



US Army Corps of Engineers
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LRH-2012-466-TUS

Posted 9/27/2012

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency to act on Section 401 Water Quality Certification for the following application.

APPLICANT:	Diebold, Incorporated	Union Square Investments, Ltd.
	5995 Mayfair Road	821 South Main Street
	North Canton, Ohio 44720	North Canton, Ohio 44720

LOCATION: The proposed project is located in unnamed tributaries to the Tuscarawas River and their adjacent wetlands northeast of the intersection of Massillon Road and Wise Road in Green, Summit County, Ohio. The project is located near latitude 40.9493 and longitude -81.4557

DESCRIPTION OF PROPOSED WORK: The co-applicants propose to discharge fill material into waters of the United States in association with the construction of the Union Square/Diebold mixed-use development project. The stated purpose of the project is to construct a mixed-use corporate campus to include the Diebold World Headquarters and additional office space with hotel, retail, and residential components. The construction of buildings, parking lots, access roads, and storm water management basins will require the discharge of fill material into waters of the United States including wetland fills, stream fills, stream culverting, stream relocations, and the filling of one impoundment. The co-applicants propose to discharge an estimated 15,833 cubic yards of clean fill material into a total of 2,212 linear feet of eight unnamed tributaries to the Tuscarawas River (Streams 1, 2, 4, 5, 5a, 5b, 6, and 12), 0.083 acre of one impoundment (Retention Basin 2), and 6.317 acres of twelve wetlands (Wetlands B, C, D, G, J, M, N, O, Q, R, T, and U). Specifics regarding the proposed impacts can be found in the work plans attached to this notice. It has been determined the following waters are not waters of the United States and are not subject to regulation under Section 404 of the Clean Water Act: Wetlands E, F, K, L, P, and W; Retention Basin 1 with non-jurisdictional swale; Retention Basin 3; and the 0.130 acre pond.

ATTACHMENTS

▶ [LRH-2012-446-TUS](#)

ALTERNATIVES ANALYSIS: A total of 6.317 acres of jurisdictional wetlands would be filled as a result of the proposal. The project does not require access or proximity to or siting within the wetlands to fulfill its basic purpose and is considered a non-water dependent activity. The Section 404(b)(1) Guidelines state that for non-water dependent activities, practicable alternatives that do not involve wetlands are presumed to be available, unless clearly demonstrated otherwise. The applicant is required to provide an alternatives analysis that must overcome the presumption prior to receiving authorization for the placement of fill material. The co-applicants have submitted the required alternatives analysis and it is currently under review. A complete copy of the alternative analysis can be reviewed, by appointment, at the following locations:

United States Army Corps of Engineers

Dover Regulatory Field Office

5336 State Route 800, NE

Dover, Ohio 44622

(330) 364-6177

United States Army Corps of Engineers

502 Eighth Street

Huntington, West Virginia 25701

(304) 529-5210

No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the co-applicants' purpose and need for the proposed project.

AVOIDANCE AND MINIMIZATION: In evaluating a project area containing waters of the United States, consideration must be given to avoiding impacts on these sites. A total of 6,539 linear feet of eight ephemeral; five intermittent; and two perennial streams; one 0.083 acre impoundment, and 15.032 acres of seventeen wetlands subject to Section 404 Clean Water Act regulation exist on the project site. According to the co-applicants, alternative plans were considered, including alternative locations for the proposed Diebold World Headquarters portion of the mixed use development project. The co-applicants' preferred project design would impact a total of 3,845 linear feet of seven ephemeral, four intermittent, and one perennial stream; one 0.083 acre impoundment, and 6.744 acres of fifteen wetlands. The proposed project has been re-designed to minimize aquatic impacts. The relocation of storm water retention ponds, the use of 3-sided culverts for interior road stream crossings, and a reduction of residential and commercial development allowed for the reduction in aquatic impacts. Overall stream impacts were reduced from 3,845 linear feet to 2,212 linear feet. The 2,212 linear feet of stream impact consists of the discharge of fill material into five ephemeral and three intermittent streams. Impacts to Stream 1 were reduced from 1,148 linear feet to 998 linear feet and the project design modified to allow for the relocation of Stream 1 versus the originally planned enclosure. Impacts to Stream 5 upstream of Town Park Boulevard were fully avoided reducing the impact length of Stream 5 from 1,480 linear feet to 770 linear feet. In addition, impacts to Streams 7, 8, 9, and 10 were fully avoided. By avoiding impacts to Stream 10, the project has been modified such that no perennial streams will be impacted. Overall wetland impacts were reduced from 6.744 acres of fifteen wetlands to 6.317 acres of twelve wetlands. Efforts were made to reduce the impacts to Wetland C, the highest quality wetland on the site. Impacts to Wetland C were

reduced from 0.826 acre to 0.480 acre. In addition, impacts to Wetlands A, H, and I were fully avoided. Impacts to Wetland M increased slightly to accommodate a round-about the City of Green has planned on Wise Road. The co-applicants have indicated that the proposed impacts are unavoidable for the mixed-use development project.

COMPENSATORY MITIGATION PLAN: The co-applicants have submitted a conceptual mitigation plan to compensate for impacts to 2,212 linear feet of five ephemeral and three intermittent streams, one 0.083 acre impoundment, and 6.317 acres of twelve wetlands. The co-applicants propose to compensate for unavoidable impacts to waters of the United States through a combination of three methods: (1) on-site preservation of wetland and stream resources with associated upland buffers, (2) preservation of off-site wetland and stream resources with associated buffer at the Sparrow Fen site in Lake Township, Stark County, and restoration and (3) enhancement of wetlands at the Little Stillwater wetland mitigation site located in Franklin Township, Harrison County. The co-applicants propose to establish a 22.66 acre conservation area on-site which would include the avoided aquatic resources, a relocated stream, and adjacent buffers. Approximately 4,327 linear feet of stream including 1,015 linear feet of two perennial streams would be preserved on-site. Additionally, the on-site stream mitigation would consist of 965 linear feet of relocated Stream 1. On-site wetland preservation encompasses 8.715 acres of wetland as well as an adjacent upland buffer. The conservation area would be protected with either a conservation easement or an environmental covenant. Off-site mitigation at the Sparrow Fen site would consist of the preservation of 2.191 acres of category 3 wetland (including a fen), 1,422 linear feet of Metzger Ditch riparian corridor, and 76 linear feet of an unnamed tributary to Metzger Ditch. The 11.7 acre Sparrow Fen site would be protected with either a conservation easement or an environmental covenant and would be donated to a conservation organization for protection and management. Off-site mitigation at the Little Stillwater wetland mitigation site would encompass the restoration of 6.6 acres of high quality forested and non-forested wetland through re-establishment. Additionally, 2.4 acres of existing low quality wet meadow wetlands would be enhanced. The wetland restoration and enhancement would take place through the construction of a small berm, microtopography restoration, disruption of existing subsurface tiles, installation of ditch plugs, and supplemental plantings of native vegetation. A permanent conservation easement would be placed on the approximate 11.5 acre site Little Stillwater wetland mitigation site and would be held by either the Harrison Soil and Water Conservation District or another entity that meets Ohio Revised Code Section 5301.69 requirements for conservation easement holders.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the Ohio Environmental Protection Agency.

HISTORIC & CULTURAL RESOURCES: The National Register of Historic Places (NRHP) has been consulted and it has been determined there are no properties currently listed on the Register which would be directly affected by the proposed work. The co-applicants have indicated they are in the process of preparing a Phase I Archaeological Survey for the project site. A copy of this public notice will be sent to the State Historic Preservation Office for their review. In addition, a copy of the survey report will be furnished to the State Historic Preservation Office for review when it becomes available. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre-historical, or historical sites or structures eligible or potentially eligible for inclusion on the NRHP which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the

National Historic Preservation Act of 1966. Comments concerning archeological or historic concerns about a particular area should be based upon collected data.

THREATENED & ENDANGERED SPECIES: The project is located within the known or historic range of the following threatened (T) or endangered (E) species: northern monkshood (T) and Indiana bat (E). The Corps has consulted the most recently available information and information provided by the co-applicants and has determined the project site lacks suitable habitat for the northern monkshood. Therefore, the Corps has determined the project would have no effect on the northern monkshood. The project site contains successional woods, mowed field, an agricultural field, emergent wetlands, scrub/shrub wetlands, and forested wetlands. Much of the northern and eastern portions of the site have been logged. The forested areas are mainly young to mid-successional dominated by smaller trees with a few larger trees interspersed. The understory ranges from moderate to dense. After consultation with the United States Fish and Wildlife Service (USFWS), the applicant obtained an Indiana Bat Mist Net Survey for the project site. The Indiana bat was not found to be utilizing the site. Based on the results of the Bat Mist Net Survey, the Corps has determined the project may affect, but is not likely to adversely affect the Indiana bat. Based on this information, the proposed project is not likely to adversely affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320–332, the Regulatory Program of the Corps, and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the United States Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The Corps is soliciting comments from the public, Federal, state, and local agencies and officials Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the

administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to:

United States Army Corps of Engineers

Attn: CELRH-RD-N Public Notice: LRH-2012-00446-TUS

502 8th Street

Huntington, West Virginia 25701-2070

Please note names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Ms. Jean Siedel of the North Branch at 330-364-6177.

