



U.S. Army Corps of Engineers Individual Permit Application

Union Square Investments,
Ltd./Diebold, Incorporated
City of Green,
Summit County, Ohio

July, 2012



A Division of The Davey Tree Expert Company



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Executive Summary

This document was prepared in support of a permit co-application to the U.S. Army Corps of Engineers (USACE) for an Individual Section 404 Permit by Union Square Investments Ltd. and Diebold, Incorporated for the proposed development of a 148.6-acre site (herein referred to as the “Project”, “Project Site”) located in the City of Green, Summit County, Ohio. Union Square Investments, Ltd. (herein referred to as “Union Square”) is the current owner of the Project site. Diebold, Incorporated (herein referred to as “Diebold”), has executed an agreement to purchase approximately 67 acres of the Project Site. The purchase agreement includes various contingencies, including the successful receipt by Diebold and Union Square of the necessary regulatory approvals, including 404 and 401 permits, to complete the Project. The term “Co-Applicant” in the document refers to Union Square and Diebold. Diebold and Union Square are submitting this application as Co-Applicants with the intention that, in general, Union Square and Diebold will be jointly responsible for the total impacts to waters of the United States associated with the development area for the proposed Diebold world headquarters and associated parking and improvements (the Diebold headquarters), but that Union Square will be solely responsible for the remaining portions of the Project (e.g., the other commercial, institutional and residential areas, etc.) and that any permits issued in connection with this application would be reflective of this allocation of responsibility.

Diebold wants to construct its new world headquarters on the Project Site. Timely issuance of permits and authorizations is being sought for this purpose. The Co-Applicants would greatly appreciate the timely review of this Application, as this permit is the pivotal approval for proceeding with the project. Due to design and construction schedules and other economic requirements, a December 15, 2012 date must be met for this project to proceed. Union Square intends to develop the remaining portion of the Project (approximately 81.6 acres) in a manner that is consistent with the vision of Diebold for a mixed use, corporate campus that includes additional office space, hotel, retail and residential components. The Project is located in an undeveloped area generally situated west of Interstate 77, north of Wise Road, east of Massillon Road and south of Graybill Road in the City of Green, Summit County, Ohio (Appendix A, Figures 1, 2). Town Park Boulevard is a major thoroughfare that has been planned by the City of Green for more than a decade. A portion of Town Park Boulevard was constructed recently as part of the Akron General facility on Massillon Road. The City of Green intends to complete the construction of Town Park Boulevard with the next one to two years. The completion of the roadway project will extend the existing street stub through the Project site and terminate at the intersection of Greensburg Road and Lauby Road. The City of Green is permitting this linear transportation project as a separate independent project.

Within the past 20 years, the City of Green has experienced significant growth. The community's population has increased from 20,587 to 25,699 from the time of the 1990 census to the 2010 census. Additionally, the City has grown economically, becoming a regional focal point for the expansion of several industries. Due to the burgeoning population growth in the City of Green, several area roads have begun to experience considerable congestion. The completion of the Town Park Boulevard will provide important relief to traffic on Massillon Road and will improve access to Akron-Canton Airport for the residents and businesses located in Green. Finally, the anticipated expansion of the natural gas industry in the Summit/Stark County area will put additional pressure on the area to provide high quality office space for companies locating offices in the region.

The new Diebold headquarters (herein referred to as “Diebold HQ”) will house a minimum of 1,500 employees and include corporate office space as well as research and testing facilities to support their global operations that employ more than 16,000 people with representation in over 90 countries around the world. The Union Square portion of the Project will include office and institutional buildings along Town Park Boulevard and retail space to be constructed near Massillon Road. A residential component will be constructed along the south side of the Project (next to off-site existing residential property).

The proposed Diebold HQ was sited in this specific location after an extensive search for suitable sites, including out-of-state locations. After considerations of multiple concerns and factors, including current employee locations, a more focused search targeting sites within proximity to Diebold's current employee base was completed. The criteria used for the more local site search is described in detail in Section 3.1, the Off-Site Alternative Analysis. The approximately 67-acre site identified for the Diebold HQ is referred to herein as the "Diebold Site".

For purposes of consideration of the Diebold Site portion of the Project, the need for a new headquarters and corporate campus was identified by Diebold through exhaustive research of its sales, engineering, research and development, back office, training and corporate functions. These headquarters functions are currently located in five separate buildings of varying degrees of quality scattered across Summit and Stark Counties, making it a challenge to meet Diebold's current daily needs. The necessity of positioning Diebold for its current and future business needs dictated the conclusion that Diebold would need to consolidate the five facilities and their related functions at one location. This combination is designed to create organizational and process efficiencies, create an open and collaborative working environment, and encourage and facilitate cross functional communication and innovation. This type of employee interaction is critical to Diebold's technology based business. Additionally, the headquarters initiative is also focused on enhancing Diebold's brand and image as a world leader in technology, software and service. The new facility will allow Diebold to upgrade the physical appearance of its headquarters, improve capacity and utility of corporate and engineering facilities, including implementation of greener and more efficient technologies and to improve the customer perception and experience when visiting the corporate facility to ensure a first class customer experience from arrival to departure. It was identified as critical that the new facility maintain accessibility to Diebold's global client base (close proximity to a commercial airport was identified as mandatory) and increase the visibility of the corporate headquarters structure (visibility from a major interstate highway was also identified as mandatory).

Wetlands, streams, and other waters of the U.S. were delineated in July, 2011 (Appendix A, Figure 3 and Appendix B) and field confirmed by the United States Army Corps of Engineers (USACE). USACE is in the process of issuing a formal jurisdictional determination (JD) letter for the Project Site. The delineation identifies water resources on the Project Site that include multiple regulated streams, totaling 6,993 linear feet (LF), 17 federally regulated wetlands, totaling 15.74 acres and six isolated wetlands regulated by the State of Ohio totaling 0.22 acres on the Site (Appendix B). All of the wetlands on-site were determined to be either Category 1, Modified Category 2, or Category 2, as determined using Ohio Environmental Protection Agency's (OEPA) Ohio Rapid Assessment Method v. 5.0 (ORAM). OEPA completed its review of the categorization of wetlands on the site and confirmed the categories assigned to each of the 23 wetlands. The completed ORAM score sheets can be found in Appendix B. Streams S-10 (1,039 LF) and S-11 (125 LF) are perennial streams, and have been categorized as Class III primary headwater streams, using Ohio EPA's Headwater Habitat Evaluation Index (HHEI); while streams S-1, S-3, S-5 and S-8 are intermittent, and range from Modified Class I to Class III (see Appendix B and C for details).

As part of the overall threatened and endangered species review, Davey Resource Group (Davey) has already conducted an Indiana bat mist net survey on the site (see Appendix D). The mist net survey did not document the presence of Indiana bats on the Project Site. The U.S. Fish Wildlife Service (USFWS) has reviewed and accepted the results of the mist net survey completed by Davey. The Ohio Department of Natural Resources (ODNR) was contacted by Davey to determine if there were any other known instances of state threatened and endangered species on the Project site. ODNR confirmed that there are no known threatened and endangered species or critical habitat on the Project Site. The Co-Applicants will continue to coordinate with the proper agencies regarding this issue, as part of the permit review process.

Based on the Project need identified above, the Co-Applicants propose impacts to wetlands and streams found on the site. The federal wetland impacts from this development plan require an Individual Permit

Application be submitted to USACE. The Co-Applicants have prepared the alternative site analysis in support of this application. As the majority of the successful development of the residual lands is dependent on the development of the Diebold Site, the alternative site analysis is clearly linked to the Diebold component. As a Co-Applicant, Diebold has specific site requirements and as a result, has prepared an independent alternative site analysis demonstrating that the Diebold Site is the only practicable site available for the proposed Diebold HQ based on site availability, economic development, environmental and financial criteria (Section 3.1).

Figure 4a located in Appendix A is the Minimal Degradation Alternative (MDA) site plan for the development of the Project. This site plan, after careful consideration by the Co-Applicants of the potential impacts to aquatic resources and numerous revisions, was determined to be the plan that best achieved avoidance and minimization of impacts to aquatic resources while still meeting the essential overall objectives of the project.

Figure 5a located in Appendix A is the initial Preferred Development Alternative (PDA). This site plan was developed by the Co-Applicants in order to best meet the needs and objectives of the Co-Applicants as it considered the development of the Project site. After careful consideration of the Co-Applicant needs and the ability to achieve those needs with fewer impacts to aquatic resources, it was determined that the PDA did not avoid or minimize impacts to the aquatic resources on the site to the extent practicable as required by Clean Water Act (CWA) § 404(b)(1). Therefore, the Co-Applicants have relinquished the PDA in favor of the MDA which is submitted as the Plan of Record (POR) for this Section 404 permit application.

The 148.6-acre Project Site has a history of past disturbance associated with water basins, a high pressure gas line, former farming activity, and timber harvesting (Appendix A, Figure 2). The Project Site is primarily composed of upland old fields, with areas of successional woods, emergent wetlands, scrub/shrub wetlands, and lowland woods.

The MDA/POR will require that a total of 6.317 acres of federal jurisdictional wetlands be impacted. There are two wetlands that account for the majority of the impacts: Wetland D and Q. Wetland D is a lowland woods/scrub shrub wetland located near the center of the Project. It is an irregularly shaped Category 2 wetland that has a surface area of 1.338 acres. Surface water from Wetland Q exits the site through Stream 5. Wetland Q is located east of Wetland D and it is a Category 2 lowland woods/scrub shrub/emergent wetland complex. Wetland Q is very irregular in shape and has an area of 2.006 acres. Surface water from Wetland Q exits the site through Stream 1. A list of all impacts associated with the MDA/POR is provided in Appendix F. A total of 8.715 acres of federal jurisdictional wetlands will be avoided, including the great majority of Wetland C, the highest rated wetland on the Project Site. In addition, a total of 0.221 acres of isolated wetlands regulated only by the State of Ohio will be impacted. The total amount of wetland impacts will be 6.538 acres (jurisdictional and isolated).

The MDA/POR requires fill to be placed in 400 LF of ephemeral stream and 1,812 LF of intermittent stream to be filled or culverted. All perennial streams, S-10 and S-11, will be avoided. Overall, 4,327 LF of stream will be avoided and preserved.

Mitigation for unavoidable impacts to wetlands will be mitigated using three methods:

1. Protection of wetlands avoided on site
2. Protection of wetlands off site at the Sparrow Fen site
3. Restoration, including re-establishment and enhancement, of wetlands at the Little Stillwater wetland mitigation site.

The preservation of remaining wetlands will include the vast majority of the highest quality wetland found on the site, Wetland C. A total of 8.715 acres of wetland will be protected on-site. A 22.66-acre conservation area will be located on site. The on-site conservation areas will be protected by a

conservation easement or environmental covenant. The conservation area will include the avoided wetlands, streams, and associated buffer areas.

The 11.7-acre Sparrow Fen site is located along the east bank of Metzger Ditch in Lake Township of Stark County, north of Heckman Road. This site is located approximately 2.3 miles to the east of the Project Site. The site includes 2.191 acres of wetlands and 1,422 LF of riparian corridor of Metzger Ditch and 76 feet of an unnamed tributary to Metzger Ditch (total of 1,498 LF of stream). Both streams are perennial streams. The 2.191-acre wetland is Category 3 and includes a fen. The 11.7-acre site is covered mostly by second growth forest. If approved for use as compensatory mitigation for stream and wetland impacts, the site will be donated to a mutually agreeable conservation organization for protection and management. The protection of this site would be used to meet a portion of the mitigation needs of the MDA/POR.

