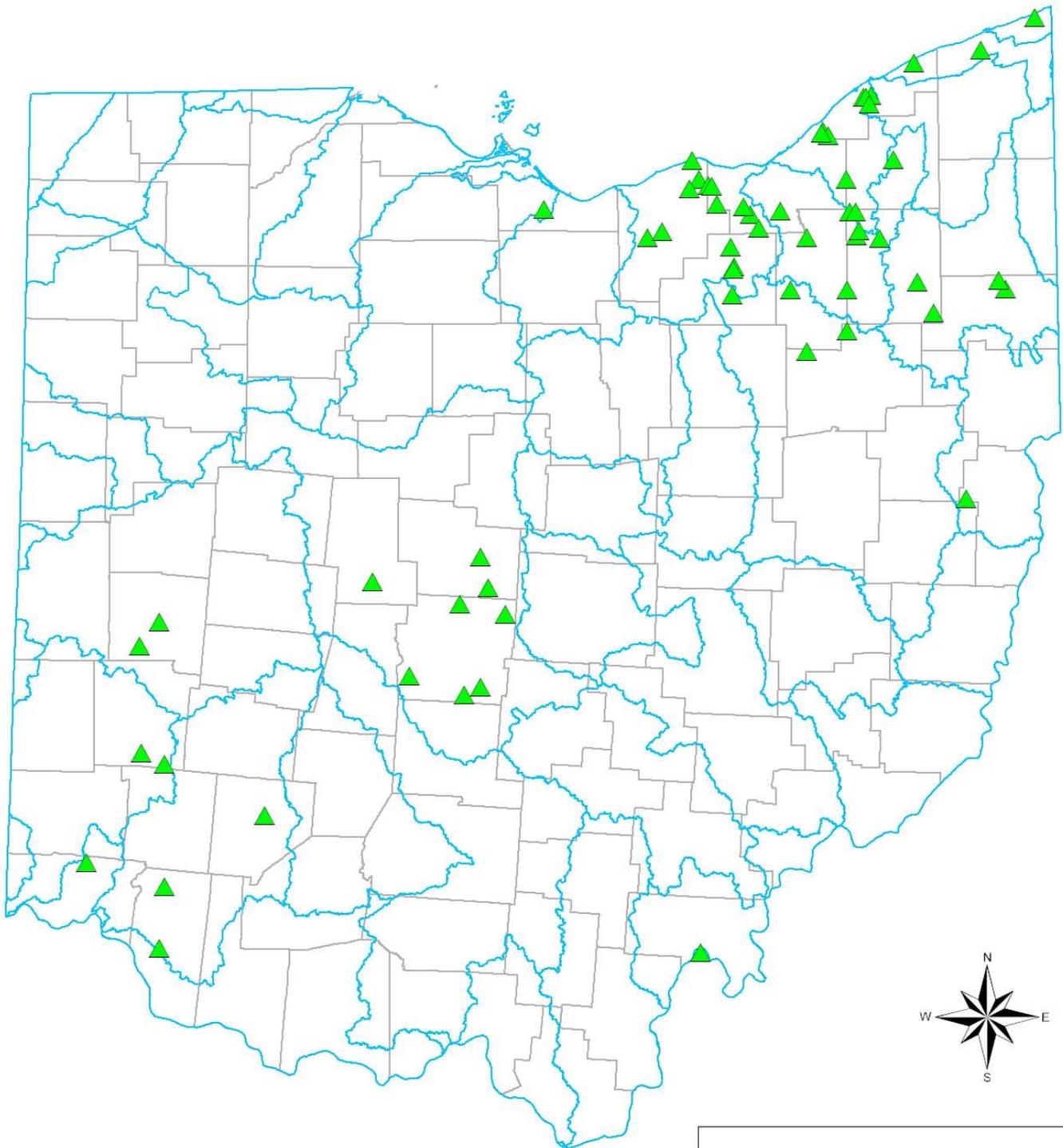
Table F provides a detailed breakdown, by Corps District, of the type and number of nationwide permits issued during SFY 2005 and the amount of impacts authorized, by permit type.

Table G provides a brief description of each of the NWP types referenced in table F. Detailed information regarding the various NWPs can be obtained at:
<http://www.lrb.usace.army.mil/orgs/reg/index.htm>

Questions regarding this report should be directed to Randy Bournique, Manager of the 401 Water Quality Certification Section, at (614) 644-2013 or via e-mail at:

randy.bournique@epa.state.oh.us.

