



Bioengineering Bank Stabilization for Roadway Protection (*Martz-Paullin Road Case Study*)

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County Engineers Association of Ohio (CEAO)
2016 Stormwater Management and Drainage Conference
March 15, 2016

Presentation Outline

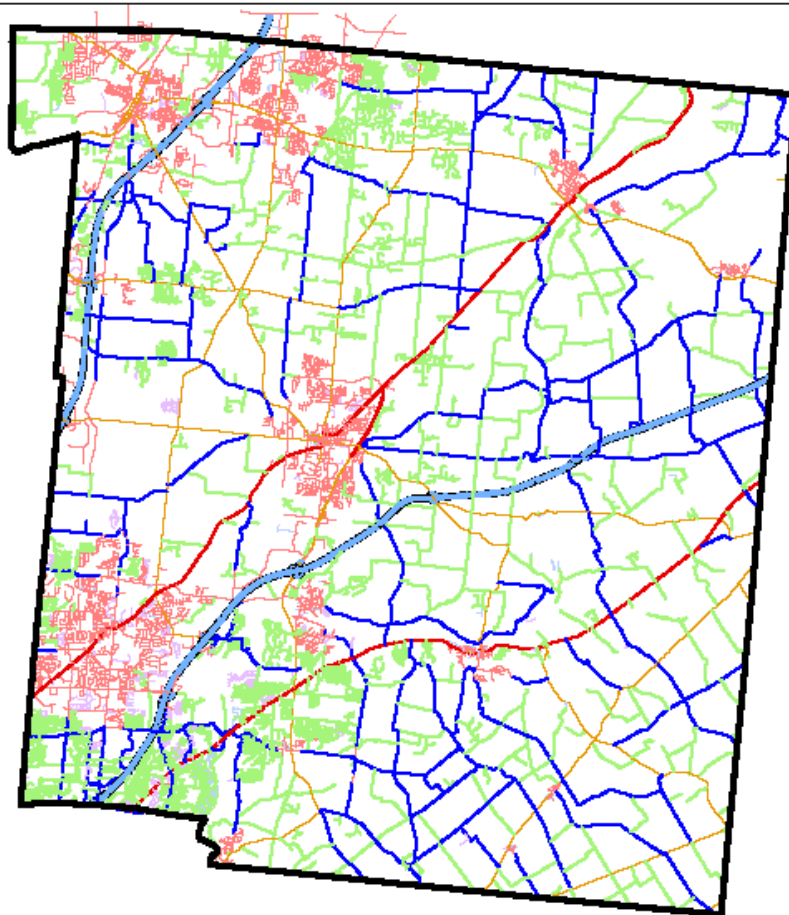
OUTLINE

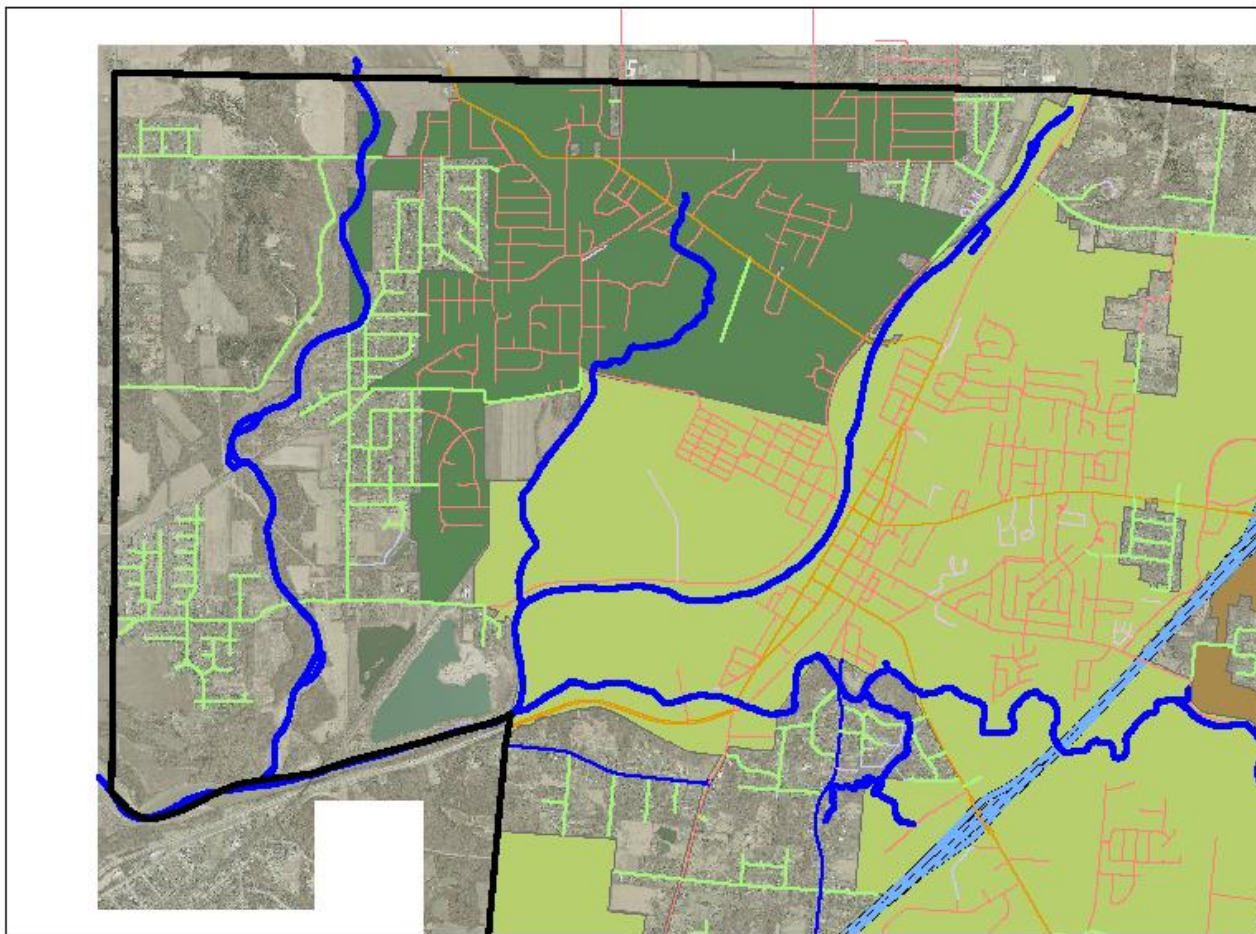
- ✓ Pre Project Conditions
- ✓ Design and Cost Alternatives
- ✓ Project Funding
- ✓ Design and Permitting Strategy
- ✓ Construction Observations and Lessons Learned

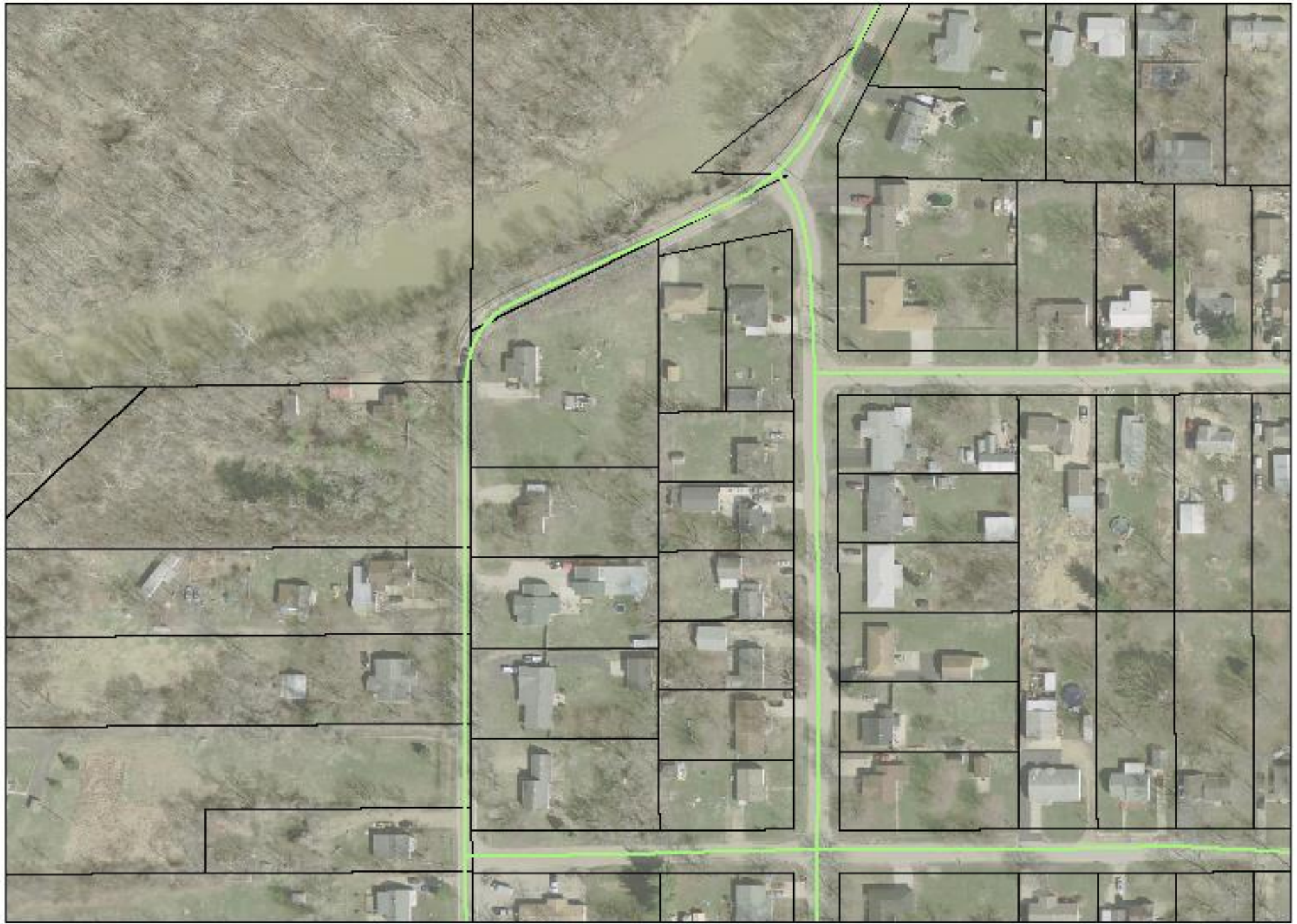
- ✓ Applicability to other infrastructure projects adjacent to streams
- ✓ Changes in NWP Permitting for roadway projects











2011



2014



April 9, 2014



April 9, 2014



TIMELINE

FIRST REPORT	SPRING 2012
SECOND REPORT	SPRING 2013
THIRD REPORT	MARCH 2014
TERRACON CONTRACT	APRIL 2014
SURVEY	APRIL 2014
DRILLING	MAY 2014
TERRACON REPORT	JULY 2014





Explanation

T-1 Borehole Number
 LL, PL Liquid and Plastic Limits
 Borehole Lithology
 AR Borehole Termination Type
 BT Boring Termination
 Water Level Reading at time of drilling.
 Water Level Reading after drilling.

