



**US Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to:	Issuance Date:
Public Notice No. 200200703	June 07, 2004
Stream: UN Tribs of the	Expiration Date:
Olentangy River	July 07, 2004
Address comments to:	US Army Corps of Engineers, Huntington District 602 Eighth Street ATTN: CELBHF Huntington, West Virginia 25701-2070

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: Planned Communities, Inc.
110-B Northwoods Blvd.
Columbus, Ohio 43235

LOCATION: The project is located west of U.S. 23, east of the Olentangy River and north and south of Hyatts Road in Liberty Township, Delaware County, Ohio. The 211.5-acre parcel contains several unnamed tributaries to the Olentangy River.

DESCRIPTION OF PROPOSED WORK: The applicant proposes to place fill material into waters of the United States for the construction of seven internal road crossings in conjunction with the construction of the Olentangy Falls Residential Development. The purpose of the project is to develop a single family residential community. The proposal would include the placement of approximately 70 cubic yards of fill material into 200 linear feet of one unnamed perennial stream, 400 linear feet of three intermittent streams and 100 linear feet of one ephemeral stream. Each road crossing will require approximately 10 cubic yards of fill impacting 100 linear feet of stream channel.

MITIGATION PLAN: To compensate for impacts to 700 linear feet of jurisdictional waters of the United States, the applicant has proposed stream mitigation through the practice of Best Management Practices and through the preservation of all wetlands and non-impacted streams located on the subject property. Approximately 13,975 linear feet of streams and associated riparian buffer areas, 1.46-acres of on-site jurisdictional wetlands and 1.04-acres of open water ponds will be protected by a deed restriction. The deed restriction will stipulate a 25-foot vegetative buffer on each side of the remaining streams and a 30-foot setback around all remaining wetlands.

The applicant has committed to preserving the entire area between Taggart Road and the Olentangy River as a natural green space area. This area will be donated to Liberty Township and will be preserved in perpetuity as natural space.

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

Ohio Environmental Protection Agency.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are no historic or architectural properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be furnished to the Ohio State Historic Preservation Office for their review. A copy of the Phase I Cultural Resources Report for the northern parcel was submitted to the Ohio state Historic Preservation Office on July 30, 2002. A copy of the Phase I Cultural Resources Report for the southern parcel was submitted on February 12, 2003. Information provided by the applicant indicates that a Phase I Cultural Resources Report for the proposed green space area, located west of Taggart Road, is being prepared for review and evaluation. Comments concerning archeological sensitivity of a project area should be based upon collected data.

ENDANGERED AND THREATENED SPECIES: The project is located within the known or historic range of the following endangered species:

Indiana bat
Bald eagle
Clubshell mussel

The Huntington District has consulted the most recently available information and has determined that the project is not likely to 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 U.S. Fish and Wildlife Service 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: 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.

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 which may be relevant to the proposal will be considered including the cumulative effects thereof; among 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,

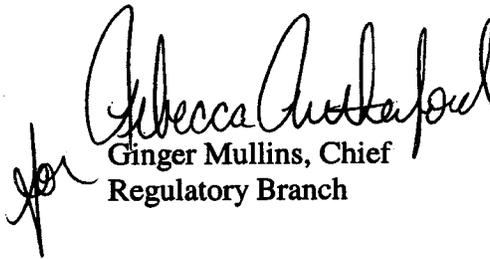
water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. 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.

COMMENTS: The Corps of Engineers 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. Any comments received will be considered by the Corps of Engineers 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.

Persons wishing to submit comments, objections, or requests for public hearings concerning the Corps of Engineers permit should write:

U.S. Army Corps of Engineers
Attn: CELRH-OR-FN Public Notice No. 200200703
502 Eighth Street
Huntington, WV 25701-2070

If you have any questions concerning this public notice, please contact David Frantz of the North Regulatory Section at (304) 399-5210.