Isolated Wetland Permits Issued in State Fiscal Year 2005



Legend

-  Isolated Wetland Permits
-  Watersheds (HUC 8)
-  Counties



Table A
Isolated Wetland Permits
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue Date	Permit Type	Imacted			Mitigation		Issue Time (Days)
				Acres	Watershed	Total	Acres	Watershed	
052225	Wal-Mart Stores Inc	6/27/2005	Level Two	2.06	04100010	2.06	5.2	04100010	112
038104	Avon Lake, City of	7/13/2004	Level One	0.28	04110001		0.7	04110001	14
041028	Pulte Homes	9/29/2004	Level Two	0.6	04110001		0.9	04100010	58
041028	Pulte Homes	9/29/2004			04110001		0.3	04110004	
042053	Concept Communities, Inc.	8/23/2004	Level One	0.29	04110001		0.6	04110004	4
042054	Westlake Building & Development Co.	10/26/2004	Level Two	0.65	04110001		1.6	04100011	90
042112	Lipovits Construction Inc	10/6/2004	Level One	0.11	04110001		0.3	04110004	5
042130	Paul Hemmer Companies, Inc.	11/9/2004	Level One	0.2	04110001		0.5	04110004	4
042138	Wal-Mart Stores Inc	11/18/2004	Level One	0.03	04110001		0.1	04110004	23
042139	Oster Homes	12/10/2004	Level One	0.31	04110001		0.8	04110004	4
042182	KNG LLC	3/8/2005	Level One	0.34	04110001		0.7	04110004	28
048527	Rivers Edge Properties, LLC	12/2/2004	Level One	0.01	04110001		0.1	04110004	9
049270	TMC Land	7/26/2004	Level Two	1.08	04110001		2.4	04100011	118
052209	Zaremba Group	2/4/2005	Level One	0.16	04110001		0.4	04110001	21
052242	Lewanski Development	4/20/2005	Level One	0.01	04110001		0.1	04100010	1
052246	Willow Grove	6/13/2005	Level Two	0.84	04110001	4.91	2	04100010	105
042003	Lafarge North America	9/27/2004	Level One	0.16	04110002		0.4	04100011	14
042004	Windford Development Co LLC	8/4/2004	Level One	0.06	04110002		0.1	04110004	10
042045	ODOT	7/16/2004	Level One	0.07	04110002		0.15	04110002	2
042072	Timber Brook Development	7/28/2004	Level One	0.13	04110002		0.3	04110004	1
042085	3D Real Estate Partners Ltd	10/26/2004	Level Two	3.54	04110002		3.6	04110002	91
042085	3D Real Estate Partners Ltd	10/26/2004			04110002		3.5	04110004	
042087	Colonial Forest Estates Inc	10/27/2004	Level One	0.16	04110002		0.4	04110002	30
042142	Willoughby Hills, City of	11/2/2004	Level One	0.04	04110002		0.1	04110004	5
052230	Neighborhood Development Services	2/9/2005	Level One	0.27	04110002	4.43	0.7	04110004	0
042019	Jaylene Development, LLC	7/6/2004	Level One	0.1	04110003		0.14	04110004	0
042091	Ashtabula Area City Schools	8/4/2004	Level One	0.16	04110003		0.4	04110003	6
042140	Derbyshire Partners	12/9/2004	Level One	0.1	04110003		0.21	04110004	22
042163	Utilicon	5/2/2005	Level One	0.36	04110003		0.8	04110004	14
042169	Wal-Mart Stores, Inc.	2/17/2005	Level Two	0.76	04110003		1.5	04110004	85
048404	American Church Builders	7/13/2004	Level Two	0.75	04110003		1.9	04110004	147
052204	Concept Communities Inc	1/25/2005	Level One	0.09	04110003		0.2	04110004	4