The following document is not readable via Optical Character Recognition. For more information or if you require the document to be read aloud please call: 304-399-5353

Proposed; Union Square/Diebold Mixed Use Development
 Applicant: Union Square Investments and Diebold Incorporated
 Waterway: UT Tuscarawas River
 Location: Green, Summit County, Ohio
 Location Map
 Sheet 1 of 16

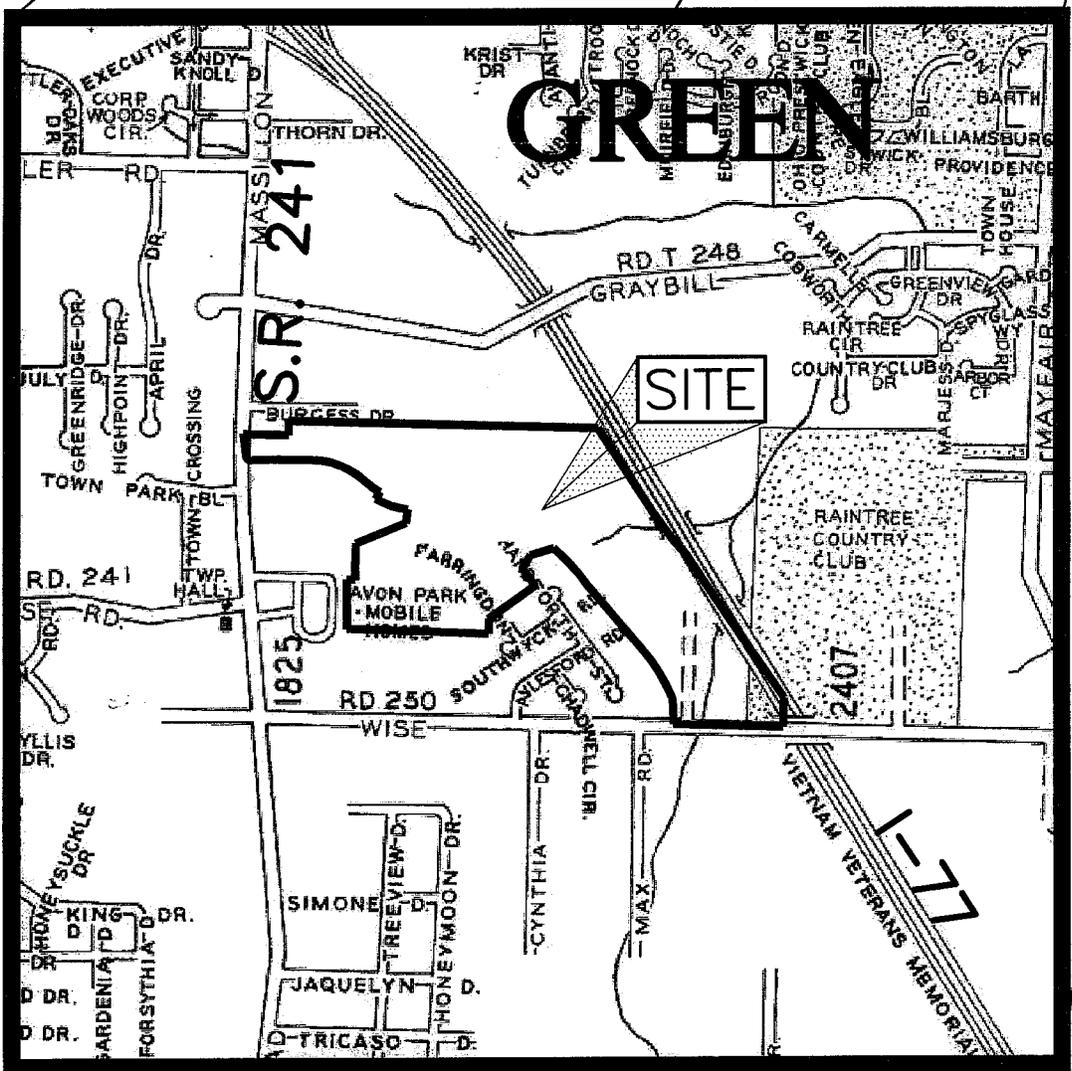


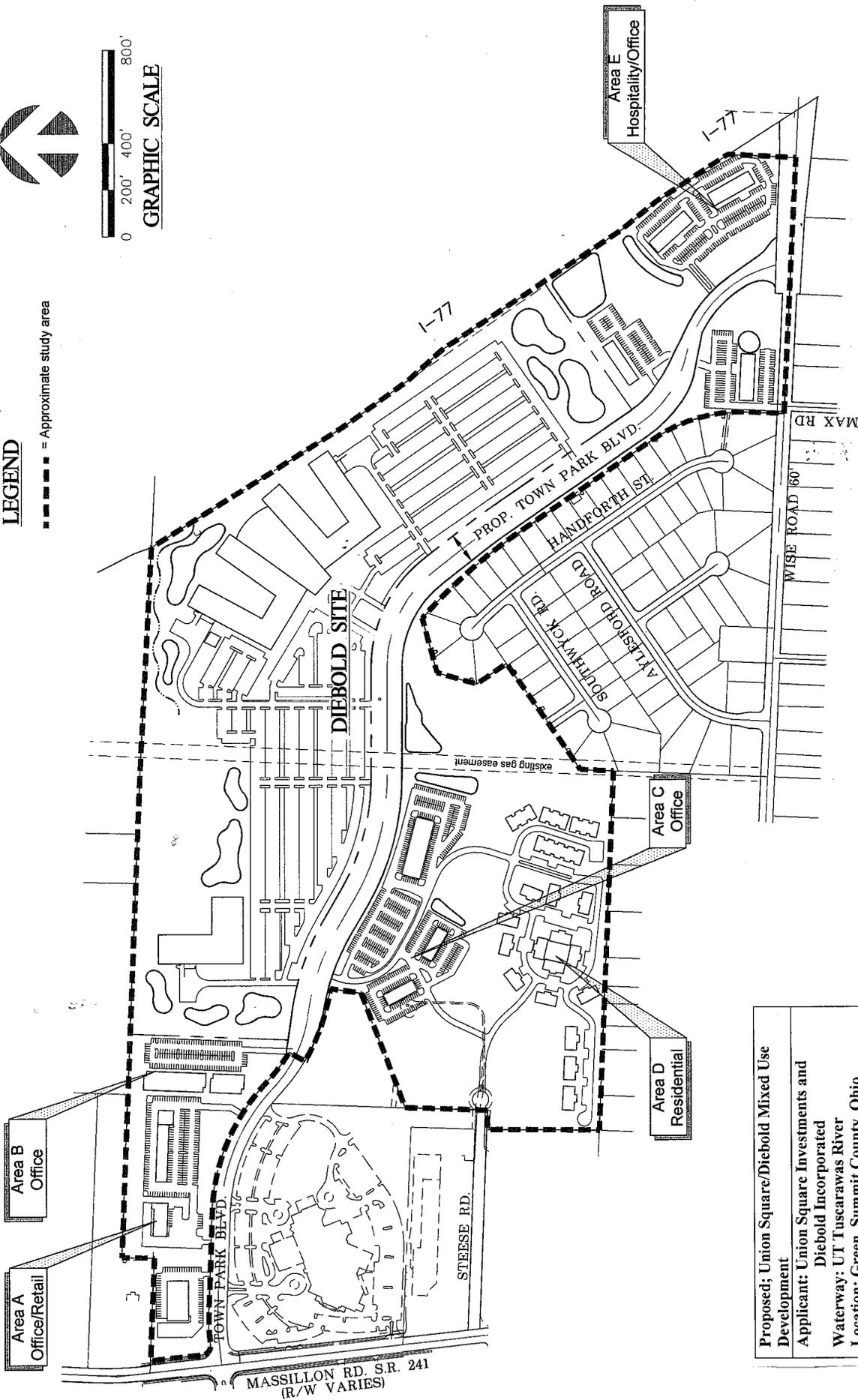
FIG. 1
 SITE LOCATION MAP



GRAPHIC SCALE

LEGEND

--- = Approximate study area



Proposed; Union Square/Diebold Mixed Use Development
Applicant: Union Square Investments and Diebold Incorporated
Waterway: UT Tuscarawas River
Location: Green, Summit County, Ohio
Area Exhibit
Sheet 2 of 16

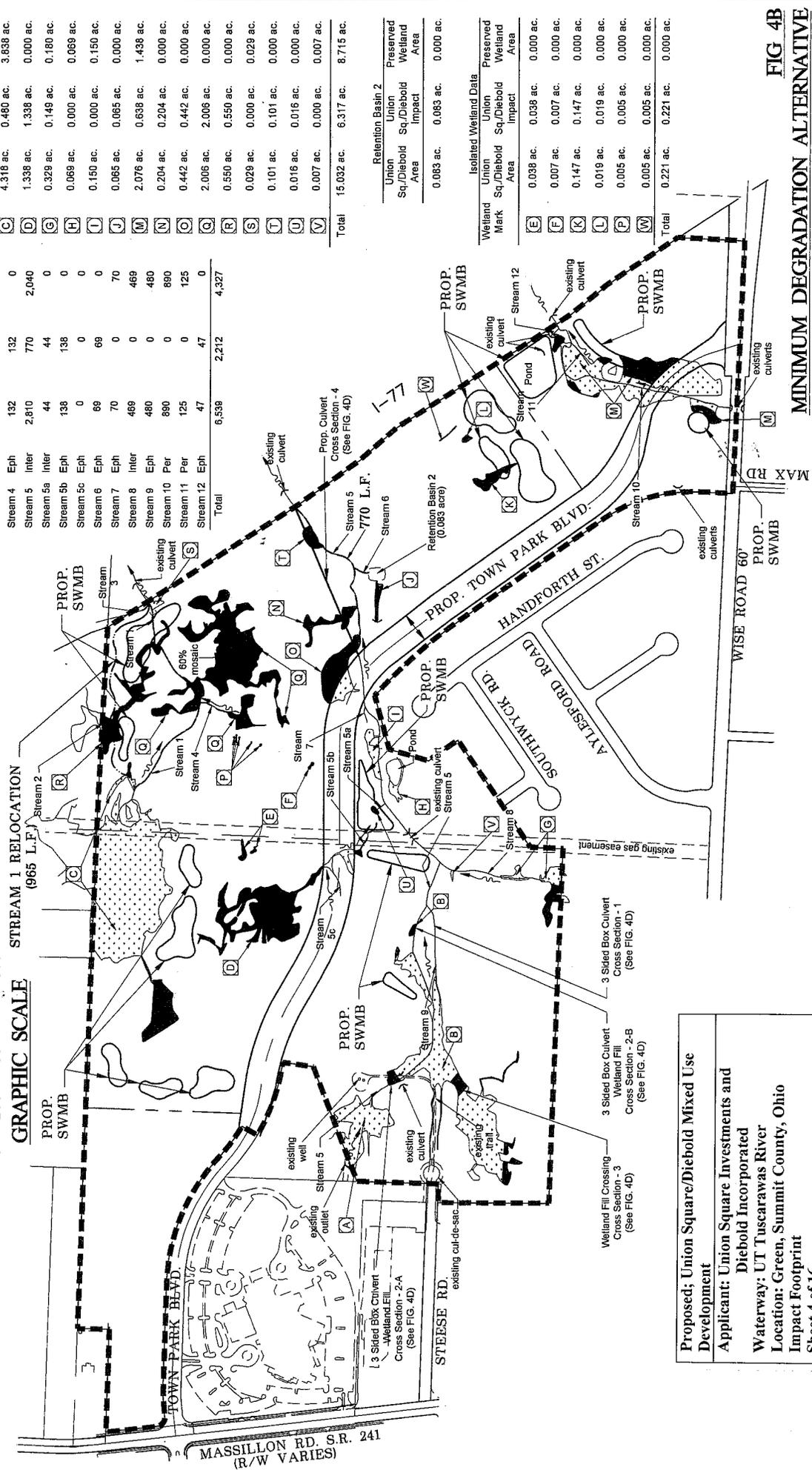
AREA EXHIBIT
MINIMAL DEGRADATION ALTERNATIVE

LEGEND

- - - - - = Approximate study area
- SWMB = Storm Water Management Basin
- O-HWM = Ordinary High Water Mark



NOTE:
IMPACTED WETLAND AREAS SHOWN WITH SOLID SHADING. STREAMS ARE SHOWN WITH BOLD LINE & LENGTH IMPACTED.



