



# Public Notice

**U S Army Corps  
of Engineers**  
Huntington District

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In reply refer to Public Notice No.	Issuance Date:
<b>200301258-1</b>	<b>11 January 2005</b>
Stream:	Closing Date:
<b>U/T Blacklick Creek</b>	<b>10 February 2005</b>

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Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Huntington District  
ATTN: CELRH-OR-F Public Notice No. (*reference above*)  
502 Eighth Street  
Huntington, West Virginia 25701-2070  
Phone: (304) 399-5210

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**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.

**REGULATORY PROGRAM:** Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

**SECTION 10:** The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

**SECTION 404:** The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

**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:** Columbus Corporate Center  
191 West Nationwide Boulevard, Suite 200  
Columbus, Ohio 43215

**LOCATION:** The proposed project is sited within an unnamed tributary to Blacklick Creek (locally referred to as Utzinger Ditch) and wetlands adjacent to this tributary, north of East Broad Street and west of Reynoldsburg-New Albany Road in Columbus, Franklin County, Ohio.

**DESCRIPTION OF PROPOSED WORK:** Under Nationwide Permit #26 (NWP 26) verification dated July 27, 1999 (199801273 – U/T Creek), the applicant was authorized to impact all 2.07 acres (ac) of the five wetlands previously identified within the site. The NWP 26 authorization has since expired. According to information submitted by the applicant, only 1.86 ac of the previously identified 2.07 ac of wetland were filled under this previous authorization. While the majority of the site has been graded, portions of the site remain undeveloped. The applicant proposes to place dredged or fill material into waters of the United States associated with the construction of a commercial development within the remaining undeveloped portions of the site.

Since the grading of the site and the expiration of the previous authorization, additional wetland areas have developed. Currently 2,650 linear feet of one intermittent stream (Utzinger Ditch) and 4.94 ac of eight jurisdictional wetlands are present within the project boundary as follows: Wetland F (2.45 ac), Wetland G (0.06 ac), Wetland H (0.81 ac), Wetland I (1.21 ac), Wetland J (0.08 ac), Wetland K (0.04 ac), Wetland L (0.27 ac), and Wetland M (0.02 ac).

The applicant proposes to place fill material from on-site grading into 1.62 ac of Wetland F, all 0.81 ac of Wetland H, 0.88 ac of Wetland I, all 0.08 ac of Wetland J, all 0.04 ac of Wetland K, 0.07 ac of Wetland L, and all 0.02 ac of Wetland M. A total of 3.52 ac of the existing wetlands would be filled. No impacts to Wetland G or Utzinger Ditch are proposed. Plans of the proposal are attached to this notice.

Mitigation: As mitigation for the proposed wetland impacts, the applicant proposes to purchase 7.1 ac of wetland mitigation credit from the Little Scioto Wetland Mitigation Bank. The remaining 1.42 ac of Wetlands F, G, I, and L and all 2,650 linear feet of Utzinger Ditch within the project boundary would be preserved.

Alternatives Analysis: A total of 3.52 ac of jurisdictional wetlands would be filled as a result of the proposal. Construction of the proposal does not require access to or siting within 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. All practicable alternatives not involving such discharges into special aquatic sites are presumed to have less adverse impacts to the aquatic system. The applicant is required to provide an alternative analysis that must overcome the presumption prior to receiving authorization for the placement of fill material. The applicant has submitted the required alternative analysis, which is currently under review by this office.

**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 has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. A Phase I Cultural Resources Survey was conducted on the site prior to development in 1999. This survey was furnished to the State Historic Preservation Office (SHPO) for their review. Based on this information, our office has determined the proposed development of the site will not affect historic properties. Through letter dated September 13, 1999, SHPO concurred with this determination.

**THREATENED & ENDANGERED SPECIES:** This project is located within the known or historic range of the:

- Indiana bat (endangered)
- Scioto madtom (endangered)
- northern riffleshell mussel (endangered)
- clubshell mussel (endangered)
- Eastern massasauga (proposed candidate species)
- rayed bean mussel (currently under evaluation for Federal Candidate species).

The Huntington District has consulted the most recently available information and has determined the project is not likely to adversely affect the Indiana bat or rayed bean mussel and will have no effect on the Scioto madtom, northern riffleshell mussel, clubshell mussel, or Eastern massasauga or designated Critical Habitat for these Federally listed species. 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:** Any person who has an interest, which 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, which 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; 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.