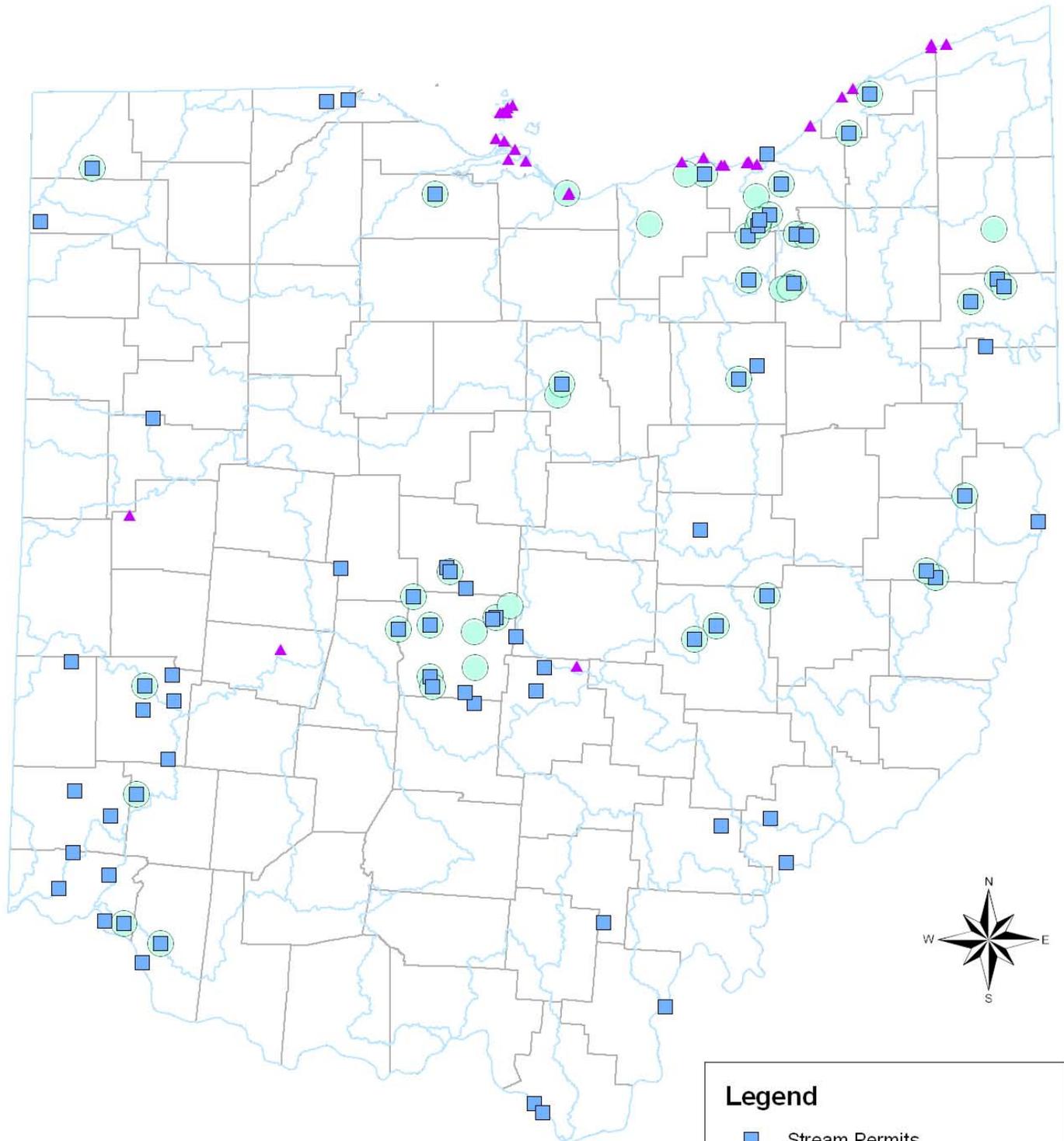
Table A
Isolated Wetland Permits
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue Date	Permit Type	Imacted			Mitigation		Issue Time (Days)
				Acres	Watershed	Total	Acres	Watershed	
052215	Aurora Industrial Park II-46 acre	5/12/2005	Level One	0.46	04110003		1	04110004	3
052216	Richmond Road Properties	5/2/2005	Level One	0.38	04110003		1	04110004	14
052239	McGill Property Group	5/12/2005	Level One	0.28	04110003	3.44	1	04110004	3
041005	Mortell and Associates, LP	4/7/2005	Level Two	0.83	04110004		1.86	04110004	23
042038	Properties Development, Inc.	9/23/2004	Level One	0.02	04110004		0.1	04110004	9
042144	Muny Family Limited Partnership	11/29/2004	Level One	0.01	04110004		0.7	04110004	17
042161	Joe Shuster	12/9/2004	Level One	0.33	04110004		0.7	04110004	1
042162	Main Street Associates Inc	1/7/2005	Level One	0.01	04110004	1.2	0.1	04110004	30
052288	ODOT	5/27/2005	Level One	0.06	04120101	0.06	0.09	04100004	2
049816	Apex Energy Landfill - Isolated	11/23/2004	Level Two	1.01	05030101	1.01	6.78	05030101	287
042101	Austintown Board of Education	9/29/2004	Level One	0.19	05030103		0.38	05030103	30
049290	Center Pointe Business Park	8/25/2004	Level One	0.4	05030103	0.59	0.6	05030102	30
042030	MGK Ltd.	8/5/2004	Level One	0.24	05040001		0.5	05040001	30
042063	Copley Township Trustees	12/10/2004	Level One	0.12	05040001		*	05040001	30
042132	Hill, Gary	12/13/2004	Level One	0.26	05040001		1	05040001	30
052226	Preferred Development Inc	3/11/2005	Level One	0.13	05040001	0.75	0.4	05040001	16
042026	Land Network	7/8/2004	Level One	0.07	05060001		0.2	05060001	2
042078	Opus North Corporation	7/29/2004	Level One	0.43	05060001		1	05060001	0
042133	Columbus Southern Power	10/8/2004	Level One	0.05	05060001		0.1	05060001	0
042149	New Albany, Village of	11/9/2004	Level One	0.22	05060001		0.5	05060001	0
042159	Metro Parks, Battelle-Darby Creek	11/10/2004	Level One	0.04	05060001		0.06	05060001	2
052202	Romanelli & Hughes Building Co	2/10/2005	Level One	0.24	05060001		0.6	05060001	23
052249	Dan Autumn LLC	4/1/2005	Level One	0.17	05060001		0.43	05060001	14
052267	ODOT	4/7/2005	Level One	0.2	05060001	1.42	0.3	05060001	7
049813	Miami County Park District	3/15/2005	Level Two	0.37	05080001	0.37	1.34	05080001	357
042115	USDOE-Miamisburg Closure Project	9/23/2004	Level One	0.01	05080002		0.1	05090202	0
042123	Divided Ridge Associates	11/2/2004	Level One	0.28	05080002		0.7	05090202	1
052199	Centerville, City of	2/2/2005	Level One	0.05	05080002	0.34	0.1	05090202	0
033183	Tri-State Builders	12/28/2004	Level Two	1.58	05090202		3.2	05090202	565
042111	Wal-Mart Stores, Inc.	12/20/2004	Level One	0.34	05090202		0.96	05090202	30