Ginger Mullins, Chief
Regulatory Branch

(O)



FIGURE 2
USGS Topographical Map
1" = 2000'
Powell, Ohio (photoinspected, 1988)

OLENTANGY FALLS

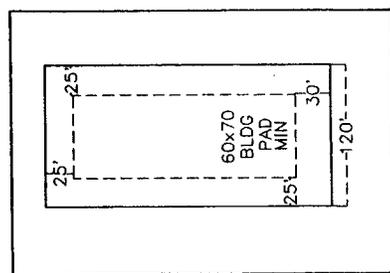
PREPARED FOR:
PLANNED COMMUNITIES, INC.
 110 NORTHWOODS BOULEVARD, SUITE B
 COLUMBUS, OHIO 43235
 (614) 846-5330



DEVELOPMENT PLAN

LIBERTY TOWNSHIP, DELAWARE COUNTY OHIO

DEVELOPMENT DATA
 ACRES 211.511
 LOTS 140
 DENSITY 0.86 LOTS/ACRE
 NATURAL GREEN SPACE 92.14 ACRES



WETLANDS	TOTAL ACRES	RESTORED	PRESERVED
A	0.8	0	0.8
B	0.34	0	0.34
C	0.34	0	0.34
TOTAL	1.48	0	1.48

APPROXIMATE PERCENT	TOTAL ACRES	RESTORED	PRESERVED
A	0.89	0	0.89
B	0.39	0	0.39
TOTAL	1.28	0	1.28

APPROXIMATE PERCENT	TOTAL LUMBER FEET	RESTORED	PRESERVED
1	887	507	380
2	287	0	287
3	2,042	2,042	0
4	1,847	507	1,340
5	487	0	487
6	217	217	0
7	2,144	2,144	0
8	1,347	0	1,347
9	317	0	317
10	757	507	250
11	227	0	227
CUMULATIVE TOTAL	14,847	0	14,847

PERFORMANCE CATEGORY	TYPE	IMPACT LIMITS
C-1	30' CIRCULAR	100'
C-2	40' CIRCULAR	100'
C-3	40' CIRCULAR	100'
C-4	30' CIRCULAR	100'
C-5	30' CIRCULAR	100'
C-6	30' CIRCULAR	100'
C-7	30' CIRCULAR	100'
C-8	30' CIRCULAR	100'
TOTAL IMPACT	30' CIRCULAR	750'

PERFORMANCE CATEGORY	TYPE	IMPACT LIMITS
C-1	42" x 8' BIRD BOX	0
C-2	42" CIRCULAR	100'
C-3	42" CIRCULAR	100'
C-4	30' CIRCULAR	100'
C-5	30' CIRCULAR	100'
C-6	42" CIRCULAR	100'
C-7	42" x 8' BIRD BOX	0
C-8	42" x 8' BIRD BOX	0
TOTAL IMPACT	42" x 8' BIRD BOX	400'

PERFORMANCE CATEGORY	TYPE	IMPACT LIMITS
C-1	42" x 8' BIRD BOX	0
C-2	42" CIRCULAR	100'
C-3	42" CIRCULAR	100'
C-4	30' CIRCULAR	100'
C-5	30' CIRCULAR	100'
C-6	42" CIRCULAR	100'
C-7	42" x 8' BIRD BOX	0
C-8	42" x 8' BIRD BOX	0
TOTAL IMPACT	42" x 8' BIRD BOX	100'

Figure 3 of 6

OLENTANGY FALLS

PROPOSED FOR:
PLANNED COMMUNITIES, INC.
 110 NORTHWOODS BOULEVARD, SUITE B
 COLUMBUS, OHIO 43225
 (614) 846-5330



DEVELOPMENT PLAN

LIBERTY TOWNSHIP, DELAWARE COUNTY OHIO

DEVELOPMENT DATA

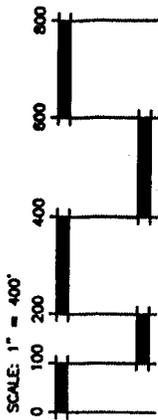
ACRES 211.511
 LOTS 132
 DENSITY 0.62 LOTS/ACRE
 NATURAL GREEN SPACE 93.43 ACRES

LEGEND

NATURAL GREEN SPACE 50-70' MIN.	[Symbol]
EXISTING TREE LINE	[Symbol]
LIMIT OF IMPACT	[Symbol]



JOB NO. 01-242
 MAY 25, 2004



WETLANDS	TOTAL ACRES	DISTURBED	PRESERVED
A	0.08	0	0.08
B	0.24	0	0.24
C	0.24	0	0.24
TOTAL	1.48	0	1.48

JURISDICTIONAL PONDS	TOTAL ACRES	DISTURBED	PRESERVED
A	0.08	0	0.08
B	0.38	0	0.38
TOTAL	1.04	0	1.04

JURISDICTIONAL STREAMS	TOTAL LINEAL FEET	DISTURBED	PRESERVED
1	587	107	687
2	371	0	371
3	3,004	207	2,804
4	1,404	107	1,404
5	487	0	487
6	374	0	374
7	3,114	207	2,914
8	1,385	0	1,385
9	317	0	317
10	787	107	687
11	227	0	227
OLENTANGY RIVER	2,247	0	2,247
TOTAL	14,825	707	13,825