Topsoil
 Poorly-graded Sand with silt and sand
 Poorly-graded Sand with Clay (or silty clay)
 Poorly-graded Gravel with Clay (or silty clay)
 Silty Sand
 USCS Well-graded Sand with Silt
 Well-graded Gravel with silt and sand
 Silty Sand with gravel
 Fill (made ground)

NOTES:
 See Exhibit for orientation of soil profile.
 See General Notes in Appendix for symbols and soil classifications.
 Soil profile provided for illustration purposes only.
 Soils between borings may differ.
 AR - Auger Refusal
 BT - Boring Termination

Project Manager: GCW
 Drawn by: RMG
 Approved by: GCW
 Date: 8/26/2014

Project No.: N1145123
 Scale: 1"=10' vertical
 File Name: fence

Terracon
 611 Lunken Park Drive
 Cincinnati, Ohio
 PH. 513-321-5818 FAX. 513-321-0294

SUBSURFACE PROFILE

MARTZ-PAULIN ROAD SCOUR EVALUATION
 MARTZ-PAULIN ROAD
 FRANKLIN, OHIO

EXHIBIT

A-9

TIMELINE

MORE SURVEY
CARDNO CONTRACT
CARDNO DESIGN
PCN TO USACOE
USACOE PERMIT
STORM

JULY 2014
AUGUST 2014
OCT 2014
DEC 2014
JAN 2015
MARCH 2015



March 16, 2015



March 16, 2015



March 16, 2015



March 17, 2015



TIMELINE

ROAD CLOSED	MARCH 2015
CDBG FUNDING	MARCH 2015
BAT HABITAT REMOVED	MARCH 2015
BID DATE SET	JUNE 2015
RE-BID DATE SET	AUGUST 2015
CONSTRUCTION	SEPT 2015



COSTS

ENGINEERING	\$ 50,000
TERRACON	25%
CARDNO	65%
SURVEY	10%
CONSTRUCTION	\$181,000
TOTAL	\$231,000

FUNDING

WCEO	\$ 50,000
CDBG	\$ 148,000
OPWC	\$ 33,000
TOTAL	\$ 231,000

Design Goals and Objectives

PROJECT GOAL

To rehabilitate approximately 275 linear feet of eroded stream bank along Twin Creek in order to cost effectively re-open Martz-Paullin Road while protecting the long term stability of the road.

PROJECT OBJECTIVES

- ✓ Obtain regulatory permits (NEPA Exempt, Non-ODOT funded)
- ✓ Rehabilitate geomorphic features within project area using bioengineering techniques
- ✓ Maintain structural integrity of Martz-Paullin Rd
- ✓ Reduce sheer stress on eroded banks
- ✓ Reduce sediment loading
- ✓ Improve riparian buffer habitat
- ✓ Educate public on alternative bank restoration practices

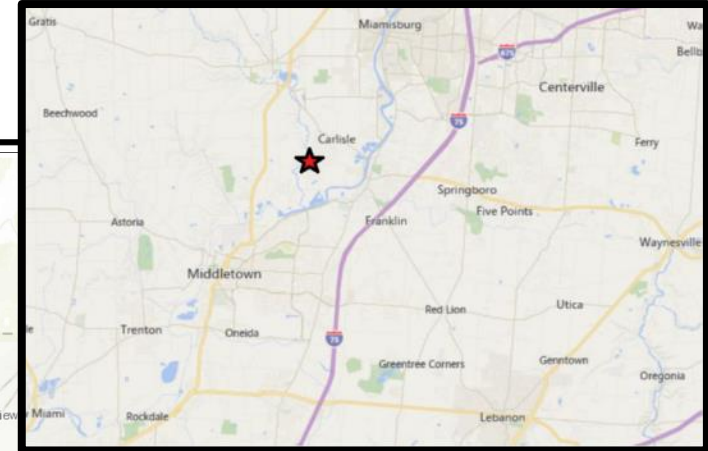
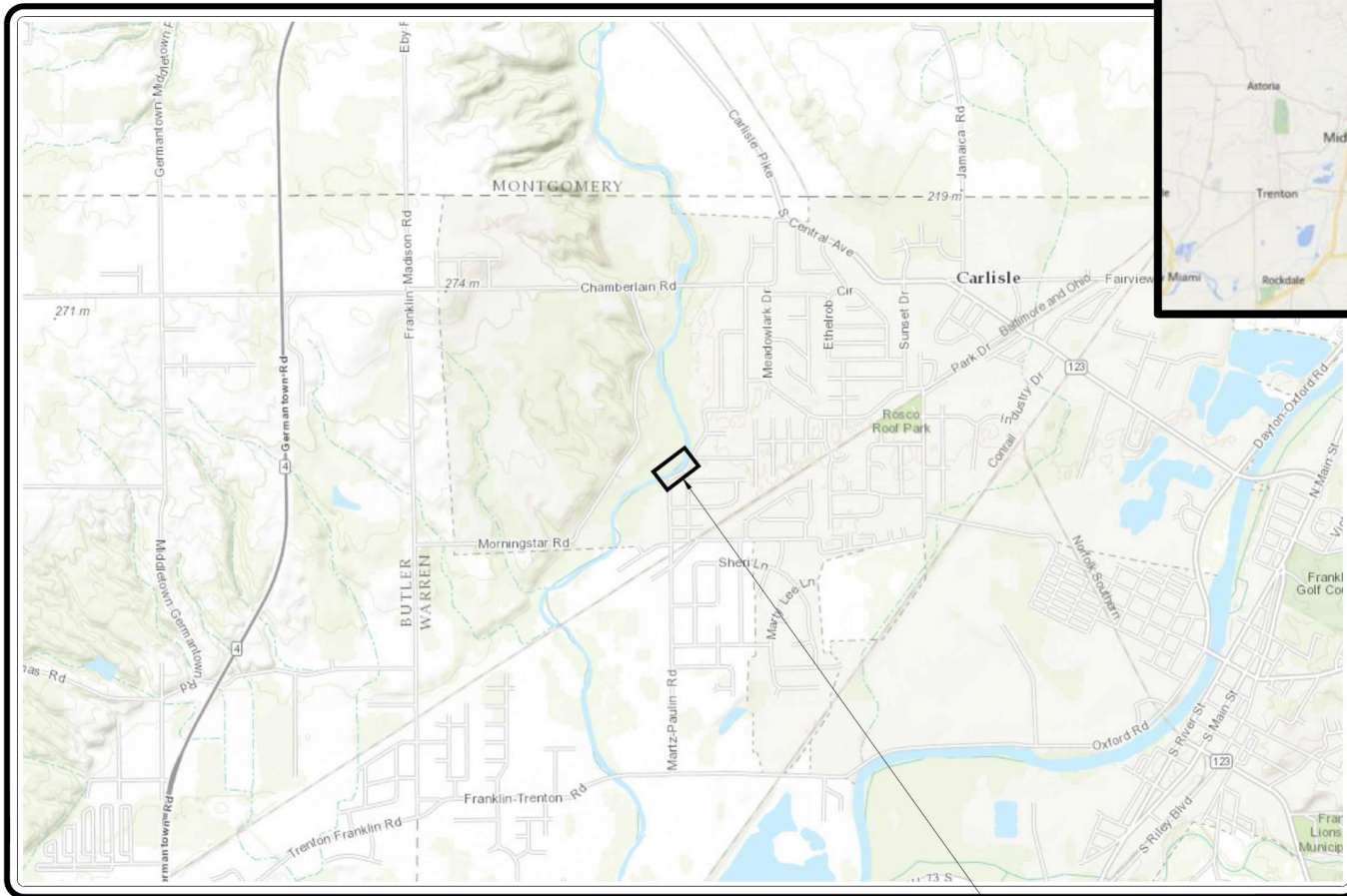
Project Challenges

Design and Permitting Challenges

- ✓ Existing Soils and Alluvial Properties
- ✓ Existing Road Location / RoW Issues
- ✓ Shear Stresses
- ✓ Permitting Thresholds
- ✓ Seasonal "In-Stream" Restrictions
 - ✓ Mussels
 - ✓ IN and NLE Bat Habitat
 - ✓ Fish Spawning
- ✓ Construction Access / Right of Way Access
- ✓ MCD and Protected Property (Opposite bank)
- ✓ Funding
- ✓ Ownership and Maintenance



Project Location



PROJECT LOCATION

Pre-Project Aerial Photograph (2013)



Waterway Permitting and Design Considerations for Infrastructure Improvement Projects

General Project Sequence

- Project Planning and Development
- Ecological, Natural Resource and Cultural Assessments
 - Regulatory Permitting
 - Engineering and Design
 - Construction
- Compliance and Monitoring

Regulatory Approvals

REGULATORY APPROVALS FOR WORK IN “REGULATED WATERS”

- ✓ Corps of Engineers (CWA, §404)
- ✓ Ohio EPA (CWA, § 401)
- ✓ OHPO (NHPA, Section 106)
- ✓ USFWS (ESA, Section 7)
- ✓ Ohio EPA NPDES - CGP (CWA §404)

- ✓ Floodplain Permits
- ✓ National Park Service (WSRA, Section 7a)
- ✓ ODNR Scenic Rivers (ORC §1547.82)
- ✓ ODNR / CZMA

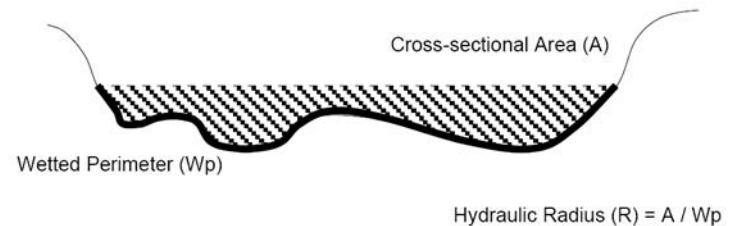


Design Vitals

- ✓ Mean Bankfull Width (Bw) = 62.5 ft (Elev. = 665.75)
- ✓ Mean Cross Sectional Area (A) = 425 ft²
- ✓ Mean Wetted Perimeter (Wp) = 80 ft
- ✓ Hydraulic Radius (R) = 5.14 – 5.56 ft
- ✓ Channel Slope (S) = .0038 (0.4%)
- ✓ Shear Stress (τ = 195 N/m², 5 lbs/Sf)

- ✓ Regulatory OHWM = Elevation 665.0
- ✓ Radius of Curvature (R_c) = 245 LF

- ✓ Rock Toe Depth: 2 - 3 feet to Thalweg
- ✓ Post Restoration Slope 1.75 : 1
- ✓ Native Bioengineering Materials



$$\tau = \rho \times g \times R \times S$$

where :

τ = Shear Stress (N)

ρ = Density of Water (1000 kg m⁻³)

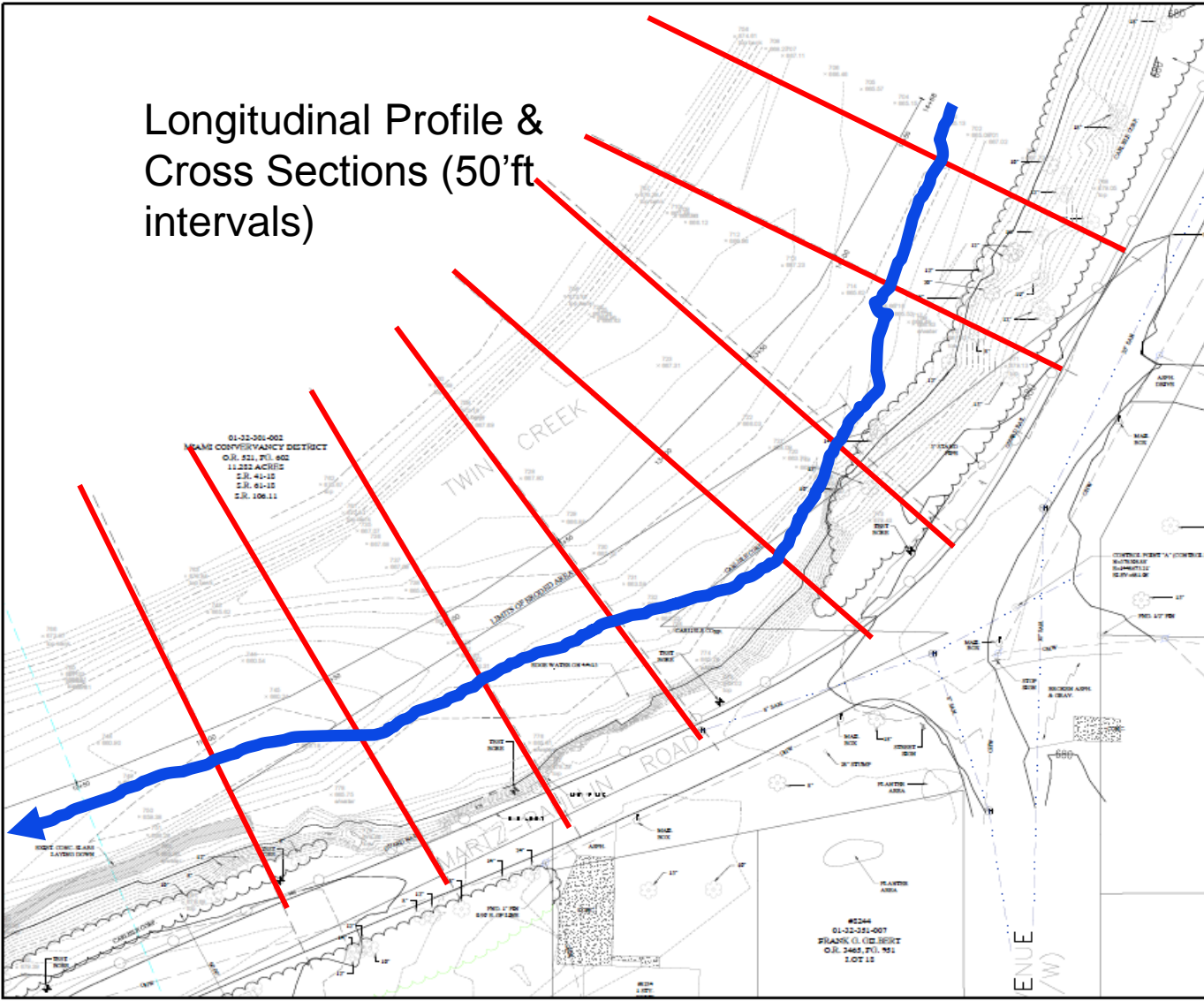
g = Acceleration due to gravity (9.8 m s⁻²)