Table A
Isolated Wetland Permits
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue Date	Permit Type	Imacted			Mitigation		Issue Time (Days)
				Acres	Watershed	Total	Acres	Watershed	
042151	DHL Express USA Inc	11/26/2004	Level One	0.07	05090202	1.99	0.11	05090202	30
052291	Word of Deliverance Church	6/1/2005	Level One	0.31	05090203	0.31	0.62	05080002	1

Jurisdictional, Lake and Stream Permits Issued in State Fiscal Year 2005



Legend

- Stream Permits
- ▲ Lake Permits
- Jurisdictional Wetland Permits
- Watersheds (HUC 8)
- Counties

Table B
Jurisdictional Wetland Impacts
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue Date	Impacts			Mitigation		Issue Time (Days)
			Acres	Watershed	Total	Acres	Watershed	
049995	Wal-Mart Stores, Inc.	11/22/2004	1.19	04100006	1.19	3.00	04100006	126
021333	ODOT	9/8/2004	3.26	04100007	3.26	6.16	04100007	145
042094	ODOT	1/25/2005	0.37	04100011	0.37	0.54	04100011	99
048749	Huron, City of	9/9/2004	0.05	04100012	0.05	0.15	04100012	230
037802	JF Development	7/29/2004	4.12	04110001		9.40	04100011	273
042007	ODOT	7/29/2004	6.20	04110001		9.30	04110001	155
048527	Rivers Edge Properties, LLC	12/10/2004	1.71	04110001		3.30	04110004	226
048969	Woodcroft Glen	12/29/2004	1.17	04110001		2.20	04100011	181
048969	Woodcroft Glen					1.40	04110001	
049895	King James Residential	1/25/2005	0.85	04110001		0.66	04100009	259
049895	King James Residential					1.70	04110004	
048244	Drees Company	4/28/2005	0.35	04110001		0.70	04110001	365
042150	Kendal at Oberlin	6/8/2005	0.50	04110001	14.9	1.30	04110001	247
042013	J.J.J. Properties	12/10/2004	0.64	04110002		3.57	04100009	78
042013	J.J.J. Properties					0.60	04110004	
042046	ODOT	2/9/2005	0.81	04110002		2.32	04110002	166
010486	Good Samaritan Nursing Home	2/11/2005	4.48	04110002		4.50	04100010	149
010486	Good Samaritan Nursing Home					4.50	04110001	
042135	Callas, George	4/13/2005	0.10	04110002	6.03	0.50	04110002	191
041029	Stone Creek Homes, LLC	4/19/2005	1.01	04110003		2.20	04110004	175
042171	Stone Creek Land Company, LLC	4/20/2005	0.30	04110003	1.31	1.25	04110003	127
041005	Mortell and Associates, LP	4/7/2005	11.53	04110004	11.53	27.16	04110004	370
049815	Apex Energy Landfill - Isolated	11/23/2004	4.49	05030101	4.49	21.50	05030101	256
038224	Centerpoint Business Park	8/26/2004	7.17	05030103		11.40	05030103	260
042075	Millennium Center	11/22/2004	7.61	05030103		43.36	05030103	159
042145	Austintown Middle School	2/9/2005	1.71	05030103		2.94	05030103	117
052244	ODOT	5/26/2005	0.01	05030103	16.5	0.10	05030103	55
010574	Cravat Coal Company	7/22/2004	3.94	05030106	3.94	5.91	05030106	114
021865	DeVille Developments	7/13/2004	1.15	05040001		1.80	05060001	217