Additionally, off-site wetland mitigation will occur at the Little Stillwater Mitigation Site located in Harrison County, Ohio. The Little Stillwater site is located within the Tuscarawas River Watershed (HUC 05040001), the same watershed of the proposed impacts. The re-establishment and enhancement of a minimum of 6.6 acres of high-quality forested and non-forested wetlands will take place through construction of a small berm, micro-topography restoration, disruption of existing subsurface tiles, installation of surface drain plugs, and supplemental plantings of native vegetation. This re-establishment of a high-quality wetlands ecosystem will result in a gain in the net aquatic and semi-aquatic resources in both area and functions not currently present. Additionally 2.4 acres of existing, low quality wet meadow wetlands at the Little Stillwater site will be enhanced.

Mitigation for stream impacts will be accomplished by protection of streams and associated riparian corridors on and off-site. The preservation of 4,327 LF of on-site streams will be utilized to offset a majority of the stream impacts. The on-site preservation includes all of Streams S-10 and S-11 and will therefore entirely protect the only perennial streams found on the site. The on-site stream preservation will be incorporated within the 22.66-acre conservation area described above. Additionally, stream mitigation will occur on-site for the proposed impacts to Stream S-1 by the use of a re-located stream channel. The relocated stream will provide 965 LF of stream mitigation on site (impacts to Stream S-1 is 998 LF). The relocated stream will be monitored to ensure that its HHEI will equal or exceed that of the pre-development HHEI for Stream S-1. The final stream mitigation component will be the off-site protection of 1,498 LF of stream riparian corridor on the Sparrow Fen site as described above (see Appendix J).

As a result of the Project, it is expected that the overall water quality leaving the development site will not be adversely impacted. This will be accomplished through the use of storm water management and water quality facilities. Summit County storm water regulations require that the peak flow from the 25 year post-developed storm be detained to not exceed the peak flow from a 2 year pre-developed storm, and that the peak flows from the 50 and 100 year post developed storms be detained to not exceed that of the peak flows from the 50 and 100 year pre developed storms respectively. The proposed storm water design will exceed the current code requirements which will result in a net positive impact on downstream properties.

All on-site storm water will be passed through Phase II storm water treatment system in compliance with the Ohio EPA Phase 2 Storm Water regulations. This will be accomplished through the combination forebay detention basins, bio-swales and or filter strips.

1.0 Introduction

This document was prepared in support of a Section 404 Individual Permit Application by the Co-Applicants, Union Square Investments, Ltd and Diebold, Incorporated. The Project Site consists of a 148.6-acre property located in the City of Green, Summit County, Ohio.

1.1 Project Description

The Project Site consists of a 148.6-acre tract of land generally located west of Interstate-77, north of Wise Road, east of Massillon Road and south of Graybill Road in the City of Green, Summit County, Ohio. The recently constructed Akron General Health and Wellness Facility is located along the western edge of the Project. South of the Project is an existing residential area of various ages. Please see Figure 1 in Appendix A for a site location map. The existing Project Site contains fallow agricultural fields, scrub shrub, successional woods and open meadow habitats. A 2011 aerial photograph of the Project Site can be found in Appendix A, Figure 2.

The Co-Applicants have prepared a Preferred Development Alternative (PDA) that maximized its potential site development while minimizing development costs. This development plan calls for the filling of 6.744 acres of wetlands and 3,845 LF of streams on the site (Appendix A, Figures 5a and 5b). The PDA, if implemented, would result in a less costly development and more effective use of the Project Site for the Co-Applicants as compared to the MDA/POR.

The Minimal Degradation Alternative (MDA/POR) is shown in Figures 4a, 4b, and 4c (Appendix A). This development plan calls for the filling of 6.317 acres of wetlands and 2,212 LF of streams on the site. This site plan, after careful consideration by the Co-Applicants of the potential impacts to aquatic resources and numerous revisions, was determined to be the plan that best achieved avoidance and minimization of impacts to aquatic resources while still meeting the essential overall objectives of the project. Because of this, it is believed that the MDA/POR comports with CWA § 404(b)(1) requirements. Therefore, the Co-Applicants have relinquished the PDA in favor of the MDA/POR which is submitted as the Plan of Record (POR) for this Section 404 permit application.

A Non-Degradation Alternative (NDA) was developed by the Co-Applicants. In considering the NDA, the Co-Applicants were severely restricted by the random distribution of aquatic resources which had a significant impact on the ability to reasonably develop the Project Site without impacts to water resources. For the Diebold Site, the daily space needs and the attendant parking needed for a minimum of 1,500 employees, as well as a significant number of visitors, contractors and associates attending training was considered as this alternative was developed and assessed for viability. The building space needs would require the construction of much taller buildings with smaller footprints as well the use of parking garages to avoid impacts to aquatic resources. This alternative did not meet the spatial requirements that Diebold has for its operations (see section 3.1 for details of spatial needs) and would be cost prohibitive. Because of these reasons, the Co-Applicants removed the NDA from consideration (Appendix A, Figure 6).

1.2 Project History

The Project Site consists of areas that have been disturbed by past farming, pipeline construction and periodic maintenance, storm water basin construction and timber harvesting. Wetlands, streams, and other waters of the U.S. were delineated in July, 2011 (Appendix A, Figure 3 and Appendix B) and field confirmed by the United States Army Corps of Engineers (USACE). USACE is in the process of issuing a formal JD letter for the Project. The delineation identifies water resources on the Project site that include multiple regulated streams, totaling 6,993 linear feet (LF); 17 federally regulated wetlands, totaling 15.733 acres; and 6 isolated wetlands regulated by the State of Ohio totaling 0.221 acres on the Site (Appendix B). All of the wetlands on-site were determined to be Category 1, Modified Category 2, or Category 2 as

determined using Ohio Environmental Protection Agency's (OEPA) Ohio Rapid Assessment Method v. 5.0 (ORAM). OEPA completed its review of the categorization of wetlands on the site and confirmed the categories assigned to each of the 23 wetlands. The completed ORAM score sheets can be found in the Wetland Delineation Report.

The City of Green (the "City") is in the process of pursuing the necessary permits for the completion of Town Park Boulevard thoroughfare. The completion of Town Park Boulevard will provide important relief to congestion of traffic on Massillon Road. Also, it will improve access to Akron-Canton Airport for the residents and businesses located in the core of the City. This roadway project will extend Town Park Boulevard from its current stub end located east of Massillon Road to the intersection of Greensburg and Lauby Roads, located just north of Akron-Canton Airport. The roadway project will require the City to obtain right-of-way through the Project Site. The Co-Applicants have not included impacts to wetlands and streams from the construction of the Town Park Boulevard in this permit application. The impacts to aquatic resources associated with the construction of the roadway will be addressed in separate permit application by the City. The determination that the Town Park Boulevard was a separate and complete project was made by USACE after discussing the proposed projects in detail earlier in 2012.

The Project being proposed by the Co-Applicants is a combination of the Diebold HQ facilities and the development of a mix of associated but independent facilities, dependent for the most part on business generated by the Diebold facility, independent offices seeking a synergy with adjacent business developments, the Akron General Medical facility, and a residential component, sited adjacent to existing residential development, as per the recently enacted City of Green zoning codes. This mix of office, residential and Diebold development enables the Co-Applicants to produce a comprehensive site plan that allows for the development of the overall site with significant avoidance and long-term protection of site water resources (high quality wetlands and streams).

The need for a new headquarters and corporate campus was identified by Diebold through an exhaustive research of its sales, engineering, research and development, back office, training and corporate functions. These headquarters functions are currently located in five separate buildings of varying degrees of quality scattered across Summit and Stark Counties, making it a challenge to meet Diebold's current daily needs. The necessity of positioning Diebold for its current and future business needs concluded that Diebold would need to consolidate five facilities and their related functions at one location. This combination is designed to create organizational and process efficiencies, create an open and collaborative working environment, and encourage and facilitate cross functional communication and innovation. This type of employee interaction is critical to Diebold's technology based business. Additionally, the headquarters initiative is also focused on enhancing Diebold's brand and image as a world leader in technology, software and service. The new facility will allow Diebold to upgrade the physical appearance of its headquarters, improve capacity and utility of corporate and engineering facilities, including implementation of greener and more efficient technologies, improve the customer perception and experience when visiting the corporate facility to ensure a first class customer experience from arrival to departure. It was identified as critical that the new facility maintain accessibility to Diebold's global client base (close proximity to a commercial airport was identified as mandatory) and increase the visibility of the corporate headquarters structure (visibility from an interstate highway was also identified as mandatory).

Since merging with the Village of Green and becoming a city in 1992, the City of Green has experienced significant growth. The community's population has increased from 20,587 to 25,699 from the time of the 1990 census to the 2010 census. This is a 25% increase while Summit County and the State of Ohio only increased by 5% and 6% respectively. The community has also grown economically, becoming a regional focal point for growth in employment in the health care, professional office space, cargo and service sectors. The completion of the Town Park Boulevard will provide important relief to congestion of traffic on Massillon Road. Additionally, it will improve access to Akron-Canton Airport for the residents and businesses located in Green. The strategic location of the Project Site, will make it an attractive option for business that desire to locate near the Diebold headquarters and the health care facilities recently constructed by Summa Health Systems and Akron General nearby.

In addition to the Project, the recent boom in natural gas extraction has positively impacted the area's economy significantly. The City of Green in Summit County and the Jackson Township area in Stark County are currently experiencing both short term and long term economic growth as a result of this industry. The natural gas industry projections estimate the creation of 200,000 new jobs and \$500 Million in tax revenue in Ohio by 2018. The area has already seen a significant increase in jobs, hotel occupancy, operations and maintenance services for the industry, as well as a tighter real estate market as facilities are built to support the industry.

The location of the new Diebold HQ was determined by a number of specific requirements, not the least of which was the desire of Diebold to continue to be located in the Canton, Ohio region where it has been for more than 140 years. Other criteria as further elaborated in the Alternative Site Analysis (Section 3.1) included: access to the Akron-Canton Airport, (due to the national and international nature of Diebold's business and regular travel and parts movements), environmental factors, high visibility from I-77, and various other financial and business considerations. Other available sites were identified, but the proposed site was finally selected as the most appropriate, based on these criteria. The full alternative analysis is discussed in more detail in Section 3.1 and in Appendix G.

The development of the Project through the construction of new office buildings will provide a significant number of jobs, both as full-time construction jobs and permanent jobs associated with the additional businesses locating here. Critically, the Project will also allow the retention of a minimum of 1,500 local jobs, directly related to Diebold, and will create additional employment opportunities to the local population, in the form of both construction jobs and indirect service jobs, plus the estimated additional 1,200 permanent jobs that will be created in the residual Project lands (Appendix H). The Project is projected to create approximately 2,000 full-time construction jobs and approximately 2,750 full-time jobs generating over \$150 Million annually in wages. In addition to the jobs and income created during construction, the Project is projected to generate over \$3 Million in income taxes annually.

The community benefits from the MDA/POR are related to the total construction jobs required by this site development, the permanent jobs required to staff the new businesses and tax revenues to local and state governments. In addition to the direct jobs this expansion will create, additional indirect job benefits to the community will result from this Project, such as those generated by various service industries.

2.0 Environmental Resources

The property contains successional woods, upland old fields, emergent wetlands, scrub/shrub wetlands, and lowland woods. Additionally, several sections of the site are abandoned farm fields that have reverted to old field vegetation. The following discussion of resources reflects the site delineation report and thus includes the wetlands and streams within the proposed Town Park Boulevard extension right-of-way.

