



State of Ohio Environmental Protection Agency

Isolated Wetland Permits and 401 Water Quality Certifications in Ohio

State Fiscal Year 2006



Prepared by:
Division of Surface Water
401/Wetland Section

Isolated Wetland Permits and 401 Water Quality Certifications in Ohio

State Fiscal Year 2006

prepared by

Ohio Environmental Protection Agency
April 2007

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, 2005 and ending June 30, 2006 (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 NWP 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 NWP have been utilized, and how much of an impact has been authorized, in Ohio during SFY 2006.

Permitting Program Description

Reviewers in the Division of Surface Water 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

The Division of Surface Water's table of organization has undergone some changes during this fiscal year and more changes are anticipated for the future. Historically, the 401 program was located solely in Ohio EPA's Central Office. During the previous SFY, a 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 the district office, 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. During SFY 2006, a position was created for our Northwest District Office (NWDO) with the same type of improvements in mind.

At the beginning of SFY 2006, the Division of Surface Water's Central Office table of organization contained six staff level full time equivalents (FTEs), classified as Environmental Specialist 2 dedicated to reviewing 401 and isolated wetland permit applications. The positions included five general application reviewers and one reviewer funded by the Ohio Department of Transportation (ODOT) whose duties were limited to ODOT highway projects.

During this time period, the Ohio EPA was awarded a three year, \$900,000 grant to assist in the implementation of its wetland program. These additional funds allowed the Ohio EPA to fund a full time FTE and two college interns dedicated to improving the our mitigation

monitoring. This grant also allowed Ohio EPA to participate in a multi-agency effort to update the wetland maps of the state.

At the end of the state fiscal year, one staff position in the 401 Water Quality Certification Section was vacant and a second position was in the process of being relocated to our Southwest District Office (SWDO).

Program Fees

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).

On July 1, 2005, Ohio's new state budget became effective. As a part of that budget, new requirements and new fees for 401 Water Quality Certifications were implemented.

A complete description of the 401 Water Quality Certification (WQC) fees is contained in Ohio Revised Code Section (ORC) 3745.114. Three key provisions of the 401 Water Quality Certification fees are:

- 1) A person that applies for a Section 401 Water Quality Certification must pay an application fee of \$200 at the time of application.
- 2) In addition to the application fee, that person must pay the following review fees:

RESOURCE IMPACTED	REVIEW FEE
Wetland	\$500 per acre
Ephemeral Stream	\$5 per linear foot or \$200, whichever is greater
Intermittent Stream	\$10 per linear foot or \$200, whichever is greater
Perennial Stream	\$15 per linear foot or \$200, whichever is greater
Lake	\$3 per cubic yard of dredged or fill material

- 3) One half of the applicable review fees are due at the time of application. The remainder of the fee shall be paid at the time the Director takes an action on the application.

The total fee paid shall not exceed \$25,000 per application. If the applicant is a county, township, or municipal corporation in the state, the total fee paid shall not exceed \$5,000 per application. State government and the United States Army Corps of Engineers are not subject to the fees. Coal mining operations are also exempt.

Program Budget

Funds for issuing 401 water quality certifications and isolated wetland permits in SFY 2006 came from a number of different sources. Funding information is summarized in the following table:

SOURCE OF FUNDING	AMOUNT	% of Total
401 Certification Fees	\$172,799.00	15.1%
Isolated Wetland Permit Fees	\$25,148.00	2.2%
Agency Tipping Fees	\$376,301.00	33.0%
ODOT	\$79,501.00	7.0%
U.S. EPA Wetland Grants	\$247,356.00	21.7%
U.S. EPA Grant (106 funds)	\$43,775.00	3.8%
General Revenue Fund	\$196,575.00	17.2%
TOTAL	\$1,141,455.00	100%

This expenditure level represents a more than 28% increase over that observed in SFY 2005 (\$892,004).

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.

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 114 illegal fill complaints during SFY 2006, 51 fewer complaints than it received in SFY 2005 (31% reduction of SFY 2005 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	64	11.10	41.26
Individual Permits	15	21.24	60.27
Total	79	32.34	101.53

The information presented above represents a 27% increase in the number of Isolated Wetland Permits issued in SFY 2006 over that issued in SFY 2005 and a 41% increase 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 2006. 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		
130	90.63	273.57	146,354	1,813,946

The information presented above shows a 5% increase in the number of 401 Water Quality Certifications issued in SFY 2006 as compared to SFY 2005. However, wetland impacts showed a 4 % decrease in the acres of impacts authorized during that same time period. Linear feet of stream impacted increased approximately 6% and the amount of dredge and fill material impacting Ohio lakes increased approximately 193%. A large part of this increase is due to the issuance of a multi-year dredging permit to the Corps for maintenance of Sandusky Harbor.

Figure 2 contains a map of Ohio showing the spacial distribution of the 401 Water Quality Certifications issued during SFY 2006. 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. 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 2006, 12 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 2006, 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	278	24.61	53,713
Buffalo	314	23.91	69,620
Pittsburgh	60	4.95	6,020
Louisville	141	3.84	17,332
Total	793	57.31	146,685

As discussed earlier, the Corps can utilize NWPs 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 NWPs 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 2006 and the amount of impacts authorized, by permit type