R = Hydraulic Radius

S = Surface Water Slope

Pre Project Stream Surveys

Longitudinal Profile & Cross Sections (50'ft intervals)



NOTES

1. HORIZONTAL COORDINATES ARE BASED ON WARREN COUNTY GPS CONTROL MONUMENTS (NAD 83, OHIO STATE PLANE COORDINATES) AND DERIVED FROM GPS OBSERVATIONS. CONTROL POINT NUMBER 2 WAS FIXED AS THE CENTRAL POINT AND PROJECT WAS CONVERTED TO GROUND COORDINATES. VERTICAL DATUM IS BASED ON WARREN COUNTY GPS MONUMENTS (NAVD 88).

CPT #	Northing	Easting	ELEV.	DESCRIPTION
A	578508.88	1448673.21	681.08	PMAG
B	578742.89	1448805.69	676.46	PMAG



EXISTING CONDITIONS/SURVEY CONTROL
MARTZ-PAULLIN RD STREAM RESTORATION
FRANKLIN TOWNSHIP TRUSTEES
FRANKLIN, OHIO 45005

DATE	DESCRIPTION	BY

DRAWN BY: A

DESIGNED BY: J

DATE: 04/20/

JOB NO: J1440603X

STAMP:

SHEET NO.

•

2

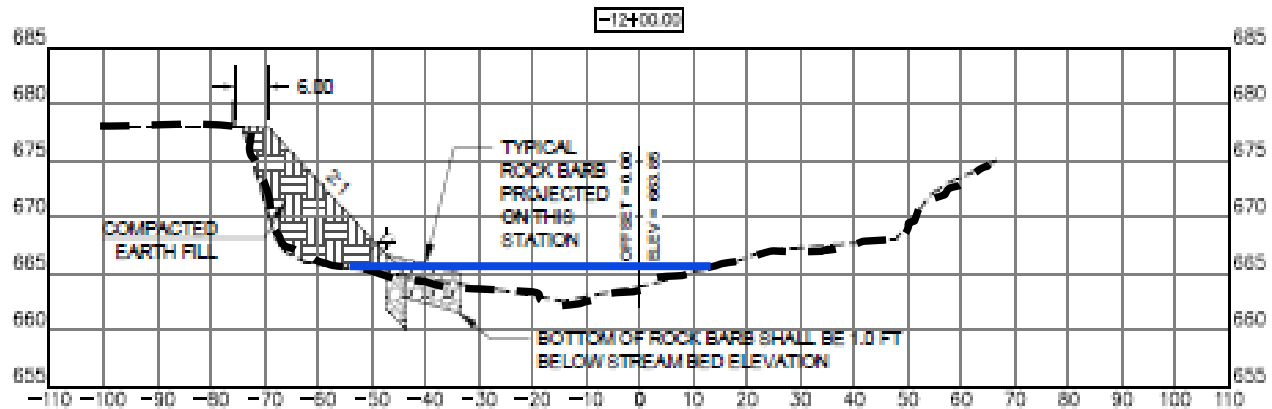


0 20'

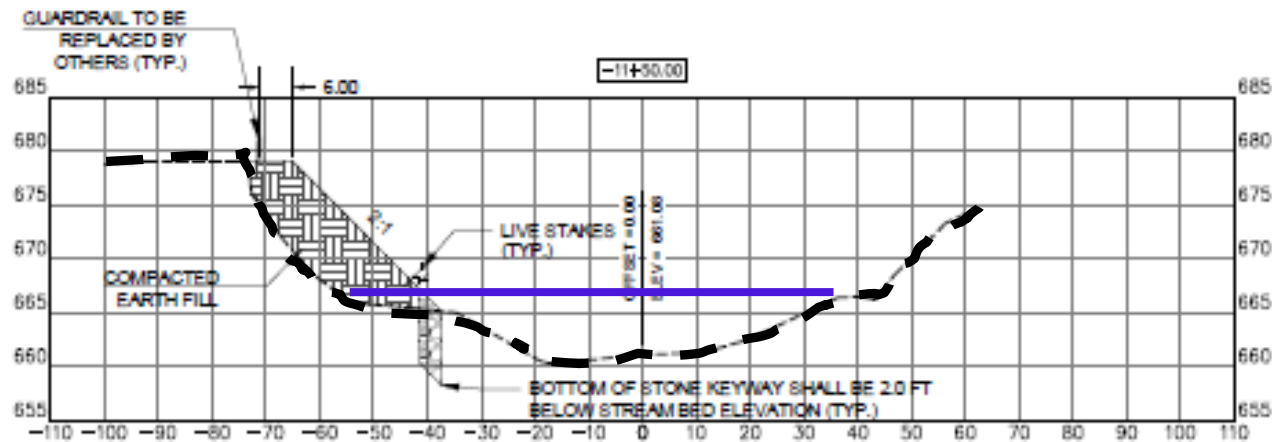
SCALE IN FEET

GRAPHIC SCALE VERIFICATION
This bar measures 1" on 22"x34"
or 10" on 11"x17" original.
Adjust scale accordingly.

Cross Sections (12+00 – 11+50)



AC= 0.00 SF
AF= 156.00 SF



AC= 0.00 SF
AF= 195.00 SF

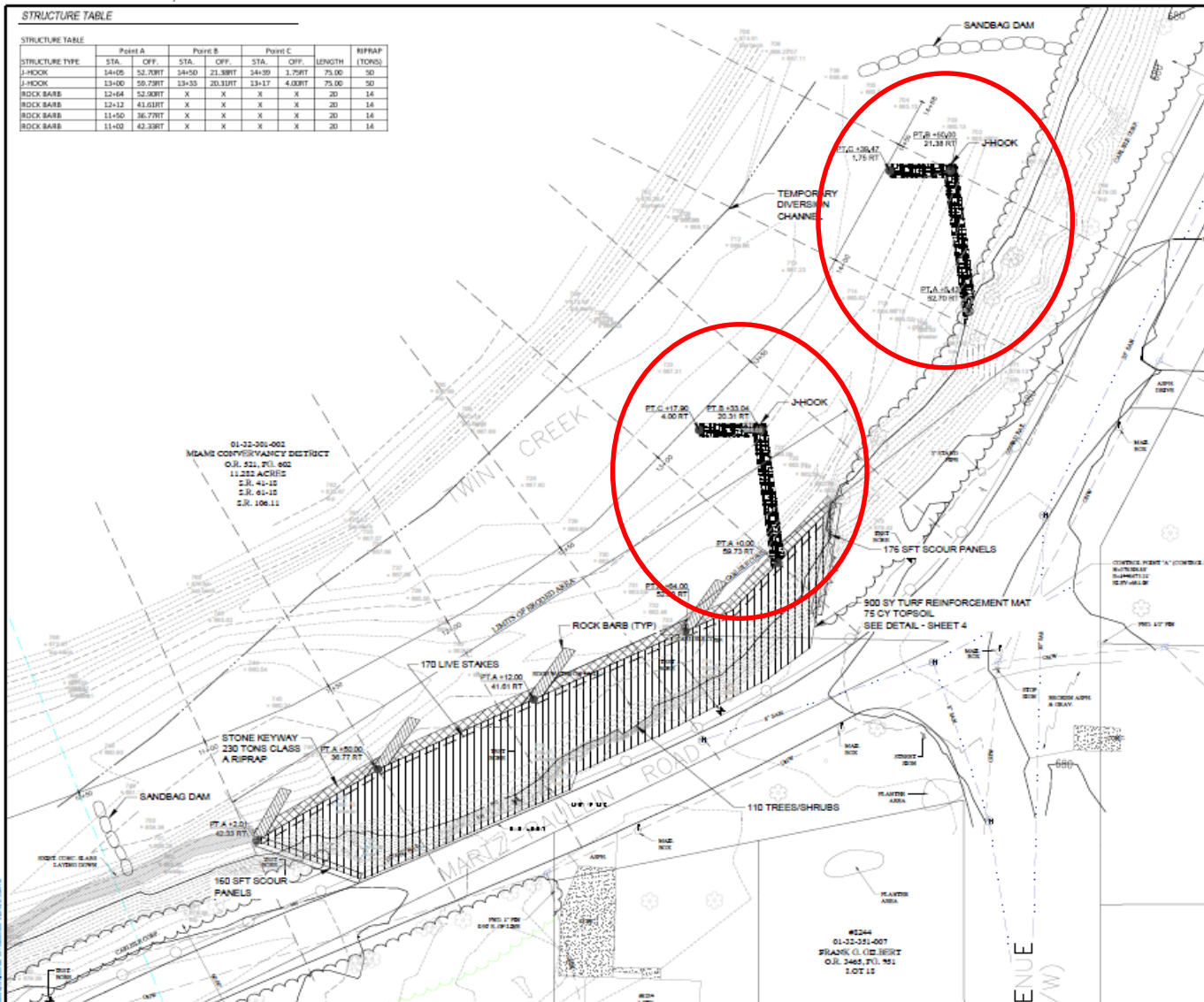
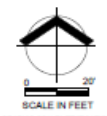
Proposed Conditions (J-Hooks)

STRUCTURE TABLE

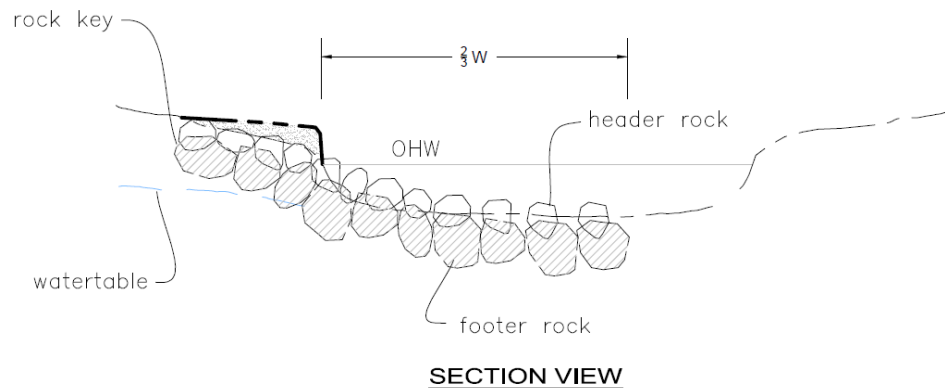
STRUCTURE TYPE	Point A	Point B	Point C	LENGTH	RIPRAP
J-HOOK	STA. 14+05	STA. 14+50	STA. 14+50	45.00	50
J-HOOK	STA. 13+00	STA. 13+50	STA. 13+50	50.00	50
ROCK BARS	STA. 12+64	STA. 12+80	STA. 12+80	16.00	20
ROCK BARS	STA. 12+12	STA. 12+12	STA. 12+12	0.00	20
ROCK BARS	STA. 11+50	STA. 11+50	STA. 11+50	0.00	20
ROCK BARS	STA. 11+00	STA. 11+00	STA. 11+00	0.00	20