Table B
Jurisdictional Wetland Impacts
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue Date	Impacts			Mitigation		Issue Time (Days)
			Acres	Watershed	Total	Acres	Watershed	
041001	ODOT	8/17/2004	0.34	05040001		0.50	05040001	118
042063	Copley Township Trustees	12/10/2004	0.69	05040001		1.62	05040001	634
042167	ODOT	1/7/2005	0.43	05040001		0.74	05060001	148
052219	Consolidation Coal Company	3/25/2005	2.69	05040001	5.3	4.04	05040001	43
038084	Wal-Mart Stores, Inc.	7/29/2004	1.63	05040002		6.57	05040002	218
049935	OSU Mansfield Campus	9/23/2004	0.36	05040002	1.99	0.54	05040002	125
032900	Oxford Mining Company, Inc.	4/19/2005	5.08	05040004	5.08	7.60	05040004	531
048304	Zaremba Group	7/1/2004	0.43	05040006	0.43	1.09	05040006	121
048304	Zaremba Group					1.00	05060001	
049451	Tanglewood Development Co. LLC	8/17/2004	0.79	05060001		1.20	05060001	167
048772	Tartan Development Company	10/15/2004	1.00	05060001		1.99	05060001	219
048364	Tuckerman Home Group	10/26/2004	0.80	05060001		1.60	05060001	355
048385	Planned Communities Inc	11/1/2004	0.85	05060001		1.40	05060001	228
037782	Central Park LTD	1/13/2005	0.05	05060001		0.21	05060001	212
042014	Lifestyle Communities Ltd	2/4/2005	2.01	05060001		4.80	05060001	282
042099	Columbus Fair Auto Auction	2/4/2005	2.68	05060001		0.75	05060001	172
041016	Dominion Homes	3/2/2005	1.76	05060001		2.60	05060001	331
042028	Solid Waste Authority of Central Ohio	3/8/2005	3.05	05060001		5.40	05060001	137
042009	Dominion Homes, Autumn Grove	3/23/2005	0.05	05060001	13.04	0.10	05060001	302
032614	Crossman Communities, Inc.	2/9/2005	4.19	05080002		8.60	05080002	377
042093	Great Midwest Development, LLC	3/16/2005	0.17	05080002	4.36	0.34	05090202	229
048505	Anderson Township	8/9/2004	0.09	05090202		0.23	05090202	182
042111	Wal-Mart Stores, Inc.	12/20/2004	0.24	05090202	0.33	*	05090202	136

Average Issue
Time = 213

Table C
Stream Impacts
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue date	Linear Feet Impacted	Watershed	Issue Time (Days)
034057	Hicksville, Village of	1/27/2005	733	04010005	140
021696	Toledo, City of	4/13/2005	450	04010009	69
042032	Daimler-Chrysler Corporation	8/26/2004	1038	04100001	157
049995	Wal-Mart Stores, Inc.	11/22/2004	804	04100006	126
034036	Dr. David Davis	2/16/2005	4125	04100007	350
021333	ODOT	9/8/2004	9705	04100008	145
042094	ODOT	1/25/2005	3288	04100011	99
037802	JF Development	7/29/2004	2923	04110001	273
048527	Rivers Edge Properties, LLC	12/10/2004	220	04110001	226
048969	Woodcroft Glen	12/29/2004	92	04110001	181
010486	Good Samaritan Nursing Home	2/11/2005	734	04110001	149
048244	Drees Company	4/28/2005	795	04110001	365
042013	J.J.J. Properties	12/10/2004	866	04110002	78
042046	ODOT	2/9/2005	555	04110002	166
042158	Buffalo COE	2/18/2005	30360	04110002	108
042135	Callas, George	4/13/2005	175	04110002	191
041029	Stone Creek Homes, LLC	4/19/2005	638	04110003	175
042171	Stone Creek Land Company, LLC	4/20/2005	540	04110003	127
041005	Mortell and Associates, LP	4/7/2005	2774	04110004	370
052201	Buffalo COE	4/28/2005	5750	04110004	106
042029	Home Depot - Salem	9/9/2004	450	05030101	141
042050	Strauss Industries	9/23/2004	180	05030101	108
049815	Apex Energy Landfill	11/23/2004	300	05030101	256
038224	Centerpoint Business Park	8/26/2004	2712	05030103	260
042145	Austintown Middle School	2/9/2005	130	05030103	117
052244	ODOT	5/26/2005	825	05030103	55
010574	Cravat Coal Company	7/22/2004	5032	05030106	114
021865	DeVile Developments	7/13/2004	582	05040001	217
042167	ODOT	1/7/2005	1218	05040001	148
042153	Rosemont Analytical, Inc.	1/25/2005	380	05040001	322
052219	Consolidation Coal Company	3/25/2005	4528	05040001	43
049935	OSU Mansfield Campus	9/23/2004	390	05040002	125
037261	Walhonding Valley Fire District	7/12/2004	16	05040003	207
049650	ODOT	7/12/2004	2330	05040004	116
041032	Bern Township Trustees	10/7/2004	680	05040004	164
032900	Oxford Mining Company, Inc.	4/19/2005	13106	05040004	531
052274	Washington County Engineer	6/15/2005	70	05040004	49
048304	Zaremba Group	7/1/2004	2822	05040006	121
042137	Zanesville, City of	12/10/2004	866	05040006	70
035942	Drury Inns, Inc	7/22/2004	270	05060001	273
049451	Tanglewood Development Co. LLC	8/17/2004	798	05060001	167