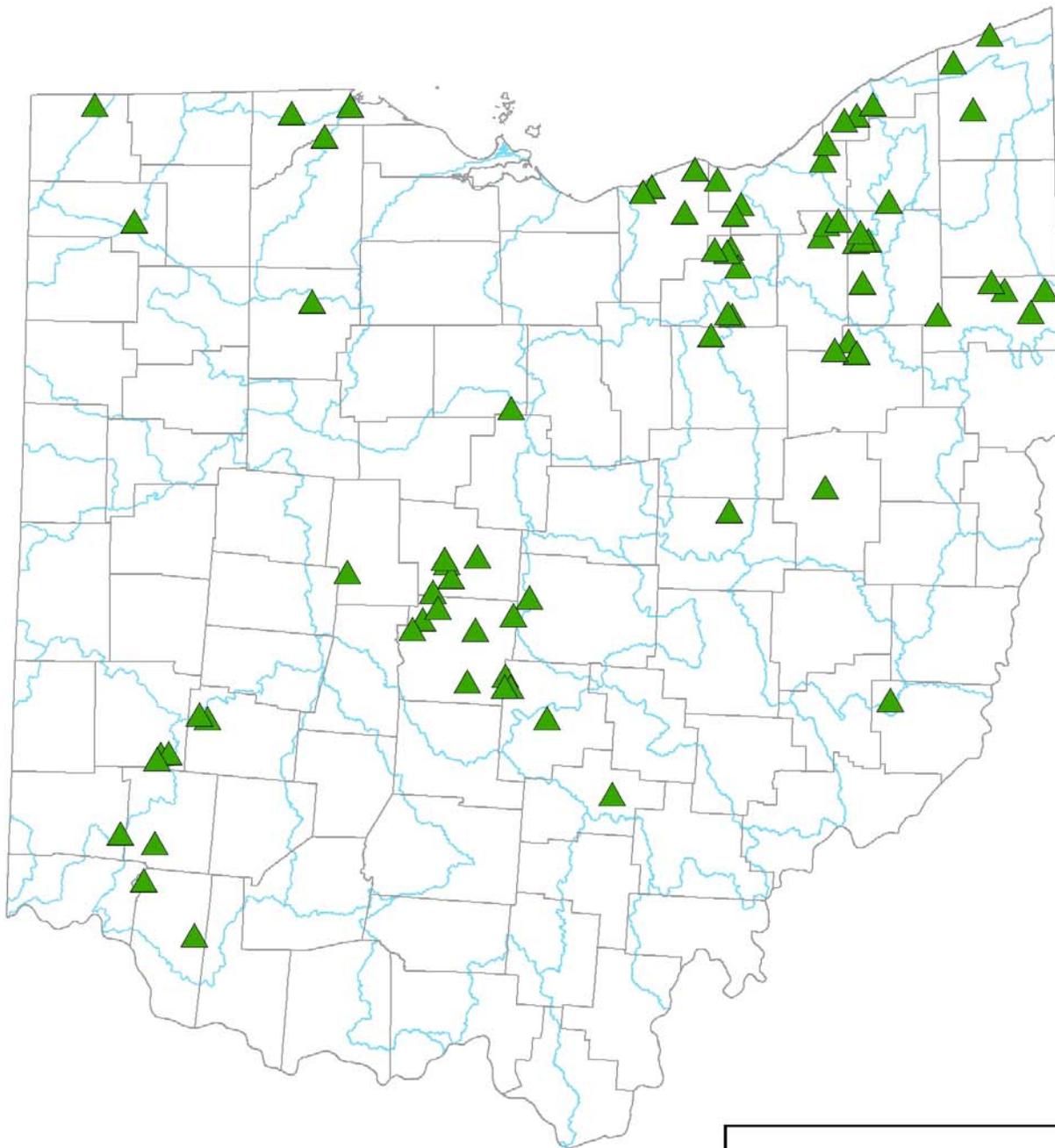
Table G provides a brief description of each of the NWP types referenced in table F. Detailed information regarding the various NWPs can be obtained at:

<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 2006



Legend

-  Isolated Wetland Permits
-  County Boundaries
-  Watershed (HUC8)

Table A
Isolated Wetland Permits
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Permit Type	Impacted			Mitigation		Issue Time (Days)
				Acres	Watershed	Total	Acres	Watershed	
052358	Gleneagles Professional Builders, Inc.	8/8/2005	Level One	0.04	04100001	0.04	0.1	04110004	20
052431	Menard Inc	3/17/2006	Level Two	4.73	04100003	4.73	16.55	04100003	127
052318	ODOT	2/2/2006	Level Two	2.02	04100005	2.02	4.02	04100005	234
049730	Wal-Mart Stores, Inc.	9/18/2005	Level One	0.11	04100006	0.11	0.3	04100010	30
052340	Frontage Development Co	7/28/2005	Level One	0.2	04100008	0.2	0.5	04100010	0
052351	Penta Career Center	8/31/2005	Level One	0.48	04100009		1.2	04100010	30
052343	FDS Coke Plant LLC	11/23/2005	Level Two	0.69	04100009		0.2	04100011	114
052343		11/23/2005			04100009	1.17	1.2	04100010	
052382	JF Development LLC	9/28/2005	Level One	0.08	04110001		0.2	04100010	30
052403	Basile Ltd	10/29/2005	Level One	0.18	04110001		0.35	04110004	30
052366	William Thomas Communities Inc	11/17/2005	Level Two	0.68	04110001		1	04100010	87
052366		11/17/2005			04110001		1.5	04100011	
052305	Richfield Group Inc	11/22/2005	Level Two	2.27	04110001		5.7	04110001	85
052417	Gill Construction	11/30/2005	Level One	0.03	04110001		0.1	04100010	22
042041	Queenswood Developers	12/1/2005	Level One	0.2	04110001		0.4	04110001	30
052449	Hyland Software Corp	12/16/2005	Level One	0.32	04110001		1.6	04110004	0
048588	Forest City Land Group	12/21/2005	Level Two	0.72	04110001		1.8	04110001	222
052247	Church of the North Coast	1/12/2006	Level Two	0.63	04110001		1.6	04110001	57
052247		1/12/2006			04110001		1.6	04100010	
052353	Amherst Development LLC	5/15/2006	Level Two	3	04110001		3.5	04100012	146
052353		5/15/2006			04110001		4	04110001	
062633	Henkel Consumer Adhesives	6/8/2006	Level One	0.08	04110001	8.19	0.2	04100010	16
052350	CSI LLC	8/5/2005	Level One	0.01	04110002		0.1	04110004	0
052375	ODOT	8/19/2005	Level One	0.11	04110002		0.2	04110002	0
052442	Mason Builders	12/8/2005	Level One	0.02	04110002		0.04	04100010	0
052491	Woodmont Land Co	1/9/2006	Level One	0.03	04110002		0.07	04110004	20
052423	US Army Reserves	2/24/2006	Level Two	1.69	04110002		4.23	04110002	72
062631	Boulder Creek Ltd	6/3/2006	Level One	0.46	04110002		1	04110004	30
062637	Concept Communities	6/8/2006	Level One	0.38	04110002		0.8	04110004	30
062557	Twinsburg Four LLC	6/12/2006	Level Two	0.72	04110002		1.47	04110004	110
062576	Frank Michaels Builders	6/23/2006	Level One	0.19	04110002		0.4	04110004	3
062650	Developers Management	6/24/2006	Level One	0.21	04110002	3.82	0.5	04110004	30
052326	Newell Creek Development Co	7/5/2005	Level One	0.26	04110003		0.6	04100010	29
037542	Ashtabula Port Authority	7/29/2005	Level One	0.07	04110003		1	04110003	15
052319	Acacia Development Co Ltd	8/22/2005	Level Two	0.65	04110003		2.7	04110002	54
042141	Aurora Industrial Park II	8/31/2005	Level One	0.13	04110003		0.26	04110004	30
052388	ODOT	9/8/2005	Level One	0.06	04110003		0.1	04110004	0
052311	Loreto Venture Group LLC	9/9/2005	Level One	0.14	04110003		0.35	04110004	2