NOTES

1. THE CONTRACTOR SHALL MAKE ALL EFFORTS TO PROTECT THE LOCAL INFRASTRUCTURE, INCLUDING THE SURFACE OF MARTZ-PAULIN ROAD, DURING CONSTRUCTION ACTIVITIES. DAMAGED INFRASTRUCTURE, WITH THE EXCEPTION OF THE GUARDRAIL, SHALL BE REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR MAY REMOVE THE GUARDRAIL FROM STA 11+00 TO STA 13+50 IN ORDER TO CONSTRUCT THE PROJECT. REPLACEMENT OF THE GUARDRAIL SHALL NOT BE INCLUDED IN THIS CONTRACT. THE CONTRACTOR SHALL DELIVER ALL SALVAGEABLE COMPONENTS OF THE GUARDRAIL TO THE OWNER, AS DIRECTED BY THE OWNER.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL RESIDENTIAL DRIVEWAYS THROUGHOUT THE COURSE OF THE CONTRACT.
3. THE CONTRACTOR SHALL MAKE ALL EFFORTS TO PREVENT SEDIMENT LADEN WATER FROM LEAVING THE PROJECT SITE AND TRAVELLING DOWNSTREAM.
4. THE TERMS AND CONDITIONS OF THE DEPARTMENT OF THE ARMY PERMIT DATED 1/28/2015 FOR THIS PROJECT SHALL BE FOLLOWED.
5. THERE SHALL BE NO OVERNIGHT STORAGE OF MATERIALS WITHIN THE FLOODWAY OF TWIN CREEK.
6. WORK WITHIN THE STREAM CHANNEL SHALL BE LIMITED TO LOW FLOW CONDITIONS. IF RAINFALL EXCEEDING 0.5 INCHES IS FORECASTED WITHIN THE FOLLOWING 24 HOURS, THE CONTRACTOR SHALL MAKE ALL EFFORTS TO STABILIZE THE SITE AND REMOVE CONSTRUCTION EQUIPMENT FROM THE CHANNEL PRIOR TO THE RAINFALL EVENT. THIS REQUIREMENT INCLUDES WEEKEND PERIODS.
7. THE CONTRACTOR SHALL CLEARLY MARK ALL UNDERGROUND UTILITIES WITHIN THE WORK AREA PRIOR TO AND DURING CONSTRUCTION IN ACCORDANCE WITH LOCAL LAWS AND REQUIREMENTS.
8. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER REGARDING PLACEMENT OF A TEMPORARY STONE CONSTRUCTION ENTRANCE. AT THE OWNER'S REQUEST, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING AND REMOVING UP TO 20 TONS OF NO.2 STONE TO ESTABLISH THE TEMPORARY CONSTRUCTION ENTRANCE. THE TEMPORARY CONSTRUCTION ENTRANCE SHALL BE UNDERLAIN WITH GEOTEXTILE FABRIC AND THE MINIMUM THICKNESS OF STONE SHALL BE SIX INCHES.

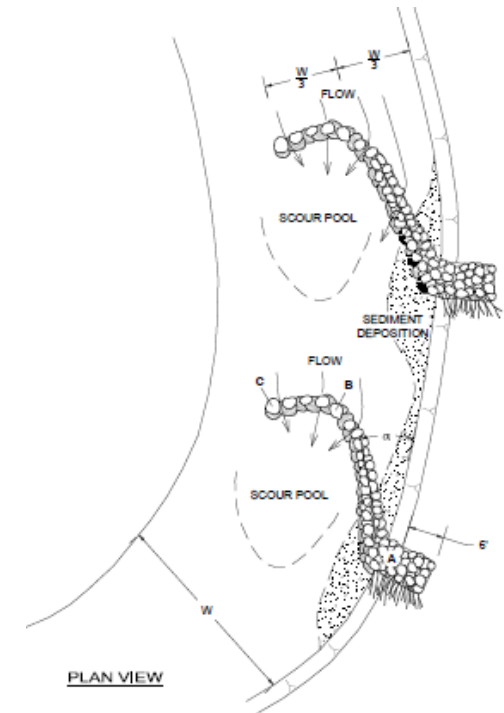


In-Stream Structures (J-Hooks)



J-HOOK VANE AND STREAM BARB NOTES:

1. J-hook vane/stream barb structures shall be installed at periods of near or at low flow. Installation shall not occur during or immediately following periods of heavy precipitation.
2. J-hook structures shall be keyed into the stream banks or installed stone revetment at specified locations.
3. A footer trench shall be excavated within the streambed to a minimum depth of 1.5 feet.
4. Unless specified otherwise, the central crest of the J-hook structure shall protrude upstream into the channel at an angle approximately equal to 25 degrees from the bank tangent point at the specified location.
5. Unless specified otherwise, stream barbs shall be keyed into the stream bank at a height equal to the bankfull elevation and decrease in elevation along the J-hook/barb crest at a slope of approximately 2-7%.
6. Structures shall be installed under supervision of Project designer.
7. Any modifications or amendments to construction plans shall be approved by the Project Designer.



J-HOOK VANE DETAIL - TYPICAL
D SCALE

Twin Creek

Martz-Paulin Rd

Gue Ave

Google



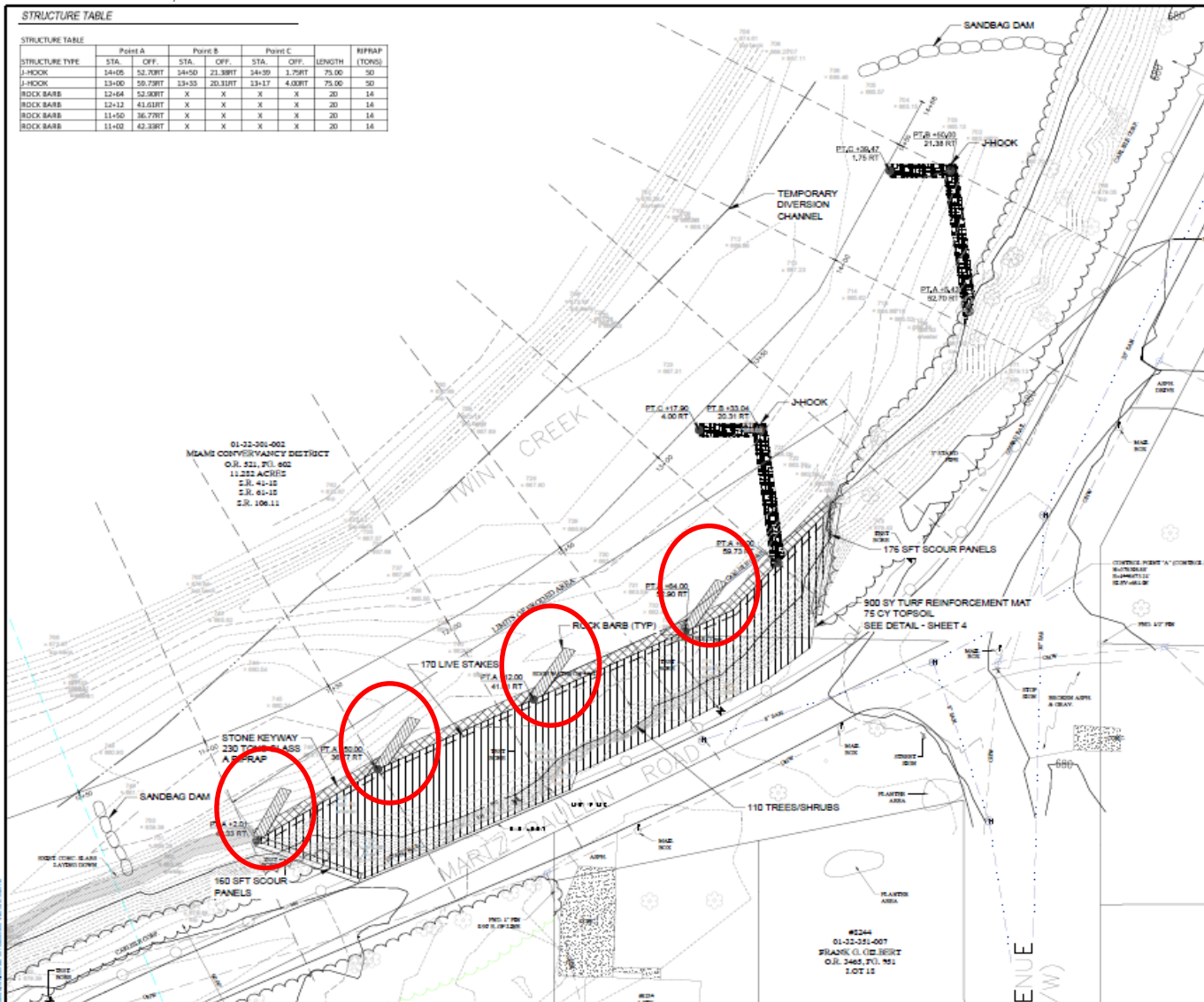
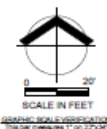
Proposed Conditions (Rock Barbs)

STRUCTURE TABLE

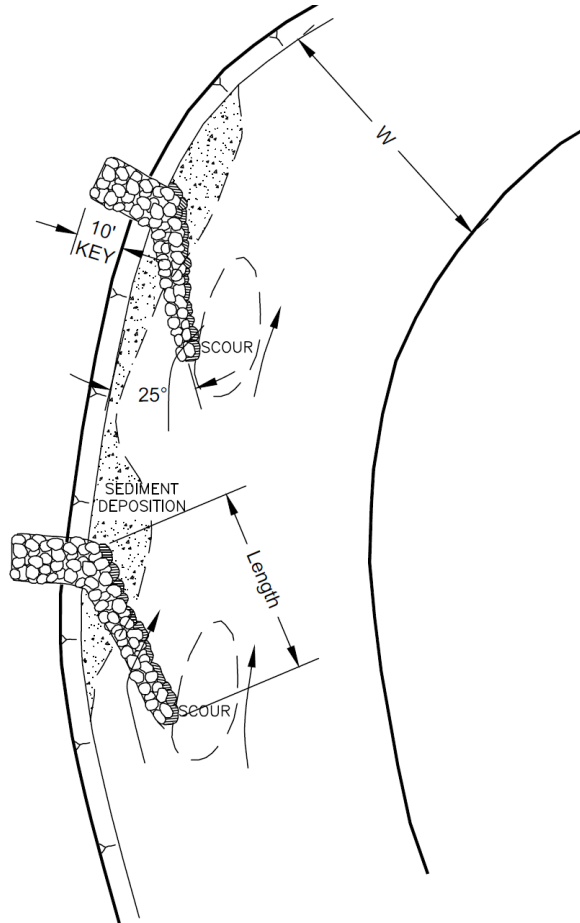
STRUCTURE TYPE	Point A	Point B	Point C	LENGTH	RIPRAP
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J-HOOK	STA. 14+05	STA. 14+50	STA. 14+50	1.75 RT	75.00
ROCK BARB	STA. 12+64	STA. 12+64	STA. 12+64	0.00 RT	20
ROCK BARB	STA. 12+12	STA. 12+12	STA. 12+12	0.00 RT	20
ROCK BARB	STA. 11+50	STA. 11+50	STA. 11+50	0.00 RT	20
ROCK BARB	STA. 11+02	STA. 11+02	STA. 11+02	0.00 RT	20