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:

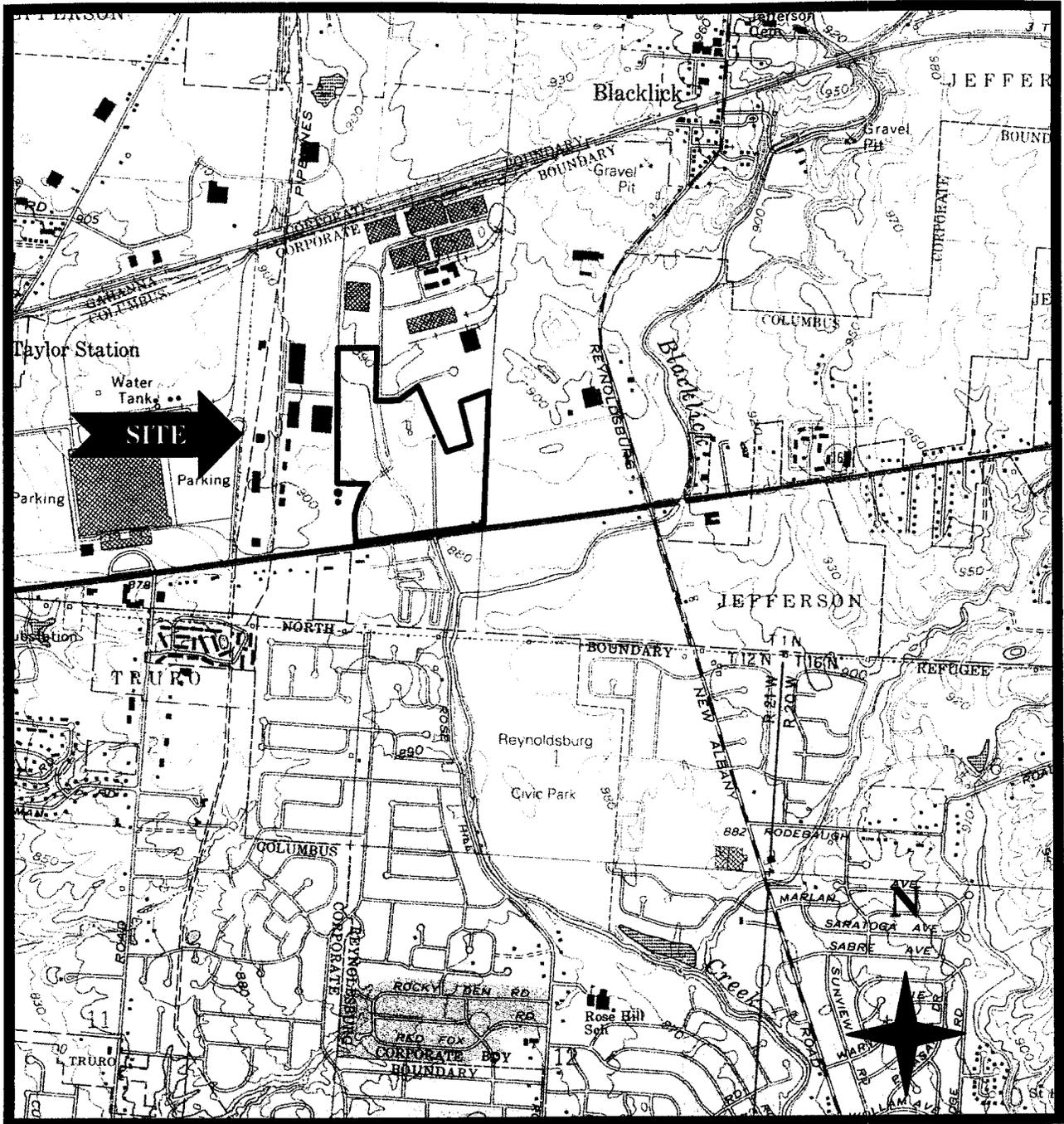
U.S. Army Corps of Engineers  
ATTN: CELRH-OR-F Public Notice No. 200301258-1  
502 8<sup>th</sup> Street  
Huntington, West Virginia 25701-2070

If you have any questions concerning this public notice, please call Ms. Susan A. Fields of my staff at 304-399-5210.