Table C
Stream Impacts
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue date	Linear Feet Impacted	Watershed	Issue Time (Days)
042103	David W. Kirkbride	10/1/2004	497	05060001	53
048772	Tartan Development Company	10/15/2004	769	05060001	214
048385	Planned Communities Inc	11/1/2004	1475	05060001	228
042010	Planned Communities Inc	12/27/2004	700	05060001	203
037782	Central Park LTD	1/13/2005	804	05060001	212
042027	Mulch Manufacturing	1/13/2005	435	05060001	316
042126	Columbus, City of	1/27/2005	250	05060001	127
042014	Lifestyle Communities Ltd	2/4/2005	200	05060001	282
048829	Dominion Homes	3/1/2005	553	05060001	350
042028	Solid Waste Authority of Central Ohio	3/8/2005	1260	05060001	137
042009	Dominion Homes, Autumn Grove	3/23/2005	723	05060001	302
052229	Raymond Wolfe	4/19/2005	250	05060001	148
042125	Hamilton Road Retail LLC	5/3/2005	717	05060001	211
052258	Union County Engineer	5/19/2005	120	05060001	62
048568	City of Dayton, Dept. of Water	7/20/2004	300	05080001	186
042037	ODOT	1/13/2005	515	05080001	353
048485	Forest Park Detention Basin	7/20/2004	300	05080002	137
042043	ODOT	10/7/2004	886	05080002	228
042022	MSD of Greater Cincinnati	11/8/2004	260	05080002	280
042105	Fraley, Brent W.	11/8/2004	1010	05080002	154
041031	West Manchester , Village of	11/30/2004	30	05080002	224
032614	Crossman Communities, Inc.	2/9/2005	1312	05080002	377
042093	Great Midwest Development, LLC	3/16/2005	3880	05080002	229
042015	John J. Duffy & Associates, Inc.	6/1/2005	905	05080002	372
042092	Speedway SuperAmerica LLC	6/8/2005	850	05080002	425
032940	O-Kan Marine Repair, Inc.	8/6/2004	925	05090101	259
052224	Sands Hill-Leaco Adj D-2156	4/8/2005	7170	05090101	84
049330	McGinnis - Synfuel Facility	9/8/2004	580	05090103	303
042120	ODOT	11/22/2004	140	05090103	75
042018	Grand Communities	9/8/2004	1285	05090201	114
042118	Four Seasons Marina	4/8/2005	2000	05090201	234
048505	Anderson Township	8/9/2004	1100	05090202	182
042111	Wal-Mart Stores, Inc.	12/20/2004	421	05090202	136
049009	Cinergy-Kathwood Circle Pipeline	9/23/2004	290	05090203	281

Total Linear
Feet of
Impacts = 137162 Average
Issue Time = 196

Table D
Lake Impacts
Issued Between July 1, 2004 and June 30, 2005

SWIMS ID	Applicant	Issue Date	Dredge/Fill (Cubic Yards)	HUC	Issue Time (Days)
038004	Thoman	10/28/2004	400	04100011	338
049975	Bayview Shores Condominiums	2/16/2005	4398	04100011	257
038144	Frederick, Dan & Tina	10/1/2004	344	04100011	337
038145	Johnson, Steve & Tami	10/1/2004	2545	04100011	337
052200	Huron Harbor Dredging 2005	3/29/2005	400000	04100011	109
038204	Conron, Mark	8/6/2004	24	04110001	231
038205	Hydo, Richard	8/6/2004	456	04110001	231
042107	Parsons, William	6/15/2005	252	04110001	184
042109	Patton, Thomasina	6/15/2005	532	04110001	184
042047	Sikora, Peter	11/1/2004	72	04110001	116
042048	Kreuger, Ronald	11/1/2004	50	04110001	116
048849	Casey, Michael	10/7/2004	283	04110001	258
049311	Thomas Clifffel	8/6/2004	535	04110001	175
049312	Patricia Murphy	8/9/2004	415	04110001	178
049955	Ataya, Khalid	2/16/2005	230	04110001	320
041015	Ilcin, Frances E.	4/28/2005	80	04110003	114
041017	Sweeney, Paul J. & Mary Pisnar	4/28/2005	85	04110003	113
041020	Berry, Thomas J. & Mary Lou	4/28/2005	60	04110003	114
041013	Shaw, Johnson, & Ashley	9/29/2004	350	04110003	154
042095	Donner, Patricia L	2/18/2005	103	04110003	214
049471	Mentor Harbor Yachting Club, The	11/4/2004	9314	04110003	321
049491	Roth, Charles & Noreen	11/8/2004	180	04110003	250
037722	Hymes, Mary C	9/17/2004	127	04110003	158
037742	5653 Lake Properties, LLD	9/17/2004	302	04110003	158
037762	Sturgeon Point Home Owners Assoc.	9/17/2004	1179	04110003	158
052201	Buffalo COE	4/28/2005	150000	04110004	106
042031	Ohio Department of Natural Resources	9/8/2004	345	04120200	77
042034	G. P. Consultants, dba Nor-Easter Club	12/15/2004	5800	04120200	231
049710	Ballast Concrete Products, Inc.	1/25/2005	4840	04120200	335
020955	Breitinger, Milo	8/23/2004	417	04120200	888
038044	Buttrey, Scott and Linda	12/29/2004	980	04120200	586
038064	Ladd's Marina	1/7/2005	969	04120200	476
049771	Hildebrandt, James T.	3/14/2005	115	04120200	416
049772	Put-In-Bay Yacht Club	9/17/2004	582	04120200	121
041007	Ohio Department of Natural Resources	7/20/2004	160	04120200	173
049711	Gravel Bar Peninsula Development	6/8/2005	11119	04120200	453
042049	ODNR, Division of Parks and Rec.	12/27/2004	22392	05040006	149
042114	Ohio Department of Natural Resources	1/13/2005	4140	05080001	330
042035	Ohio Department of Natural Resources	10/18/2004	370	05080001	370