Stream Mark	Stream Data			Wetland Data		
	Union Sq./Diebold Stream (L.F.)	Union Sq./Diebold Impact (L.F.)	Preserved Stream (L.F.)	Wetland Mark	Union Sq./Diebold Area	Preserved Wetland Area
Stream 1 Inter	1,148	988	150	A	0.784 ac.	0.784 ac.
Stream 2 Eph	14	14	0	B	2,548 ac.	2,220 ac.
Stream 3 Inter	103	0	103	C	4,318 ac.	3,638 ac.
Stream 4 Eph	132	132	0	D	1,338 ac.	0,000 ac.
Stream 5 Inter	2,810	770	2,040	E	0.329 ac.	0.149 ac.
Stream 5a Inter	44	44	0	F	0.069 ac.	0.069 ac.
Stream 5b Eph	138	138	0	G	0.150 ac.	0.150 ac.
Stream 5c Eph	0	0	0	H	0.065 ac.	0.000 ac.
Stream 6 Eph	69	69	0	I	2,076 ac.	1,438 ac.
Stream 7 Eph	70	0	70	J	0.204 ac.	0.000 ac.
Stream 8 Inter	469	0	469	K	0.442 ac.	0.000 ac.
Stream 9 Eph	480	0	480	L	2,006 ac.	2,006 ac.
Stream 10 Per	880	0	880	M	0.550 ac.	0.000 ac.
Stream 11 Per	125	0	125	N	0.029 ac.	0.029 ac.
Stream 12 Eph	47	47	0	O	0.101 ac.	0.000 ac.
Total	6,538	2,212	4,327	P	0.016 ac.	0.000 ac.
				Q	0.007 ac.	0.000 ac.
				R	15,032 ac.	6,317 ac.
				S	0.083 ac.	0.000 ac.
				T	0.038 ac.	0.000 ac.
				U	0.007 ac.	0.000 ac.
				V	0.147 ac.	0.000 ac.
				W	0.019 ac.	0.000 ac.
				X	0.005 ac.	0.000 ac.
				Y	0.005 ac.	0.000 ac.
				Z	0.005 ac.	0.000 ac.
				AA	0.221 ac.	0.000 ac.

Retention Basin 2		
Union Sq./Diebold Area	Union Sq./Diebold Impact	Preserved Wetland Area
0.083 ac.	0.083 ac.	0.000 ac.

Isolated Wetland Data		
Wetland Mark	Union Sq./Diebold Area	Preserved Wetland Area
E	0.038 ac.	0.000 ac.
F	0.007 ac.	0.000 ac.
K	0.147 ac.	0.000 ac.
L	0.019 ac.	0.000 ac.
P	0.005 ac.	0.000 ac.
W	0.005 ac.	0.000 ac.
X	0.005 ac.	0.000 ac.
Y	0.005 ac.	0.000 ac.
Z	0.005 ac.	0.000 ac.
AA	0.221 ac.	0.000 ac.

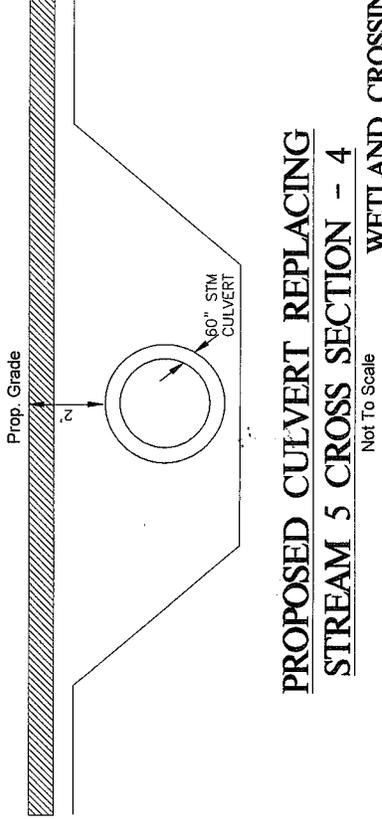
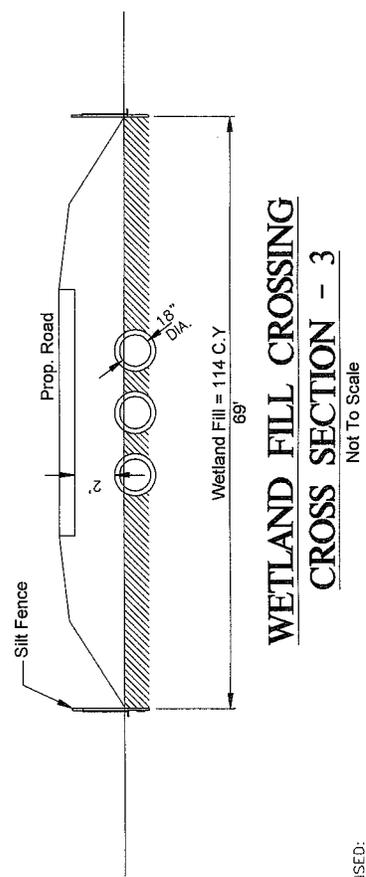
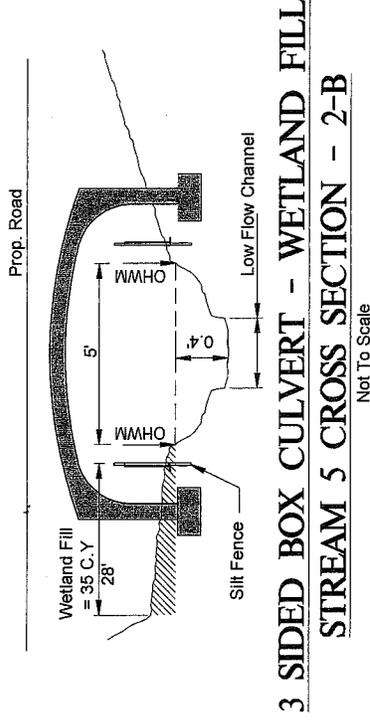
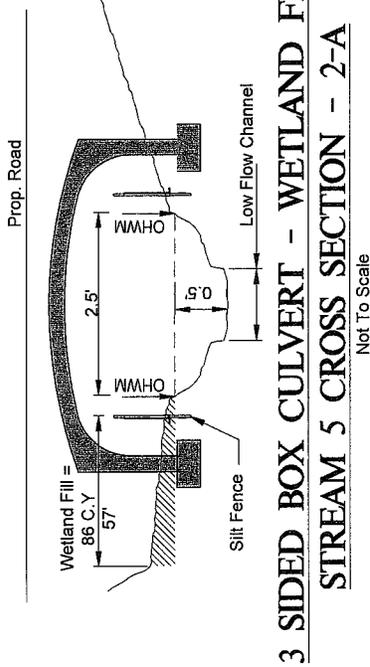
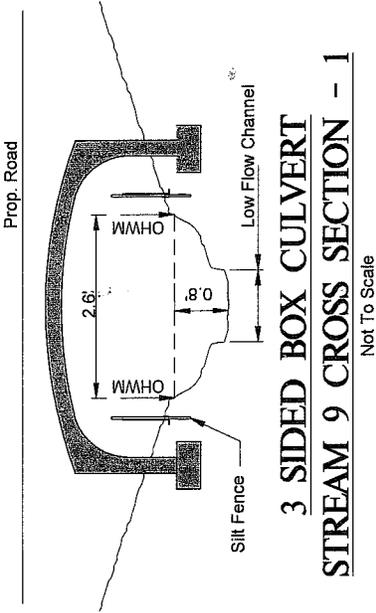
Proposed; Union Square/Diebold Mixed Use Development
Applicant: Union Square Investments and Diebold Incorporated
Waterway: UT Tuscarawas River
Location: Green, Summit County, Ohio
Impact Footprint
Sheet 4 of 16

REVISED:
8/22/2012

LEGEND

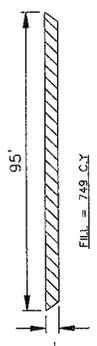
OHWM = Ordinary High Water Mark

Proposed; Union Square/Diebold Mixed Use Development
Applicant: Union Square Investments and Diebold Incorporated
Waterway: UT Tuscarawas River
Location: Green, Summit County, Ohio
Culvert Cross Sections
Sheet 6 of 16

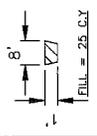


WETLAND FILL CROSSING CROSS SECTION - 3
Not To Scale

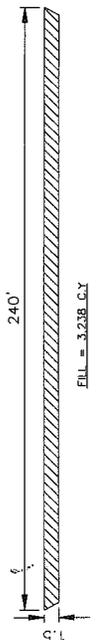
PROPOSED CULVERT REPLACING STREAM 5 CROSS SECTION - 4
Not To Scale



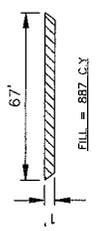
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WETLAND C
SECTION C-1
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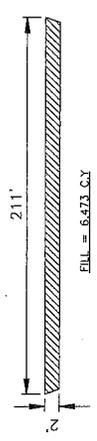
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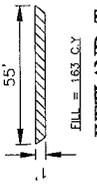
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WETLAND D
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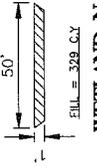
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WETLAND R
SECTION R-1
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FILL = 6,473 C.Y.
WETLAND Q
SECTION Q-1
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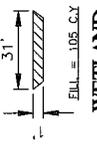
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WETLAND T
SECTION T-1
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WETLAND N
SECTION N-1
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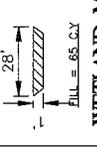
FILL = 713 C.Y.
WETLAND O
SECTION O-1
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FILL = 105 C.Y.
WETLAND J
SECTION J-1
 NO SCALE



FILL = 86 C.Y.
WETLAND M
SECTION M-1
 NO SCALE



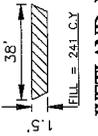
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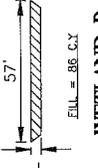
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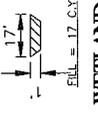
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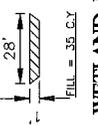
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SECTION M-5
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FILL = 86 C.Y.
WETLAND B
SECTION B-1
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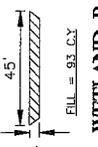
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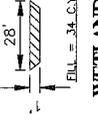
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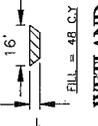
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SECTION B-4
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FILL = 93 C.Y.
WETLAND B
SECTION B-5
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FILL = 34 C.Y.
WETLAND B
SECTION B-6
 NO SCALE



FILL = 48 C.Y.
WETLAND B
SECTION B-7
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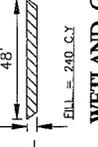
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SECTION B-8
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SECTION B-9
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FILL = 27 C.Y.
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SECTION B-10
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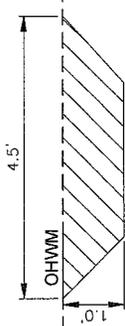


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WETLAND G
SECTION G-1
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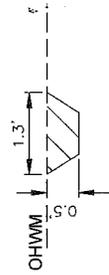
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 Wetland Fill Cross Sections
 Sheet 7 of 16

REVISED:
 8/22/2012

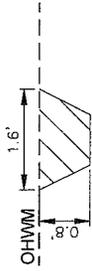
FIG 4F
WETLAND CROSSING DETAILS



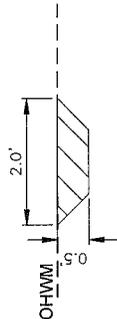
STREAM 1
FILL = 167 C.Y.