PREFERRED DESIGN	TYPE	IMPACT LENGTH
C-1	27" CIRCULAR	100'
C-2	42" CIRCULAR	100'
C-3	48" CIRCULAR	100'
C-4	36" CIRCULAR	100'
C-5	42" CIRCULAR	100'
C-6	36" CIRCULAR	100'
C-7	36" CIRCULAR	100'
TOTAL IMPACT		700'

MINIMAL DEGRADATION	TYPE	IMPACT LENGTH
C-1	42" 3 SIZED BOX	0
C-2	42" CIRCULAR	100'
C-3	48" CIRCULAR	100'
C-4	36" CIRCULAR	100'
C-5	42" CIRCULAR	100'
C-6	36" 3 SIZED BOX	0
C-7	42" 3 SIZED BOX	0
TOTAL IMPACT		400'

NON-DEGRADATION	TYPE	IMPACT LENGTH
C-1	42" 3 SIZED BOX	0
C-2	42" CIRCULAR	100'
C-3	48" CIRCULAR	100'
C-4	36" 3 SIZED BOX	0
C-5	42" 3 SIZED BOX	0
C-6	36" 3 SIZED BOX	0
C-7	42" 3 SIZED BOX	0
TOTAL IMPACT		200'

DESIGNED BY
FLOYD BROWNE ASSOCIATES
 INC.
 10000 W. 10TH AVENUE
 DENVER, CO 80202

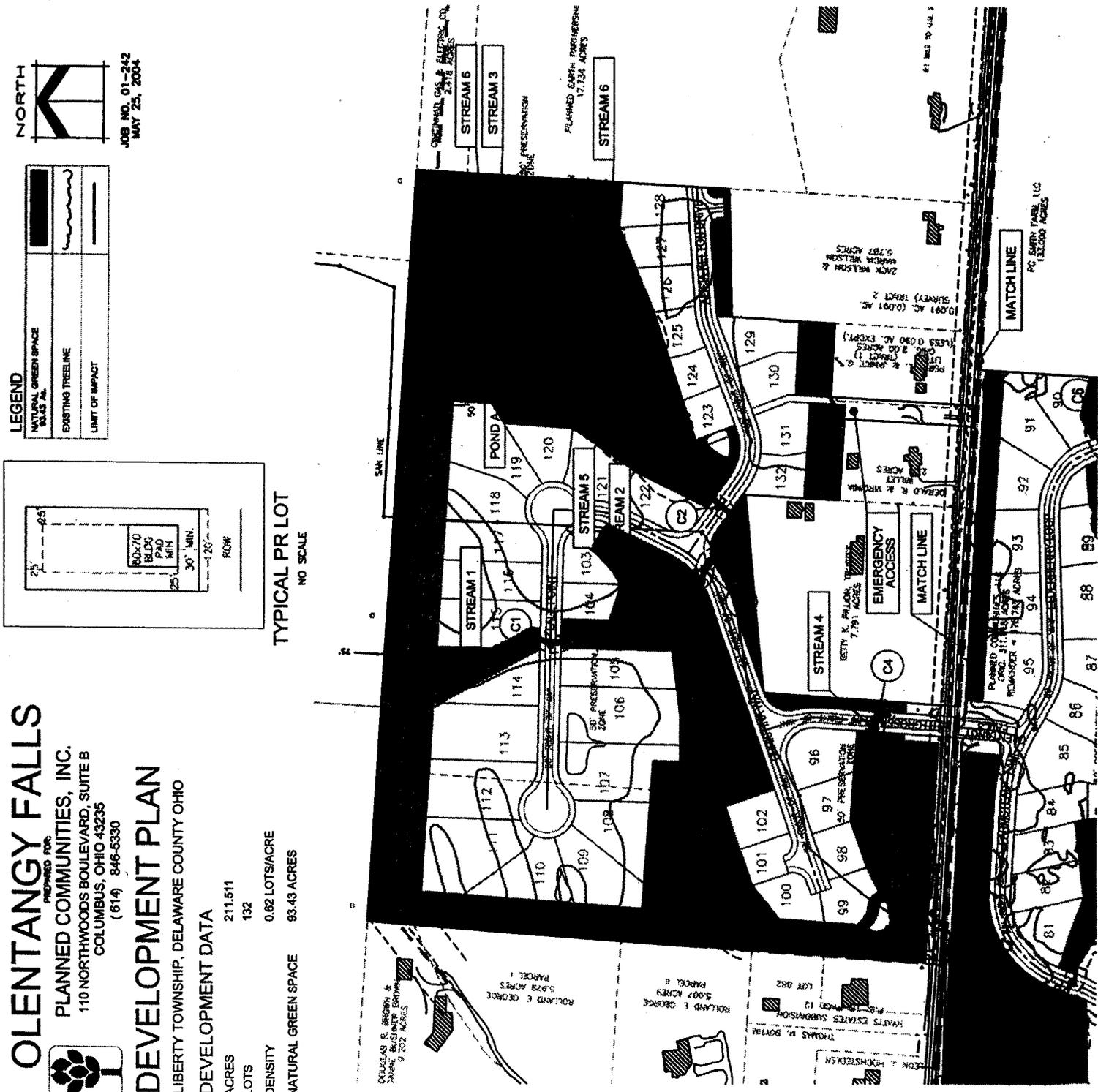


Figure 4 of 6

OLENTANGY FALLS

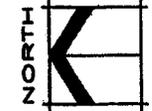
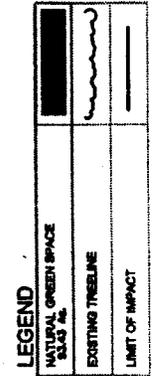
PLANNED COMMUNITIES, INC.
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DEVELOPMENT PLAN

