What is a pre-application meeting?
A pre-application meeting is an informal, completely voluntary (though highly recommended) process where you meet with an Ohio EPA 401 coordinator to discuss a project that is in its early planning stages. If your project is large, complex, has the potential to impact sensitive areas, or if you have never applied for a water quality certification or isolated wetland permit Ohio EPA recommends that you request a pre-application meeting to discuss your project. If you have questions concerning the pre-application process, please contact the Ohio EPA 401 Coordinator covering the region or industry of interest for your project.

Planning a project that will impact wetlands, streams, rivers, lakes, or other regulated water resources, and anticipating how Ohio EPA will respond to your application can be difficult. To avoid delays, confusion and ensure that Ohio’s environment is protected, Ohio EPA offers early coordination for all applicants who need to apply for a water quality certification or isolated wetland permit. Through a pre-application meeting, Ohio EPA staff can help ensure you know exactly what you need before you submit your application. Therefore, some suggested uses for a pre-application meeting include:

1. To receive education regarding the 401 and/or 404 process including rules and regulations, timelines, identification of water resources, etc.
2. To provide guidance  
   a. To provide input on project design/footprint  
   b. To look at water resources  
      i. Wetlands – locations and characterization  
      ii. Streams – locations and characterization  
      iii. Landscape/setting – land use and buffers to aquatic resources  
3. To help the certification or permit process proceed faster  
   a. Answer questions  
   b. Come to consensus  
4. To discuss project specifics  
5. To evaluate the quality of water resources by verifying physical and/or biological habitat assessments

Please Mail or E-mail (25 Mb limit) the completed request form and supporting information to:  
Ohio EPA  
DSW/401 Section  
P.O. Box 1049  
Columbus, OH 43216-1049  
EPA401Webmail@epa.ohio.gov
**SECTION 1: Contact Information - THIS SECTION IS REQUIRED TO BE COMPLETED**

**Part A - Applicant Information**
Provide your name, title, telephone number, fax number, e-mail address. Provide your address (not the project address), including the street, city and zip code.

You MUST provide a contact name. For complex projects or projects with multiple contractors and responsible parties, designation of a single point of contact will speed up the process and enable more timely responses to requests for information.

Statement of Authorization – by signing this document, you are certifying that the consultant/agent named in Part B of Section 1 is authorized to act in your behalf in the processing of the pre-application meeting request, and may furnish supplemental information in support of the meeting request.

**Part B – Consultant/Agent Information (if applicable)**
If you choose to be represented by an agent, provide the consultant’s or agent’s name, title, telephone number, fax number, e-mail address, mailing address including street, city and zip code. You are not required to have an agent.

**SECTION 2: Project Location - THIS SECTION IS REQUIRED TO BE COMPLETED**

**Site Name** – Please title the project with an obvious site name. The Site Name will be used when entering the project into the 401 database, as well as in all correspondence referencing the project.

**Project Location** – Provide specific information relating to the location of your proposed project. Determine the project coordinates in degrees, minutes and seconds using [http://findlatitudeandlongitude.com/](http://findlatitudeandlongitude.com/). If project is on Lake Erie, use River Mile or Shoreline Mile using [http://www.epa.ohio.gov/dsw/gis/RiverMileSystem.aspx](http://www.epa.ohio.gov/dsw/gis/RiverMileSystem.aspx). Give the project address or closest point of reference including the street name or nearest intersection, county, nearest city and/or township, state and zip code.

**Watershed** - Enter the name of the watershed. Determine what watershed the project is located in using:
- If you know the stream name, the watershed name is referred to as “River Basin” on this Web page: [http://wwwapp.epa.ohio.gov/dsw/ir2010/search.html](http://wwwapp.epa.ohio.gov/dsw/ir2010/search.html),
- To use the project location zip code to identify the watershed, use US EPA’s Surf Your Watershed Web page: [http://cfpub.epa.gov/surf/locate/index.cfm](http://cfpub.epa.gov/surf/locate/index.cfm),
- To use a map to identify the watershed, use the USGS Science in Your Watershed map: [http://water.usgs.gov/wsc/map_index.html](http://water.usgs.gov/wsc/map_index.html), or
- To use the Interactive Mapping Tool using Ohio State’s Experience Ohio’s Watershed’s Web site: [http://tycho.knowlton.ohio-state.edu/](http://tycho.knowlton.ohio-state.edu/).