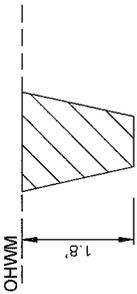
STREAM 2
FILL = 1 C.Y.



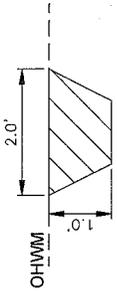
STREAM 4
FILL = 20 C.Y.



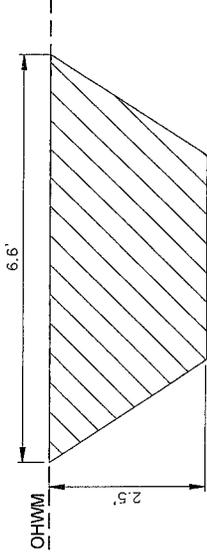
STREAM 5B
FILL = 4 C.Y.



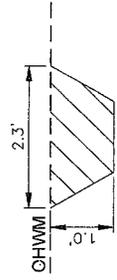
STREAM 6
FILL = 16 C.Y.



STREAM 12
FILL = 3 C.Y.



STREAM 5 LOWER
FILL = 453 C.Y.



STREAM 5A
FILL = 28 C.Y.

LEGEND

OHWM = Ordinary High Water Mark

Proposed; Union Square/Diebold Mixed Use Development
 Applicant: Union Square Investments and Diebold Incorporated
 Waterway: UT Tuscarawas River
 Location: Green, Summit County, Ohio
 Stream Fill Cross Sections
 Sheet 8 of 16

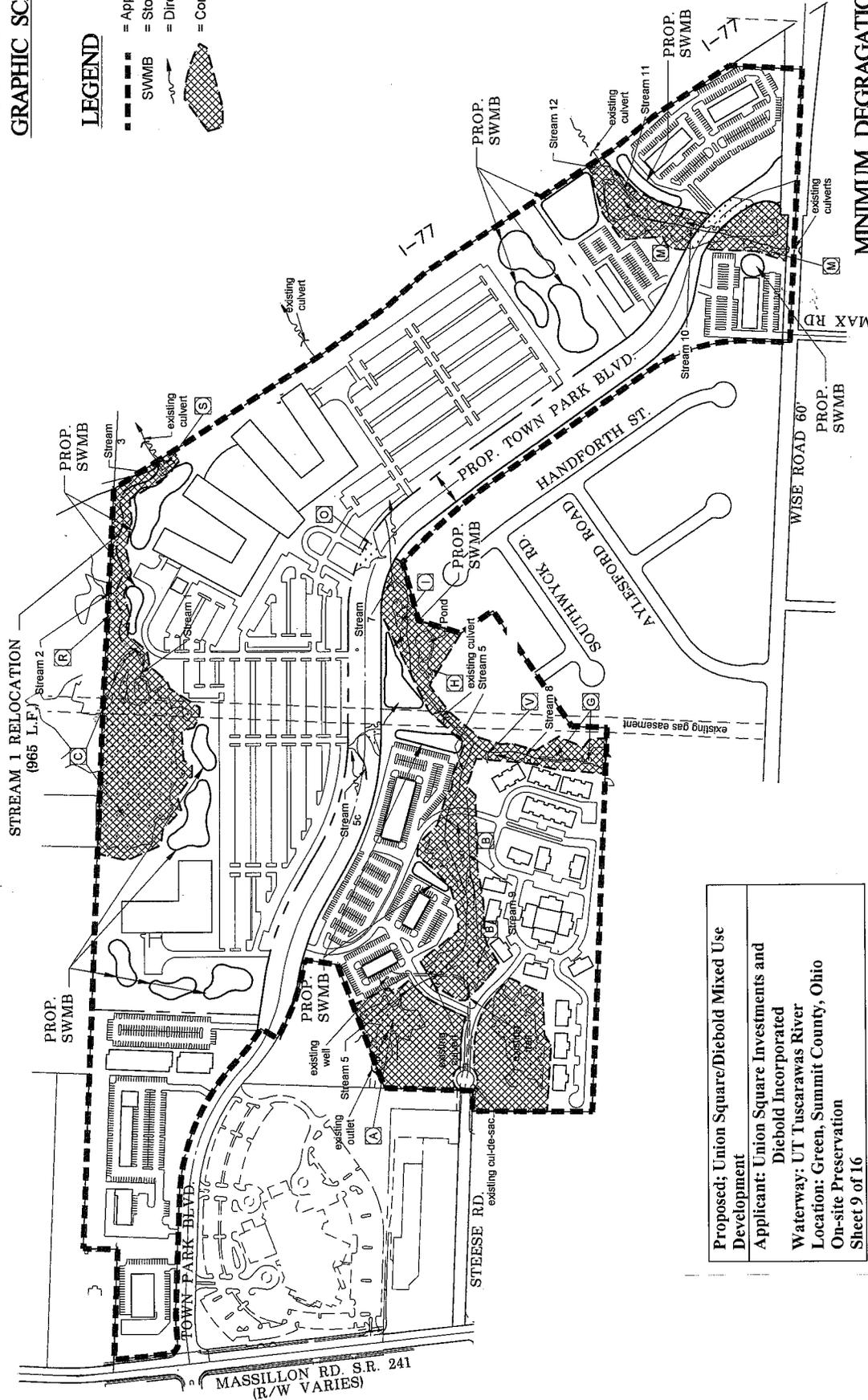
REVISED:
8/22/2012



GRAPHIC SCALE

LEGEND

- = Approximate study area
- = Storm Water Management Basin
- = Direction of flow
- = Conservation Area



CONSERVATION AREA:
22,660 AC.

FIG. 4C
MINIMUM DEGRADATION ALTERNATIVE
ON-SITE PRESERVATION AREA

Proposed; Union Square/Diebold Mixed Use
Development
 Applicant: Union Square Investments and
 Diebold Incorporated
 Waterway: UT Tuscarawas River
 Location: Green, Summit County, Ohio
 On-site Preservation
 Sheet 9 of 16

MASSILLON RD. S.R. 241
(R/W VARIES)

REVISED:
8/22/2012

Proposed; Union Square/Diebold Mixed Use Development

Applicant: Union Square Investments and Diebold Incorporated

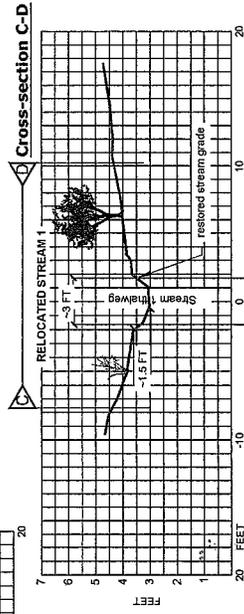
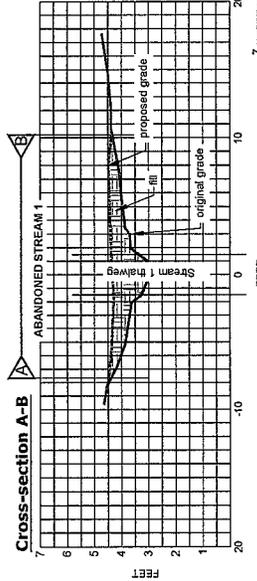
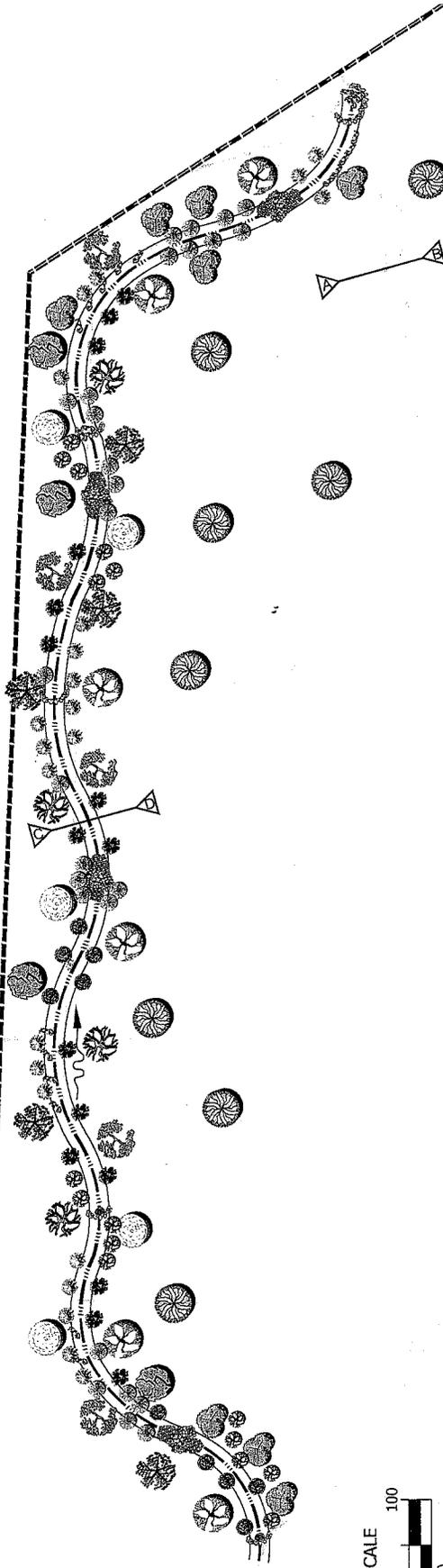
Waterway: UT Tuscarawas River

Location: Green, Summit County, Ohio

Stream 1 Relocation Drawing-1

Sheet 10 of 16

Realigned restored stream and riparian area



APPROXIMATELY 167 CUBIC YARDS OF FILL WILL BE PLACED IN 998 LINEAR FEET OF ABANDONED STREAM 1 CHANNEL.