2.1 Wetlands

Federal wetland resources on the Project Site include: Wetland A (lowland woods, 0.795 acre), Wetland B (lowland woods, scrub/shrub, 2.548 acre), Wetland C (scrub/shrub, emergent, 4.318 acre), Wetland D (lowland woods, scrub/shrub, 1.435 acre), Wetland G (lowland woods, 0.329 acre), Wetland H (scrub/shrub, 0.069 acre), Wetland I (lowland woods, 0.150 acre), Wetland J (emergent, 0.065 acre), Wetland M (scrub/shrub, emergent, 2.507 acre), Wetland N (lowland woods, scrub/shrub, emergent, 0.204 acre), Wetland O (lowland woods, scrub/shrub, emergent, 0.604 acre), Wetland Q (lowland woods, scrub/shrub, emergent, 2.006 acre), Wetland R (scrub/shrub, 0.550 acre), Wetland S (emergent, 0.029 acre), Wetland T (scrub/shrub, 0.101 acre), Wetland U (emergent, 0.016 acre), and Wetland V (emergent, 0.007 acre). All are Category 1, Modified Category 2, or Category 2 wetlands. Isolated state-regulated wetlands included: Wetland E (emergent, 0.038 acre), Wetland F (emergent, 0.007 acre), Wetland K

(emergent, 0.147 acre), Wetland L (emergent, 0.019 acre), Wetland P (emergent, 0.005 acre), and Wetland W (lowland woods, 0.005 acre) (Appendix F, Table 1). All are either Category 1 or 2 wetlands.

Emergent wetlands are dominated by *Impatiens capensis* (jewelweed, FACW), *Juncus effusus* (soft rush, FACW), *Leersia oryzoides* (rice cutgrass, OBL), *L. virginica* (white grass, FACW), *Phalaris arundinacea* (canary reed grass, FACW), *Scirpus cyperinus* (wool grass, FACW), and *Typha* sp. (cattails). Species found within scrub/shrub wetlands include *Cornus amomum* (silky dogwood, FACW), *C. foemina* (stiff dogwood, FAC), jewelweed, white grass, *Rhamnus frangula* (glossy buckthorn, FAC), *Salix discolor* (pussy willow, FACW), *Toxicodendron radicans* (poison-ivy, FAC), and *Viburnum recognitum* (northern arrow-wood, FACW). The lowland woods on the site contain species that include *Acer rubrum* (red maple, FAC), *Fraxinus pennsylvanica* (green ash, FACW), *Glyceria striata* (fowl manna grass, OBL), jewelweed, *Toxicodendron radicans* (poison-ivy, FAC), *Ulmus americana* (American elm, FACW), and *Viburnum recognitum* (northern arrow-wood, FACW).

2.2 Streams

There are 6,993 linear feet of streams on the site (Appendix F, Table 2). A total of four streams are Class III (lower reach of S-5, S-8, S-10 and S-11 - Appendix C). Only two perennial streams, S-10 and S-11, were found on the site. These streams were both categorized as Class III. All of the eight ephemeral streams were either Class I or Modified Class I streams, except for S-6, which was a Modified Class II stream. The five remaining intermittent streams were ranked as Modified Class II, Class II or Class III.

All of the streams discharge into one of three culverts passing under I-77, and within 2,400 ft join into a single unnamed tributary that eventually discharges to the Tuscarawas River (HUC 05040001). The Tuscarawas River is a part of the 8,051-square-mile Muskingum drainage basin. The Muskingum River enters the Ohio River at Marietta.

2.3 Uplands

Upland areas on the site include successional woods, logged woods, old fields, and mowed fields. Successional woods are dominated by *Acer rubrum* (red maple, FAC), *Acer saccharum* (sugar maple, FACU), *Fagus grandifolia* (American beech, FACU), *Nyssa sylvatica* (black gum, FAC), *Quercus rubra* (red oak, FACU), *Rosa multiflora* (multiflora rose, FACU), *Rubus allegheniensis* (Allegheny blackberry, FACU), and *Viburnum recognitum* (northern arrow-wood, FAC). Logged woods areas in the northwest portion of the site include species such as red maple, *Festuca rubra* (red fescue, FACU), *Prunus serotina* (black cherry, FACU), multiflora rose, Allegheny blackberry, *Solidago* sp. (goldenrod), and northern arrow-wood. Upland old fields on the site are dominated by *Rhamnus frangula* (glossy buckthorn, FAC), multiflora rose, Allegheny blackberry, goldenrods, and northern arrow-wood. Species that occur in mowed fields include *Andropogon virginicus* (broom sedge, FACU), *Dactylis glomerata* (orchard grass, FACU), *Phleum pratense* (timothy, FACU), multiflora rose, *Solidago canadensis* (Canada goldenrod, FACU), and *S. rugosa* (rough leaved goldenrod, FAC).

2.4 Wildlife

Animals that currently use the Project Site are common Ohio species that are well adapted to mixed urban, agricultural, and natural environments, such as *Bufo americanus* (American toad), *Melospiza melodia* (song sparrow), *Microtus pennsylvanicus* (meadow vole), *Odocoileus virginianus* (white-tailed deer), *Procyon lotor* (raccoon), *Sciurus carolinensis* (eastern gray squirrel), *Sylvilagus floridanus* (eastern cottontail), *Thamnophis sirtalis* (common garter snake), and *Turdus migratorius* (American robin).

2.5 Threatened and Endangered Species

The Co-Applicants, after consultation with the U.S. Fish and Wildlife Service (USFWS) via one of their environmental consultants (Appendix E), Davey Resource Group (Davey), conducted an Indiana Bat Mist Net survey plan for the Project Site (Appendix D). Davey conducted the mist net survey on August 3-9, 2011. No Indiana bats were found as part of this survey and the USFWS have accepted the mist net survey report.

As part of the ORAM process, Davey contacted the Ohio Department of Natural Resources (ODNR) to address state, threatened, and endangered species issues (Appendix E). ODNR had no record of any state threatened or endangered species located on or near the Project Site. Updates regarding these issues will be provided as addendums to the respective agencies as the process proceeds. No bogs, fens, old growth forests, mature riparian forests, or oak opening communities were found to exist within the Project Site.

The Co-Applicants consultants will continue to coordinate with the appropriate agencies regarding any further concerns on potential occurrences of threatened and endangered species within the Project Site as directed by the USACE during the permit review.

2.6 Historical and Cultural Review

To document compliance with Section 106 of the National Historic Preservation Act, the Co-Applicants are in the process of preparing a historical and cultural review of the project site to submit to the Ohio Historic Preservation Office. Results of this review will be provided as they become available.

3.0 Alternatives Analysis

The purpose of the Alternatives Analysis portion of this report is to specifically describe the primary alternatives considered in developing the proposed plan for the property and to present the MDA/POR for approval and issuance of an USACE Section 404 permit for the Project.

3.1 Off-Site Analysis

The off-site analysis required as part of the permit application review is based on the Project site, taken as a whole. The entire parcel has been owned by Union Square for over 13 years. Alternative off-site development locations are not practicable to consider for a number of reasons for this single and complete project. Given the extensive size of the proposed Project, locating and purchasing another parcel of comparable size or separate parcels to construct comparable development through the purchase of other lands would immediately impose a significant and typically unacceptable financial burden on Union Square. Two additional factors compel the selection of this site over any other off-site alternative: the selection of this site through a rigorous off-site alternative by Diebold for their component of the development (as detailed below) and the decision by the City of Green for extending Town Park Boulevard through the Project Site to connect to Lauby Road. This linear transportation project is an independent project, based on current and projected traffic issues. Union Square has worked in partnership with Diebold to develop an overall site plan on the residual lands (approximately 81.7 acres) comprising the Project Site in order to provide responsible and compatible development. The anticipated demand for adjacent development in these residual lands is driven by the existing presence of the Akron General Health and Wellness Facility, the assumed development of the Diebold HQ, with its minimum of 1,500 jobs to this specific project area, as well as numerous out-of-town visitors. The presence of all of these potential customers within walking distance is a huge market incentive for development along the extended Town Park Boulevard. As was noted previously, the population of the City of Green has grown by over 25% from 1990 to 2010 according to the latest US Census data. It is anticipated that much of the residual use will be directly or in-directly related to the main Diebold HQ development, either as support

facilities, such as a hotel, or other related businesses. Although other locations for each single, separate proposed office/retail building could be found in the overall area, the synergy and site-specific economic benefits of this particular development cannot be duplicated elsewhere. For these reasons, off-site alternatives for the proposed development is not feasible,

As is noted above, a key factor in the overall development of this entire parcel was the selection of a portion of this site as the Diebold HQ. Diebold has provided a comprehensive review of that site selection in the paragraphs below.

More than two years ago, Diebold identified the need for a new world headquarters to consolidate disparate employee locations, upgrade facilities, create a world class facility to host customers from around the world, and enable Diebold to recruit the best talent and provide a physical environment conducive to the collaborative cutting edge technology work at the core of Diebold's business. Following the identification of this need, Diebold assigned a senior level project team to identify project needs and began site evaluation. At the on-set of this process, Diebold retained the services of a national real estate firm, UGL Services, to help in identifying locations and to prepare a programmatic study to determine the various needs of the departments and groups who would be occupying the new Diebold world headquarters.

This programmatic study was based on a comprehensive set of data points including meetings with department heads and key leadership, general employee feedback sessions, numerous executive interviews, a census of Diebold employee headcounts in each area of the business and projections on future trends, identification of available business furniture systems (office, cubicle and others), identified lab space and equipment needs (including analysis of necessary high weight lab apparatus, cranes and equipment) and training needs. Significant emphasis was also put on both the Diebold associate experience [working in the building environment] and the customer experience when Diebold welcomes customers (including CEOs from some of the largest financial institutions in the world) to its headquarters.

As a result of this effort, Diebold determined that it needed a building of approximately 500,000 square feet, with 40% general office space, 20% dedicated labs, and the remainder building support and common spaces. The building will have to satisfy certain unique requirements. Some of the equipment used in research labs and training areas has unique height and floor loading requirements that are best satisfied with a first floor location. The key headquarters divisions range in size from 500-900 staff members. The need for collaborative business efforts, integrating multiple, large teams from different disciplines (a hallmark of the work environment necessary to complete the transition of the company from a manufacturer to a world class technology driven services and software provider) translate to large open floor areas to support the required adjacencies. For the best interaction between groups and close proximity to labs, large open floors are preferred. In combination, this results in a building design with large floor plates and less stories (vs. multiple levels of smaller floors), leading to a need for sites accommodating larger than typical building footprints. This analysis assumed a minimum of 1,500 Diebold associates, with additional customers, contractors, trainees and other visitors being on site on a daily basis. Based on the foregoing, the following were identified as key factors in the site selection process: high visibility from a major interstate, close proximity to a commercial airport, availability of adequate access to address movement of employees in and out at start and closing times, adequate size for buildings and parking, and a location conducive to attracting and retaining a diverse, educated and creative workforce.

As part of its due diligence, Diebold considered sites and facilities in the states of Virginia, North Carolina and Ohio as potential locations for this project. All three states provided aggressive economic incentive packages to support Diebold's proposed headquarters initiative. After careful consideration, Diebold elected to remain in Ohio where it has operated for over 140 years. Based upon a number of factors, including an analysis of the geographic distribution of Diebold's current associate base, Diebold narrowed its site selection focus on specific sites located in Stark and Summit Counties, where it has maintained a

presence since the time of its initial move in 1872. Diebold's current headquarters is just north of the Stark County/Summit County line.

The following evaluation criteria were established by Diebold and UGL Services to direct the site consideration to ensure the locations met the mandates of the programmatic study. The first group of the criteria is considered mandatory, that is they are minimum prerequisites that must be satisfied fully. The second set of criteria is open to interpretation, mitigation and impact on a site by site basis.