NOTES

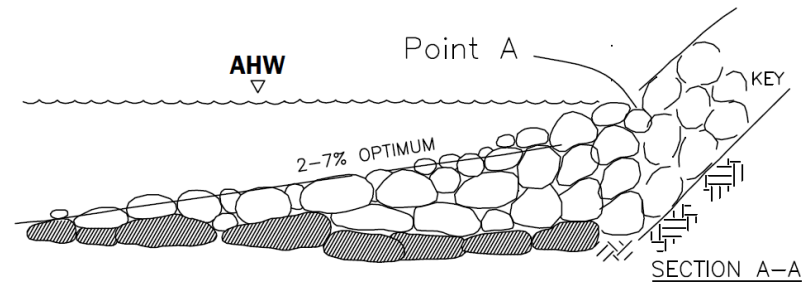
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In-Stream Structures (Rock Barbs)



PLAN VIEW

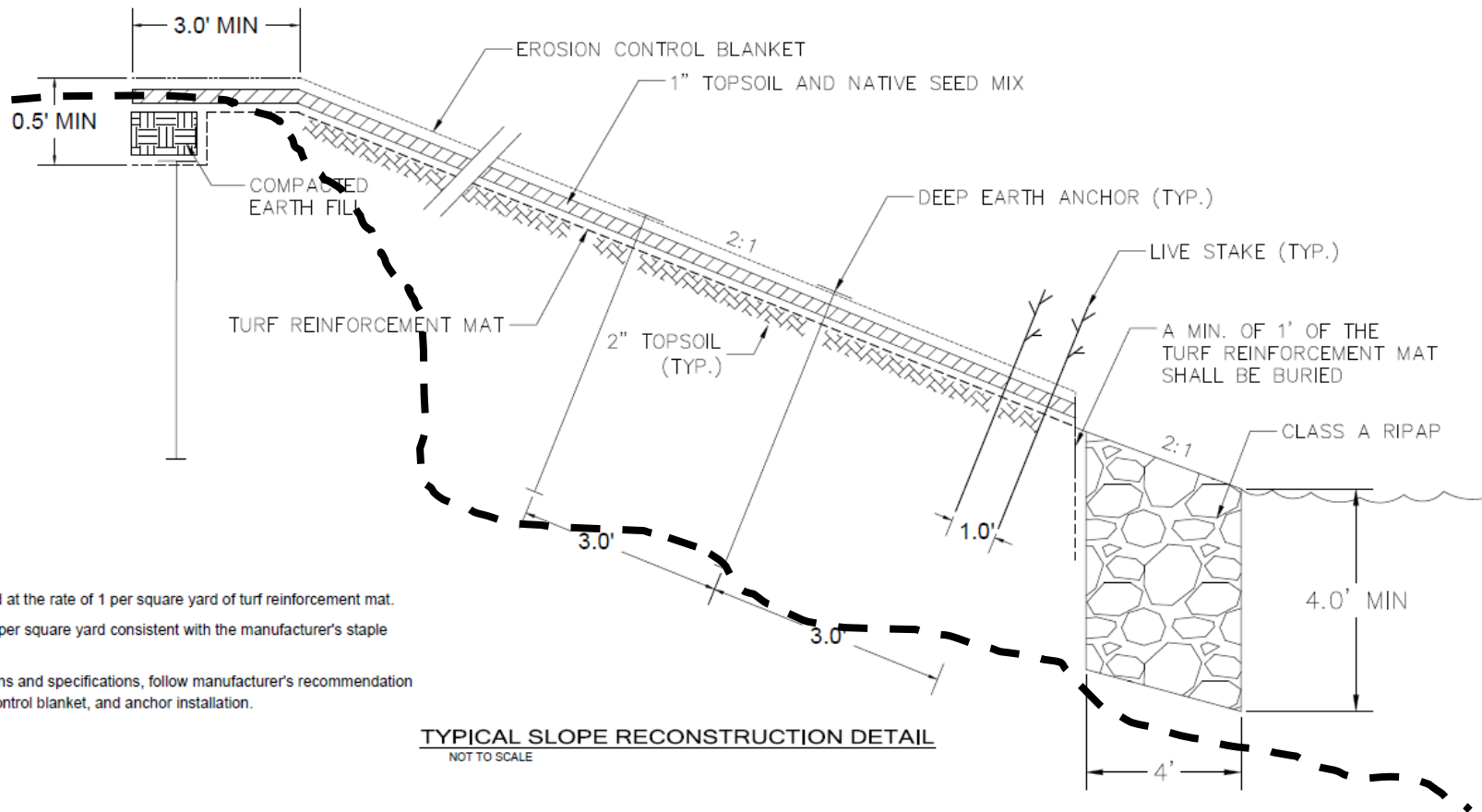


TYPICAL STREAM BARB BANK KEY DETAIL

NOT TO SCALE



17/03/2016

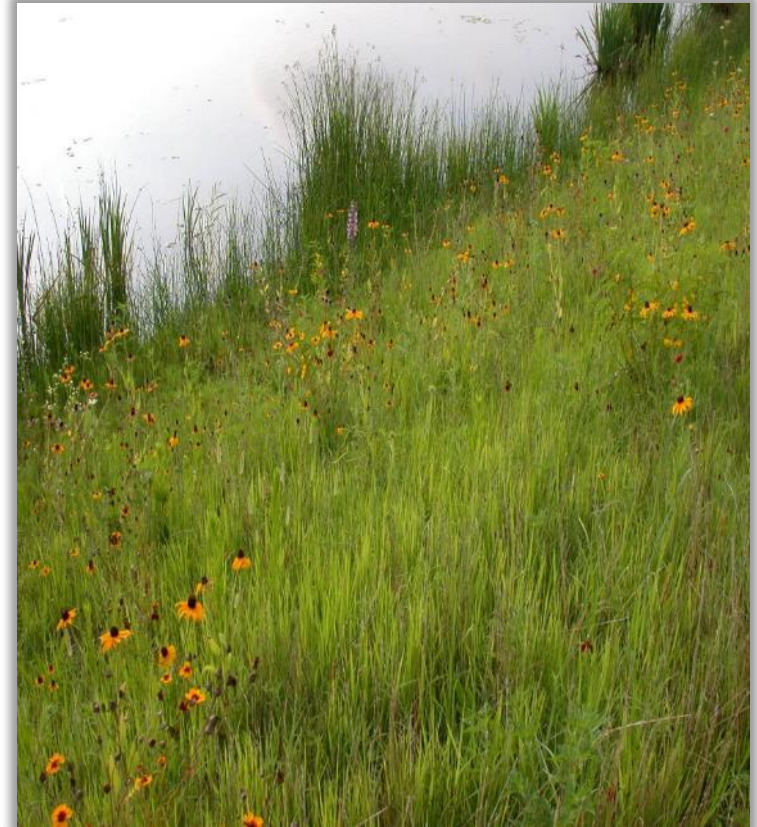


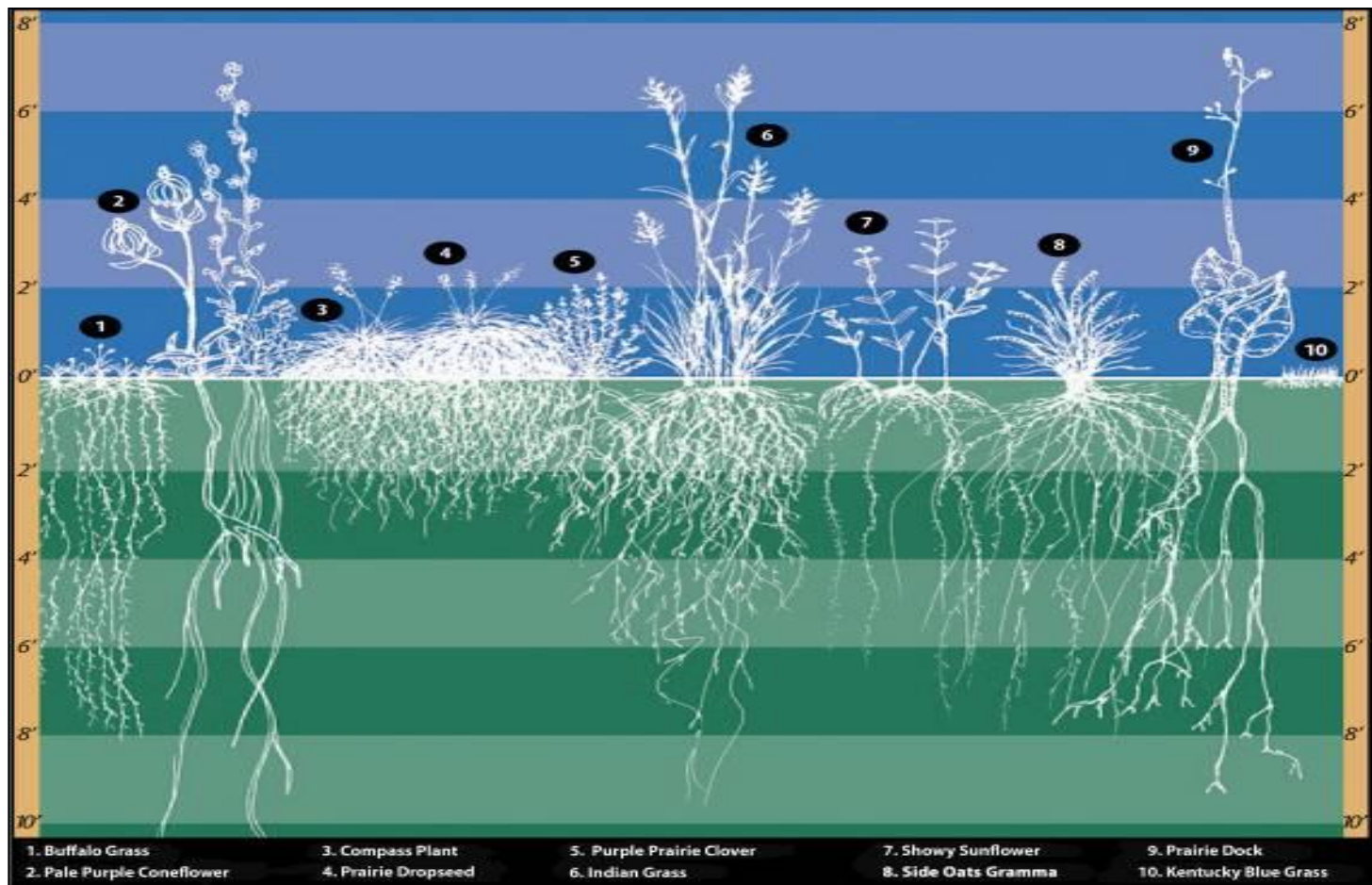
ANCHOR NOTES:

1. Deep earth anchors shall be installed at the rate of 1 per square yard of turf reinforcement mat.
2. Install 18" Geopins at the rate of 3.6 per square yard consistent with the manufacturer's staple pattern "E".
3. Unless otherwise directed on the plans and specifications, follow manufacturer's recommendation for turf reinforcement mat, erosion control blanket, and anchor installation.