**HUC 8** – Enter the 8-digit Hydrologic Unit Code (HUC). Determine your 8-digit HUC code using:

**Identify the criteria used to select the project site, including stream and wetland impact avoidance and minimization** – What criteria were used to select the project site and why was this site chosen? Be as specific as possible. Demonstrating avoidance means to show that alternative sites that fulfill the basic project purpose and have less impact to wetlands and streams were not practicable, so long as the alternative does not have other significant adverse
environmental consequences. Minimization means that unavoidable impacts on-site are reduced to the maximum extent practicable. You should include any supplemental environmental reports, assessments, or other documents that explain or justify the proposed configuration of the project.

Questions to consider when answering this question include: Was the project site selected to avoid a greater amount or higher quality water resources on an alternative site? Were the project components sited to avoid wetland and stream impacts? Can the proposed project components be located in an upland area? Can the proposed project or project components be located in a lower-quality wetland or stream area? Can the footprint of the specific project components be reduced?

**Attachments** - Provide accurate maps depicting the project location.

A. **Site map with boundaries** – The map should include the boundaries of the site showing all streams and wetlands located on the site overlaid on a current aerial photograph.

B. **Site maps for alternative locations considered during site selection** - The maps should include the boundaries of each site showing all streams and wetlands.

C. **Site identified on USGS topographic map** – The map should be a topographic map, preferably a United States Geological Survey (USGS) 7.5 minute quadrangle map with the project's Section, Township, and Range noted. ([http://nationalmap.gov/ustopo/index.html](http://nationalmap.gov/ustopo/index.html))

D. **Proposed project footprint (including proposed construction limits)** – The map should include the boundaries of the site, showing all streams and wetlands, and clearly identify the limits of disturbance and proposed impacts. Try to keep detail on the map to a minimum, focusing instead on the location of structures and associated water bodies.

**SECTION 3: Project Information** - **THIS SECTION IS REQUIRED TO BE COMPLETED**

**Description of Project** – Provide a narrative description of the proposed project. Examples of project description include stabilizing a stream bank, installing a bridge or culvert in a stream to access a site, developing a site for commercial use, etc. If you know information regarding the number and size of buildings, structures and facilities to be built on the site, provide that information here. Also, if you know the number of wetlands that will be impacted (crossing, filling, etc.) and the acreage of each wetland; the number of streams that will be impacted (crossings, filling, rerouting, etc.) and the linear footage of each stream; the acreage/areas of tree clearing; the number and size of storm water detention ponds; the linear feet and width of proposed roadways and bridges; etc., please provide that information here.

**Description of Project Purpose and Need** - Describe the purpose of the project (that is, what goal or outcome will be met by the construction of the project), the need for this project, and the anticipated benefits from the project. Examples of project purpose include developing a site for mixed commercial and industrial use; the building of a bridge; developing a site for homes; etc. Explain why the project is needed.

**Proposed Project Schedule** – Provide the proposed or actual start date and the anticipated completion date. If you have started your project before obtaining authorization, you may be in violation of federal and/or state law. Keep in mind that you must provide the ten items to Ohio EPA before your 401 Water Quality Certification application is considered complete (and before Ohio EPA will begin the technical review of your project. Those items are listed in Section 4, #15 below.

**SECTION 4: Investigation of Water Resources and Permitting Considerations** - This section should be completed to the degree possible given your unique constraints on time and resources.
Pre-Application Meeting Request Form Instructions

Keep in mind that in order to obtain the most useful, project specific comments, we recommend you provide as much information as possible. You should be able to provide many items on the following list, depending on how far along you are in the planning process:

1. **Photographs** – Submittal of photographs depicting the project site is highly encouraged. Photos must be clearly labeled with the direction of the shot, the area depicted and notes on relevant features. A map depicting the location of photos on the project site is also useful and should be included whenever photos are submitted. It is recommended that you provide at least 2 pictures for each 500 feet of streams on-site (that are proposed to be impacted or avoided); 2 pictures for each acre of wetland on-site (that are proposed to be impacted or avoided); and 2 pictures for each 100 feet of shoreline.