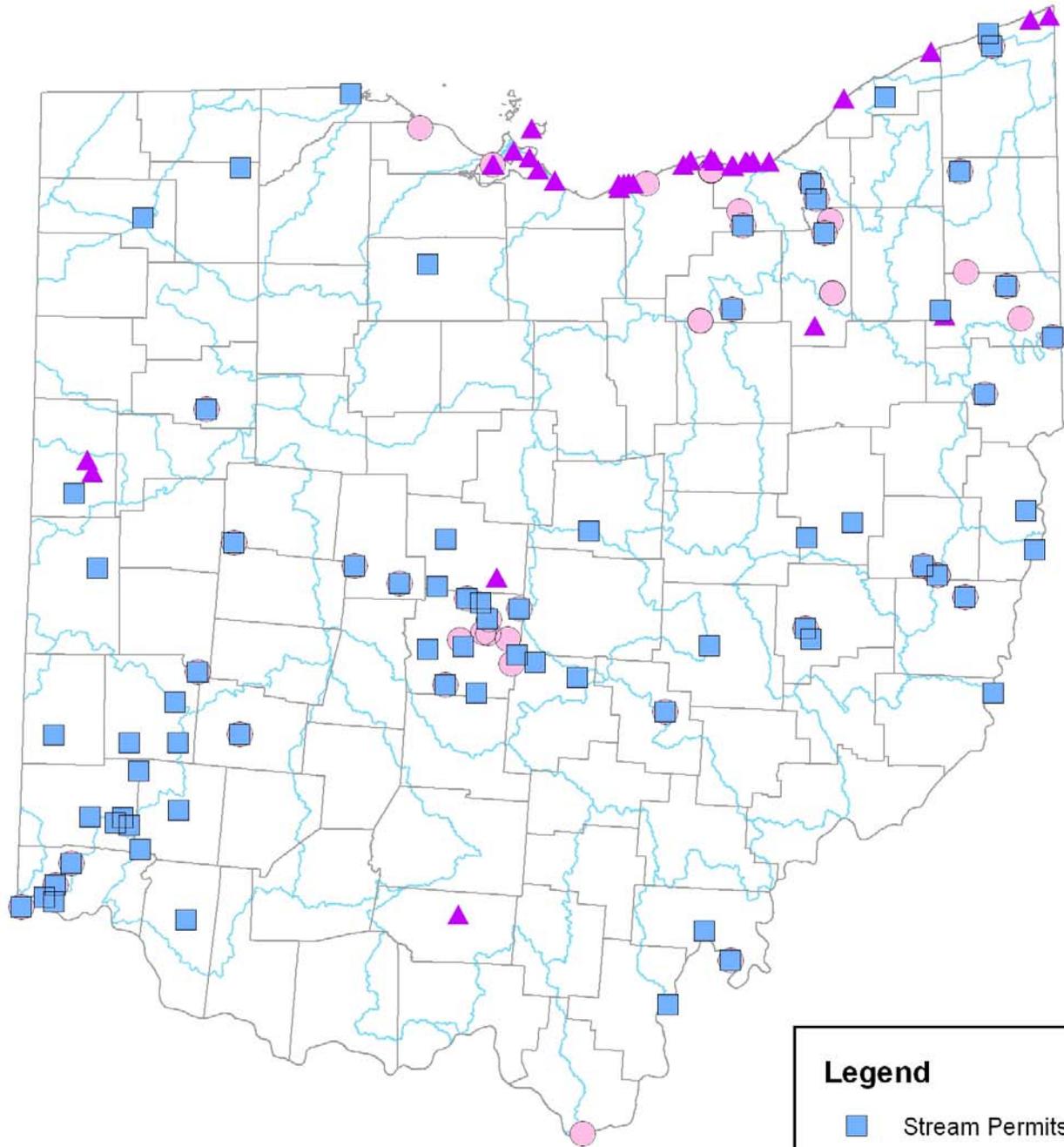
Table A
Isolated Wetland Permits
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Permit Type	Impacted			Mitigation		Issue Time (Days)
				Acres	Watershed	Total	Acres	Watershed	
052347	Progressive Casualty Insurance Co	11/15/2005	Level Two	0.99	04110003		3	04110003	42
052418	Wolf and Miller Trustee	3/5/2006	Level One	0.45	04110003	2.75	1	04110002	30
052515	Painesville City Local Schools	1/19/2006	Level One	0.08	04110004		0.2	04110004	16
062568	Cleveland Group, The	3/24/2006	Level One	0.3	04110004		0.6	04110004	16
062573	Jefferson Area Local School Dist	4/5/2006	Level One	0.09	04110004	0.47	0.2	04110004	1
052322	ODOT	7/8/2005	Level One	0.15	05030103		0.37	05030103	1
052499	National Heritage Academies	1/20/2006	Level One	0.05	05030103		0.8	05030102	24
062592	E & K Land Co	5/15/2006	Level One	0.24	05030103	0.44	0.5	05030102	21
052337	Duke Energy Gas Transmission	7/30/2005	Level One	0.07	05030201	0.07	0.1	05030201	30
052310	Logan Hocking School District	7/5/2005	Level One	0.06	05030204		0.1	05060001	29
062578	Duke Energy Gas Transmission	4/20/2006	Level One	0.32	05030204	0.38	0.7	05060001	7
052352	FC Wright Road LLC	8/31/2005	Level One	0.2	05040001		13.65	05040001	30
052381	Pride One	10/19/2005	Level One	0.37	05040001		0.74	05060001	30
052511	ODOT	12/20/2005	Level One	0.15	05040001		0.26	05040001	0
052364	Mako, Rick	1/10/2006	Level One	0.06	05040001		0.09	05040001	18
062553	Cairo Properties Ltd	3/17/2006	Level One	0.27	05040001		0.54	05040001	28
062553		3/17/2006			05040001		0.26	05040001	
062574	Dominion East Ohio	4/13/2006	Level One	0.4	05040001	1.45	0.8	05040001	30
052304	MGK Ltd	9/9/2005	Level One	0.02	05040003		0.1	05040001	10
062531	Oxford Mining Company	4/5/2006	Level One	0.19	05040003	0.21	0.3	05040003	30
062583	Beazer Homes	4/14/2006	Level One	0.02	05040004	0.02	0.1	05060001	7
052273	ODOT	7/1/2005	Level Two	1.19	05040006	1.19	5	05040006	80
052359	Performance Site Management	8/31/2005	Level One	0.18	05060001		0.4	05060001	8
052360	Columbus Zoo & Aquarium	8/31/2005	Level One	0.1	05060001		0.2	05060001	8
052334	Triangle Real Estate Services Inc	8/31/2005	Level One	0.06	05060001		0.1	05060001	15
052383	Ohio Land Group	9/12/2005	Level One	0.24	05060001		0.48	05060001	3
052342	Lakes at Cheshire LLC	9/13/2005	Level One	0.01	05060001		0.02	05060001	0
052404	Planned Communities LLC	10/4/2005	Level One	0.04	05060001		0.08	05060001	0
052362	Fed One	10/12/2005	Level Two	0.64	05060001		1.3	05060001	41
052444	Galion City Schools	11/22/2005	Level One	0.39	05060001		0.8	05060001	0
062551	Canal Winchester	3/16/2006	Level One	0.05	05060001		0.1	05060001	27
062559	AD Farrow Co	4/12/2006	Level One	0.12	05060001		0.3	05060001	27
062604	Village of Canal Winchester	4/20/2006	Level One	0.29	05060001		0.6	05060001	0
062615	Virginia Homes Ltd	4/28/2006	Level One	0.07	05060001		0.2	05060001	8
062628	Franklin County Engineer	5/3/2006	Level One	0.24	05060001		0.6	05060001	0
062607	Quest Engineers Inc	6/8/2006	Level One	0.18	05060001		0.4	05060001	2
062634	Delta Energy Holdings LLC	6/30/2006	Level One	0.02	05060001	2.63	0.1	05060001	30
052408	PEDCO E & A Services Inc	10/26/2005	Level One	0.35	05080002		0.53	05080002	29