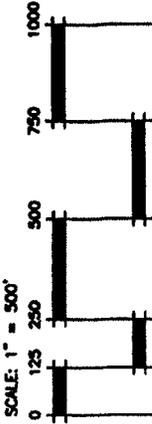
LIBERTY TOWNSHIP, DELAWARE COUNTY OHIO

DEVELOPMENT DATA

ACRES 211.511
LOTS 132
DENSITY 0.82 LOTS/ACRE
NATURAL GREEN SPACE 93.43 ACRES

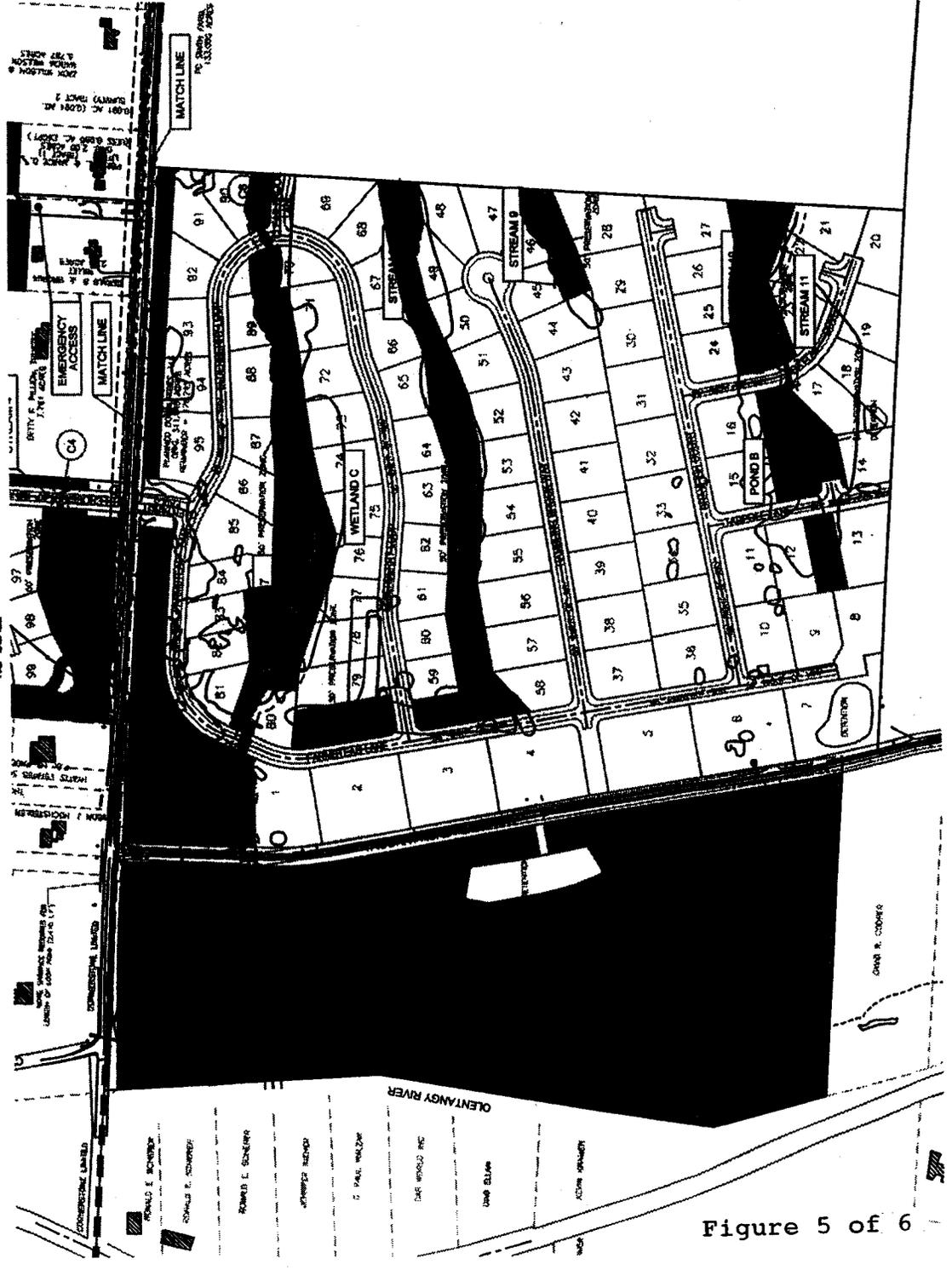
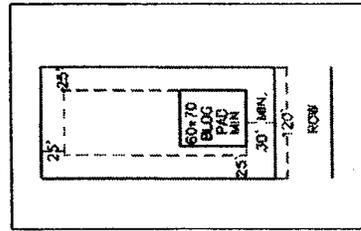


JOB NO. 01-242
MAY 25, 2004



TYPICAL PR LOT

NO SCALE



WETLANDS	TOTAL ACRES	DISTURBED	PRESERVED
A	0.08	0	0.08
B	0.24	0	0.24
C	0.24	0	0.24
TOTAL	1.48	0	1.48

JURISDICTIONAL PONDS	TOTAL ACRES	DISTURBED	PRESERVED
A	0.08	0	0.08
B	0.24	0	0.24
TOTAL	1.04	0	1.04

PREFERRED DESIGN JURISDICTIONAL STREAMS	TOTAL LINEAL FEET	DISTURBED	PRESERVED
1	888'	100'	888'
2	881'	0	881'
3	3,004'	200'	2,804'
4	1,804'	100'	1,704'
5	483'	0	483'
6	374'	0	374'
7	3,114'	200'	2,914'
8	1,505'	0	1,505'
9	317'	0	317'
10	788'	100'	688'
11	225'	0	225'
OLENTANGY RIVER	2,247'	0	2,247'
TOTAL	14,089'	700'	13,389'

PREFERRED DESIGN CULVERT	SIZE	TYPE	IMPACT LENGTH
C-1	24"	CIRCULAR	100'
C-2	42"	CIRCULAR	100'
C-3	48"	CIRCULAR	100'
C-4	36"	CIRCULAR	100'
C-5	42"	CIRCULAR	100'
C-6	36"	CIRCULAR	100'
C-7	30"	CIRCULAR	100'
TOTAL IMPACT			700'

MINIMAL DEGRADATION CULVERT	SIZE	TYPE	IMPACT LENGTH
C-1	42"x12"	3 SIDED BOX	0
C-2	42"	CIRCULAR	100'
C-3	48"	CIRCULAR	100'
C-4	36"	CIRCULAR	100'
C-5	42"	CIRCULAR	100'
C-6	36"	3 SIDED BOX	0
C-7	42"x12"	3 SIDED BOX	0
TOTAL IMPACT			400'