Ginger Mullins  
Chief, Regulatory Branch

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USGS Topographical Map  
 1"=2000'  
 Reynoldsburg, Ohio (Photorevised 1994)

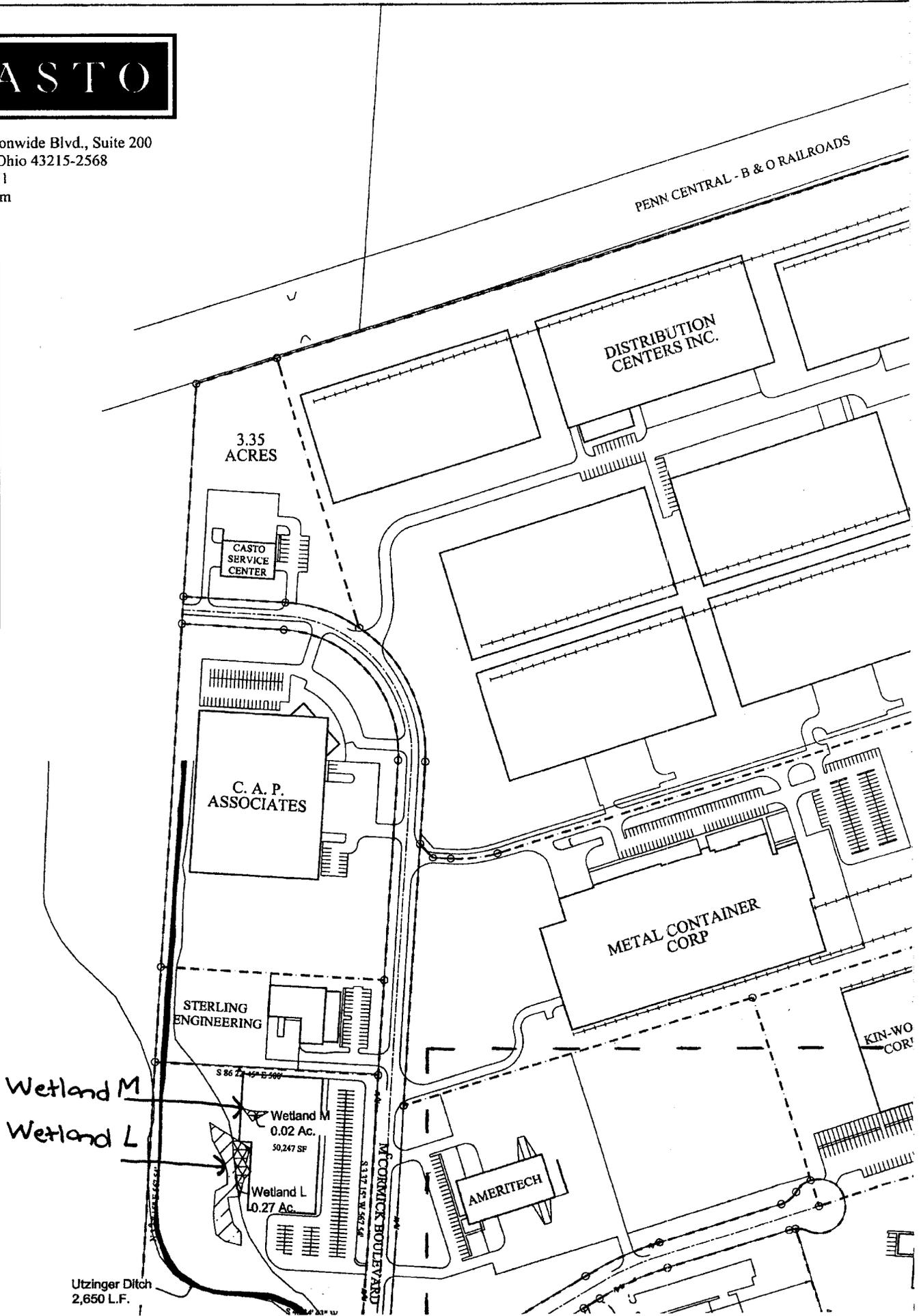
Columbus Corporate Center  
 200301258-1 – U/T Blacklick Ck.  
 Franklin County, Ohio  
 Location Map, Sheet 1 of 5



191 W. Nationwide Blvd., Suite 200  
 Columbus, Ohio 43215-2568  
 614.228.5331  
 castoinfo.com

**Site Development Plan**  
**Columbus Corporate Center**  
 1 of 4

Columbus Corporate Center  
 200301258-1 - U/T Blacklick Ck.  
 Franklin County, Ohio  
 Plan View (Segment 1), Sheet 2 of 5



**Site Development Plan**  
**Columbus Corporate Center**  
2 of 4

PENN CENTRAL - B & O RAILROADS

DISTRIBUTION  
CENTERS INC.