2. **NRCS Soil Survey** – A county soil survey can be used as a desktop evaluation tool to establish soil characteristics that may assist in the identification of potential wetland areas.

3. **USGS Stream Stats** – Stream Stats allows users to easily obtain stream flow statistics, basin characteristics such as drainage area, and descriptive information. The basin functions allow users to determine drainage area and watershed size, which will determine what type of habitat assessment will be necessary (e.g., HHEI or QHEI).

4. **National Wetlands Inventory Map** – National Wetlands Inventory (NWI) Maps were compiled by the U.S. Fish and Wildlife Service in the 1980s using high-altitude aerial photography. They were not field-verified. Many wetlands exist that do not show up on the NWI Maps. Another source available to view NWI data is on Ducks Unlimited’s Web site. Ducks Unlimited, in consultation with the U.S. Fish and Wildlife Service and state governments, is working to update the National Wetlands Inventory (NWI) for the states in its Great Lakes/Atlantic Region. The update utilizes recent imagery to revise the original NWI to represent the region’s current inventory of wetlands more accurately.

5. **Delineation of the water resources** – The size of a wetland must be determined by conducting a wetland delineation consistent with the protocols established in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual, or appropriate Regional Supplement. Additionally, the delineation should identify streams and other water resources on the site.

6. **Have you submitted your delineation to the U.S. Army Corps of Engineers?** - Your delineation must be approved or reviewed by the Corps of Engineers in order for Ohio EPA to determine the impacts to water bodies associated with the project.

7. **Jurisdictional determination** - A jurisdictional determination (JD) is the process of identifying and locating jurisdictional Waters of the United States (including wetlands) regulated by the U.S. Army Corps of Engineers (COE) under Section 404 of the Clean Water Act. An approved JD will be documented in a letter from the Corps...
and/or on a plat that clearly identifies the jurisdictional area and contains a verification statement dated and signed by a Corps Regulatory Official.

- To determine which Corps office, you should contact: http://www.usace.army.mil/cecw/pages/cecwo_reg.aspx
- To obtain a JD from the Corps, contact your local Corps Regulatory field office:
  - Pittsburgh: http://www.lrp.usace.army.mil/Portals/72/docs/regulatory/FormsAndPublications/JD - RequestForm.pdf

8. **Water Quality Use Designation** - Use designations describe existing or designated uses of water bodies. Ohio EPA assigns beneficial use designations to water bodies in the state. There may be more than one use designation assigned to a water body. Examples of beneficial use designations include: public water supply, primary contact recreation, and aquatic life uses (warmwater habitat, exceptional warmwater habitat, etc.).

- Use designations are defined in paragraph (B) of rule 3745-1-07 of the Ohio Administrative Code (OAC): http://www.epa.ohio.gov/portals/35/rules/01-07.pdf
- Each of the rules in OAC rules 3745-1-08 to 3745-1-32 covers a major drainage basin. Use designations are assigned in rules 3745-1-08 to 3745-1-32 of the OAC. Use the Water Body Use Designation Index on that page to find the rule number and page number of your water body of interest: http://www.epa.ohio.gov/dsw/rules/3745_1.aspx#use%20designations
- Ohio EPA, Division of Surface Water, Water Quality Standards Program for more information on Water Quality Use Designations: http://www.epa.ohio.gov/dsw/wqs/index.aspx
- Additionally, The Integrated Water Quality Monitoring and Assessment Report indicates the general condition of Ohio's waters and identifies waters that are not meeting water quality goals: http://www.epa.ohio.gov/dsw/tmdl/OhioIntegratedReport.aspx
- If you want to determine attainment with designated uses, you may also wish to look to at: http://www.epa.ohio.gov/dsw/tmdl/index.aspx#TMDL%Projects
- If more specific attainment data is not available for the project site, you may wish to use: http://wwwapp.epa.ohio.gov/gis/mapportal/IR2014.html

9. **Habitat assessments on streams** – Streams with a watershed greater than 1 square mile should be evaluated using the **Qualitative Habitat Evaluation Index** (QHEI). The QHEI is a composite of six habitat variables: substrate, in stream cover, riparian characteristics, channel characteristics, pool and riffle quality and gradient and drainage area. It helps to distinguish the influence of habitat effects on fish communities in Ohio streams.