The criteria are listed below:

Minimum Prerequisite criteria (pass/fail)

- ✿ Prominent visibility of headquarters from an interstate highway, preferably I-77
- ✿ Close proximity to Akron-Canton Airport for customer and employee global and domestic air travel
- ✿ Accessibility to interstate highways and major roads for employee commuting, materials supply, and product distribution
- ✿ Adequate capacity on local roads to support commuting patterns without disruption and delay
- ✿ Adequate parcel size, a minimum of 55 acres, dependent on configuration and developable area
- ✿ Within Diebold parameters for schedule to achieve occupancy by mid-year 2016.
- ✿ Location must support retention of current Diebold employees, predominantly residing in Stark and Summit counties which satisfy requirements for length of commute, access to good schools and local community services

Site dependent criteria (evaluated on a case by case basis)

- ✿ Within Diebold budget parameters for site acquisition and project development costs
- ✿ Does not have environmental issues that will significantly constrain development, delay the schedule and require excessive cost to avoid or mitigate impacts. This would include issues related to potential wetland and stream impacts

In this effort, UGL Services identified available sites in the designated area that met the site requirements and had adequate acreage to effectively house the necessary building and parking. Additionally, the communities of Canton, North Canton and Green submitted sites for consideration. These sites are identified in on a map (Figure 1, Appendix G). Following initial identification of the sites additional due diligence was conducted on the various properties. These included review of existing development plans and schedules, prior environmental site assessments, traffic studies or related access related information in addition to general census data and sites attributes.

The sites considered were as follows:

Property at or near 340 White Pond Drive, Akron, OH

Although this site had frontage on I-77, the topography and elevation of the site made potential visibility a concern. In addition, the useable size of the site did not appear adequate for the scale and size of the Project. Portions of the site were subject to significant clean fill activity, which caused initial concern regarding subsurface stability and related issues. Additionally, while to Diebold's understanding, this site has been previously issued a wetland permit, the size and scale of the Diebold HQ would have required substantial amendment to the existing permit and significant additional wetland disturbance than currently approved in the existing permit.

Property near 951 Cleveland Massillon Road, Fairlawn, Ohio

On this site, there were concerns related to the local traffic patterns, adequacy of ingress/egress routes and reasonable access to and from the facility for the number of associates utilizing it each day. Additionally, it was determined that the northerly location of this site would likely negatively impact a significant number of the 70% of the Diebold employees currently living in or south of Stark County. Initial review of pre-existing environmental reports resulted in a determination that Phase II environmental site assessment inspections would be necessary to address potential pre-existing soil contamination. This overall development at this site was identified as having more than 25 acres of wetlands and moreover, the portion of this site that had frontage on I-77 was subject to significant wetland considerations.

1,500 Rogwin Circle SW, North Canton, Ohio 44720

This site is the location for the Fairways of North Canton golf course and does not have frontage on I-77, additionally, access to the site would require be through a residential neighborhood. Due to these two items, this site did not meet the initial basic site requirements. Based upon initial review this site also contained at least two ponds and was has topographical construction challenges.

Southeast Quadrant of the City of Canton Business District – no specific site address

The property evaluated in the City of Canton, included areas in the southeastern quadrant of the City identified as ripe for business redevelopment by local business leaders and the City. This area is currently made up of vacant lots, occupied homes, empty buildings, and occupied businesses. While there are compelling visions for potential future development, the proposed location did not currently meet Diebold's site requirements. Additionally, because the proposed redevelopment areas are disparate in ownership and have not been consolidated, the timeframe for this redevelopment initiative, just to acquire the land and to complete redevelopment was viewed as significant and not matching Diebold's project timeline. Additionally, Nimishillen Creek was identified as traversing this area at various locations.

Property near 2240 Wise Road, Green, Ohio (between Wise and Greensburg roads), (formerly known as SCUBA site, now known as Park Place site).

This site, which is located south of the chosen site, was initially reviewed by the project team. Initial research however indicated large portions of land adjacent to this site were within the flight path of the Akron-Canton Airport, with a lighting assist system for one of the runways at the Akron-Canton Airport physically located on the southern portion of the land between Wise and Greensburg road. This close proximity to a flight path zone created risk management and insurance related issues for Diebold's corporate insurance underwriters which led to the elimination of this site from consideration.

The following site was initially identified by the City of Green but did not meet minimal site requirements as indicated below:

Spring Hill Development (near 1009 Boettler Road, Uniontown, Ohio)

This site has no I-77 frontage and has limited parcel size. Additionally, the topography of this land would present significant challenges to development on the size and scale of the Diebold HQ. Thus, this site was eliminated from consideration.

After weighing the factors noted above, the selected site in Green was the only site that met the established criteria. Of note, 70% of Diebold's current associate base that would be transitioned to the new HQ site live in Stark County (south of this site); therefore, a move further north would have created a likelihood of employee retention issues, costing the company significant resources.

The selected site also provides close proximity to the Akron-Canton Airport (where Diebold is one of the largest corporate users – both for personnel travel and parts logistics). The City of Green has existing concerns regarding current and anticipated traffic between Massillon Road and the Akron Airport, and as a result, is in the process of extending the existing Town Park Boulevard from Massillon Road to Lauby

Road. The Lauby Road extension, which is to be completed prior to completion of Diebold's new headquarter building, will allow access to additional traffic corridors south (toward Stark County), and also access to a secondary I-77 access point at the airport. This additional access will reduce traffic from the site and Union Square onto Massillon Road, and the Massillon Road on/off ramps to I-77 North and South. A secondary benefit of this extension is a direct access traffic corridor to Diebold to and from the airport, an important consideration for Diebold's national and international customers, and thus a major plus for this particular site selection.

The site selected provides direct frontage on I-77 and its estimated 87,000 daily traffic count for corporate exposure. The site has a brand new health and wellness center (the Akron General Health and Wellness Facility) within the same development, providing a community health benefit to the Diebold associate base, and serving as a major attraction for future employees. The acreage available was sufficient in size to locate the necessary size and scale of building and associated parking.

As identified through the thorough and extensive site consideration, the Union Square site in Green is the only identified site that meets the project requirements and has site characteristics commensurate with Diebold's investment of more than \$100 million in the Project. This site will also allow Diebold to maintain a significant corporate presence in the Stark/Summit county area where this project and Diebold's employee base and operations will have a tremendously favorable impact on the local economy.

The potential sites were investigated using the criteria noted above and evaluated. The analysis includes the required USACE alternative analysis review of potential impacts to waters of the United States. As a result of this careful analysis, the Diebold Site was clearly the only viable site available for the Diebold HQ. Environmental resources information, derived from various sources, was used in this USACE alternative site evaluation.

The alternative sites were investigated through various due diligence methods for each site, which included a mix of Diebold's consultants gathering available site information, aerial photographic evidence, USFWS National Wetland Inventory mapping and reviewing site owner provided prior environmental assessment documents. Finally, the alternative sites were investigated with a drive-by (windshield) survey. If there were visible signs of wetlands or streams on the site, this information was also considered. See Appendix G for additional detail and information.

In conclusion, the selected site is the only practicable site available for development of the Diebold HQ.

3.2 On-Site Avoidance and Minimization

After initial consultation and reviews with the USACE and the Ohio EPA, the Co-Applicants identified the highest value environmental resources on the site and have designed a final site development footprint that avoids major impacts to these resources. The Co-Applicants, by accepting the MDA as the POR, have minimized the final development footprint.

3.3 Alternative Design Analysis

As part of this submission process, the Co-Applicants completed an evaluation of three major design alternatives—the NDA, PDA, and the MDA/POR. Although the MDA/POR is accepted by the Co-Applicants as the POR, a discussion of the PDA is worthwhile as it demonstrates the extent to which the Co-Applicants went to avoid and minimize impacts to wetlands and streams found on the Project Site. The NDA avoids all wetland and stream impacts but results in a project that is not economically feasible.

The Co-Applicants have cooperated in preparing an overall site plan that allows for the specific Diebold facility requirements and residual land development that allows for the greatest amount of on-site wetland and stream impact avoidance and minimization. Diebold and Union Square both adjusted overall site

designs and even parcel sizes to accommodate required development and still allow for the protection of the most valuable wetlands and all of the on-site perennial streams. As part of this effort, the Co-Applicants have significantly reduced impacts from preliminary site designs, and prepared a PDA that met many of the avoidance and minimization criteria required by applicants as part of the permitting process. The Co-Applicants further adjusted these plans to produce an MDA/POR that has minimized impacts to these resources to the greatest extent possible yet still meet the project needs.

Some background on the overall Project Site constraints and issues that have influenced the overall Project design, especially the specific siting of the 500,000 square foot main GSF building is provided below.

Two major factors drive the size and shape of the 500,000 GSF building.

First, Diebold determined that it needed a building of approximately 500,000 square feet, with 40% general office space, 20% dedicated labs, and the remainder building support and common spaces. The key headquarters divisions range in size from 500 to 900 staff members. The need for collaborative business efforts, integrating multiple, large teams from different disciplines (a hallmark of the work environment necessary to complete the transition of the company from a manufacturer to a world class technology driven services and software provider) translate to large open floor areas to support the required adjacencies. For the best interaction between groups and close proximity to labs, large open floors are preferred. In addition, the Akron-Canton Airport terminal control area (TCA) regulates building height within this general area, so a very tall building would likely not be permitted. In combination, this results in a building design with large floor plates and fewer stories (vs. multiple levels of smaller floors).

Second, the building will have to satisfy certain unique requirements. Some of the equipment used in research labs and training areas have unique height and floor loading requirements that are best satisfied with a first floor location. Many of the engineering labs and the training areas for service technicians include heavy equipment which require a first floor location or would require additional structural support (and expense) to accommodate the heavy floor loads on upper floors. In addition, the movement of this equipment requires ready access to loading docks and a clear path of movement within the building.

An additional 65,000 GSF building to be used for training or manufacturing prototypes is sited on the northwestern end of the parcel. This is the only remaining developable area after the main building and its required parking are sited.

Multiple factors drive the placement of the headquarters building:

-  Visibility;
-  Depth of parcel;
-  Buildable area;
-  Avoidance of Wetland C;
-  Avoidance of existing high pressure natural gas transmission line;
-  Avoidance of existing sewer line.

Diebold requires visibility from I-77. This is an industry standard for corporate headquarters and is one of the key reasons why this site was selected. In response to this requirement, the building is pushed as close to I-77 as possible, affording maximum visibility. The headquarters building is located in the central portion of the site which is the widest and the most proximate to I-77. A single family subdivision lies to the southwest, and thus the headquarters is shifted northward to minimize direct adjacency between the larger headquarters building and the single family homes.

A Dominion natural gas pipeline crosses the Diebold Site and Wetland C. Diebold's insurer, Factory Mutual Global, requires Diebold to offset all buildings and structures from the pipeline easement by at least 300' on either side. The resulting 600'+ wide zone comprises nearly 14 acres where buildings cannot be placed, but surface parking would be allowed. This restriction pushes the building to the eastern and southern portion of the site. A sanitary sewer within a 30' wide easement crosses the site nearly parallel to Stream 5. Access must be provided to the sewer, creating another zone where buildings cannot be placed. The proposed building is sited between these unbuildable easements and setback zones.

A commitment preserving wetlands to the greatest extent possible for the entire Project Site was a major consideration of the Co-Applicants. Specifically, minimizing impacts to Wetland C (Category 2, 4.318 acres), the highest ORAM scored wetland on the Project Site, was a primary goal on the Diebold portion of the Project Site. This wetland is compact in shape, and located along the northern border, away from the I-77. Once the ORAM evaluation of Wetland C was completed, Diebold determined that it wished to avoid impacting Wetland C to the greatest extent possible. In order to achieve this, Diebold modified their original design by shifting their proposed building to the south. To do so, Diebold decided to purchase additional land within the overall Project Site. By acquiring this additional land, Diebold was able to significantly minimize impacts to Wetland C. Furthermore, the Co-Applicants have agreed to preserve the remaining portion of Wetland C and an adjacent upland buffer.

