APPLICATION FOR OHIO EPA SECTION 401 WATER QUALITY CERTIFICATION

Effective October 1, 1996
Revised August, 1998

This application must be completed whenever a proposed activity requires an individual Clean Water Act Section 401 Water Quality Certification (Section 401 certification) from Ohio EPA. A Section 401 certification from the State is required to obtain a federal Clean Water Act Section 404 permit from the U.S. Army Corps Engineers, or any other federal permits or licenses for projects that will result in a discharge of dredged or fill material to any waters of the State. To determine whether you need to submit this application to Ohio EPA, contact the U.S. Army Corps of Engineers District Office with jurisdiction over your project, or other federal agencies reviewing your application for a federal permit to discharge dredged or fill material to waters of the State, or an Ohio EPA Section 401 Coordinator at (614) 644-2001.

The Ohio EPA Section 401 Water Quality Certification Program is authorized by Section 401 of the Clean Water Act (33 U.S.C. 1251) and the Ohio Revised Code Section 6111.03(P). Ohio Administrative Code (OAC) Chapter 3745-32 outlines the application process and criteria for decision by the Director of Ohio EPA. In order for Ohio EPA to issue a Section 401 certification, the project must comply with Ohio's Water Quality Standards (OAC 3745-1) and not potentially result in an adverse long-term or short-term impact on water quality. Included in the Water Quality Standards is the Antidegradation Rule (OAC Rule 3745-1-05), effective October 1, 1996, revised October, 1997 and May, 1998. The Rule includes additional application requirements and public participation procedures. **Because there is a lowering of water quality associated with every project being reviewed for Section 401 certification, every Section 401 certification applicant must provide the information required in Part 10 (pages 3 and 4) of this application**. In addition, applications for projects that will result in discharges of dredged or fill material to wetlands must include a wetland delineation report approved by the Corps of Engineers, a wetland assessment with a proposed assignment of wetland category (ies), official documentation on evaluation of the wetland for threatened or endangered species, and appropriate avoidance, minimization, and mitigation as prescribed in OAC 3745-1-50 to 3745-1-54. Ohio EPA will evaluate the applicant's proposed wetland category assignment and make the final assignment.

Information provided with the application will be used to evaluate the project for certification and is a matter of public record. If the Director determines that the application lacks information necessary to determine whether the applicant has demonstrated the criteria set forth in OAC Rule 3745-32-05(A) and OAC Chapter 3745-1, Ohio EPA will inform the applicant in writing of the additional information that must be submitted. The application will not be accepted until the application is considered complete by the Section 401 Coordinator. An Ohio EPA Section 401 Coordinator will inform you in writing when your application is determined to be complete.

Please submit the following to "Section 401 Supervisor, Ohio EPA/DSW, P.O. Box 1049, Columbus, Ohio 43216-1049:

- Four (4) sets of the completed application form, including the location of the project (preferably on a USGS quadrangle) and 8-1/2 x 11" scaled plan drawings and sections.
- One (1) set of original scaled plan drawings and cross-sections (or good reproducible copies).

(See Application Primer for detailed instructions)

1. The federal permitting agency has determined this project: (check appropriate box and fill in blanks)

   a. X requires an individual 404 permit/401 certification- Public Notice # (if known) not yet been issued

   b.____ requires a Section 401 certification to be authorized by Nationwide Permit #_____

   c.____ requires a modified 404 permit/401 certification for original Public Notice #_____

   d.____ requires a federal permit under _____ jurisdiction identified by #_____

   e.____ requires a modified federal permit under_____ jurisdiction identified by #_____

Click to clear all entered information (on all 4 pages of this form) CLEAR

2. Application number (to be assigned by Ohio EPA):

3. Name and address of applicant:
CENTERVILLE DEVELOPMENT GROUP LLC
7196 COUNTRY ROAD 66A
NEW BREMEN, OHIO 45869

Telephone number during business hours:
(937) 418-8692 (Residence)
(419) 629-2293 (Office)

3a. Signature of Applicant: Date:

4. Name, address and title of authorized agent:
Lee J. Otte
Otte Enterprises
505 Stevenson Road
Erlanger, KY 41018

Telephone number during business hours:
(859) 653-7087 (Residence)
(859) 342-8777 (Office)

4a. Statement of Authorization: I hereby designate and authorize the above-named agent to act in my behalf in the processing of this permit application, and to furnish, upon request, supplemental information in support of the application.

Signature of Applicant: Walter M. Minch WALTER M. MINCH Date: 10-30-2014

5. Location on land where activity exists or is proposed. Indicate coordinates of a fixed reference point at the impact site (if known) and the coordinate system and datum used.

Address:

84 undeveloped acres located to the west of Yankee Street, south of Austin Pike
Street, Road, Route, and Coordinates, or other descriptive location

Great Miami River	Montgomery	Washington		OH	45459
Watershed	County	Township	City	State	Zip Code

6. Is any portion of the activity for which authorization is sought complete? _____ Yes __X__ No
If answer is "yes," give reasons, month and year activity was completed. Indicate the existing work on the drawings.