Table A
Isolated Wetland Permits
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Permit Type	Impacted			Mitigation		Issue Time (Days)
				Acres	Watershed	Total	Acres	Watershed	
052298	Wal-Mart Stores, Inc.	2/16/2006	Level One	0.14	05080002		0.28	05090202	30
062567	J & E Custom Homes	4/6/2006	Level One	0.27	05080002		0.6	05060001	30
052399	Oberer Land Developers	4/27/2006	Level Two	0.62	05080002	1.38	1.5	05080002	87
052344	Fox Ridge Developers Ltd.	8/31/2005	Level One	0.19	05090202		0.5	05090202	30
052429	Goodwill Industries of the Miami Valley	11/30/2005	Level One	0.26	05090202		0.52	05090202	30
062540	Harmony Senior Village	2/9/2006	Level One	0.03	05090202		0.05	05090202	2
052498	Hal Homes Inc	3/21/2006	Level One	0.18	05090202		0.4	05090202	14
062652	McNK Properties LLC	6/7/2006	Level One	0.41	05090202	1.07	0.62	05090202	0

Jurisdictional, Lake, and Stream Permits Issued in State Fiscal Year 2006



Legend

- Stream Permits
- ▲ Lake Permits
- Wetland Permits
- County Boundaries
- Watershed (HUC8)