As noted above, the Co-Applicants worked cooperatively in adjusting parcel size to minimize the proposed impact to Wetland C. This parcel adjustment also allows for the relocation of Stream 1 on-site. Additionally, storm water pond locations and residual land development were also modified to further reduce overall site impacts to aquatic resources to the maximum extent practicable. This was accomplished by siting buildings around the resources, leaving adequate natural buffers and using 3-sided box culverts at stream crossings on interior roads. As such, impacts to Stream S-5, S-8, and S-9 were fully avoided upstream of the proposed Town Park Boulevard. Impacts to perennial Streams S-10, and S-11 were also eliminated. Wetland impacts to the three highest ORAM scored wetlands on the site (Wetlands A, B and C) have been reduced to about 10% of their total areas.

There are many smaller (0.005 - 0.6 acre) wetlands (E, F, N, O, P, Q) located in the center of the preferred site area along I-77. These parcels are irregularly shaped, with long fingers that limit the amount and configuration of the available development area. In addition, several ephemeral and intermittent streams cannot be avoided. However, under the MDA/POR, one major intermittent stream (S-1) that must be impacted will be relocated on-site. Although various alternatives were considered, it was impossible to practically place buildings with large floor plates and still maintain the primary Diebold requirements identified above as well as actual building functionality without impacting some of the wetlands' ecological system.

3.3.1 Non Degradation Alternative

The NDA (Appendix A, Figure 6) represents a plan that would cause no wetland or stream impacts. The NDA does not allow the development to proceed, due to the requirements for a consolidated work site, including office space, product development, testing and other internal requirements of Diebold. As a result, the Applicant's project becomes technically and physically infeasible. The resulting development area under the NDA is physically separated into disconnected components due to the spatial distribution of aquatic resources on the Project. Regardless of the size of the remaining developable lands, the Diebold component of the overall site development is mandatory, as documented previously. The NDA does not meet any of the required Diebold HQ objectives and goals and is therefore an unacceptable alternative. The only residual site use would be for unrelated office and or retail development, which would be speculative at best, as Diebold would not be present. This alternative is therefore rejected.

3.3.2 Preferred Development Alternative

The PDA (Appendix A, Figure 5) represents the Co-Applicant's preferred site development plan. Although this design produces a very viable option for the Project development and would be the most cost-effective site development for the Co-Applicants, it has been relinquished by the Co-Applicants in favor of the MDA/POR. Below is a brief synopsis of the analysis that was considered by the Co-Applicants as they completed their analysis of alternative site development plans.

In addition to the building design itself, and the mandated floor plate sizes, the parking requirements for Diebold employees, customers and visitors consume a great deal of the footprint for the Diebold site. The new headquarters facility will include two buildings containing 500,000 GSF and 65,000 GSF respectively. For a suburban location, with no public transit, the accepted parking ratio is 4.5 spaces/1000 GSF, yielding 2,250 and 292 spaces respectively for a total 2,543 spaces for the two buildings. In addition Diebold requested up to 180 additional spaces due to extensive additional parking for its training center plus vendors and contractors on site. As such, the total parking goal was at least 2,723 spaces. The preferred plan provides 2,727 spaces. The Diebold HQ design is centered around a commitment by Diebold to the State of Ohio to maintain a minimum of 1,500 employees on site, but the headquarters is designed to accommodate the current employee population which will inhabit this building which exceeds the 1,500 number as well as to accommodate expected company growth. In addition to Diebold headquarters employees, there are many others present at headquarters facilities every day. These include some of the more than 16,000 Diebold employees from other locations around the country and world, as well as contractors, vendors, customers, and those attending training.

The use of structured parking would be an ideal strategy to reduce the overall project footprint. Structured parking was considered as part of the alternatives analysis, but was eventually eliminated because it was financially non-viable. Diebold was originally interested in pursuing 50% structured parking on its Project Site for environmental, convenience and aesthetic reasons. Further analysis indicated that this was cost-prohibitive. Surface parking typically costs from \$3,000 per parking space, while structured parking is estimated to cost \$20,000/parking space. At \$20,000 per space, structured parking resulted in an estimated net increase of \$22,890,500 (1/2 of 2693 x \$20,000.00 – the \$3,000.00 per surface parking space cost). Figure 5a clearly shows that due to the central locations of the wetlands and streams within the Diebold building footprint, the use of structured parking would, in fact, have little impact on actual wetland and stream impacts, but would only allow for some increases in upland buffers. In order to have any significant impact on the overall Project footprint, and increase the upland buffers, at least 600 of the required 2,693 spaces on the Diebold site would need to be converted to structured parking. The cost to construct a parking garage that would accommodate even 600 vehicles would have resulted in an estimated net increase of \$10 million (using an average surface cost of \$3,000 per surface space). The net increase in cost included the parking facility costs as well as the reduced amount of cost to mitigate wetland and stream impacts.

The following sections describe the impacts that would result if the Project Site were developed according to the PDA, with calculations based on the site without the Town Park Boulevard road right-of-way.

3.3.2.1 Wetlands

In providing a reasonable development footprint at a reasonable Project cost, the PDA allows for the construction of the Diebold HQ with accompanying parking and storm water management facilities, as well as residential units and commercial buildings within the Union Square residual portion of the site. This alternative would impact a total of 6.744 acres of federally regulated wetlands and 0.221 acres of isolated wetlands. The largest wetland impacts are planned for wetlands D and Q. Wetland D is a lowland woods/scrub shrub wetland located near the center of the Project. It is an irregularly shaped Category 2 wetland that has a surface area of 1.338 acres. Surface water from Wetland D exits the site through Stream 5. Wetland Q is located east of Wetland D and it is a Category 2 lowland woods/scrub

shrub/emergent wetland complex. Wetland Q is very irregular in shape and has a surface of 2.006 acres. Surface water from Wetland Q exits the site through stream 1. Additionally, a portion of Wetland C will be impacted. Wetland C is located along the northern edge of the Project and it is the highest rated wetland on the site. Wetland C is an irregular shape, lowland woods/shrub wetland/emergent wetland complex that has a surface area of 4.318 acres, of which 0.826 acres would be impacted in the PDA (equal to 19% of the total).

It should be noted that largest portion of Wetland C that will be impacted is a recently formed wetland that has developed on the hillside that is downslope of a temporary sediment retention basin that was constructed as part of the new Akron General facility just east of the Project. The temporary sediment retention basin has been removed after the wetlands delineation was completed in July 2011.

3.3.2.2 Streams

The PDA would impact a total of 3,845 LF feet of streams, and would not allow for any on-site relocation of streams. Some of the stream impacts are related to the construction of storm water basins within stream valleys, as that is the most logical and cost-effective location for storing storm water, and cost effective culverts for road crossings.

3.3.2.3 Surface Water Flow Patterns

The Project Site's natural drainage areas would be maintained by site development under the PDA design. Runoff volumes associated with this plan would be higher than the existing condition because of the larger amounts of impervious surface (additional structures and parking areas). However, this plan calls for adherence to strict stormwater management practices on the development site and internal roads, both under the Phase I and Phase II stormwater controls.

3.3.2.4 Plant and Animal Life

Site development based on the PDA would result in greater impacts to plants and animals associated with old fields, scrub/shrub areas and successional woods (both wetland and upland) communities, when compared to the MDA/POR, because a higher acreage of those habitats would be permanently impacted. However, none of the species that would be potentially impacted are nationally or even regionally in danger of population stress. Although individual members of local populations of commonly found species will be lost, no measurable impact to local populations is anticipated. The number of individuals of wetland species presently found on the site will be reduced in number, due to a net on-site loss of post-construction wetland acreage.

3.3.2.5 Threatened and Endangered Species

The Co-Applicants have already initiated coordination with the USACE, USFWS, ODNR and the other regulating agencies to evaluate the potential for any impacts to such species. Once that coordination is complete, the Co-Applicants will document the findings. An Indiana Bat mist net survey was completed in 2011. The mist nest survey revealed no Indiana bats on the Project Site. The USFWS has reviewed and accepted the report associated with the mist net survey. Furthermore, ODNR has determined that there are no known threatened or endangered species inhabiting the Project site or nearby areas.

3.3.3 Minimal Degradation Alternative

The Co-Applicants prepared multiple alternatives to the PDA in an attempt to avoid and minimize impacts to aquatic resources and still achieve most, if not all, site development goals. Several additional options were evaluated to see if those alternatives would be feasible and if feasible, if they would result in any reductions in impacts to either wetlands or streams.

The alternative design analysis included, but was not limited to, finding an alternative site plan that eliminated or reduced impacts to the following aquatic resources:

- 🌿 Wetlands A, B and C and their adjacent upland buffers
- 🌿 Streams S-1, S-5, S-8 and S-10

These aquatic resources were identified for concerted avoidance efforts during the alternatives design analysis due to their size and quality. Wetlands A, B, and C are some of the largest and ecologically valuable wetlands on the Project Site. These Category 2 wetlands scored 56, 56, and 58 respectively on the ORAM forms. Additionally, intermittent Streams S-1, S-8 and S-5 are the longest intermittent streams on the Project Site and provide valuable habitat for aquatic macro-invertebrates and other fauna. Stream S-10 is the longest of two perennial streams on the Project Site, and supports a viable aquatic community.

The following components were considered and ultimately chosen to be a part of the MDA/POR as the Co-Applicants completed the alternatives analysis process.

- 🌿 The reduction in parking spaces, to eliminate impacts to the eastern edge of Wetland C
- 🌿 The modification of stormwater retention design to reduce the impacts to the upland buffer adjacent to Wetland C
- 🌿 Acquisition by Diebold additional land from Union Square (original Diebold site to help reduce impacts to Wetland C.
- 🌿 The acquisition of additional land by Diebold also allowed for the relocation of S-1 on site utilizing natural channel design concepts
- 🌿 The reconfiguration of a storm water basin to reduce impacts to Stream S-5.
- 🌿 Use of 3-sided box culverts on internal roads in order to reduce stream impacts.

A specific effort was made to reduce impacts to Wetland C, the highest rated wetland, as well Wetlands A and B, the next highest rated wetlands on the Project site. The increase in the Diebold Site size allowed for the Diebold headquarter and attendant facilities to be re-arranged and consequently nearly all impacts to Wetland C and its adjacent upland buffer were eliminated. Specifically, 37 parking spaces were removed from the edges of Wetland C, thus avoiding more of Wetland C and the riparian buffer. Diebold will manage this 37 parking space reduction by encouraging car pools (with preferred parking) and operating private shuttle buses to transport training center attendees to and from their hotels. Additionally, the increase in the site size for Diebold allowed for the re-location of Stream S-1 on site using natural channel design concepts, thus allowing for on-site stream mitigation.

The MDA/POR eliminates impacts to Wetland A and provides significant avoidance of its upland buffers. Relative to the PDA, the MDA/POR reduces impacts to Wetland B, and more importantly, as impacts are relatively minor, significantly increased the upland buffer adjacent to these wetlands and the headwaters of Stream S-5.

Overall stream impacts were also reduced from the PDA to the MDA/POR, from 3,845 LF to 2,212 LF (a 42% decrease). The re-location of storm water retention ponds, the use of more costly 3-sided culverts for interior road stream crossings, and a significant reduction of residential and commercial development allowed for this major reduction in impacts. Impacts to Stream S-5 upstream of the Town Park Boulevard were fully avoided. Impacts to Stream S-8 were totally avoided. Impacts to perennial Stream S-10 were avoided in MDA/POR.