	Study area		Trees/small trees		Shrubs
	Proposed realigned stream and direction of flow (949 LF)		<i>Amelanchier laevis</i> (Allegheny serviceberry)		<i>Cephalanthus occidentalis</i> (buttonbush)
	Riparian area, seeded with native basin mix		<i>Betula nigra</i> (river birch)		<i>Cornus amomum</i> (silky dogwood)
	Newbury rifle grade control structure		<i>Nyssa sylvatica</i> (black gum)		<i>Ilex verticillata</i> (winterberry)
	Rock riffle and plunge pool habitat		<i>Taxodium distichum</i> (bald cypress)		<i>Morella pensylvanica</i> (northern bayberry)
	Bendway and/or partial weirs		<i>Quercus macrocarpa</i> (bur oak)		811
	Rock riffle and in-stream stone habitat		<i>Quercus palustris</i> (pin oak)		Know what's below. Call before you dig.
			<i>Quercus rubra</i> (red oak)		

NOTE: Actual species, numbers, and locations will be dependent on availability and post-construction site conditions, including hydrology and projected light levels.

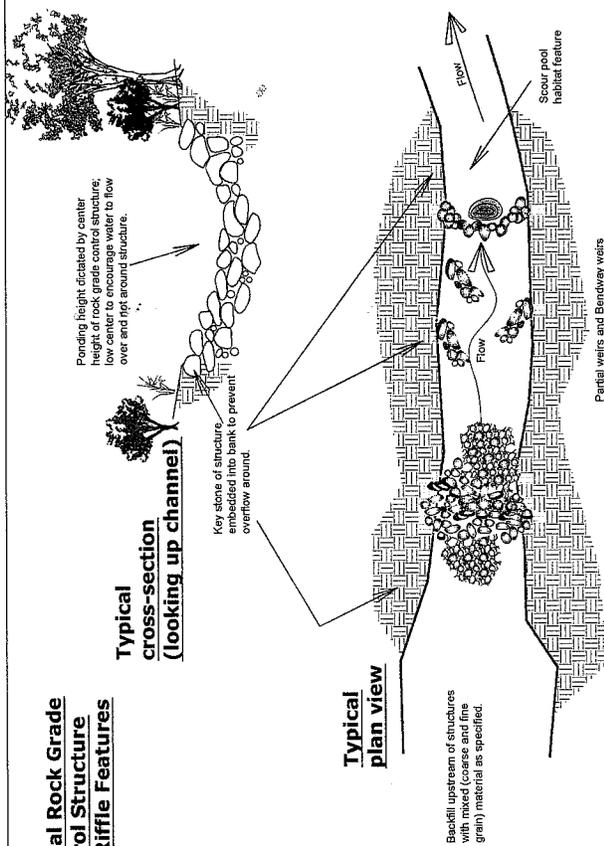


Prepared for
Union Square Investment, LTD/ Diebold, Incorporated

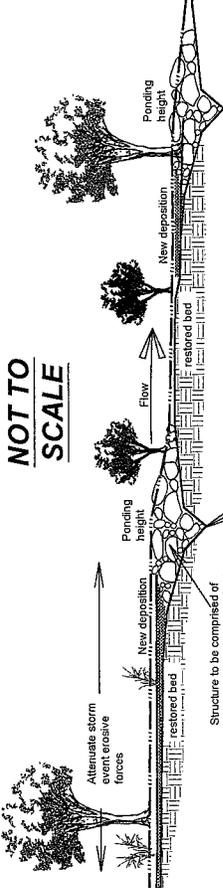
Union Square Development Site
148.6 Acres, Massillon and Wise Roads Green, Ohio

Concepnational Stream Drawings
June, 2012

Typical Rock Grade Control Structure and Riffle Features



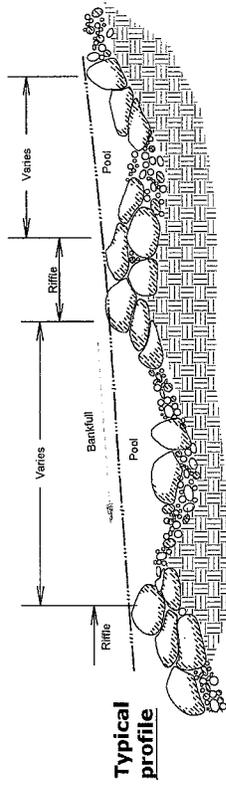
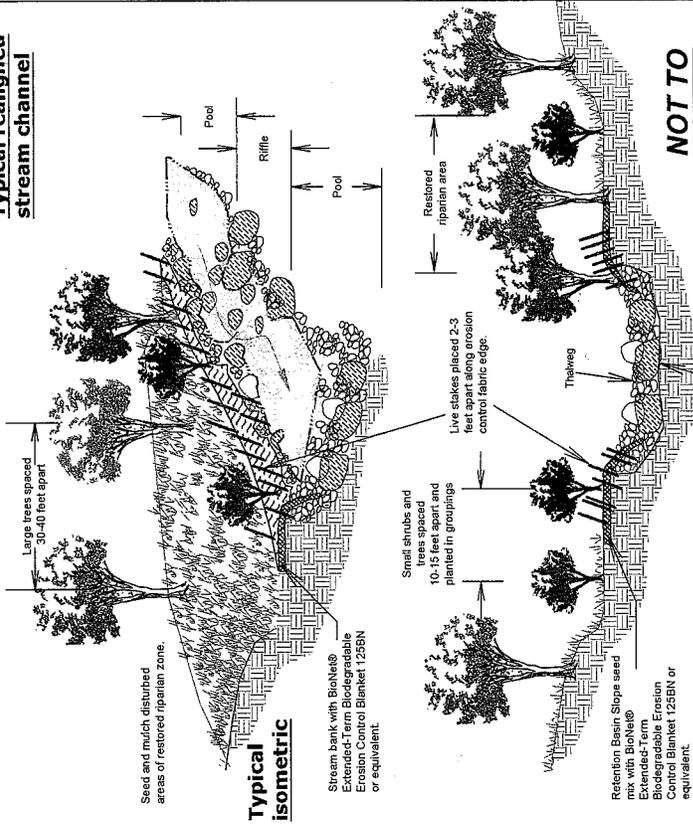
NOT TO SCALE



Ohio Prairie Nursery Retention Basin Seed Mix (Dependent on Availability)

Botanical Name	Common Name
<i>Adiantum alternifolium</i>	wingspore
<i>Andropogon gerardii</i>	big bluestem
<i>Asclepias incarnata</i>	swamp milkweed
<i>Chamaecrista fasciculata</i>	partridge pea
<i>Carex lasiocarpa</i>	lanceleaf sedge
<i>Echinospora purpurea</i>	purple coneflower
<i>Elymus hystrix</i>	ox eye sedge
<i>Helianthus scaberrimus</i>	wild sunflower
<i>Liatris spicata</i>	gaylussac
<i>Monarda fistulosa</i>	foxglove beardtongue
<i>Phlox pilularis</i>	cren. headed creniflower
<i>Rudbeckia hirta</i>	black-eyed susan
<i>Rudbeckia triloba</i>	brown-eyed susan
<i>Sorghastrum nutans</i>	indian grass

Typical realigned stream channel

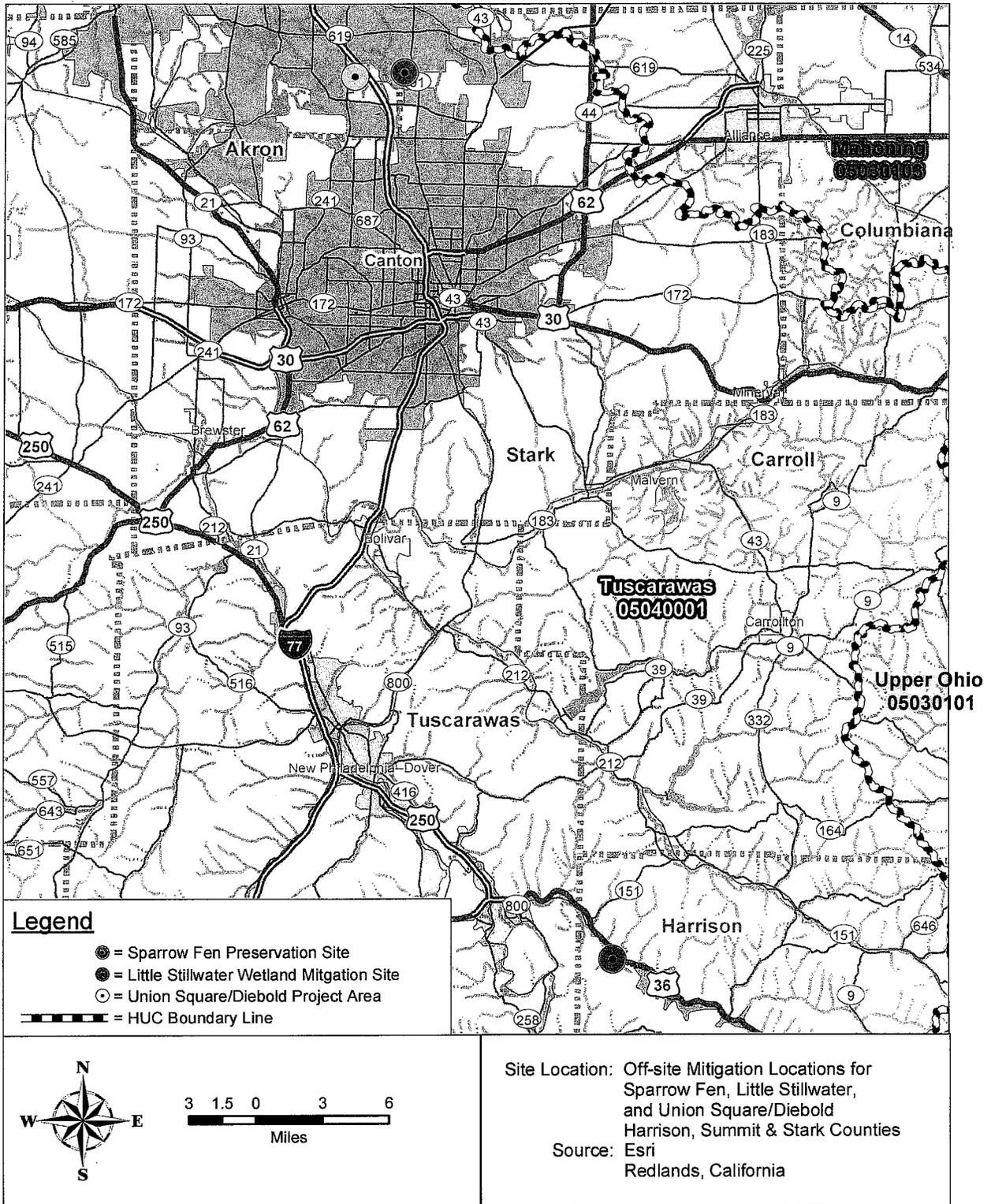


Proposed; Union Square/Diebold Mixed Use Development
Applicant: Union Square Investments and Diebold Incorporated
Waterway: UT Tuscarawas River
Location: Green, Summit County, Ohio
Sircam 1 Relocation Drawing-2
Sheet 11 of 16