- Ohio EPA’s Biological Criteria Webpage (including QHEI): http://www.epa.ohio.gov/dsw/bioassess/BioCriteriaProtAqLife.aspx#qhei

Streams with a watershed under a square mile of drainage may have a headwaters habitat evaluation index (HHEI) form completed. The Agency is not requiring these assessments performed. However, if the applicant chooses to perform and submit HHEIs, the physical habitat information provided on the form is helpful in determining the existing use of the stream. Additional biological sampling in accordance with the Biological Criteria for the Protection of Aquatic Life manuals may be required on a case-by-case basis to aid in the determination of existing use.
10. **ORAM assessments on wetlands** – Ohio Revised Code §6111.02(A) specifies that the Ohio Rapid Assessment Method for Wetlands, version 5.0 (ORAM) should be used to characterize wetlands. ORAM includes the 10-page forms for Background Information, Scoring Boundary Worksheet, Narrative Rating, Field Form, Qualitative Rating, ORAM Summary Worksheet, and Wetland Category Worksheet. All of this information constitutes an ORAM characterization and must be completed for each wetland.  
   - ORAM Documents: [http://epa.ohio.gov/portals/35/401/ORAMv5_score_forms_10_page.pdf](http://epa.ohio.gov/portals/35/401/ORAMv5_score_forms_10_page.pdf)

11. **Other analysis** – If you are proposing work in or along streams and rivers, you may be required to submit copies of mussel surveys, sediment sampling tests, and plans that show areas of bank stabilization and tree clearing.

12. **Avoidance and Minimization** - As part of the 401 WQC application, you must describe possible alternatives to the proposed project that would avoid impacts to the aquatic resource(s) that were considered during the project planning process. You must also describe ways to minimize impacts considered during the project planning process, including a description of how you plan to contain any dredged/excavated material to prevent re-entry into waterways or wetlands. Examples of alternatives include construction on the upland portions of the property; rerouting a roadway to avoid a wetland; or alternate design plans. Minimization of the impacts may decrease any mitigation requirements that might otherwise apply. Minimization may include reduction of the amount of dredging, filling, or vegetative clearing.

13. **Mitigation Site** - The purpose of compensatory mitigation is to replace those aquatic ecosystem functions that would be lost or impaired as a result of an approved activity. Compensatory mitigation should generally be “in-kind” and occur as close to the site of the adverse impact as practicable. Goals of a mitigation site must be specific, measurable, and attainable within a specified timeframe. Include a Site Map indicating distance from project site and plan view drawing. Be prepared to provide rationale for mitigation site selection.

The Surface Water Enhancement, Restoration and Protection Clearinghouse provides information for applicants seeking surface water improvement and protection sites for Section 401 water quality certifications, isolated wetland permits, or supplemental environmental projects and to persons or organizations who wish to offer property for consideration.


14. **Mitigation & Monitoring Plan** – The goals of mitigation must be clearly stated in the mitigation plan. Typically, the objective is to provide a minimum of functional replacement, i.e. no net loss of functions, with an adequate margin of safety to reflect anticipated success. In order to provide a sound technical basis for the review and approval of mitigation projects, Ohio EPA intends to utilize the following mitigation standards, criteria, and processes:
15. **Ohio EPA’s Section 401 Water Quality Certification application requirements** – ORC section 6111.30 and OAC 3745-32-03 specifies what items must be submitted for a Water Quality Certification application package to be considered complete. The required components under ORC division 6111.30(A) are listed on DSW’s website (http://www.epa.ohio.gov/dsw/401/WQC.aspx) and include:

- A complete 401 Water Quality Certification application form;
- Current and unexpired correspondence from the United States Army Corps of Engineers’ documenting the jurisdictional status of waters located within the project area;
- If the project impacts a wetland, a wetland characterization analysis consistent with the Ohio Rapid Assessment Method (completed ten-page form including background information, scoring boundary worksheet, narrative rating, quantitative rating, and wetland categorization worksheet) for each wetland within the project boundary;
- Data to determine existing aquatic life use, if the project impacts a stream for which a specific aquatic life use designation has not been made;
- A specific and detailed mitigation plan prepared in accordance with 33 C.F.R. Part 332 and rule 3745-1-54, including the location and proposed real estate instrument or other mechanism for protecting the property long term;
- Applicable application and review fees in accordance with ORC 3745.114;
- Site photographs of water resources in accordance with 3745-32-03(B)(e);
- Documentation confirming that the applicant has requested comments from ODNR and USFWS regarding threatened and endangered species, including the presence or absence of critical habitat;
- Descriptions, schematics, and appropriate economic information of the applicant’s alternatives analysis prepared in accordance with 40 C.F.R. Part 230 and 3745-1-54 for the project;
- The delineation report of the waters of the United States in support of a federal license or permit; and
- A copy of the United States Army Corps of Engineers’ public notice regarding the 404 permit application or other notification from the Corps that the project will be authorized under a general permit or letter of permission if applicable.

16. **Ohio EPA’s Integrated Wetland Assessment Program. Part 6: Standardized Monitoring Protocols and Performance Standards for Ohio Mitigation Wetlands. 2004** - The goal of monitoring is to collect sufficient data to answer the question: has the mitigation wetland met the performance goal within the monitoring period? As recommended by the NRC (2001), the performance standards developed for mitigation monitoring in Ohio include a broad range of structural and functional measures. They were developed using reference wetlands as a model for the dynamics of created or restored sites, and require quantitative hydrologic monitoring in order to assure natural hydrologic regimes are established.


17. **Wetland Water Quality Standards Rules and Isolated Wetland Statute** –

- OAC rules 3745-1-50 through 3745-1-54: http://www.epa.ohio.gov/dsw/rules/3745_1.aspx
- §6111.02 to §6111.029: http://codes.ohio.gov/orc/6111

18. **Are other permits necessary for this project?** - Check the appropriate boxes indicating whether or not other federal, state or local permits are necessary for this project.

- **Federal Permits**
  - Individual Section 404 – USACE issues Section 404 Permits. Section 404 of the CWA (33 United States Code 1344) requires regulation of the discharge of dredged and fill material into all waters of the U.S., including wetlands. The intent of the law is to protect the nation’s waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical...
and biological integrity.

- **Nationwide Permits** – USACE Nationwide Permits (NWP). NWPs are activity specific and are designed to relieve some of the administrative burdens associated with permit processing for both the applicant and the federal government. They provide a simplified, expeditious means of authorization under the various authorities of the USACE. Current NWPs were published in the February 21, 2012 Federal Register Volume 77, Number 34 and are reissued every five years.

- **Regional Permit** – USACE issues a type of general permit known as a Regional Permit to the Ohio Department of Transportation (ODOT) every five years. This permit authorizes activities in waters of the United States including work, structures, and filling (both temporary and permanent) associated with linear transportation projects and maintenance of existing infrastructure conducted by ODOT in the State of Ohio.

- **Section 10** – USACE issues Section 10 Permits. Section 10 of the Rivers and Harbors Act of 1899 requires that regulated activities conducted below the Ordinary High Water (OHW) elevation of traditionally navigable waters (TNW) of the United States be approved/permitted by the USACE. Regulated activities include the placement/removal of structures, work involving dredging, disposal of dredged material, filling, excavation or any other disturbance of soils/sediments or modification of a traditionally navigable waterway. Section 10 streams are streams specifically designated by Congress to be regulated under the Rivers and Harbors Act of 1899. All Section 10 streams are TNWs, but not all TNWs are Section 10 streams. The USACE Huntington District Office provides a list of Section 10 streams located within Ohio. Please be aware that this list does not segregate streams according to each USACE District.