Match Line

1 of 4

METAL CONTAINER  
CORP

KIN-WOOD  
CORP

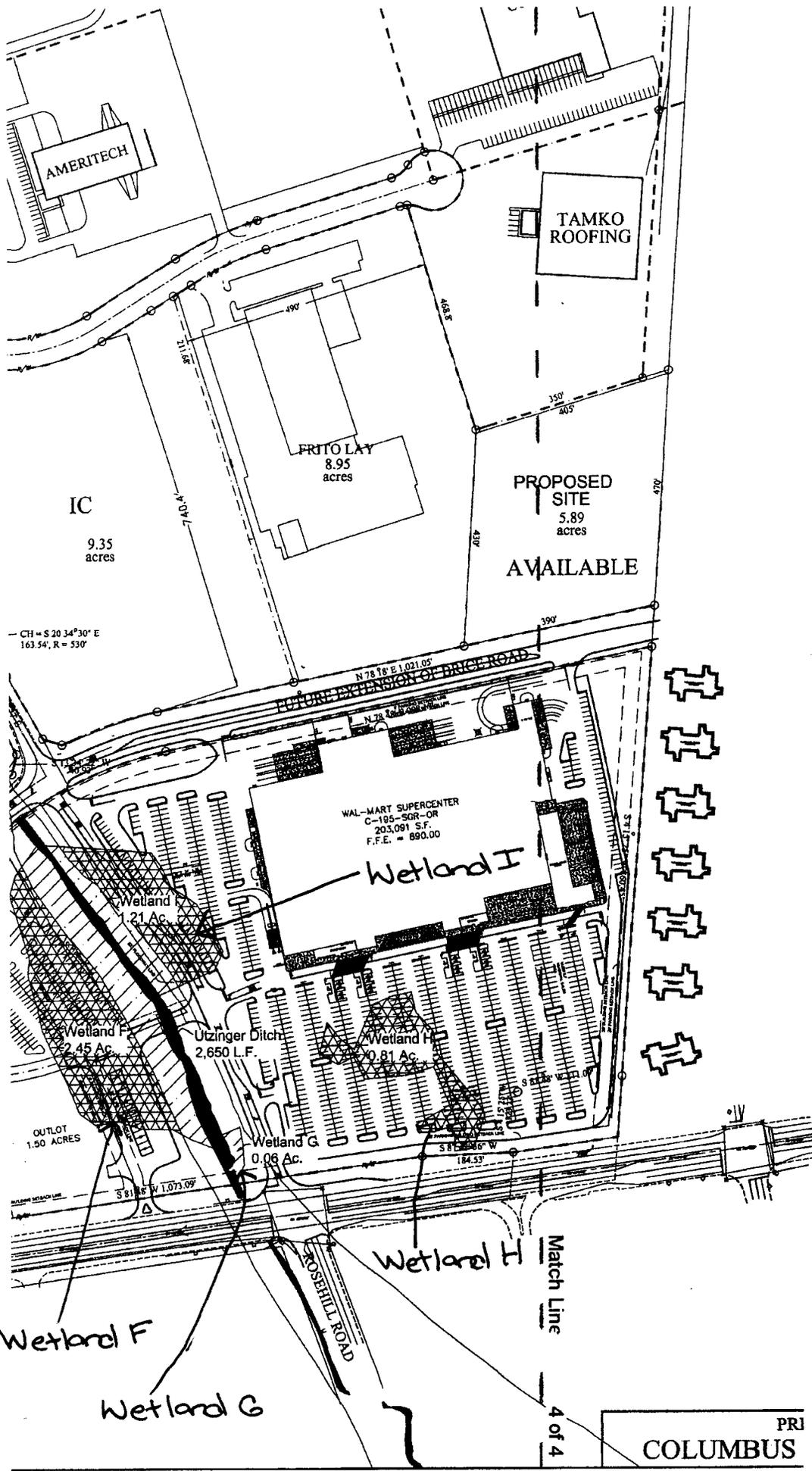
Match Line 3 of 4

AMERITECH

TAMKO  
ROOFING

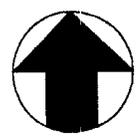
Columbus Corporate Center  
200301258-1 – U/T Blacklick Ck.  
Franklin County, Ohio  
Plan View (Segment 2), Sheet 3 of 5

**Site Development Plan**  
Columbus Corporate Center  
3 of 4



- UNIMPACTED WETLAND
  - WETLANDS FILL DATA
- |            |            |
|------------|------------|
| WETLAND F: | 1.62 ACRES |
| WETLAND H: | 0.81 ACRES |
| WETLAND I: | 0.88 ACRES |
| WETLAND J: | 0.08 ACRES |
| WETLAND K: | 0.04 ACRES |
| WETLAND L: | 0.07 ACRES |
| WETLAND M: | 0.02 ACRES |

NO IMPACTS TO  
UTZINGER DITCH ARE  
PROPOSED FOR THIS  
PROJECT



**NORTH**

SCALE: 1" = 150'-0"

REVISIONS	
No.	DATE
1	7-7-04

PRI  
**COLUMBUS**