Total Cubic
Yards of
Dredge/Fill
Material = 619747 Average
Issue Time = 252

Table E
Impact/Mitigation Summary by 8 Digit Hydrologic Unt Code (HUC)
Issued Between July 1, 2004 and June 30, 2005

8 Digit HUC	Description	Jurisdictional		Isolated Wetland		Total Acres	
		Impact	Mitigation	Impact	Mitigation	Impact	Mitigation
4100001	Lake Erie tributaries (below Detroit R. to above Maumee R.)	0	0	0	0	0	0
4100002	Raisin River	0	0	0	0	0	0
4100003	St. Joseph River	0	0	0	0	0	0
4100004	St. Marys River	0	0	0	0.09	0	0.09
4100005	Maumee River	0	0	0	0	0	0
4100006	Tiffin River	1.19	3	0	0	1.19	3
4100007	Auglaize River	3.26	6.16	0	0	3.26	6.16
4100008	Blanchard River	0	0	0	0	0	0
4100009	Maumee River	0	4.23	0	0	0	4.23
4100010	Lake Erie Tributaries and Portage River	0	4.5	2.06	8.2	2.06	12.7
4100011	Sandusky River and Sandusky Bay Tributaries	0.37	12.14	0	4.4	0.37	16.54
4100012	Huron River and Vermilion River	0.5	0.15	0	0	0.5	0.15
4110001	Black River and Rocky River	14.9	17.2	4.91	1.1	19.81	18.3
4110002	Cuyahoga River	6.03	2.82	4.43	4.15	10.46	6.97
4110003	Chagrin and Ashtabula Rivers and Lake Erie Tributaries	1.31	1.25	3.44	0.4	4.75	1.65
4110004	Grand River	11.53	34.96	1.2	19.31	12.73	54.27
4120101	Conneaut Creek and Lake Erie tributaries	0	0	0.06	0	0.06	0
4120200	Lake Erie Islands	0	0	0	0	0	0
5030101	Little Beaver, Yellow, and Cross Creeks	4.49	21.5	1.01	6.78	5.5	28.28
5030102	Shenango River	0	0	0	0.06	0	0.06
5030103	Mahoning River	16.5	57.8	0.59	0.38	17.09	58.18
5030106	Ohio River tributaries (Short, Wheeling, and McMahan Creeks)	3.94	5.91	0	0	3.94	5.91
5030201	Little Muskingum River	0	0	0	0	0	0
5030202	Shade River and Leading Creek	0	0	0	0	0	0
5030204	Hocking River	0	0	0	0	0	0
5040001	Tuscarawas River	5.3	6.16	0.75	1.9	6.05	8.06
5040002	Mohican River	1.99	7.11	0	0	1.99	7.11
5040003	Kokosing River, Walhonding River, and Killbuck Creek	0	0	0	0	0	0
5040004	Muskingum River	5.08	7.6	0	0	5.08	7.6
5040005	Wills Creek	0	0	0	0	0	0
5040006	Licking River	0.43	1.09	0	0	0.43	1.09
5060001	Scioto River (headwaters to below Big Darby Creek)	13.04	23.59	1.42	3.19	14.46	26.78
5060002	Scioto R. (below Big Darby Cr. to Ohio R., except Paint Cr.)	0	0	0	0	0	0

Table E
Impact/Mitigation Summary by 8 Digit Hydrologic Unt Code (HUC)
Issued Between July 1, 2004 and June 30, 2005

8 Digit HUC	Description	Jurisdictional		Isolated Wetland		Total Acres	
		Impact	Mitigation	Impact	Mitigation	Impact	Mitigation
5060003	Paint Creek	0	0	0	0	0	0
5080001	Great Miami River (headwaters to below Mad River)	0	0	0.37	1.34	0.37	1.34
5080002	Great Miami R. (below Mad R. to Ohio R., except Whitewater R.)	4.36	8.6	0.34	0.62	4.7	9.22
5080003	Whitewater River	0	0	0	0	0	0
5090101	Raccoon Cr., Symmes Cr. and other Ohio R. tributaries	0	0	0	0	0	0
5090103	Little Scioto River and other Ohio River tributaries	0	0	0	0	0	0
5090201	Ohio Brush Cr., Whiteoak Cr., and other Ohio R. tributaries	0	0	0	0	0	0
5090202	Little Miami River	0.33	0.57	1.99	5.17	2.32	5.74
5090203	Mill Creek and Ohio River tributaries	0	0	0.31	0	0.31	0
5120101	Wabash River	0	0	0	0	0	0
5120103	Mississinewa River	0	0	0	0	0	0