- **State Permits (Ohio EPA)**
  - **Isolated Wetland Permit** - Ohio EPA authority to regulate discharges of fill to isolated wetlands (wetlands not connected to jurisdictional waters) is provided in Ohio Revised Code 6111.02 through 6111.028. There are three levels of Isolated Wetlands Permits as shown below:

<table>
<thead>
<tr>
<th>Wetland Category</th>
<th>Acre of Wetland Impact</th>
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<tbody>
<tr>
<td>Level One (General Permit)</td>
<td>1 or 2</td>
</tr>
<tr>
<td>Level Two (Individual Permit)</td>
<td>1</td>
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<td>2</td>
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<td>Level Three (Individual Permit)</td>
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- **NPDES Permit**
  - **General NPDES** – A general NPDES permit is one permit that covers facilities that have similar operations and types of discharge. A general NPDES permit is a potential alternative to an individual NPDES permit and affords coverage to new and existing dischargers that meet the eligibility criteria given in the general permit. There are several types of NPDES general permits including the NPDES general permit for storm water discharges associated with construction activities (Construction General Permit or CGP), the general NPDES permit most often associated with 401 WQCs and IWPAs. A complete list of NPDES general permits is available on Ohio EPA’s website at: [www.epa.ohio.gov/dsw/permits/gpfact.aspx](http://www.epa.ohio.gov/dsw/permits/gpfact.aspx).
  - **Individual NPDES** – An individual NPDES permit is unique to each facility. The limitations and other
conditions in an individual permit are based on the facility’s operations, type and amount of discharge, and receiving stream, among other factors. For more information on individual NPDES permits, please visit Ohio EPA’s website at www.epa.ohio.gov/dsw/permits/individuals.aspx.

- **PTI – A Permit to Install (PTI)** is needed when a person wishes to construct any wastewater collection, storage or treatment system or wishes to modify any existing wastewater collection, storage or treatment system. ([http://www.epa.ohio.gov/dsw/pti/index.aspx](http://www.epa.ohio.gov/dsw/pti/index.aspx))

### State Permits (Ohio Department of Natural Resources)

- **Lake Erie Coastal Permits** - Ohio Department of Natural Resources (ODNR) Office of Coastal Management (OCM) issues several permits ([http://coastal.ohiodnr.gov/ocmp](http://coastal.ohiodnr.gov/ocmp)). More information can be found on the following ODNR websites.
  - Coastal Erosion Area Permits: [http://coastal.ohiodnr.gov/permits#CEA](http://coastal.ohiodnr.gov/permits#CEA)
  - Shore Structure Permits: [http://coastal.ohiodnr.gov/permits#SHO](http://coastal.ohiodnr.gov/permits#SHO)
  - Submerged Lands Leases: [http://coastal.ohiodnr.gov/permits#SUB](http://coastal.ohiodnr.gov/permits#SUB)
  - Coastal Consistency Certifications: [http://coastal.ohiodnr.gov/permits#FCC](http://coastal.ohiodnr.gov/permits#FCC)

- **DMRM Permits** – ODNR Division of Mineral Resources Management (DMRM) issues coal and industrial minerals (IM) permits. Permitting of coal and IM mining is conducted under provisions of ORC Chapters 1513 & 1514, respectively. For more information on the laws and regulations from DMRM, please visit ODNR’s website at: [http://minerals.ohiodnr.gov/laws-regulations/laws-regulations](http://minerals.ohiodnr.gov/laws-regulations/laws-regulations)

- **DOGR Permits** – ODNR Division of Oil and Gas Resources (DOGR) issues permits for oil and gas wells. For more information on the laws and regulations from DOGR, please visit ODNR’s website at: [http://oilandgas.ohiodnr.gov/laws-regulations/oil-gas-law-summary](http://oilandgas.ohiodnr.gov/laws-regulations/oil-gas-law-summary)