NON-DEGRADATION CULVERT	SIZE	TYPE	IMPACT LENGTH
C-1	42"x12"	3 SIDED BOX	0
C-2	42"	CIRCULAR	100'
C-3	48"	CIRCULAR	100'
C-4	42"x12"	3 SIDED BOX	0
C-5	42"x12"	3 SIDED BOX	0
C-6	42"x12"	3 SIDED BOX	0
C-7	42"x12"	3 SIDED BOX	0
TOTAL IMPACT			200'

PREPARED BY
FLOYD BROWNE ASSOCIATES
ENGINEERS

Figure 5 of 6

LINE M (PART B)

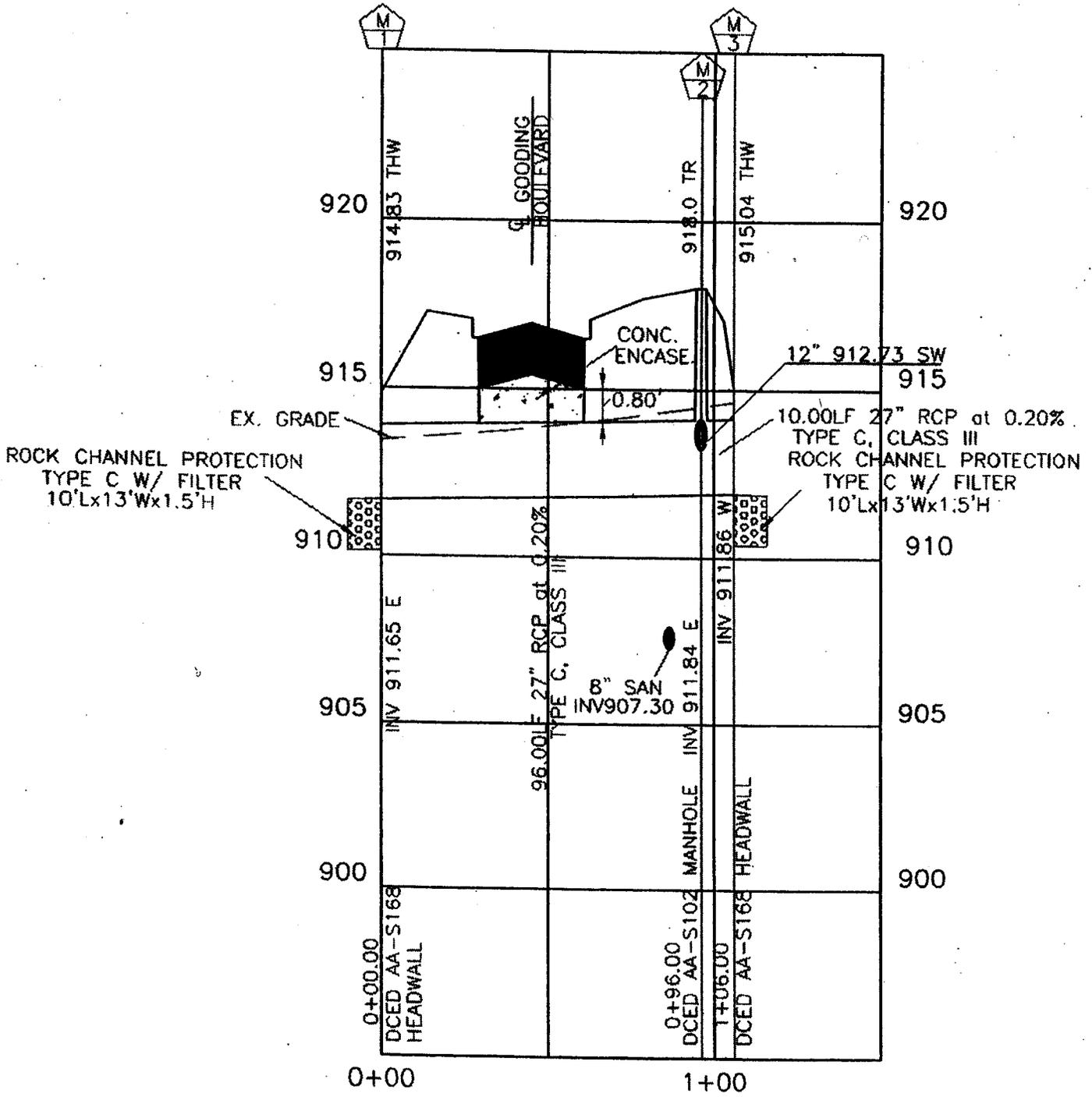


Figure 6 of 6