Native Seeding – Slope Stabilization Mix

Native Slope Stabilization Seed Mix		Pure Live Seed
<u>Botanical Name</u>	<u>Common Name</u>	<u>Ounces/Acre</u>
Permanent Mix		
<i>Andropogon gerardii</i>	Big Bluestem	48.00
<i>Bouteloua curtipendula</i>	Side-Oats Grama	16.00
<i>Carex spp.</i>	Prairie Sedge Mix	4.00
<i>Elymus canadensis</i>	Canada Wild Rye	32.00
<i>Elymus virginicus</i>	Virginia Wild Rye	24.00
<i>Panicum virgatum</i>	Switch Grass	12.00
<i>Schizachyrium scoparium</i>	Little Bluestem	32.00
<i>Sorghastrum nutans</i>	Indian Grass	32.00
	Sub-Total	200.00
Temporary Mix:		
<i>Avena sativa</i>	Common Oat	512.00
<i>Lolium multiflorum</i>	Annual Rye	240.00
	Sub-Total	752.00
	Total Ounces/Acre	952.00
	Total Pounds/Acre	59.50







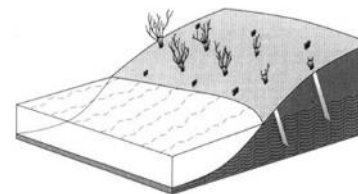
Bioengineering Materials – Live Stakes

Bare Root Planting List	
Scientific Name	Common Name
<i>Amelanchier laevis</i>	Smooth Serviceberry
<i>Asimina triloba</i>	Pawpaw
<i>Cercis canadensis</i>	Redbud
<i>Cornus florida</i>	Flowering Dogwood
<i>Cornus racemosa</i>	Gray Dogwood
<i>Corylus americana</i>	American Hazelnut
<i>Hamamelis virginiana</i>	Witch Hazel
<i>Ilex verticillata</i>	Winterberry
<i>Lindera benzoin</i>	Spicebush
<i>Physocarpus opulifolius</i>	Ninebark
<i>Salix exigua</i>	Sandbar Willow
<i>Sambucus canadensis</i>	Elderberry
<i>Viburnum prunifolium</i>	Black Haw

Live Stake Planting List	
Scientific Name	Common Name
<i>Cornus</i> sp.	dogwood
<i>Ilex verticillata</i>	Winterberry
<i>Salix</i> sp.	willow
<i>Sambucus canadensis</i>	Elderberry



Live Stakes



Live, woody cuttings which are tamped into the soil to root, grow and create a living root mat that stabilizes the soil by reinforcing and binding soil particles together, and by extracting excess soil moisture.



Bioengineering Materials – Brush Layering



Bioengineering – Soil Encapsulated Lifts



Construction Implementation



Channel Diversion



Pump Around and Construction Access



Key Trench, Rock Toe and Barb Installation



Key Trench and Barb Installation



Slope Reconstruction



Slope Reconstruction



Slope Reconstruction



Turf Reinforcement Mat (Pyramat) Installation



Deep Earth Anchor Installation



Scour Stop and Pyramat Installation



Top Soil Addition- During



Top Soil Addition- After



Erosion Control Blanket Installation



Post Installation



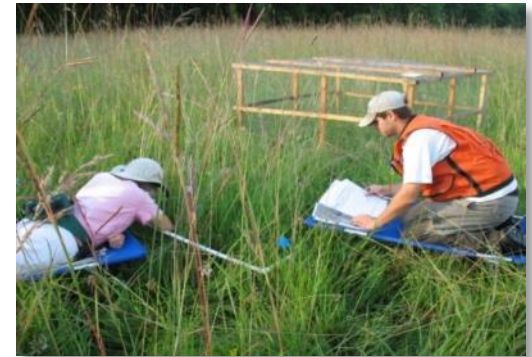
Post Installation – 3 Mon



Waterway Permitting and Design Considerations for Infrastructure Improvement Projects

Ecological Assessments and Surveys

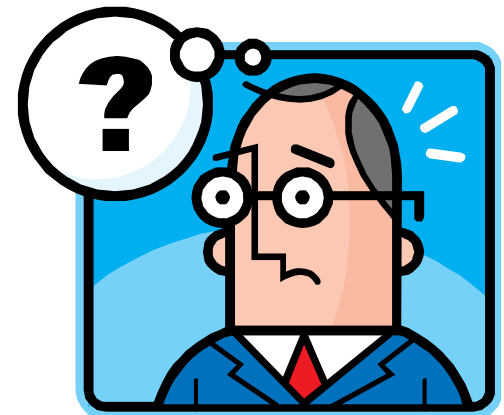
- Wetland Determination and Delineations
- Stream Assessments
- Rare, Threatened, and Endangered (RTE) Species Surveys
- Habitat Assessments
- Cultural and Historic Resource Evaluations
- Stormwater Pollution Prevention Planning (SWPPP)
- National Environmental Policy Act (NEPA) studies, and reporting



Waterway Permitting and Design Considerations for Infrastructure Improvement Projects

Permitting

- Wetlands (jurisdictional and isolated)
- Waterways and streams
- Coastal, dune, and high risk erosion areas
- Cultural resources
- Soil erosion and sedimentation control
- Stormwater management
- Inland lakes
- Floodway and floodplain
- Rare, threatened, and endangered species
- Wetland and protected species mitigation
- State and National Scenic Rivers
- Coastal Zone Management
- Wetland and protected species mitigation



Waterway Permitting and Design Considerations for Infrastructure Improvement Projects

Determining the Critical Path

For most infrastructure improvements, the critical path is determined by the highest level and type of permit required. The majority of all other permits will roll under or have a “federal nexus” to the lead permitting agency.

For most linear projects (roads, storm / sanitary sewers, and pipelines); this will be one of the following:

U.S. Army Corps of Engineers – Clean Water Act – Section 404

U.S. Army Corps of Engineers – Rivers and Harbors Act – Section 10

Federal Highway Administration (FHWA)

Federal Energy Regulatory Commission (FERC)

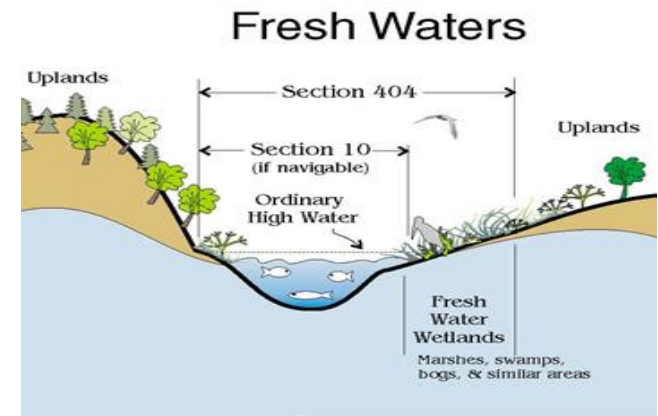
U.S. Army Corps of Engineers – Clean Water Act, Section §404 Permit

Required For:

Impacts to Jurisdictional “Waters of the U.S.” The placement of fill in jurisdictional wetland and/or streams below the plane of the **ordinary high water mark (OHWM)**

Types of Permits:

Nationwide General Permits (NWPs)
Individual Permits (IPs)



Ordinary High Water Mark (OHWM) Determination

Impacts to Jurisdictional “Waters of the U.S.”

- The placement of fill in jurisdictional wetland and/or streams below the plane of the **ordinary high water mark (OHWM)** requires a Section 404 permit



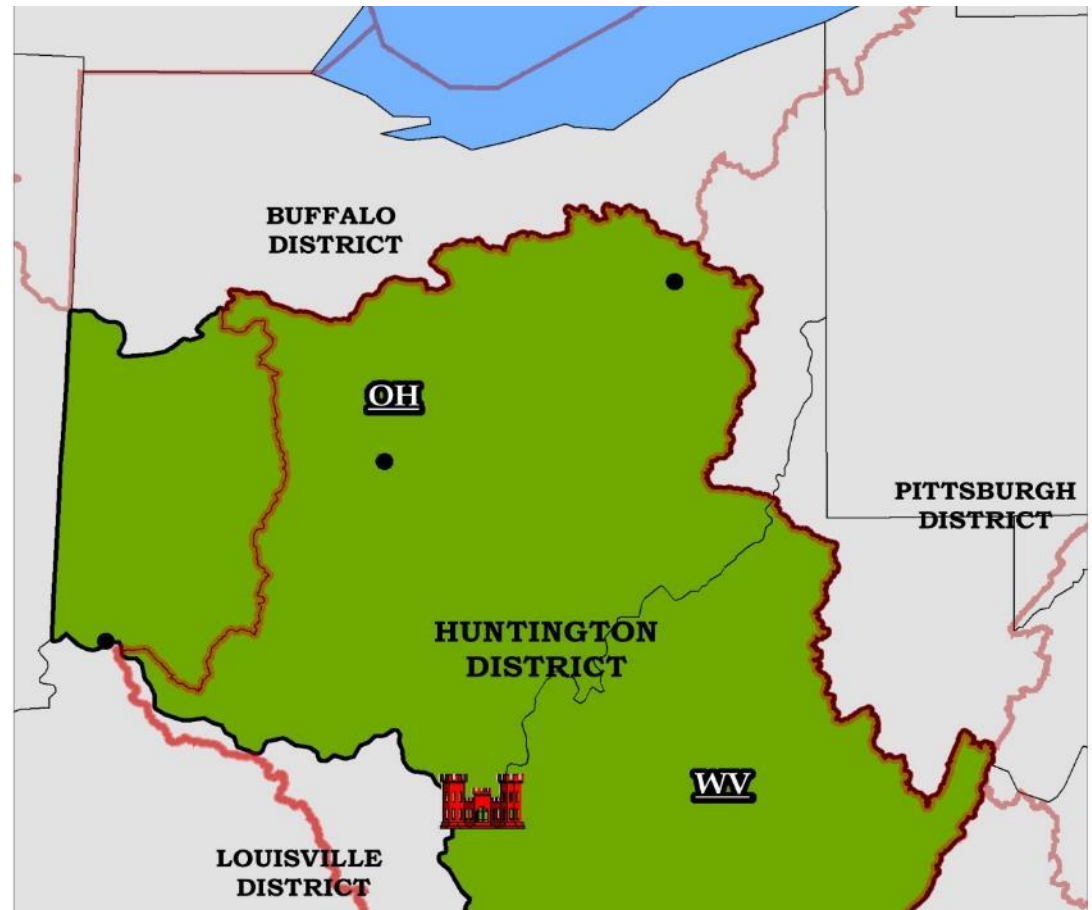
U.S. Army Corps of Engineers – Clean Water Act, Section §404 Permit

Ohio Corps Districts

Huntington District (Lead)


Buffalo District

Pittsburgh District



U.S. Army Corps of Engineers – Section §404 Permits Nationwide General Permits

- General Permits with *typically* expedited approvals (60-90 days)
- A total of 52 specifically activities authorized in the State of Ohio
 - **NWP 3 – Maintenance**
 - **NWP 12 – Utility Lines**
 - **NWP 13 – Bank Stabilization**
 - **NWP 14 – Transportation**
 - **NWP 27 – Aquatic Habitat Restoration**
 - NWP 29 – Residential Developments
 - NWP 31 – Flood Control Facilities
 - NWP 39 – Commercial Developments
 - NWP 41 – Drainage Ditches
 - NWP 43 – Stormwater Management Facilities
- **Determine the project purpose and need for permit applicability**

	
U.S. Army Corps of Engineers Huntington District	
Public Notice	
In reply refer to Public Notice No. LRH-2006-2228-2	Issuance Date: August 19, 2008
Stream: N/A	Closing Date: March 18, 2012
Please address all comments and inquiries to: U.S. Army Corps of Engineers, Huntington District ATTN: CELRHOR-F Public Notice No. (reference above) 502 Eighth Street Huntington, West Virginia 25701-2070	
Phone: (304) 399-5210	

NATIONWIDE PERMITS FOR THE STATE OF OHIO

CORPS OF ENGINEERS REGULATORY PROGRAM
ISSUANCE OF NATIONWIDE PERMITS
WITH OHIO EPA 401 WATER QUALITY CERTIFICATION

On March 12, 2007, the Corps of Engineers published, in the Federal Register, the final rule for the administration of its nationwide permit program regulations under the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and the Marine Protection, Research and Sanctuaries Act. The rule became effective on March 19, 2007.