Table B
Jurisdictional Wetland Impacts
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Impacts			Mitigation		Issue Time (Days)
			Acres	Watershed	Total	Acres	Watershed	
052318	ODOT	2/2/2006	20.03	04100005	20.03	43.03	04100005	177
052245	Greater Ohio Ethanol, LLC	8/5/2005	0.45	04100007	0.45	2.30	04100007	80
042156	Ottawa National Wildlife Refuge	4/28/2006	2.22	04100010	2.22	7.50	04100010	171
052307	Quarry Road Entrance Channel	1/11/2006	2.36	04100011	2.36	41.41	04100011	194
042164	Turbau, LLC	10/7/2005	0.16	04110001		0.24	04110001	135
042165	Norris Builders, Inc.	10/17/2005	1.41	04110001		3.50	04110001	397
042041	Queenswood Developers	1/19/2006	1.05	04110001		2.63	04110001	450
052349	Charter Development Company LLC	6/1/2006	1.76	04110001		4.60	04100012	190
052372	Henkel Consumer Adhesives, Inc.	6/8/2006	2.71	04110001		2.00	04100012	195
052372		6/8/2006		04110001		1.60	04100010	
052372		6/8/2006		04110001	7.09	1.30	04110001	
052231	200 Egbert Rd LLC	8/3/2005	0.03	04110002		0.10	04110001	133
042179	Glenwillow, Village of	9/6/2005	1.88	04110002		18.15	04110002	134
042179		9/6/2005		04110002		1.90	04110004	
052264	Snavelly Development Co	2/16/2006	1.48	04110002		1.40	04100010	146
052264		2/16/2006		04110002		1.50	04110004	
052423	US Army Reserves	2/24/2006	1.22	04110002		3.05	04110002	72
052377	ODOT	6/22/2006	14.44	04110002	19.05	49.00	04110002	283
052355	Ashtabula County Engineer	1/20/2006	0.67	04110003	0.67	1.67	04110002	143
052367	ODOT	2/2/2006	2.64	04110004	2.64	4.25	04110004	52
052206	Buckeye Industrial Mining Co	10/20/2005	0.37	05030101		0.56	05030101	255
052263	LaFarge North America Inc	2/9/2006	4.65	05030101	5.02	7.75	05030101	259
052232	Evergreen Western Reserve Development LLC	2/7/2006	0.87	05030103		1.33	05030103	201
052328	ODOT	3/14/2006	1.83	05030103	2.70	5.51	05030103	209
052218	Consolidation Coal Company	1/24/2006	3.89	05030106		9.06	05030106	382
052432	Cravat Coal Company	5/25/2006	0.56	05030106	4.45	0.85	05030106	218
052296	ODNR-Division of Engineering	4/26/2006	0.44	05030202	0.44	0.66	05060001	397
052390	Cravat Coal Company	12/29/2005	0.95	05040001		1.43	05040001	206
052218	Consolidation Coal Company	1/24/2006	2.14	05040001				
052510	ODOT	6/8/2006	0.13	05040001	3.22	0.42	05040001	101
052335	ODOT	11/22/2005	1.56	05040003	1.56	1.50	05040003	
052293	Oxford Mining Company Inc.	3/3/2006	2.09	05040004	2.09	5.66	05040004	231
052320	Woda Group, The	12/21/2005	0.08	05040005	0.08	1.00	05060001	184
052273	ODOT	10/3/2005	2.76	05040006		10.00	05040006	152
052335		10/3/2005		05040006	2.76	2.41	05040001	68
042154	Beazer Homes (Village at Abbie Trails)	8/4/2005	1.58	05060001		3.60	05060001	253

Table B
Jurisdictional Wetland Impacts
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Impacts			Mitigation		Issue Time (Days)
			Acres	Watershed	Total	Acres	Watershed	
052280	Meijer Inc	9/6/2005	0.06	05060001		0.10	05060001	119
052266	ODOT	10/3/2005	0.04	05060001		0.06	05060001	159
052334	Triangle Real Estate Services Inc	10/19/2005	0.12	05060001		0.10	05060001	77
042180	Morso Holding Co & Huntington National Bank	11/8/2005	1.07	05060001		4.40	05060001	321
052378	Gowdy Partners LLC	11/8/2005	1.5	05060001		2.30	05060001	68
042196	Columbus Corporate Center Inc	12/14/2005	3.52	05060001		7.10	05060001	337
052312	Planned Communities Development LLC	12/14/2005	0.13	05060001		0.51	05060001	184
052412	Plaza Properties	12/14/2005	1.21	05060001		1.20	05060001	61
052306	National Lime and Stone Co	2/9/2006	0.21	05060001		0.60	05060001	183
052448	Port Columbus Internation Airport	3/6/2006	0.17	05060001		0.40	05060001	45
062546	ODOT	6/19/2006	0.04	05060001	9.65	0.06	05060001	90
052373	Meijer Inc	4/6/2006	0.13	05080001	0.13	0.20	05080001	192
052300	Trinity Development, Inc.	12/14/2005	0.06	05080002		0.09	05080002	216
052415	Lowe's Home Centers Inc	4/14/2006	0.01	05080002	0.07	0.02	05090203	191
042176	Brianna Rose	4/27/2006	3.39	05090101	3.39	11.00	05090101	556
052211	Cincinnati Gas & Electric Company	8/3/2005	0.56	05090203	0.56	2.56	05090203	160