Considerable effort was expended on attempts to avoid or reduce impacts to the lower reach of Stream S-5 east (downstream) of the proposed Town Park Boulevard. Of the total 2,810 LF of Stream S-5 (S-5 upper + S-5 lower) within the Project site, over 2,000 LF of Stream S-5 and all of its two major upstream tributaries (S-8: 469 LF and S-9: 480 LF) are avoided. This totals 2,989 LF of stream preservation upgradient of the proposed Town Park Boulevard. These streams are further protected by 3.43 acres of avoided adjacent riparian buffer.

The Co-Applicants have reviewed the Diebold Site design in detail to determine if further avoidance of Stream S-5 could be accomplished. The stream reach in this area is 770 LF long. The avoidance of Stream S-5 is complicated by the location of an existing sanitary sewer line as well as the need to provide a commercial loading dock on the southeast side of the Diebold headquarters. The loading dock requires direct truck access and strength of pavement to handle the regular truck loads in and out, as well as direct access to the engineering, labs and product testing environments with the new Headquarters. These design issues ultimately prevented the ability to further reduce impacts to Stream S-5 as it passes through the Diebold portion of the Project.

The existing City of Green sanitary sewer and corresponding easement that passes through the Diebold Site is located adjacent to and paralleling the north side of Stream S-5. The Diebold building cannot be constructed over the sanitary sewer easement and the building in the MDA/POR has been positioned as close to the sewer easement as possible. The possibility of rerouting the stream directly inline and over the sewer line was explored, but this was deemed an undesirable solution since access to sewer line for repair in future would significantly impact Stream S-5. The Co-Applicants also explored the relocation of the sanitary sewer to the south of Stream S-5. Although expensive, this re-location initially appeared to provide a narrow corridor where a limited open stream channel could be maintained. However, due to the topography of the site and the proposed building and parking lot grades, the resulting stream would be located in an entrenched channel, with very limited environmental functions, and difficult to stabilize without stone armor on the banks. This deep and narrow channel may well have to be fenced off for safety reasons and is not considered an appropriate design feature for a world headquarters.

The second major design issue related to the avoidance of Stream S-5 was the location of the loading dock area and its entry drive located on the southeast area of the Diebold headquarters building. The loading dock and access drive have to be directly adjacent to the building, where Stream S-5 is currently located. The loading area and its driveway were not initially shown in the preliminary conceptual drawings but as the building program and site design requirements were refined; this area was determined to be required. The loading dock is essential to accommodate the anticipated internal material flow for Diebold laboratories, pilot plant as well as general shipping and receiving. The loading dock requires direct truck access and strength of pavement to handle the regular truck loads in and out. It should be noted that the Diebold headquarters facility is not only an administration office building, but it also will house research, design, engineering and testing facilities, integrated into a highly structured workflow design. The building designs do not allow the re-location of this truck access location, and this location requires cultivating the great majority of the stream as it passes beneath these essential support areas.

Within the Union Square residual portion of the development, numerous streams and wetlands were avoided through the reduction in total developed area, specifically siting buildings in upland areas, as well as through the use of 3-sided box culverts at stream crossings in interior roads. These efforts allowed for large amounts of avoidance of Wetlands A and B, and Stream S-5. Although this loss of developable acreage results in a decrease on the return on investment for the Union Square development, this loss of acreage was determined to be acceptable due to the large decrease in impacts to these resources.

From the alternatives analysis process, the Co-Applicants developed the MDA/POR that is shown as Figure 4a in Appendix A. The MDA/POR achieves the objectives of § 404(b)(1) by avoiding and minimizing impacts to aquatic resources to the greatest extent that is reasonable and practicable. The MDA/POR plan has been adopted by the Co-Applicants as the Plan of Record or POR. The following sections describe the impacts that would result if the Project was developed according to the MDA/POR.

3.3.3.1 Wetlands

A total of 6.317 acres of federal wetlands will be impacted from the MDA/POR (Appendix F, Table 1). Avoidance of these wetlands is not possible, due to their central locations within the Project site and very irregular boundaries.

Wetland A. Wetland A (0.784 acres) is lowland woods, Category 2 wetland near the headwaters of Stream 5. This wetland will be fully avoided. During the original delineation, Wetland A was determined to be 0.795 acre in size. However, this value was reduced to 0.784 acre on the Project Site once the Project parcel lines were properly defined. The correct on-site size of Wetland A is 0.784 acre, which will be used hereafter in the text and appendices of this document.

Wetland B. Wetland B (2.548 acres) is a Category 2 lowland woods, scrub/shrub wetland located adjacent to Stream 5. This wetland is almost entirely avoided, with the exception of one crossing location and several long narrow swales extending beyond the main body of the wetland. Total impacts are limited to 0.328 acre.

Wetland C. Wetland C (4.318 acres) is a scrub/shrub, emergent, Category 2 wetland. This wetland recently expanded in the western end of the wetland due to the construction of a temporary storm water basin with no structural outflow. As a result, overflows during a record wet summer created a sloped wetland area west of the main portion of Wetland C. This approximately 0.4-acre newly created wetland is the major point of impact for Wetland C for the MDA/POR, other than some wetland extensions crossing a maintained pipeline right of way. In total, 0.480 acres of this 4.318-acre wetland will be impacted.

Wetland D. Wetland D (1.338 acres) is a lowland woods, scrub/shrub, Modified Category 2 wetland that is located in the very center of the site, and close to the proposed Town Park Boulevard. 1.338 acre will be impacted.

Wetland G. Wetland G (0.329 acres) is a lowland woods, Category 2 wetland that will be partially impacted (0.149 acres) by the proposed residential component of this Project.

Wetland H. Wetland H (0.069 acres) is a scrub/shrub, Category 2 wetland located in an area that is avoided and will be preserved.

Wetland I. Wetland I (0.150 acres) is a lowland woods, Modified Category 2 wetland that is avoided and will be preserved.

Wetland J. Wetland J (0.065 acres) is an emergent, Category 1 wetland located in the inflow swale of a constructed storm water basin. Due to its central location on the site, it will be impacted. Retention Basin 2 (0.083 acre) associated with Wetland J will also be impacted.

Wetland M. Wetland M (PDA: 1.747 acres; MDA: 2.076 acres) is a scrub/shrub, and emergent, Modified Category 2 wetland. It is the third largest wetland on the site, and is adjacent to streams S-10 and S-11, the only perennial streams found on the site. Impacts to this wetland are limited to 0.638 acre.

Wetland N. Wetland N (0.204 acres) is an emergent, scrub/shrub, and lowland woods, Modified Category 2 wetland that is a swale leading to Stream S-5. Due to its central location, this wetland will be fully impacted by the Project.

Wetland O. Wetland O (0.442 acres) is an emergent, scrub/shrub, and lowland woods, Category 2 wetland. Due to its central location, this wetland will be fully impacted by the Project.

Wetland Q. Wetland Q (2.006 acres) is an emergent, scrub/shrub, and lowland woods, Category 2 wetland. Due to its central location near I-77 and its mosaic component, which increases its overall boundaries, this wetland will be fully impacted by the Project.

Wetland R. Wetland R (0.550 acres) is a scrub/shrub, Category 2 wetland. This wetland is located at the northern edge of the Project Site and will be impacted by a storm water basin, stream re-location and temporary activities associated with site construction.

Wetland S. Wetland S (0.029 acres) is an emergent, Category 1 wetland that will be fully avoided.

Wetland T. Wetland T (0.101 acres) is a scrub/shrub, Modified Category 2 wetland. This wetland will be fully impacted due to its location adjacent to Stream S-5 near I-77.

Wetland U. Wetland U (0.016 acres) is an emergent, Modified Category 2 wetland. This wetland will be impacted due to its location at the site of a proposed storm water basin.

Wetland V. Wetland V (0.007 acres) is an emergent, Category 2 wetland adjacent to Stream S-8 that will be fully avoided by the Project.

Wetlands A, B and C, totaling 7.65 acres, are the highest rated wetlands on the Project Site. Over 89% of these wetlands are avoided and will be preserved after development of this Project Site. Additionally, a large portion of Wetland M, the third largest wetland on the site, is avoided. This is important as it provides a riparian buffer for Stream S-10 (one of two perennial streams on the Project Site).

Unavoidable federal and state wetland impacts of 6.538 acres will be mitigated by a combination of three methods: (1) On site preservation of aquatic resources and associated upland buffers; (2) preservation of off-site aquatic resources at the Sparrow Fen site in Lake Township of Stark County; (3) restoration of aquatic resources at the Little Stillwater wetland mitigation site located in Franklin Township of Harrison County. The Sparrow Fen and Little Stillwater sites are both located in the Tuscarawas River watershed (HUC 05040001), the same watershed as the proposed impacts. The Sparrow Fen site includes an alkaline fen wetland that has been the protection goal of several conservation organizations over the years. The Little Stillwater site is a mitigation site developed and operated by the Ohio Wetlands Foundation, a leader in providing compensatory mitigation for more than 20 years. A detailed mitigation and monitoring plan will be submitted as a separate standalone document.

3.3.3.2 Streams

The MDA/POR Project design necessitates impacts to a number of small streams on the site, due the presence of two major intermittent streams and several ephemeral tributaries passing through the Project Site. A total of 1,812 LF of intermittent and 470 LF of ephemeral streams will be impacted. A total of 4,327 LF of on-site streams will be preserved, and a total of 965 LF of intermittent streams will be re-located using natural channel concepts on-site.

Stream S-1. Stream S-1 is a 1,148 LF long, Modified Class I in the upper reach and Modified Class II in the lower reach, intermittent stream that flows out of Wetland C. Stream S-1 will be impacted, but will also be re-located on-site using natural channel design concepts.

Stream S-2. Stream S-2 is a 14 LF Class I long ephemeral stream that is a tributary of Stream S-1. It will be fully impacted.

Stream S-3. Stream S-3 is a 103 LF long Class II intermittent stream that is a tributary of Stream S-1. It will be fully avoided.

Stream S-4. Stream S-4 is a 132 LF long Modified Class I ephemeral stream that is a tributary of Stream S-1. It will be fully impacted.

Stream S-5. Stream S-5 is a 2,810 LF long (S-5 upper = 2,040 LF + S-5 lower = 770 LF), Class II in the upper reach and a Class III in the lower reach stream. A total of 770 LF of this stream will be impacted by the Project. The impacted portion of the stream will be culverted. As discussed in detail above, efforts to avoid impacts to the lower reach of Stream S-5 were not feasible.

Stream S-5a. Stream S-5a is a 44 FL long, Modified Class II tributary of Stream S-5, and will be impacted by the Project.

Stream 5-b. Stream S-5b is a 138 LF long, Modified Class I stream that will be impacted by the Project.

Stream 5-c. Stream S-5c is a 105 LF long, Class I stream that feeds into Wetland D. It appears that this stream will be impacted by the proposed Town Park Boulevard, but not the Union Square Project.

Stream S-6. Stream S-6 is a 69 LF long, Modified Class II ephemeral stream that is a direct tributary of Stream S-5, and will be impacted by the Project.

Stream S-7. Stream S-7 is a 70 LF long, Class I ephemeral stream that is a tributary of Stream S-5 and will not be impacted.

Stream S-8. Stream S-8 is a 469 LF long, Class III intermittent stream that is a tributary of Stream S-5 and will be fully avoided by the Project.

Stream S-9. Stream S-9 is a 480 LF long, ephemeral Modified Class I stream that is another tributary of Stream S-5 and will be fully avoided.