Table F
Nationwide Permit Cumulative Report
July 1, 2004 through June 30, 2005

NWP	Huntington District			Buffalo District			Pittsburgh District			Louisville District			Total NWP Impacts		
	Count	Acres	Linear Feet	Count	Acres	Linear Feet	Count	Acres	Linear Feet	Count	Acres	Linear Feet	Count	Acres	Linear Feet
3	56	1.11	4,064	44	0.00	5,825	8	0.00	833	19	0.38	1,962	127	1.49	12,684
4	1	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	1	0.00	0
5	0	0.00	0	1	0.00	0	0	0.00	0	1	0.00	24	2	0.00	24
6	0	0.00	0	0	0.00	0	0	0.00	0	1	0.00	100	1	0.00	100
7	3	0.00	97	2	0.00	1,256	2	0.00	700	7	0.00	235	14	0.00	2,288
12	127	0.36	4,938	17	0.27	2,542	7	0.00	1,430	41	0.14	4,924	192	0.77	13,834
13	42	0.13	16,062	29	0.13	4,408	8	0.00	1,030	17	0.00	8,693	96	0.26	30,193
14	31	1.91	2,391	9	1.58	284	7	0.49	430	26	1.02	2,479	73	5.00	5,584
16	0	0.00	0	0	0.00	0	0	0.00	0	3	0.00	0	3	0.00	0
18	9	0.00	434	2	0.13	0	0	0.00	0	0	0.00	0	11	0.14	434
19	0	0.00	0	3	0.00	0	0	0.00	0	0	0.00	0	3	0.00	0
21	15	9.21	36,187	0	0.00	0	5	0.66	5,065	0	0.00	0	20	9.87	41,252
23	1	0.00	120	0	0.00	0	0	0.00	0	2	0.04	0	3	0.04	120
25	1	0.01	0	0	0.00	0	0	0.00	0	0	0.00	0	1	0.01	0
27	13	4.93	11,120	9	2.74	4,283	2	0.00	3,120	1	0.00	700	25	7.67	19,223
29	0	0.00	0	1	0.10	0	0	0.00	0	0	0.00	0	1	0.10	0
30	0	0.00	0	1	0.00	340	0	0.00	0	0	0.00	0	1	0.00	340
32	0	0.00	0	1	0.50	0	0	0.00	0	0	0.00	0	1	0.50	0
33	25	1.07	1,447	17	0.34	422	5	0.12	190	7	0.00	175	54	1.53	2,234
35	0	0.00	0	4	0.00	0	0	0.00	0	0	0.00	0	4	0.00	0
36	4	0.06	80	3	0.00	39	0	0.00	0	3	0.00	60	10	0.06	179
38	1	0.00	140	1	0.00	0	0	0.00	0	0	0.00	0	2	0.00	140
39	48	8.07	2,899	75	17.42	2,274	8	1.79	100	35	0.75	7,382	166	28.04	12,655
41	0	0.00	0	1	0.00	1,600	0	0.00	0	0	0.00	0	1	0.00	1,600
42	1	0.05	0	0	0.00	0	0	0.00	0	0	0.00	0	1	0.05	0
43	0	0.00	0	1	0.01	0	0	0.00	0	0	0.00	0	1	0.01	0
TOTAL	378	26.92	79,979	221	23.23	23,273	52	3.06	12,898	163	2.34	26,734	814	55.55	142,884

Table G
Nationwide Permits Utilized in Ohio
July 1, 2004 through June 30, 2005

NWP Number	Description
03	Maintenance
04	Fish & Wildlife Harvesting, Enhancement, etc.
05	Scientific Measurement Devices
06	Survey Activities
07	Outfall Structure & Maintenance
12	Utility Line Activities
13	Bank Stabilization
14	Linear Transportation Projects
16	Return Water from Upland Disposal
18	Minor Discharges
19	Minor Dredging
21	Surface Coal Mining Activities
23	Approved Categorical Exclusions
25	Structural Discharges
27	Stream & Wetland Restoration
29	Single Family Housing
30	Moist Soil Management for Wildlife
32	Completed Enforcement Actions
33	Temporary Construction, Access, & Dewatering
35	Maintenance Dredging of Existing Basins
36	Boat Ramps
38	Clean Up of Hazardous & Toxic Waste
39	Residential, Commercial, & Institutional Developments
41	Reshaping Existing Drainage Ditches
42	Recreational Activities
43	Stormwater Management Facilities