Conventional Stream Drawings
 June, 2012

Appendix A Figure 8 Off-site Mitigation Locations

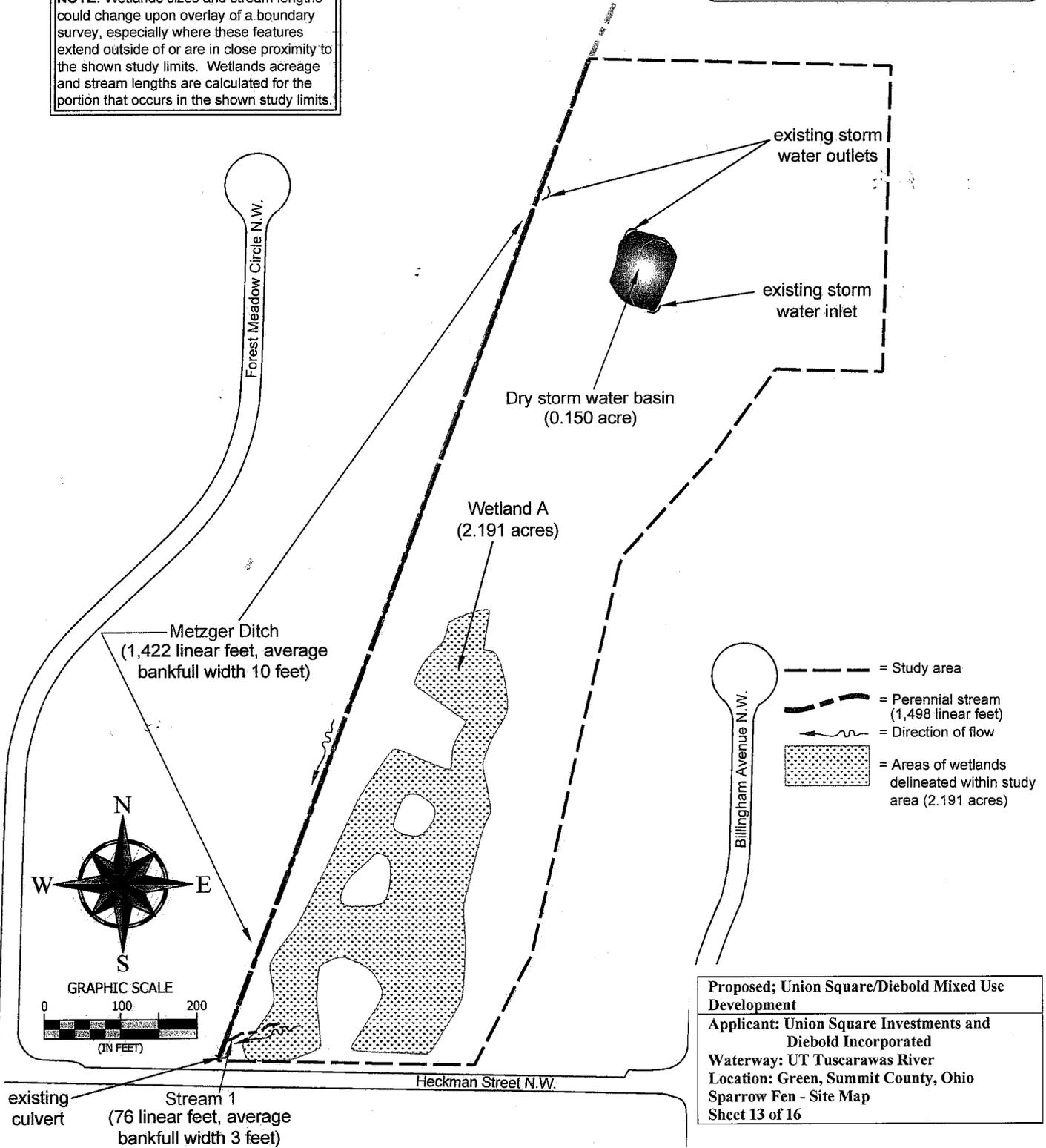
Proposed; Union Square/Diebold Mixed Use Development
 Applicant: Union Square Investments and Diebold Incorporated
 Waterway: UT Tuscarawas River
 Location: Green, Summit County, Ohio
 Mitigation Location Map
 Sheet 12 of 16



Sparrow Fen Site

Prepared by Union Square Investment, LTD/ Diebold, Incorporated	
Sparrow Fen Site 11.7 Acres, Heckman Street N.W. Lake Township, Stark County, Ohio	
Prepared by DAVEY CONSULTANTS <small>A Division of The United Technologies Corporation</small>	Data used to produce this map were collected on June 21, 2012.

NOTE: Wetlands sizes and stream lengths could change upon overlay of a boundary survey, especially where these features extend outside of or are in close proximity to the shown study limits. Wetlands acreage and stream lengths are calculated for the portion that occurs in the shown study limits.





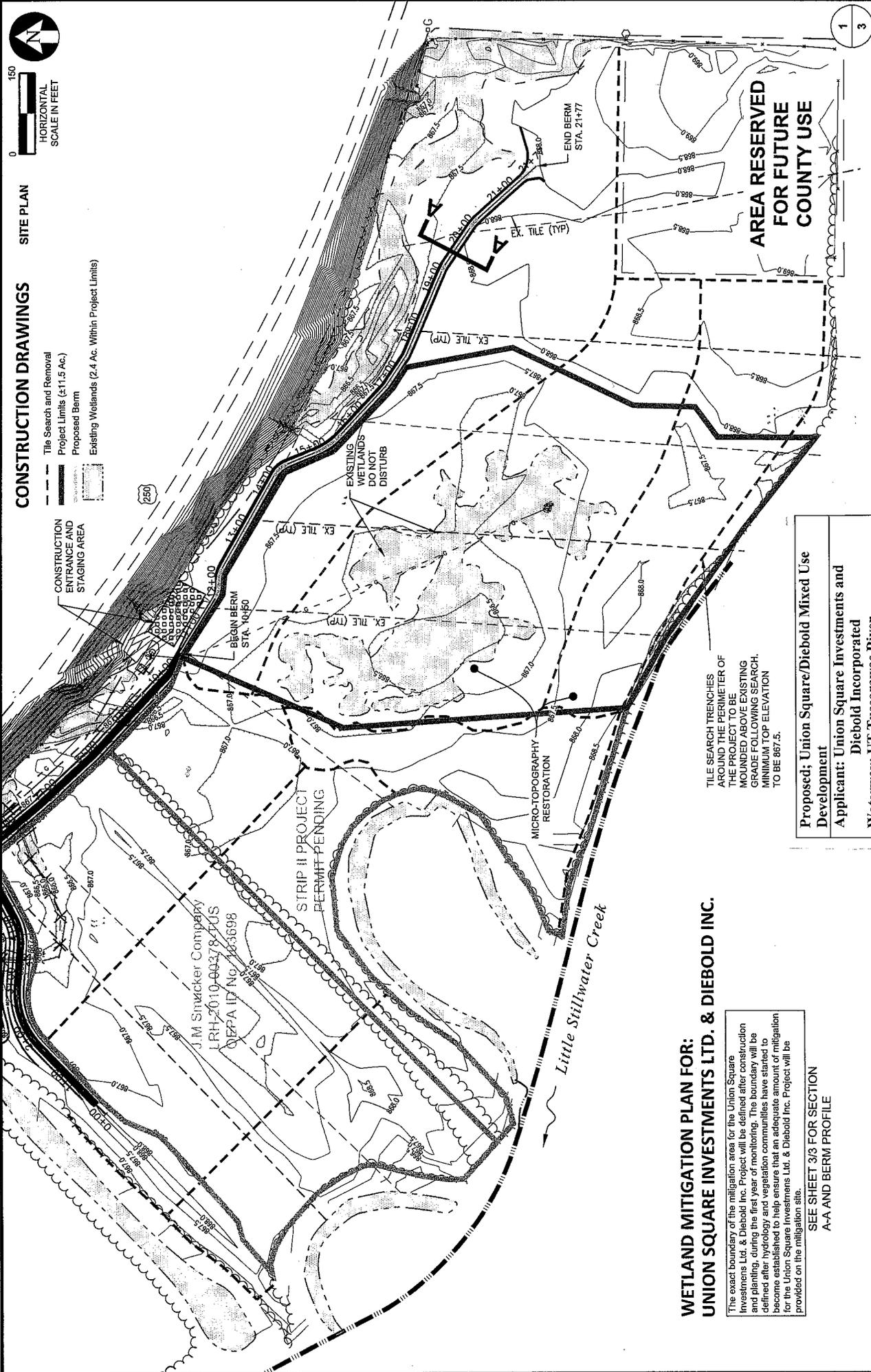
150
HORIZONTAL
SCALE IN FEET

SITE PLAN

CONSTRUCTION DRAWINGS

Tile Search and Removal
Project Limits (±11.5 Ac.)
Proposed Berm
Existing Wetlands (2.4 Ac. Within Project Limits)