Total Acres
of Impacts = 90.63

Toatl Acres of
Mitigation = 273.57

Average
Issue Time = 196

Table C
Stream Impacts
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Linear Feet Impacted	Watershed	Issue Time (Days)	Linear Feet Mitigation
052430	Army Corps of Engineers - Buffalo	6/1/2006	2200	04100001	126	330
052318	ODOT	2/2/2006	7944	04100005	177	11558
049730	Wal-Mart Stores, Inc.	3/10/2006	636	04100006	359	3600
052245	Greater Ohio Ethanol, LLC	8/5/2005	2000	04100007	80	3800
052223	Henry County Engineer	12/9/2005	470	04100009	218	450
052270	Seneca County Engineer	8/3/2005	70	04100011	107	320
042164	Turmbau, LLC	10/7/2005	530	04110001	135	1000
062556	Buffalo COE	5/17/2006	15840	04110001	90	dredge
052231	200 Egbert Rd LLC	8/3/2005	873	04110002	133	880
052264	Snavely Development Co	2/16/2006	970	04110002	146	977
052377	ODOT	6/22/2006	4063	04110002	283	6095
042100	Army Corps of Engineers, Buffalo	10/16/2005	8659	04110003	464	dredge
052355	Ashtabula County Engineer	1/20/2006	690	04110003	143	853
052290	Lake Metroparks	7/18/2005	15	04110004	74	50
052367	ODOT	2/2/2006	990	04110004	52	8765
052206	Buckeye Industrial Mining Co	10/20/2005	1527	05030101	255	1994
052278	Wintersville, Village of	10/20/2005	919	05030101	184	919
052263	LaFarge North America Inc	2/9/2006	760	05030101	259	925
052328	ODOT	3/14/2006	393	05030103	209	1487
052287	Cardinal Operating Co	11/16/2005	2200	05030106	189	2200
052432	Cravat Coal Company	5/25/2006	10993	05030106	218	10993
052275	Ohio Power Company - Mitchell Plant	9/19/2005	260.29	05030201	76	0
052437	ODOT	1/19/2006	1700	05030202	71	3200
052296	ODNR-Division of Engineering	4/26/2006	75	05030202	397	0
052495	AEP, Ohio Valley Electric Corp	6/8/2006	187	05030202	142	815
052293	Oxford Mining Company Inc.	3/3/2006	4360	05030204	231	4765
052390	Cravat Coal Company	12/29/2005	1217	05040001	206	1217
052218	Consolidation Coal Company	1/24/2006	10605	05040001	382	10605
062548	Oxford Mining Company	4/28/2006	5331	05040001	80	1609
062561	Ohio to Erie Canalway Coalition	5/15/2006	3065	05040001	192	0
052510	ODOT	6/8/2006	1276	05040001	101	2320
042098	Zanesville, City of	8/23/2005	510	05040004	372	960
052320	Woda Group, The	12/21/2005	1690	05040005	184	1150
052420	Cambridge Municipal Airport Authority	4/27/2006	1700	05040005	136	1350
052273	ODOT	10/3/2005	12406	05040006	152	12590
052284	Hoover Farm	7/6/2005	335	05060001	104	335
052281	Columbus Regional Airport Authority	7/18/2005	1776	05060001	95	1776
042036	Pickerington, City of	9/6/2005	270	05060001	459	1062
052280	Meijer Inc	9/6/2005	2056	05060001	119	3005
052241	Germain Motor Co	9/30/2005	510	05060001	214	765
052266	ODOT	10/3/2005	932	05060001	159	1398
052334	Triangle Real Estate Services Inc	10/19/2005	565	05060001	77	8463
042187	Columbus Zoo & Aquarium	11/8/2005	220	05060001	110	3400
052285	River Ridge Condos	12/2/2005	380	05060001	284	0
052312	Planned Communities Development LL	12/14/2005	510	05060001	184	1670
052356	Columbus, City of	1/24/2006	630	05060001	166	0
052306	National Lime and Stone Co	2/9/2006	5290	05060001	183	6570
052398	Mt Gilead, Village of	3/7/2006	40	05060001	180	40
052345	Delaware County Sanitary Engineer	4/26/2006	165	05060001	272	500
062546	ODOT	6/19/2006	320	05060001	90	480
052303	Fairfield County Utilities	6/22/2006	1018	05060001	405	1018
062584	Boehm, Val	6/22/2006	650	05060001	84	750

Table C
Stream Impacts
Issued Between July 1, 2005 and June 30, 2006

SWIMS ID	Applicant	Issue Date	Linear Feet Impacted	Watershed	Issue Time (Days)	Linear Feet Mitigation
052368	ODOT	1/24/2006	85	05080001	246	85
052447	ODOT	2/2/2006	400	05080001	93	600
052373	Meijer Inc	4/6/2006	3170	05080001	192	5107
042106	Warren County Park District	7/18/2005	6	05080002	336	50
042168	Warren County Water and Sewer Dept	8/23/2005	2000	05080002	293	4550
052248	Montgomery County	8/23/2005	270	05080002	200	270
052250	Fairfield Ridge LLC	11/3/2005	800	05080002	226	800
052228	Estates of Hawthorne Hills LLC	12/2/2005	880	05080002	298	1850
052408	PEDCO E & A Services Inc	12/5/2005	680	05080002	68	1900
042170	Knolls of Liberty Development, LLC	12/13/2005	1300	05080002	392	1300
052300	Trinity Development, Inc.	12/14/2005	3060	05080002	216	7590
052301	Preble County Engineer	2/16/2006	45	05080002	276	100
052415	Lowe's Home Centers Inc	4/14/2006	1205	05080002	191	2082
042023	Weidle Corporation	4/27/2006	545	05080002	745	1875
052325	Amherst Industries, Inc.	5/15/2006	3800	05090101	354	1500
052205	Metro Development	7/20/2005	1115	05090202	167	2500
052330	Hal Homes Inc	5/25/2006	370	05090202	308	442
052211	Cincinnati Gas & Electric Company	8/3/2005	390	05090203	160	0
052369	Metropolitan Sewer District	10/26/2005	642	05090203	140	642
052393	Grand Communities	6/27/2006	900	05090203	272	950
042055	St Henry, Village of	2/2/2006	1900	05120101	360	1900

Total Linear Feet of Impacts =	146,354	Total Linear Feet of Mitigation =	165,102
		Average Issue Time =	210