7. List all approvals or certifications and denials received from other federal, interstate, state or local agencies for any structures, construction, discharge or other activities described in this application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval	Date of Denial

8. **DESCRIPTION OF THE ACTIVITY (fill in information in the following four blocks - 8a, 8b, 8c & 9)**

8a. Activity: Describe the Overall Activity:
The Centerville Development Group proposes to purchase approximately 84 acres of undeveloped property on which the proposed residential development will be located. The development project, to be called the Washington Glen Residential Development, will include 261 single-family residences, with associated roadways, parking, stormwater management systems, and greenspace.

8b. Purpose: Describe the purpose, need and intended use of the activity:

The Washington Township, and the City of Centerville directly to the north are rapidly growing suburbs of Dayton, Ohio. Much of the area is being developed as subdivisions. Centerville Development Group LLC wishes to construct a residential subdivision on the Washington Glen Property.
Approximately 4.46 acres of wetland and 460 linear ft of intermittent stream are located on the Washington Glen Property. The Centerville Development Group has decided that the most cost-effective option for the design of the residential development will involve impacts to all of Wetlands A, B, C, D, E, F, G, and H. Development of the Washington Glen Property will result in no impacts to the intermittent stream.

8c. Discharge of dredged or fill material: Describe type, quantity of dredged material (in cubic yards), and quantity of fill material (in cubic yards).

The material used to grade the Washington Glen Property will consist of clean soils, subsoils, and bedrock obtained from on-site. The estimated amount of fill that will be placed above the area of the wetlands will be about 5,170 cubic yards, with fill depth between 1 and 2 ft.

9. Waterbody and location of waterbody or upland where activity exists or is proposed, or location in relation to a stream, lake, wetland, wellhead or water intake (if known). Indicate the distance to, and the name of any receiving stream, if appropriate.

The development of the Washington Glen Property will result in the impact to 4.46 acres of eight on-site wetlands. The on-site intermittent stream will not be impacted by development. The Washington Glen Property drains to two separate intermittent tributaries of Holes Creek, which both flow northward and join with Holes Creek approximately 1.3 miles north of the property

10. To address the requirements of the Antidegradation Rule, your application must include a report evaluating the:

- Preferred Design (your project) and Mitigative Techniques
- Minimal Degradation Alternative(s) (scaled-down version(s) of your project) and Mitigative Techniques
- Non-Degradation Alternative(s) (project resulting in avoidance of all waters of the state)

At a minimum, item a) below must be completed for the Preferred Design, the Minimal Degradation Alternative(s), and the Non-Degradation Alternative(s), followed by completion of item b) for each alternative, and so on, until all items have been discussed for each alternative (see Primer for specific instructions).

10a) Provide a detailed description of any construction work, fill or other structures to occur or to be placed in or near the surface water. Identify all substances to be discharged, including the cubic yardage of dredged or fill material to be discharged to the surface water.

10b) Describe the magnitude of the proposed lowering of water quality. Include the anticipated impact of the proposed lowering of water quality on aquatic life and wildlife, including threatened and endangered species (include written comments from Ohio Department of Natural Resources and U.S. Fish and Wildlife Service), important commercial or recreational sport fish species, other individual species, and the overall aquatic community structure and function. Include a Corps of Engineers approved wetland delineation.

10c) Include a discussion of the technical feasibility, cost effectiveness, and availability. In addition, the reliability of each alternative shall be addressed (including potential recurring operational and maintenance difficulties that could lead to increased surface water degradation.)

10d) For regional sewage collection and treatment facilities, include a discussion of the technical feasibility, cost effectiveness and availability, and long-range plans outlined in state or local water quality management planning documents and applicable facility planning documents.

10e) To the extent that information is available, list and describe any government and/or privately sponsored conservation projects that exist or may have been formed to specifically target improvement of water quality or enhancement of recreational opportunities on the affected water resource.

10f) Provide an outline of the costs of water pollution controls associated with the proposed activity. This may include the cost of best management practices to be used during construction and operation of the project.

10g) Describe any impacts on human health and the overall quality and value of the water resource.

10h) Describe and provide an estimate of the important social and economic benefits to be realized through this project. Include the number and types of jobs created and tax revenues generated and a brief discussion on the condition of the local economy.

10i) Describe and provide an estimate of the important social and economic benefits that may be lost as a result of this project. Include the effect on commercial and recreational use of the water resource, including effects of lower water quality on recreation, tourism, aesthetics, or other use and enjoyment by humans.

10j) Describe environmental benefits, including water quality, lost and gained as a result of this project. Include the effects on the aquatic life, wildlife, threatened or endangered species.

10k) Describe mitigation techniques proposed (except for the Non-Degradation Alternative):

- Describe proposed Wetland Mitigation (see **OAC 3745-1-54** and Primer)
- Describe proposed Stream, Lake, Pond Mitigation (see Primer)

11. Application is hereby made for a Section 401 Water Quality Certification. I certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or I am acting as the duly authorized agent of the applicant.

Signature of Applicant	Date	Signature of Agent
	10-30-2014	11-03-2014

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in Block 3 has been filled out and signed.

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