CONSTRUCTION
ENTRANCE AND
STAGING AREA



J.M. Sturcker Company
LR# 2010-00378-FDIS
OFFICE No. 103638

STRIP II PROJECT
PERMIT PENDING

Little Stillwater Creek

**WETLAND MITIGATION PLAN FOR:
UNION SQUARE INVESTMENTS LTD. & DIEBOLD INC.**

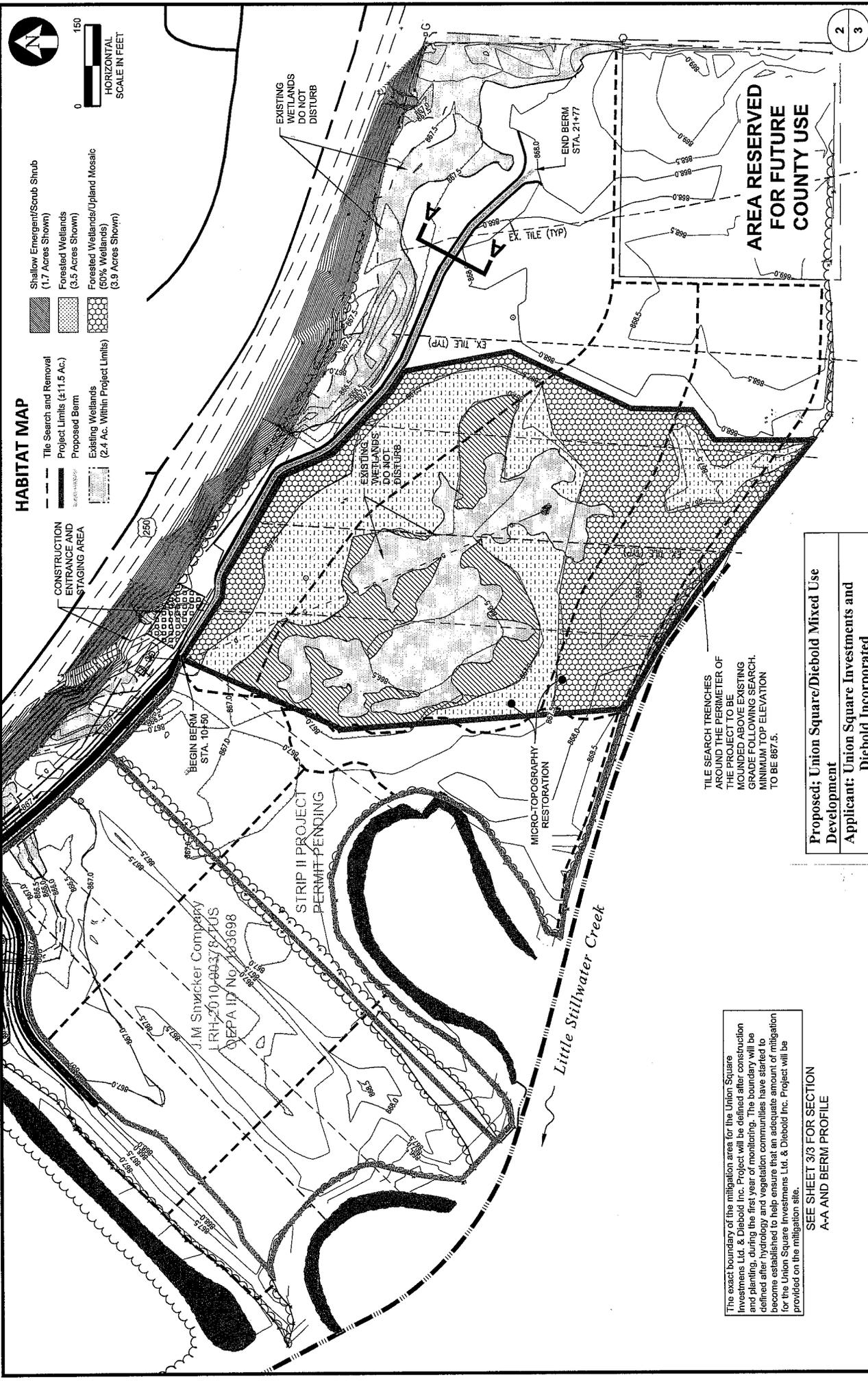
The exact boundary of the mitigation area for the Union Square Investments Ltd. & Diebold Inc. Project will be defined after construction and planting, during the first year of monitoring. The boundary will be defined after hydrology and vegetation communities have started to become established to help ensure that an adequate amount of mitigation for the Union Square Investments Ltd. & Diebold Inc. Project will be provided on the mitigation site.

SEE SHEET 3/3 FOR SECTION
A-A AND BERM PROFILE

TILE SEARCH TRENCHES
AROUND THE PERIMETER OF
THE PROJECT TO BE
MOUND ABOVE EXISTING
GRADE FOLLOWING SEARCH.
MINIMUM TOP ELEVATION
TO BE 867.5.

**Proposed; Union Square/Diebold Mixed Use
Development**
**Applicant: Union Square Investments and
Diebold Incorporated**
Waterway: UT Tuscarawas River
Location: Green, Summit County, Ohio
**Little Stillwater Creek Mitigation Site -
Construction Drawing**
Sheet 14 of 16

1
3



HABITAT MAP

- Shallow Emergent/Scrub Shrub (1.7 Acres Shown)
- Forested Wetlands (3.5 Acres Shown)
- Forested Wetlands/Upland Mosaic (60% Wetlands) (3.9 Acres Shown)
- Tile Search and Removal Project Limits (±11.5 Ac.)
- Proposed Berm
- Existing Wetlands (2.4 Ac. Within Project Limits)
- CONSTRUCTION ENTRANCE AND STAGING AREA

EXISTING WETLANDS DO NOT DISTURB

STRIP II PROJECT PERMIT PENDING

Little Stillwater Creek

TILE SEARCH TRENCHES AROUND THE PERIMETER OF THE PROJECT TO BE MOUND ABOVE EXISTING GRADE FOLLOWING SEARCH. MINIMUM TOP ELEVATION TO BE 887.5.

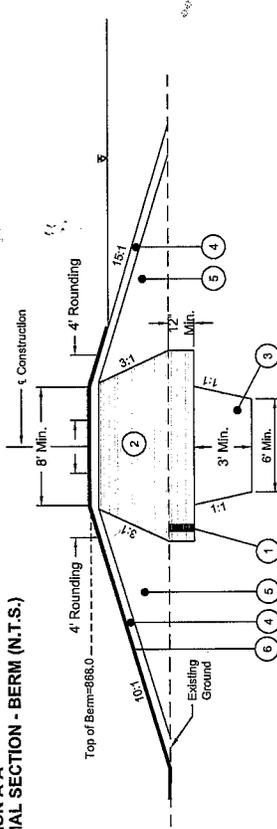
The exact boundary of the mitigation area for the Union Square Investments Ltd. & Diebold Inc. Project will be defined after construction and planting, during the first year of monitoring. The boundary will be defined after hydrology and vegetation communities have started to become established to help ensure that an adequate amount of mitigation for the Union Square Investments Ltd. & Diebold Inc. Project will be provided on the mitigation site.

SEE SHEET 3/3 FOR SECTION A-A AND BERM PROFILE

Proposed; Union Square/Diebold Mixed Use Development
 Applicant: Union Square Investments and Diebold Incorporated
 Waterway: UT Tuscarawas River
 Location: Green, Summit County, Ohio
 Little Stillwater Creek Mitigation Site -Habitat Map
 Sheet 15 of 16

PROFILES AND SECTIONS

SECTION A-A NORMAL SECTION - BERM (N.T.S.)



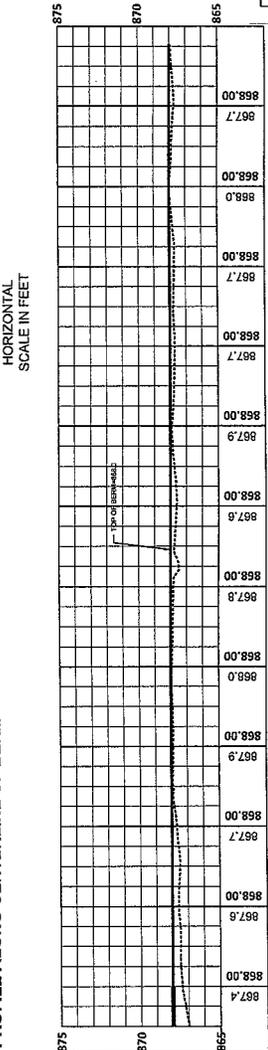
- LEGEND**
- 1 Foundation Preparation
 - 2 Compacted Clay Berm
 - 3 Compacted Clay Core Trench
 - 4 Min. 6" topsoil, shall be free of all sod, roots, frozen soil, stones larger than 4" diameter, and all other questionable material.
 - 5 Connected soil, shall be free of all sod, roots, frozen soil, stones larger than 4" diameter, and all other questionable material.
 - 6 Berm Seeding and Mulching

UNDERGROUND UTILITIES
 CONTACT BOTH SERVICES
 CALL TWO WORKING DAYS BEFORE YOU DIG

CALL
 1-800-325-2764
 (TOLL FREE)
 NON-MEMBERS
 MUST BE CALLED DIRECTLY
 OIL & GAS PRODUCERS PROTECTIVE
 SERVICE CALL: 1-800-925-0988

ENHA
 WWW.OHIOHET

PROFILE ALONG CENTERLINE OF BERM



UTILITY LOCATIONS

LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND STRUCTURES SHOWN IN THE PLANS ARE APPROXIMATE ONLY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THEIR EXACT LOCATION AND ELEVATION WHEN WORKING IN THEIR VICINITY.

WHERE POTENTIAL GRADE CONFLICTS MIGHT OCCUR WITH EXISTING UTILITIES, THE CONTRACTOR SHALL UNCOVER SUCH UTILITIES SUFFICIENTLY IN ADVANCE OF CONSTRUCTION IN ORDER THAT THE EXACT ELEVATION MAY BE DETERMINED AND THE NECESSARY ADJUSTMENTS MADE. COST OF THE ABOVE, IF ANY, WILL BE INCLUDED IN THE PRICE BID FOR THE PERTINENT ITEM.

LOCATION, SUPPORT, PROTECTION AND RESTORATION OF ALL UTILITY LINES, STUMPS, ROOTS, BRUSH, ROCKS AND OTHER DEBRIS, THE DISPOSAL AREA FOR ALL BORROW AREAS, AND APRIL FINISHES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE COST OF THIS WORK SHALL BE INCLUDED WITH THE PRICE BID FOR THE PERTINENT ITEM, UNLESS OTHERWISE NOTED ON THE PLANS.

SITE PREPARATION

THE FOUNDATION AREA AND BORROW AREAS WILL BE CLEARED OF ALL TREES, STUMPS, ROOTS, BRUSH, ROCKS AND OTHER DEBRIS. THE DISPOSAL AREA FOR ALL CLEARED MATERIAL WILL BE SHOWN ON THE PLANS OR AT A LOCATION MUTUALLY ACCEPTABLE BY THE CONTRACTOR AND THE PROJECT OWNER.