Stream S-10. Stream S-10 is a 890 LF long, perennial Class III stream that will be fully avoided by the Union Square Project.

Stream S-11. Stream S-11 is a 125 LF long, Class III tributary of Stream S-10, and will also be fully avoided by the Project.

Stream S-12. Stream S-12 is a 47 LF long Class I ephemeral stream that is a tributary of Stream S-10, and drains a functional storm water pond. This stream will be fully avoided by the Project.

As previously noted, the relocation of Stream S-1 utilizing natural channel design concepts will allow for partial mitigation of stream impacts on site. In addition, approximately 1,422 feet of riparian corridor in the Sparrow Fen Preservation site will be permanently protected. A separate standalone compensatory mitigation and monitoring plan will be developed for the impacts to aquatic resources anticipated for the MDA/POR of the Project.

3.3.3.3 Surface Water Flow Patterns

The Site's natural drainage areas would be maintained under the MDA/POR design. Runoff volumes associated with this plan would be lower than in the PDA because of the lesser amounts of impervious surface through the reduced number of parking spaces. The MDA/POR, as in the PDA, calls for adherence to strict stormwater management practices on the development site and internal roads.

3.3.3.4 Plant and Animal Life

Site development based on the MDA/POR would result in lesser impacts to plants and animals associated with wetland and upland forest communities, when compared to the PDA, because a higher acreage of those habitats would be preserved.

3.3.3.5 Threatened and Endangered Species

The Co-Applicants have already initiated coordination with the USACE, USFWS, ODNR and the other regulating agencies to evaluate the potential for any impacts to such species. Once that coordination is complete, the Co-Applicants will document the findings. An Indiana Bat mist net survey was completed in 2011. The mist net survey revealed no Indiana bats on the Project site. The USFWS has reviewed and accepted the report associated with the mist net survey. Furthermore, ODNR has determined that there are no known threatened or endangered species inhabiting the Project site or nearby areas.

3.4 Socio-Economic Analysis

As part of this submission process, the Co-Applicants have completed a socio-economic evaluation of both development costs and community economic benefits for the PDA and the MDA/POR (Appendix H, Table 1). The socio-economic analysis is presented below.

3.4.1 Preferred Development Alternative

In the Project PDA analysis, criteria were established to optimize the Project footprint by providing the most desirable overall site configuration against the backdrop of design guidelines and covenants, conditions, restrictions and easements ("Project Impositions") which provide for optimal smart growth within Union Square. The Co-Applicants worked hand-in-hand with each other and also sought input from

the City of Green Planning and Zoning Department, as well as the State of Ohio Department of Development and Jobs Ohio, to create a master campus environment.

The Project Impositions have ensured the proper and appropriate development of each site allowing both Diebold and Union Square to understand the respective investment in the Project and be able to predict the long-term development within the boundaries of the Project and the community at large. All vested parties worked to produce the most desirable overall Project Site configuration, which takes into consideration environmental impacts, view corridors, landscaping, signage, and the overall footprint within the community from a micro and a macro perspective.

The community benefits from the PDA are related to the total construction jobs required by this site development, the retention of a minimum of 1,500 Diebold jobs, the permanent jobs required to staff the office buildings, and indirect jobs resulting from this Project. Additionally, the City of Green and the Green Local School District will benefit from the increased revenue generated by property and incomes taxes resulting from the Project.

There is a potential for synergistic opportunities with Diebold for new local businesses. In addition to the direct construction jobs this expansion will create, additional indirect job benefits to the community will result from this Project, including expanded hotel, retail stores sales and restaurant use as a result of the increased business development in this area. There are a significant number of restaurants, personal service businesses, medical facilities, and community retail nearby on Massillon Road that will directly benefit from the thousands of new Diebold employees utilizing the area at the time of occupancy. Diebold attracts customers, vendors, consultants, contractors, and out of town employees to its headquarters on a regular basis which will directly support nearby hotels, restaurant and retail.

The Co-Applicants offer the economic impact outlook from two perspectives: The new Diebold HQ and the Union Square Residual Ground.

DIEBOLD WORLD HEADQUARTERS:

From an economic perspective, Diebold currently has an annual impact of \$400 million on the Akron-Canton region's economy

- 🌿 Well over 1,500 local jobs, supporting local families, schools and communities
- 🌿 More than \$20 million in annual purchases from its top eight suppliers in the Akron-Canton area
- 🌿 Nearly \$1 million in annual support for local charitable organizations
- 🌿 Hundreds of customers, suppliers and shareholders visiting its corporate offices from all over the world, coming through the Akron-Canton Airport and staying at local hotels

In addition, Diebold will invest more than \$100 million on this project, supporting 900-1000 local construction jobs, and material purchases.

UNION SQUARE RESIDUAL GROUND:

The residual ground is segregated into areas: A, B, C, D, and E (Figure 1, Appendix H). All of these areas have different development requirements derived from the applicable Green Zoning and the Project Imposition, including different floor to area ratios (FAR), and different acreages and configurations.

Area A is located in the Northwest portion of the Project Site and consists of approximately 8 acres and is known as the Office/Retail Area. This area will have three retail buildings. Building 1 will be 14,560 square feet, Building 2 will be 12,000 square feet, and Building 3 will be 20,000 square feet for a total of 46,560 square feet. The total construction impact of this area, including site work, will be approximately \$9,312,000 or \$200 per square foot and will allow for approximately 90 people, or 1 person per 500 square feet of building area. This would produce real estate tax revenue of approximately \$87,067 per

year, which is equivalent to \$1.87 per square foot. This area would also allow for ancillary benefits to the community through increased revenue generated by gains in property, sales and income tax receipts. The estimated annual payroll in Area A is projected to be approximately \$2,500,000 with an estimated income tax in the City of Green of 2% or \$50,400 per year. This Area would produce 93 temporary construction jobs to construct.

Area B is located in the Northwest portion of the Project Site and is approximately 5 acres in size. This development area consists of office and/or institutional buildings and could include potentially 2 buildings totaling 40,000 square feet. Construction of the buildings in Area B have an estimated construction costs of \$200 per square foot or \$8,000,000 and would allow for approximately 133 people, or 1 person per 300 square feet of building area. The real estate tax value of the buildings to be built in Area B is anticipated to be approximately \$8,000,000 or \$74,800 per year in revenue, which is equivalent to \$1.87 per square foot. The estimated payroll of \$6,000,000 (average salary of \$45,000 per person) would produce income tax revenue of \$120,000 a year. This Area would produce 80 temporary construction jobs to construct.

Area C is located just south of Town Park Boulevard in the middle of the overall site and is approximately 17 acres in size. It consists of one 2-story office building of 30,000 square feet per floor, for a total square footage of 60,000 square feet; two 2-story office buildings that are 20,000 square feet each; and one office building of 15,000 square feet and one office building of 10,000 square feet with a construction cost, including site work, of \$225 per square foot, equaling a total development build out cost of \$28,125,000. This would produce real estate tax revenue of approximately \$223,750 per year, which is equivalent to \$1.87 per square foot. Area C is forecasted to generate one employee per 300 square feet of gross building area, or 417 people. Utilizing an average annual salary of \$45,000 per person, the annual payroll is estimated to be \$18,750,000 for Area C. This payroll would generate \$375,000 per year in income tax revenue for the City of Green (based on 2% income tax rate). Property taxes on the \$28,125,000 value, with the average of \$1.87 per foot, are estimated to be \$223,750 per year. This area would produce 281 temporary construction jobs to construct.

Area D is located in the southern area of the project site and is approximately 13-acres in size. This development area is anticipated to provide residential development, developed at a density of 12 units per acre, or 150 units. These units will have approximately 1.5 people per unit, or 225 people with an average per capita income of \$45,000. This would produce a gross income of approximately \$10,125,000 or a total household income of \$67,000 per year. The City of Green would therefore collect a 2% income tax equivalent to \$202,500 per year, subject to geographic employment limitations. The total construction cost is estimated to be approximately \$15,000,000 or \$100,000 per finished unit including site work which should generate \$120,000 in real estate tax revenue. This area would produce 150 temporary construction jobs to construct.

Area E is located in the southern portion of the Project Site and is approximately 19-acres in size. This development area is the Hospitality/Office area which is proposed to include four buildings. For economic forecasting, this area is divided into two sections; one being the office component and the other being the hospitality/hotel component. The office component would consist of 126,000 square feet of gross building area at \$225 per square foot including site work, or \$28,350,000. The office component would employ one person per 300 foot of buildable area, or 420 people with an average per capital income of \$45,000 and a total annual payroll of \$18,900,000, resulting in the City of Green collecting approximately \$378,000 per year in income tax (based on 2% tax rate), subject to residential limitations on these employees. Based on a property tax rate of \$1.87 per square foot, Area E would generate estimated real estate tax revenue of approximately \$235,620 per year. These buildings are multi-story and of a high level of construction which helps ensure the maximum economic benefit and socio-economic impacts.

The second section of this Area is devoted to a hospitality component anticipated to include a 3-story, 150 room hotel, which would have approximately 65 employees with an average salary per person of \$40,000 with a total annual income of \$2,600,000. This would generate approximately \$52,000 in income

tax per year for the City of Green (subject to residential limitations on these employees). Additionally, this property would consist of approximately 100,000 square feet of building space that is anticipated to generate \$168,300 annually in property tax revenue. This area would produce 508 temporary construction jobs to construct.

Areas A-E Collectively

The community benefits from the PDA are related to the total construction jobs generated by the various areas and diverse uses within those areas against the backdrop of permanent and part time job requirements to staff these facilities. These residual areas target not only the local community, but also the larger regional community, providing housing for ancillary growth as well as retail services and office employment within close proximity to I-77 and the rapidly growing Akron-Canton Airport.

This development will have a ripple effect on the larger region allowing Ohio to be grown in a more competitive environment. The Project has potential for synergistic opportunities with local businesses and surrounding community assets. Akron General built a \$38 million Health and Wellness Facility and Emergency Room with associated helicopter pad and ancillary services adjacent to the Project.

The PDA would have achieved all of the Project projections for internal work flow, with the lowest Project costs and maximum flexibility. The PDA Project socio-economic benefits were determined to be somewhat greater when compared to the MDA/POR (Tables 1-3, Appendix H).

3.4.2 Minimal Degredation Alternative

Ohio EPA defines the MDA as an alternative project design that would result in less damage to surface water quality and still meet the overall Project goals. This design must be economically practicable. The MDA was developed in an attempt to minimize impacts to wetlands and streams on the Project site. As a result, the development footprint is reduced, especially on the residual (non-Diebold) lands being developed on the Project Site. A great deal of socio-economic information was provided for the PDA. The great majority of this information is either identical or very similar to the MDA/POR. As a result, only the changes between the two alternatives are discussed in detail below. The summary socio-economic tables in Appendix H provide a detailed comparison of all three alternatives.

The community benefits of the MDA/PDA are calculated to be somewhat lower as the benefits noted for the PDA, both in the form of construction jobs, new business and support positions, and in the secondary jobs created by the development itself (Appendix H, Table 3). Again, the estimated annual state and local tax revenue for the MDA/POR is somewhat lower, but still significant for the community. However, the MDA/POR would provide the local community an increased environmental benefit, as the MDA/POR Project would result in less wetland and stream impacts, provides space for on-site stream re-location and provides for more extensive riparian and wetland buffers.

Further wetland and stream impacts were reduced in the residual development land (Union Square) by reducing the amount of office and retail development, the use of 3-sided culverts and a reduction in the total residential units. Although the MDA/POR reduces the overall site use efficiency for the Project construction for the Co-Applicants, the Co-Applicants see the MDA/POR as a practical and economically viable alternative that best balances the unavoidable environmental impacts with the need for the expansion Project.