An integral part of the Corps' regulatory program is the concept of nationwide permits (NWP) for minor activities. NWP 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. The NWPs, published in the March 12, 2007, Federal Register, Reissuance of Nationwide Permits (72 FR 11092-11198), are issued by the Chief of Engineers, and are intended to apply throughout the entire United States and its territories. The districts in Ohio imposed regional conditions. For convenience, all NWPs with the appropriate regional, general and special conditions are attached.

The NWPs permits are not valid until the appropriate state agency certifies the discharge does not violate state water quality standards. In response to the March 12, 2007, Federal Register Notice (72 FR 11092-11198), the State of Ohio Environmental Protection Agency (OEPA) granted water quality certification and imposed general conditions on NWPs 1, 2, 6, 9, 10, 11, 15, 20, 22, 25, 29, 30, 34, 35, 37, 39, 45, 46, and 50, and specific conditions on NWPs 3, 4, 5, 7, 12, 13, 14, 16, 18, 19, 21, 23, 27, 28, 31, 32, 33, 36, 38, 40, 41, 42, 43, 47, and 49.

OEPA denied 401 water quality certification for NWP 8-Oil and Gas Structures on the Outer Continental Shelf, NWP 17-Hydropower Projects, NWP 44-Mining Activities, and NWP 48-Existing

U.S. Army Corps of Engineers – Section §404 Permits Nationwide General Permits

- Notification Requirements
 - Some always require notification: ex. NWP 12, 29, 39
 - Some have conditional notification: ex. NWP 14, 27, 41
 - Some may not require notification: ex. NWP 3, 20
- Notification Typically Includes:
 - Pre Construction Notification (PCN)
 - Regulated Waters Delineation
 - Demonstrate Impacts below *De Minimis* Thresholds
 - Ex. 300 LF for perennial, intermittent and ephemeral streams
 - Ex. ½ acre for wetlands
 - Pre- and Post – Construction Cross Sections
 - Federal Nexus Coordination
 - Regional and State Specific Conditions
 - Ex. Ohio EPA 401 Water Quality Certifications

U.S. Army Corps of Engineers – Section §404 Permits

Individual Permits

- Individual Permits with *typical* approvals (8-12 months)
- Typical for Impacts that:
 - Exceed 300 LF of Stream Bed
 - Exceed ½ acre of Jurisdictional Wetlands
 - Occur in Outstanding State Waters
- Requires a NEPA-based alternatives analysis
- Requires Corps to complete a CDD (decision document).
- Evaluates the project's broader socio-economic impact, including all feasible alternative
- Public Notice / Public Hearing
- Requires Compensatory Mitigation
- Determine whether project has “independent utility” or meets requirements of a “single and complete project”

AVOID IF
POSSIBLE

U.S. Army Corps of Engineers – Section §404 Permits Nationwide General Permits

- Potential Federal and State Nexus Permits/Approvals:
 - U.S. Army Corps of Engineer's – Rivers and Harbor's Act – Section 10
 - **U.S. Fish & Wildlife Service – Endangered Species Act - Section 7(a)**
 - National Park Service - Wild and Scenic Rivers Act – Section 7
 - FEMA – Flood Protection
 - **Ohio Historic Preservation Office (OHPO) – National Historic Preservation Act (NHRP) – Section 106**
 - **Ohio EPA – Clean Water Act – Section 401 Water Quality Certification**
 - **Ohio EPA – Isolated Wetland Permits**
 - ODNR – Coastal Zone Management Coordination
 - ODNR – State Scenic Rivers
 - Ohio EPA – NPDES

U.S. Army Corps of Engineers – Section §404 Permits Nationwide General Permits

Big Changes Coming?

****DRAFT DATE 10/26/2015****

The Chief of Engineers
HQUSACE
Attn: CECW-OR
Washington, D.C. 20314-1000

Re: All Counties, Cities and Townships in Ohio
Modification of Grants of Clean Water Act section 401 water quality certifications and replaces the certifications issued on March 30, 2012 and April 19, 2012
Authorization of discharge of dredged or fill material to various waters of the State for the following nationwide permits as published in the February 21, 2012, *Federal Register* (Volume 77, Number 34)
Ohio EPA ID Numbers 113742 and 123911

NWP Modifications

NWP # 4, 6, 7, 12, 13,

14, 15, 16, 18, 21, 22, 23,
25, 29, 30, 33, 34, 36, 37,
38, 39, 40, 41, 42, 43, 45,
49, 50, 51,

Revision – The new stream eligibility conditions have replaced the stream aquatic life use designation and antidegradation category conditions for all NWP where those conditions currently exist.

NWP # 3, 4, 5, 6, 7, 12,
14, 29, 33, 39, 40,

Revision – The existing culvert and culvert extension condition was revised for all NWP where this condition currently exists. The inclusion of the language “new culvert” was confusing and often misinterpreted. This portion of the condition has been removed.

NWP # 5, 31

Deletion –The stream conditions were removed from the NWP for Scientific Measurement Devices and Maintenance of Existing Flood Control Facilities.

NWP # 4, 5, 6, 7, 13, 14,
15, 16, 18, 21, 22, 23, 25,
29, 30, 31, 33, 34, 36, 39,
40, 41, 42, 43, 45, 49, 50,
51

Deletion –The 300 or 500 linear foot threshold was removed from all NWP where the condition currently exists in order to more closely align the 401 WQC with the NWP and to avoid duplicative conditions where they already exist. The Corps already includes a 300 linear foot threshold for NWP # 12, 14, 21, 27, 29, 39, 40, 42, 43, 50, 51 and a 500 linear foot threshold for NWP # 13.

Nationwide Permits – GRANTED 401 Certification

Why is a 401 Water Quality Certification required?

- Section 401 of the Clean Water Act requires that each state certify that the proposed actions will not violate state water quality standards. Ohio EPA is the regulatory agency charged with this responsibility.
- Ohio EPA issued the 401 WQC for the NWP on March 30, 2012, (non-coal NWP) and April 19, 2012 (coal NWP).



Modifications to 2012-17 Nationwide Permits

Why modify the 401 WQC for Nationwide Permits now?

- During the last two years, Ohio EPA determined that the following changes were necessary:
 - Revise language for consistency (both with Corps requirements and in the document from NWP to NWP);
 - Correct typographical errors;
 - Update stream eligibility requirements;
 - Clarify and provide guidelines and structure to the Director's Authorization process; and
 - Combine the 401 WQC for coal and non-coal NWPs into one 401 WQC document.
- Time between the final issuance of the modification and certification of the new NWPs in 2017 allows for the new processes to be evaluated and changed, if necessary.



Stream Eligibility

Stream Eligibility Condition

- Ohio EPA developed a GIS-based approach that defines stream eligibility under the 401 WQC for the NWP.
- Approach takes advantage of our robust data on high quality waters and minimizes need for individual stream assessments.
- **Objective:** To protect known “high quality waters,” which are defined as coldwater*, exceptional warmwater, seasonal salmonid aquatic life uses, superior high quality waters, or outstanding state waters (upper antidegradation tiers) and those water bodies that support them.

*Map includes only those CWH streams having documented cold water fish



Stream Eligibility (continued)

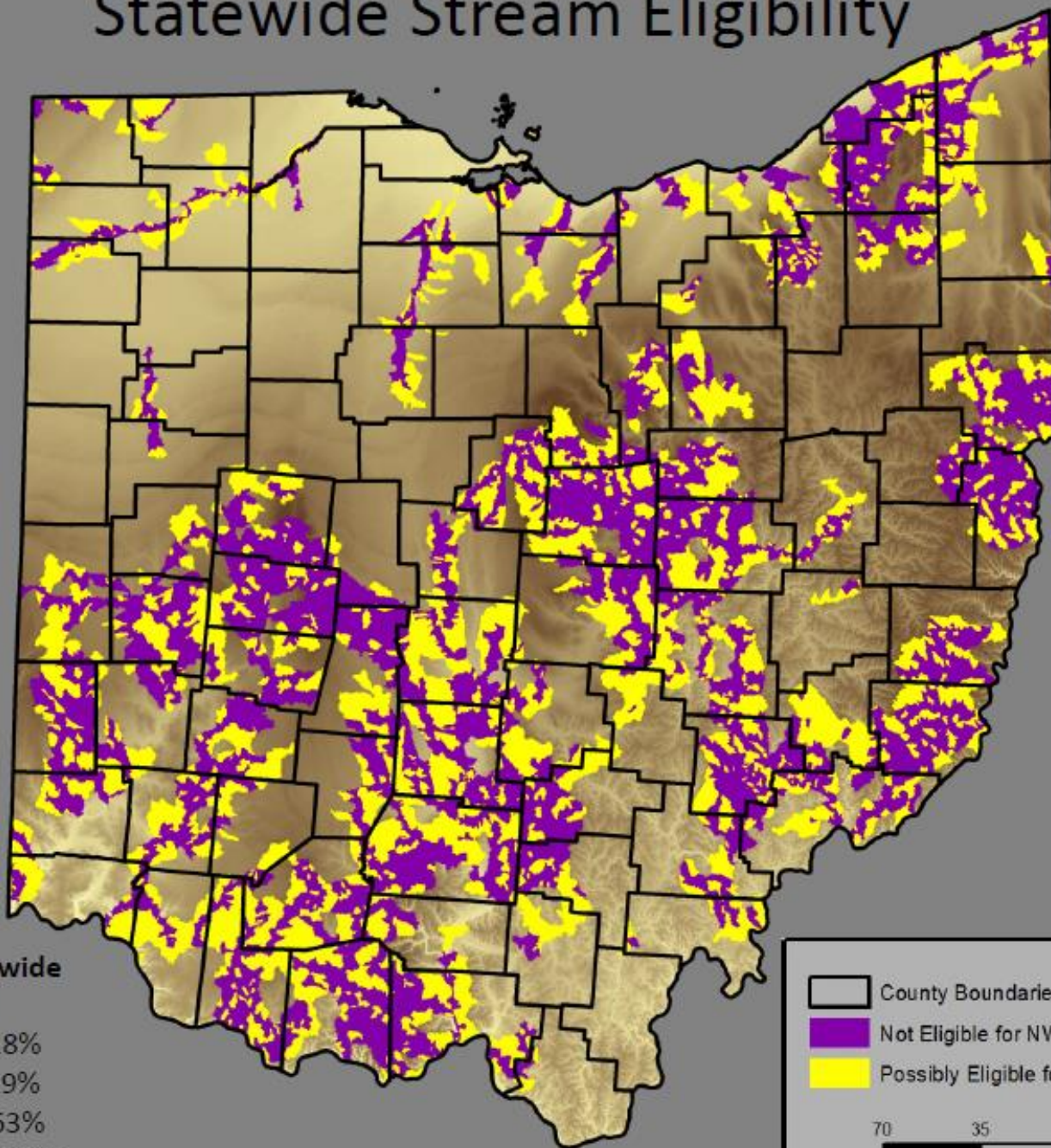
Stream Eligibility Condition

- Map shows watersheds falling within one of the following three areas:
 - Eligible for 401 coverage under NWP (no further information needed);
 - Possibly eligible (with further information); and
 - Ineligible for 401 coverage under NWPs.



Statewide Stream Eligibility

* Based on most recent update of existing use (designated in rule and assessed) statewide GIS layer (2015).