**Table D
Lake Impacts
Issued Between July 1, 2005 and June 30, 2006**

SWIMS ID	Applicant	Issue Date	Dredge/Fill (Cubic Yards)	HUC	Issue Time (Days)
042197	Nancy Lee Smith	11/22/2005	445	04100011	292
052198	Jesse & Oney	11/22/2005	445	04100011	292
052214	Thomas & Ursula Coyne	11/22/2005	445	04100011	292
042160	Nielsen	12/21/2005	215	04100011	194
052227	Kwest Development	1/11/2006	14400	04100011	294
052307	Quarry Road Entrance Channel	1/11/2006	69700	04100011	194
052438	Bailiwick Development	5/15/2006	5819	04100011	188
062550	Buffalo COE	5/22/2006	1500000	04100011	102
042086	Spanski, David	7/6/2005	137	04110001	344
042185	Paul & Kathryn Franks	8/29/2005	433	04110001	292
042186	Foran, James & Lynn	8/29/2005	381	04110001	292
052268	Dana L Barnes	8/29/2005	107	04110001	152
052269	Weigl, Richard A	8/29/2005	146	04110001	152
052272	Jerry R Walker	8/29/2005	271	04110001	152
052213	Lakewood, City of	9/22/2005	736	04110001	174
042183	Nancy W. McCann	9/26/2005	230	04110001	145
052282	Cancelliere	9/30/2005	331	04110001	183
042102	Avon Lake, City of	10/12/2005	115	04110001	309
042184	Prusak, Margaret A	10/12/2005	757	04110001	280
052252	Butdorf, Christopher	2/21/2006	212	04110001	363
052265	Miklos, Russell	2/21/2006	115	04110001	363
052255	Matus, Linda	2/24/2006	760	04110001	365
052259	Brill, Christine	2/24/2006	242	04110001	365
052314	Carney, Patrick and Mary Ellen	4/14/2006	2130	04110001	268
052256	Edgewater Yacht Club Inc	4/18/2006	7035	04110001	364
052261	Crystal Cove Condominiums	5/4/2006	2945	04110001	364
062556	Buffalo COE	5/17/2006	30000	04110001	90
052409	Colton, Keith C & Maryana	5/25/2006	292	04110001	220
052365	Demitrack, Thomas & Peggy Ann	6/8/2006	189	04110001	170
062545	Buffalo COE	5/31/2006	929	04120101	125
042021	Naylor, Verdayne	7/20/2005	93	04120200	503
033000	River Oaks Homes	7/25/2005	301	04120200	922
033936	Maslowski, Daniel	7/25/2005	690	04120200	326
052222	Cumings Homestead Park Corporation	8/23/2005	1600	04120200	217
042122	Conneaut Port Authority	8/29/2005	1345	04120200	243
052212	Sally M Yeager	2/9/2006	1375	04120200	407
052208	Vermilion Shores	5/25/2006	2980	04120200	497
052432	Cravat Coal Company	5/25/2006	not available	05030106	218
052371	Norris, Randy C.	10/3/2005	6.7	05040001	129
052293	Oxford Mining Company Inc.	3/3/2006	20538	05040004	231
052401	A & M Outdoor Concepts	2/24/2006	455	05060001	165
052436	Landowners (n=6)	2/16/2006	1081	05060002	77
042042	Celina, City of	8/31/2005	83053	05120101	445
042193	ODNR-Divison of Parks and Rec.	5/4/2006	60466	05120101	251

Total Cubic
Yards of
Dradge/Fill
Material = 1813946 Average
Issue Time = 273

Table E
Impact/Mitigation Summary by 8 Digit Hydrologic Unt Code (HUC)
Issued Between July 1, 2005 and June 30, 2006

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.)	0.00	0.00	0.04	0.00	0.04	0.00
4100002	Raisin River	0.00	0.00	0.00	0.00	0.00	0.00
4100003	St. Joseph River	0.00	0.00	4.73	16.55	4.73	16.55
4100004	St. Marys River	0.00	0.00	0.00	0.00	0.00	0.00
4100005	Maumee River	20.03	43.03	2.02	4.02	22.05	47.05
4100006	Tiffin River	0.00	0.00	0.11	0.00	0.11	0.00
4100007	Auglaize River	0.45	2.30	0.00	0.00	0.45	2.30
4100008	Blanchard River	0.00	0.00	0.20	0.00	0.20	0.00
4100009	Maumee River	0.00	0.00	1.17	0.00	1.17	0.00
4100010	Lake Erie Tributaries and Portage River	2.22	10.50	0.00	6.94	2.22	17.44
4100011	Sandusky River and Sandusky Bay Tributaries	2.36	41.41	0.00	1.70	2.36	43.11
4100012	Huron River and Vermilion River	0.00	6.60	0.00	3.50	0.00	10.10
4110001	Black River and Rocky River	7.09	7.77	8.19	13.50	15.28	21.27
4110002	Cuyahoga River	19.05	71.87	3.82	8.13	22.87	80.00
4110003	Chagrin and Ashtabula Rivers and Lake Erie Tributaries	0.67	0.00	2.75	4.00	3.42	4.00
4110004	Grand River	2.64	7.65	0.47	8.10	3.11	15.75
4120101	Conneaut Creek and Lake Erie tributaries	0.00	0.00	0.00	0.00	0.00	0.00
4120200	Lake Erie Islands	0.00	0.00	0.00	0.00	0.00	0.00
5030101	Little Beaver, Yellow, and Cross Creeks	5.02	8.31	0.00	0.00	5.02	8.31
5030102	Shenango River	0.00	0.00	0.00	1.30	0.00	1.30
5030103	Mahoning River	2.70	6.84	0.44	0.37	3.14	7.21
5030106	Ohio River tributaries (Short, Wheeling, and McMahan Creeks)	4.45	9.91	0.00	0.00	4.45	9.91
5030201	Little Muskingum River	0.00	0.00	0.07	0.10	0.07	0.10
5030202	Shade River and Leading Creek	0.44	0.00	0.00	0.00	0.44	0.00
5030204	Hocking River	0.00	0.00	0.38	0.00	0.38	0.00
5040001	Tuscarawas River	3.22	4.26	1.45	15.70	4.67	19.96
5040002	Mohican River	0.00	0.00	0.00	0.00	0.00	0.00
5040003	Kokosing River, Walhonding River, and Killbuck Creek	1.56	1.50	0.21	0.30	1.77	1.80
5040004	Muskingum River	2.09	5.66	0.02	0.00	2.11	5.66
5040005	Wills Creek	0.08	0.00	0.00	0.00	0.08	0.00
5040006	Licking River	2.76	10.00	1.19	5.00	3.95	15.00
5060001	Scioto River (headwaters to below Big Darby Creek)	9.65	22.09	2.63	7.92	12.28	30.01
5060002	Scioto R. (below Big Darby Cr. to Ohio R., except Paint Cr.)	0.00	0.00	0.00	0.00	0.00	0.00