4.0 Unavoidable Impacts to Wetlands and Streams

The PDA and MDA/POR wetland and stream impacts are different, with the MDA/POR showing a reduction in impacts to both wetlands and streams (see Appendix F, Table 1). The stream impacts will be reduced from 3,845 LF to 2,212 LF. The wetland impacts will be reduced from 6.744 acres to 6.317 acres. The MDA/POR will avoid significant impacts to the three most highly ORAM scored wetlands on the Project Site, wetlands A, B and C. The MDA/POR will avoid impacts to the only two perennial streams on the site (streams S-10 and S-11). The MDA/POR will also allow for the relocation of Stream S-1 on site, thereby allowing for some of the impacts to streams to be addressed on the Project site. Lastly, the majority of intermittent Stream S-5 and its major tributaries will be avoided in the MDA/POR. Section 3.3.3 of this application describes the impacted wetlands and stream in detail.

5.0 Proposed Mitigation

The Co-Applicants revised the PDA in an effort to minimize final wetland and stream impacts from the Project. The resulting MDA plan is submitted as the POR. Since this alternative is the Applicant's POR, wetland and stream mitigation measures have been identified for the Project based on the MDA/POR site plan. As provided in Ohio Administrative Code (OAC), the Co-Applicants propose to use a combination of preservation, enhancement, and restoration of streams, wetlands and adjacent buffers to meet the compensatory mitigation needs of the Project.

Compensatory mitigation for wetlands and streams impacted in the MDA/POR will be accomplished by a combination of three methods:

1. On-site preservation of wetland and stream resources and associated upland buffers
2. Preservation of off-site wetland and stream resources and adjacent upland buffers at the Sparrow Fen site in Lake Township, Stark County
3. Restoration and enhancement of wetlands at the Little Stillwater wetland mitigation site located in Franklin Township, Harrison County

The Sparrow Fen and Little Stillwater sites are both located in the Tuscarawas River watershed (HUC 05040001), the same watershed as the proposed impacts. The Sparrow Fen site includes a perennial stream and a high quality fen; several conservation organizations have identified this site as a high-quality resource that should be protected. . Documentation of the Sparrow Fen site is provided in Appendix J-1. The Little Stillwater site is a wetland mitigation site developed and operated by the Ohio Wetlands Foundation, a leader in providing compensatory mitigation for more than 20 years. The mitigation and monitoring plan for the Little Stillwater site is included in Appendix J-2

5.1 On-Site Stream and Wetlands Mitigation

The Co-Applicants propose to utilize the protection of the streams and wetlands avoided on the site to meet a portion of the stream and wetland mitigation requirements. Additionally, the on-site stream mitigation will consist of 965 LF of Stream S-1 relocation. This relocated stream will continue to be fed by Wetland C and will serve as a natural outlet for the wetland. The length of avoided streams that will be protected is 4,327 LF and includes 1,015 LF of perennial streams. The amount of wetlands avoided on site includes 8.715 acres as well as an adjacent upland buffer. The conservation area to be protected is 22.66 acres and includes the avoided aquatic resources, the relocated stream, and adjacent buffers). The conservation area will be protected with either a conservation easement or an environmental covenant.

5.2 Off-Site Stream and Wetlands Mitigation via Protection at Sparrow Fen Site

Off-site stream and wetland mitigation will be accomplished partially at the Sparrow Fen site (Appendix J-1). The 11.7-acre Sparrow Fen site is located along the east bank of Metzger Ditch north of Heckman Road in Lake Township, Stark County. The site includes 2.191 acres of wetlands, 1,422 LF of Metzger Ditch riparian corridor, and 76 feet of an unnamed tributary to Metzger Ditch (total of 1,498 LF of stream). Both streams are perennial streams. The 2.191-acre wetland is Category 3 and includes a small fen. The 11.7-acre site is covered mostly by second growth forest. The property will be protected with a conservation easement or an environmental covenant. The protection of this site would be used to meet a portion of the mitigation needs of the MDA/POR. If approved for use as compensatory mitigation for stream and wetland impacts, the site will be donated to a mutually agreeable conservation organization for protection and management.

5.3 Off-Site Wetlands Mitigation at Little Stillwater Wetlands Mitigation Site

Off-site wetland mitigation will occur at the Little Stillwater Wetlands Mitigation Site located in Harrison County, Ohio. The proposed wetland mitigation site is within the same Tuscarawas River watershed (HUC 05040001) as the impacts are proposed. The primary objective of the proposed mitigation at the Little Stillwater site is to restore 6.6 acres of high quality forested and non-forested wetlands through re-establishment. Additionally 2.4 acres of existing, low quality wet meadow wetlands at the Little Stillwater site will be enhanced. Specifically, the Little Stillwater Site will be designed, constructed, and managed to attain the following basic goal:

Re-establish 6.6 acres of forested, scrub/shrub, and emergent wetlands. Additionally, 2.4 acres of existing low quality wet meadow wetlands will be enhanced by improving the site hydrology and plant community diversity and establishing scrub/shrub vegetation. The restoration and enhancement of a high-quality, diverse, wetlands ecosystem complex will take place through construction of a small berm, microtopography restoration, disruption of existing subsurface tiles, installation of ditch plugs, and supplemental plantings of native vegetation. This re-establishment of a high-quality wetlands ecosystem will result in a gain in aquatic resource area and functions not currently present. A diverse wetlands ecosystem will be restored in an area where it likely historically existed prior to the conversion of the site for agricultural uses.

The Little Stillwater Mitigation and Monitoring Plan is included in Appendix J-2 of this permit application. The plan includes design, objectives, goals as well as long term protection and management details.

5.4 Calculation of Mitigation Requirements

An overview of the stream and wetland mitigation value calculations is provided below.

Stream Impacts and Mitigation

- a. Stream impacts = 2,212 LF
- b. Stream re-construction on site = 965 LF
- c. Stream protection on site = 4,327 LF within the 22.66-acre on-site conservation area at 50-ft width = 4.8 acres
- d. Stream protection at Sparrow Fen site = 1,498 LF

The total stream impact is to 2,212 LF. The stream relocation provides 1:1 replacement for impacts to 965 LF. The remaining 1,247 LF stream impacts (2,212 LF less 965 LF) will be mitigated with a total of 5,825 feet of stream preservation (on and off-site). The preservation will provide a ratio of more than 4:1 (5,825 ÷ 1,247 = 4.67).

Wetland Impacts and Mitigation

The amount of compensatory wetlands mitigation required by Ohio EPA in the Ohio Administrative Code (OAC) 3745-1-54 was used as the basis for determining the mitigation required to offset the impacts to wetland on the Project. OAC 3745-1-54 was also used to determine the mitigation value of the wetlands preservation, enhancement, and restoration provided within this mitigation plan. The amount of wetlands mitigation required for the MDA/POR is 15.4 acres and is determined by applying the ratios in OAC 3745-1-54(F)(1). The mitigation ratios from the OAC are used in Appendix F, Table 1 to calculate the wetlands mitigation for the MDA/POR.

When incorporating preservation and enhancement in the wetlands mitigation plan, a base mitigation ratio of 1:1 is required for restoration and/or creation of wetlands. The 1:1 wetlands restoration component of the mitigation plan is provided at the Little Stillwater site. The Co-applicants will use a combination of on-site and off-site wetlands preservation and enhancement as well as upland buffers to help meet their compensatory mitigation requirement as described below.

- a. Wetland impacts = 6.317 acres of non-isolated wetlands and 0.221 acres of impacts to isolated wetlands = total wetland impacts of 6.538 acres.
- b. Wetlands preservation on site = 8.715 acres of non-isolated wetlands within a 22.66-acre conservation area
- c. Wetlands preservation off-site = 2.191 acres of Category 3 wetland at the Sparrow Fen site
- d. Wetland restoration off-site = minimum of 6.6 acres of re-establishment and 2.4 acres of enhancement at the Little Stillwater site
- e. Buffer protection on-site = 22.66 acres, which is comprised of 8.715 acres of wetlands and 13.95 acres of riparian and upland buffer

The total wetland impact is 6.538 acres. The restoration of a minimum of 6.6 acres of wetlands at the Little Stillwater site provides 1:1 replacement, the minimum amount required by OAC 3745-1-54 and § 33 CFR 332. OAC 3745-1-54-E(6)(c) allows for the required mitigation ratio found in table F(1) to be reduced by 0.5 units when non-wetland buffers are used on the development site. This would lower the mitigation ratios to 2:1 for forested impacts and 1.5:1 for non-forested impacts. In addition to 6.6 acres of restoration, 2.4 acres of enhancement will be provided at the Little Stillwater site and 10.577 acres of existing high quality wetlands will be preserved on-site and off-site, including a rare fen. Per the OAC, the amount of enhancement and preservation required is defined by the formula:

$$P/E = [(LMR-1) \times 2] \times N, \text{ where}$$

P/E = minimum number of acres of wetlands enhancement and/or preservation

LMR = left side mitigation ratio required

N = number of acres of impacted wetlands

The mitigation ratios range from 1.5 to 2.0; therefore, a weighted average ratio of 1.85 was used for the LMR. The impacts (or N) total 6.538 acres. Applying the above formula, the amount of enhancement and preservation required is:

$$P/E = [(1.85-1) \times 2] \times 6.538 = 11.115 \text{ acres}$$

The Co-Applicants are exceeding the amount of wetlands preservation and enhancement required by providing 13.306 acres of wetlands preservation and enhancement, comprised of 8.715 acres of on-site preservation, 2.191 acres of off-site preservation at the Sparrow Fen site, and 2.4 acres of off-site enhancement at the Little Stillwater site.

6.0 Storm Water

Stormwater management planning for the Project will incorporate Best Management Practices (BMP's) and other techniques necessary to maintain compliance with federal Water Pollution Control Act, Ohio Water Pollution Control Act, Summit County Erosion/Sediment Control Regulations and City of Green Land Development Code for stormwater discharges associated with construction activity. Stormwater management planning will address issues related to both water quantity and quality by incorporating appropriate techniques from the latest *Ohio Rainwater and Land Development Manual* and to maintain compliance with the applicable "*Ohio Environmental Protection Agency Authorization For Stormwater Discharges Associated With Construction Activity Under the National Pollutant Discharge Elimination System*" permit.

It is expected that the overall water quality leaving the site will not be degraded as a result of this project.

The City of Green follows the requirements outlined in the Summit County Stormwater Management Manual. These regulations require the developer to detain water in a storm basin and release the flow at a rate equal to the 2 year pre-developed rate of flow for each storm event up to and including a 25 year event. The 50 and 100 year events must be detained to their respective predeveloped flow rates. The proposed development is being designed to meet these requirements.

All on-site storm water will be passed through a Phase II storm water treatment system in compliance with the Ohio EPA Phase 2 Storm Water regulations. This will be accomplished through the combination of forebay detention basin; bio-swailes and or filter strips.

Stormwater Pollution Prevention Plans (SWPPPs) will be developed for individual projects as various facilities are developed. These plans will incorporate non-structural preservation methods, erosion prevention practices, sediment controls, runoff controls, post-construction stormwater management, surface water protection, non-sediment pollution controls, and on-going maintenance plans. Post-construction BMPs may include Infiltration Basins, Enhanced Water Quality Swales, Dry or Wet Extended Detention Basins, Constructed Wetlands, Sand and/or Other Media Filtration Systems, Bioretention Cells, Pocket Wetlands, Vegetated Filter Strips, and/or other appropriate BMPs. Development planning will strive to maintain or enhance natural systems, limit impacts, and coordinate SWPPPs for various projects.