Approximate Statewide Eligibility Statistics

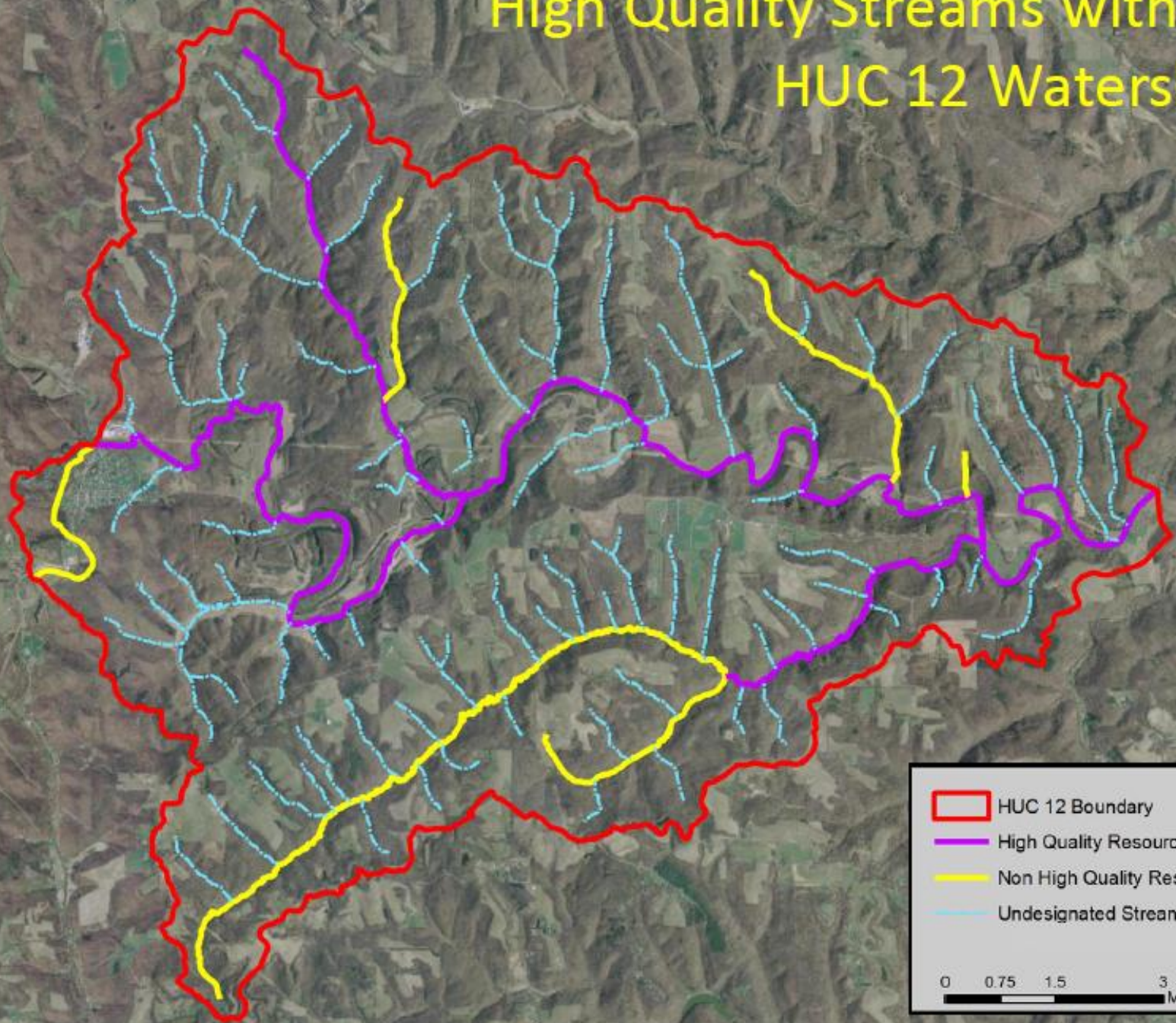
Not eligible = 18%
Possibly eligible = 19%
Eligible* = 63%

*Given that all other conditions of the 401 WQC for the NWP are satisfied.

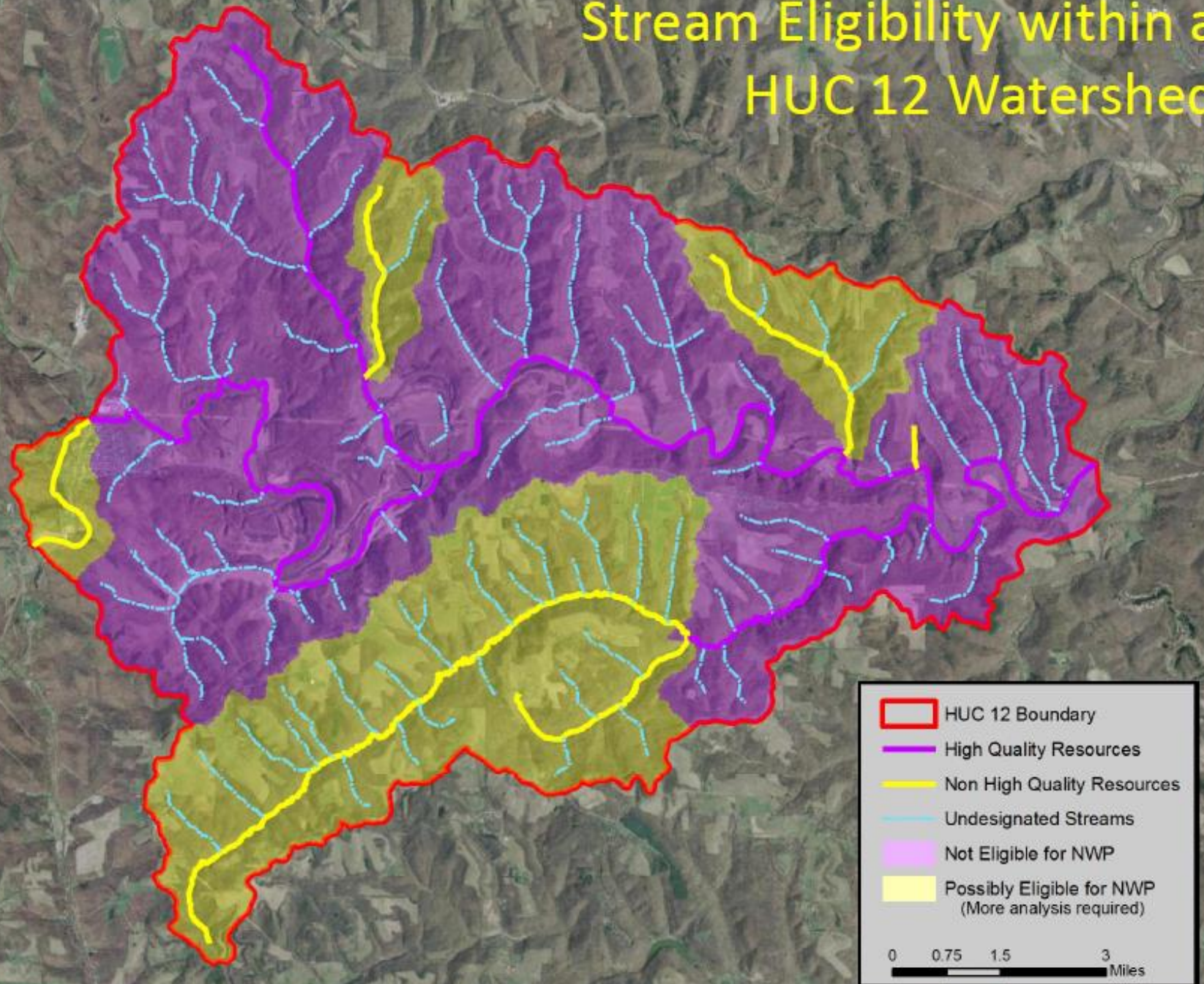
- County Boundaries
- Not Eligible for NWP (Assessed)
- Possibly Eligible for NWP (Assessed)

70 35 0 70 Miles

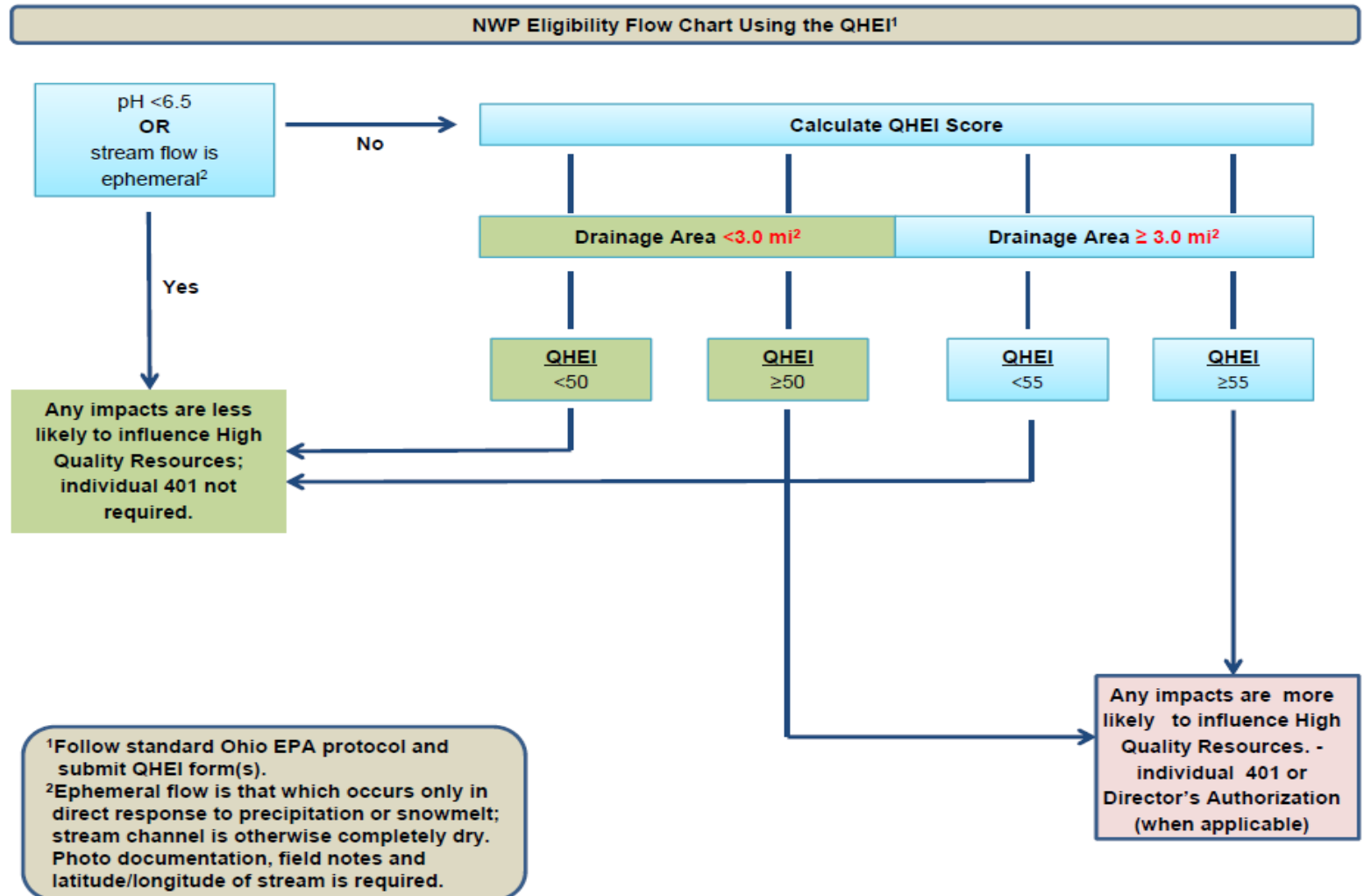
High Quality Streams within a HUC 12 Watershed



Stream Eligibility within a HUC 12 Watershed



NWP Eligibility Flow Chart (using QHEI)



Possible Scenarios (CEAO Members)

- **Culvert Replacements (NWP 3 (a) and (b))**
- **Culvert Extensions (NWP 3 (a))**
- **Bridge Crossings (NWP 14)**
- **In Line Detention / Regional Stormwater Basins (NWP 43 / NWP 31)**
- **Road Widening Projects (NWP 14)**
- **Stream Restoration (NWP 27)**
- **Storm Sewer Installations (NWP 12 / NWP 14)**
- **Bank Stabilization (NWP 13)**
- **Drainage Ditches (NWP 41)**

Questions:

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***Middletown Road, Little Miami Bank
Restoration, Warren County, OH***