Table E
Impact/Mitigation Summary by 8 Digit Hydrologic Unt Code (HUC)
Issued Between July 1, 2005 and June 30, 2006

8 Digit HUC	Description	Jurisdictional		Isolated Wetland		Total Acres	
		Impact	Mitigation	Impact	Mitigation	Impact	Mitigation
5060003	Paint Creek	0.00	0.00	0.00	0.00	0.00	0.00
5080001	Great Miami River (headwaters to below Mad River)	0.13	0.20	0.00	0.00	0.13	0.20
5080002	Great Miami R. (below Mad R. to Ohio R., except Whitewater R.)	0.07	0.09	1.38	2.03	1.45	2.12
5080003	Whitewater River	0.00	0.00	0.00	0.00	0.00	0.00
5090101	Raccoon Cr., Symmes Cr. and other Ohio R. tributaries	3.39	11.00	0.00	0.00	3.39	11.00
5090103	Little Scioto River and other Ohio River tributaries	0.00	0.00	0.00	0.00	0.00	0.00
5090201	Ohio Brush Cr., Whiteoak Cr., and other Ohio R. tributaries	0.00	0.00	0.00	0.00	0.00	0.00
5090202	Little Miami River	0.00	0.00	1.07	2.37	1.07	2.37
5090203	Mill Creek and Ohio River tributaries	0.56	2.58	0.00	0.00	0.56	2.58
5120101	Wabash River	0.00	0.00	0.00	0.00	0.00	0.00
5120103	Mississinewa River	0.00	0.00	0.00	0.00	0.00	0.00

Table F
Nationwide Permit Cumulative Report
July 1, 2005 through June 30, 2006

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
1	0	0.00	0	2	0.00	0	0	0.00	0	0	0.00	0	2	0.00	0
3	43	1.12	3,325	57	0.35	12,921	14	0.00	1,424	38	1.41	4,076	152	2.88	21,746
4	1	0.00	3,800	0	0.00	0	0	0.00	0	0	0.00	0	1	0.00	3,800
5	0	0.00	0	2	0.00	0	0	0.00	0	0	0.00	0	2	0.00	0
6	4	0.01	14	1	0.00	3,300	0	0.00	0	0	0.00	0	5	0.01	3,314
7	0	0.00	0	4	0.00	5	2	0.01	35	2	0.00	25	8	0.01	65
10	0	0.00	0	2	0.01	0	0	0.00	0	0	0.00	0	2	0.01	0
11	3	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	3	0.00	0
12	42	2.14	2,305	26	0.20	21,927	7	0.36	559	23	0.04	1,467	98	2.74	26,258
13	21	0.30	10,885	37	0.00	6,617	9	0.02	873	7	0.00	2,575	74	0.32	20,950
14	28	2.22	2,261	20	1.61	1,119	8	0.00	620	33	0.16	3,486	89	3.99	7,486
15	1	0.23	0	0	0.00	0	0	0.00	0	0	0.00	0	1	0.23	0
16	2	3.30	0	0	0.00	0	0	0.00	0	0	0.00	0	2	3.30	0
18	7	0.06	468	6	0.04	40	0	0.00	0	6	0.01	30	19	0.11	538
19	0	0.00	0	0	0.00	0	1	0.00	10	0	0.00	0	1	0.00	10
21	12	2.96	6,780	0	0.00	0	2	0.11	0	0	0.00	0	14	3.07	6,780
23	1	0.00	1,776	0	0.00	0	0	0.00	0	0	0.00	0	1	0.00	1,776
26	1	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	1	0.00	0
27	9	0.16	13,175	11	1.07	4,150	3	2.00	1,920	4	0.30	440	27	3.53	19,685
29	0	0.00	0	3	0.14	200	0	0.00	0	0	0.00	0	3	0.14	200
31	1	0.00	1,275	0	0.00	0	0	0.00	0	0	0.00	0	1	0.00	1,275
32	0	0.00	0	1	0.75	0	0	0.00	0	0	0.00	0	1	0.75	0
33	18	2.10	934	33	0.10	3,975	4	0.11	140	1	0.32	0	56	2.63	5,049
35	0	0.00	0	7	0.00	3,000	0	0.00	0	0	0.00	0	7	0.00	3,000
36	2	0.00	24	2	0.00	0	0	0.00	0	1	0.00	20	5	0.00	44
38	1	0.20	0	3	0.00	9,200	0	0.00	0	0	0.00	0	4	0.20	9,200
39	77	9.71	6,289	94	19.60	3,059	8	1.98	200	26	1.59	5,213	205	32.88	14,761
42	1	0.10	0	2	0.04	0	2	0.36	239	0	0.00	0	5	0.50	239
43	3	0.00	402	1	0.00	107	0	0.00	0	0	0.00	0	4	0.00	509
TOTAL	278	24.61	53,713	314	23.91	69,620	60	4.95	6,020	141	3.84	17,332	793	57.31	146,685

Table G
Nationwide Permits Utilized in Ohio
July 1, 2005 through June 30, 2006

NWP Number	Description
01	Aids to Navigation
03	Maintenance
04	Fish & Wildlife Harvesting, Enhancement, etc.
05	Scientific Measurement Devices
06	Survey Activities
07	Outfall Structure & Maintenance
10	Mooring Buoys
11	Temporary Recreational Structures
12	Utility Line Activities
13	Bank Stabilization
14	Linear Transportation Projects
15	U.S. Coast Guard Approved Bridges
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
31	Maintenance of Existing Flood Control Facilities
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
42	Recreational Activities
43	Stormwater Management Facilities