THE FOUNDATION AREA WILL BE STRIPPED TO A MINIMUM OF 12 INCHES. AFTER STRIPPING, AN EXAMINATION OF THE FOUNDATION AREA WILL BE MADE BY THE PROJECT MANAGER AND ALL POCKETS OF ORGANIC SOIL, SAND AND GRAVELS, AND OTHER UNSUITABLE MATERIAL, WILL BE REMOVED. ALL SLOPES WITHIN THE FOUNDATION AREA WILL BE NO STEEPER THAN 1:1 AND WILL BE SHAPED TO ACCOMMODATE COMPACTION EQUIPMENT.

BORROW AREAS WILL BE STRIPPED OF ALL VEGETATION, ORGANIC MATTER, AND OTHER UNSUITABLE MATERIALS.

TOPSOIL

THE TOPSOIL STOCKPILED DURING SITE PREPARATION SHALL BE PLACED AS A TOP DRESSING ON THE SURFACE OF THE EMERGENCY SPILLWAY, EARTH FILL, AND BORROW AREAS. TOPSOIL USED AS A TOP DRESSING SHALL BE FREE OF ALL SOD, ROOTS, STONES GREATER THAN 4 INCHES IN DIAMETER AND ALL OTHER DELETERIOUS MATERIALS. TOPSOIL SHALL BE SPREAD ON THE ABOVE-MENTIONED LOCATIONS AT A MINIMUM DEPTH OF 6 INCHES. TOPSOIL MAY BE PLACED MORE THAN 6 INCHES DEEP IN AREAS SHOWN ON THE ON THE TYPICAL CROSS SECTIONS. THE CONSTRUCTION SEQUENCE OF BERMS SHALL BE DONE SO AS TO LIMIT THE AMOUNT OF TIME THE TOPSOIL IS STOCKPILED TO LESS THAN 60 DAYS. TOPSOIL STOCKPILES SHALL HAVE TEMPORARY SEEDING APPLIED TO IT IF IT IS TO BE STOCKPILED FOR MORE THAN 14 DAYS.

RESTORED MICRO-TOPOGRAPHY

THE CONTRACTOR SHALL DISRUPT THE SURFACE DRAINAGE IN THE "RESTORED MICRO-TOPOGRAPHY" AREAS BY CREATING SMALL POCKETS OF WATER BY DISTURBING A MINIMUM OF 80% OF THE SURFACE AREA BY CREATING RUTS, GULLIES, DIVOTS, DEPRESSIONS, SURFACE DRAINAGE PLUGS, SMALL POOLS, AND SMALL IMPOUNDMENTS, ETC. THE WORK SHALL LEAVE A MINIMUM OF 5 INCHES OF TOPSOIL COVERAGE OVER THE ENTIRE AREA.

SLOPES IN AND AROUND SMALL POOLS, DEPRESSIONS, AND IMPOUNDMENTS SHALL TYPICALLY HAVE A MAXIMUM SLOPE OF 10:1 AND NO LESS THAN 1/2 OF THE PERIMETER SHALL HAVE SLOPES STEEPER THAN 10:1. FOLLOWING REPLACEMENT OF THE TOPSOIL AVERAGE POOL AND DEPRESSION DEPTHS SHALL BE AS FOLLOWS BUT NO IMPOUNDMENTS WILL NOT BE SMOOTH GRADED. DEPTH CAN VARY WITHIN THE POOL, BUT MINIMUM TOPSOIL COVERAGE SHALL APPLY.

SIZE OF DEPRESSIONS, POOLS, AND IMPOUNDMENTS SHALL VARY FROM 0.10 ACRES TO 0.50 ACRES, WITH A GREATER DENSITY OF SMALLER POOLS. SHAPES SHALL BE IRREGULAR AND VARY FROM POOL TO POOL.

EARTH FILL

PRIOR TO BEGINNING PLACEMENT OF EARTH FILL, THE SURFACE OF THE FOUNDATION AREA WILL BE SCARIFIED TO A DEPTH OF 6 INCHES AND COMPACTED TO THE SAME REQUIREMENTS AS SPECIFIED FOR EARTH FILL.

FILL MATERIAL WILL BE OBTAINED FROM THE BORROW AREAS(S) AND SHALL BE FREE OF ALL SOD, ROOTS, FROZEN SOIL, STONES LARGER THAN 6 INCHES DIAMETER, AND OTHER UNSUITABLE MATERIAL. THE BORROW MATERIAL SHALL BE TESTED BY THE ENGINEER PRIOR TO USING IT AS FILL IN THE BERM. THE PACKING AND SPREADING OF THE FILL MATERIAL SHALL BE AT THE LOWEST POINT IN THE FOUNDATION AREA AND SHALL BE PLACED IN LAYERS. THE SOIL SHALL BE PLACED IN LAYERS OF OPTIMUM MOISTURE CONTENT AND COMPACTED TO 98% OF OPTIMUM DRY DENSITY AS PER ASTM D998. A SHEEPSFOOT ROLLER SHALL BE USED TO COMPACT EACH LIFT (2000 PSI MINIMUM RATINGS). THE PLACED FILL SHALL BE TESTED A MINIMUM OF ONCE PER 1000 S.Y. OF PLACED MATERIAL.

THE DISTRIBUTION AND GRADATION OF MATERIALS THROUGHOUT THE FILL SHALL BE SUCH THAT THERE WILL BE NO LENSES, POCKETS, STREAMS, OR LAYERS OF MATERIAL DIFFERING SUBSTANTIALLY IN TEXTURE OR GRADATION FROM THE SURROUNDING MATERIAL. WHERE IT IS NECESSARY TO USE MATERIALS OF VARYING TEXTURE AND GRADATION, THE MORE IMPERVIOUS MATERIAL SHALL BE PLACED IN THE UPSTREAM AND CENTER PORTIONS OF THE FILL.

THE MOISTURE CONTENT OF THE FILL MATERIAL BEING PLACED MUST BE MAINTAINED WITHIN THE LIMITS REQUIRED TO PERMIT SATISFACTORY COMPACTION. IF BORROW MATERIAL IS DRY, WATER MUST BE ADDED BY IRRIGATING THE BORROW AREA OR BY SPRINKLING EACH FILL LAYER PRIOR TO COMPACTION. AFTER ADDING WATER, THE FILL MATERIAL MUST BE MIXED TO OBTAIN A UNIFORM MOISTURE CONTENT PRIOR TO COMPACTION. MATERIAL THAT IS TOO WET WHEN PLACED ON THE FILL SHALL BE RE-MOVED, OR DRIED BY DISKING PRIOR TO COMPACTION.

IF THE TOP SURFACE OF THE PRECEDING LAYER OF COMPACTED FILL, OR IF THE TOP SURFACE OF THE ZONE OF CONTACT WITH THE FILL BECOMES TOO DRY TO PERMIT A SUITABLE BOND, IT SHALL BE SCARIFIED AND MOISTENED BY SPRINKLING TO AN ACCEPTABLE MOISTURE CONTENT PRIOR TO PLACEMENT OF THE NEXT LAYER OF FILL. IF THE TOP SURFACE OF THE FILL BECOMES TOO WET OR FROZEN, THIS MATERIAL MUST BE REMOVED PRIOR TO PLACEMENT OF THE NEXT LAYER OF FILL.

THE FINISH GRADE (AFTER PLACEMENT OF TOPSOIL) SHALL BE TO THE ELEVATIONS PLUS 0.5 FEET TO COMPENSATE FOR SETTLEMENT.

TILE SEARCH & REMOVAL

AT THE LOCATIONS SHOWN ON THE PLANS, A TILE SEARCH TRENCH SHALL BE EXCAVATED WITH A BACKHOE OR OTHER APPROVED METHOD. THE TRENCH SHALL BE A MINIMUM OF 48" DEEP AND 24" WIDE. ALL TILES ENCOUNTERED ALONG THE COURSE OF THE TRENCH SHALL BE REMOVED 15-FEET LEFT AND RIGHT OF THE TRENCH FOR A TOTAL REMOVAL OF 30-FEET. IF TILE IS ENCOUNTERED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE TILE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE TILE REMOVAL TRENCH SHALL BE TO THE SAME DIMENSIONS AND BACKFILL SPECIFICATIONS AS THE TILE SEARCH TRENCH.

ALL TILES ENCOUNTERED SERVING ADJACENT PROPERTIES SHALL BE RECONNECTED. SIZES SHALL BE DETERMINED IN THE FIELD. PAYMENT FOR TILE RECONNECTION SHALL BE PAID UNDER A SEPARATE ITEM.

WHEN TILE IS ENCOUNTERED TO BE REMOVED, THE CONTRACTOR SHALL MARK THE LOCATION WITH RIBBON AND LATHE. LATHE SHALL BE LABELED WITH THE SIZE, MATERIAL, AND APPROXIMATE DEPTH TO INVERT OF THE TILE ENCOUNTERED.

BACKFILL

THE TILE SEARCH TRENCH AND 30-FEET TILE REMOVAL TRENCH SHALL BE BACKFILLED WITH CLAY IN LIFTS WITH A MAXIMUM THICKNESS OF BANCHES USING A HOE-PACK OR OTHER PRIOR APPROVED METHOD. IN THE EVENT NO CLAY IS PRESENT ON SITE, TRENCHES SHALL BE BACKFILLED WITH AN ENGINEER-APPROVED MATERIAL. BACKFILL SHALL BE PLACED IN LAYERS OF 6 INCHES OR LESS. STONES LARGER THAN 1 INCHES DIAMETER AND OTHER UNSUITABLE MATERIAL, A MINIMUM OF BANCHES OF TOPSOIL SHALL BE PLACED OVER THE TILE SEARCH AND REMOVAL TRENCHES.

WARRANTY

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY TILE WORK FOR 12 MONTHS FOLLOWING CONSTRUCTION. IF WITHIN THIS TIME PERIOD IT IS DETERMINED THAT TILES WERE NOT REMOVED WITHIN THE TILE SEARCH PATH, OR TILES CONVEYING OFFSITE DRAINAGE WERE NOT RECONNECTED, THE CONTRACTOR SHALL RETURN TO THE SITE TO COMPLETE THE WORK. COST SHALL BE INCLUDED IN THE TILE SEARCH ITEM.

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Applicant: Union Square Investments and Diebold Incorporated
Waterway: UT Tuscarawas River
Location: Green, Summit County, Ohio
Little Stillwater Creek Mitigation Site - Profile and Section Views
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