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Sep 11 2015
Office of Coastal Management
2015-039

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

August 26, 2015

REPLY TO

Regulatory Branch

SUBJECT: Coordination Prior to Letter of Permission Authorization, Processing No. 2015-00062, Location: Riley Point Wetland Restoration, Riley Township, Sandusky County, Ohio.

Email to: john.kessler@dnr.state.oh.us

Mr. John Kessler, P.E.
Environmental Services Administrator
Office of Real Estate
Ohio Department of Natural Resources
2045 Morse Rd., Columbus, OH 43229-6605

The U.S. Army Engineer District, Buffalo, is considering the issuance of a **LETTER OF PERMISSION** to:

Mr. Mark Rieneck
Riley Point LLC.
2275 County Road 239
Fremont, Ohio 43420

Authorizing work as follows: Construct an approximate 3,565 linear foot (lf) berm within a 38.7 acre wetland located south of the Sandusky River (Sheets 1 to 3 of 6). The proposed project is wetland enhancement by managing water levels to control invasive plant species and establish a native wetland species in approximately 27 acres of the 38.7 acre wetland. The berm will result in the discharge of fill into approximately 2.59 acres of emergent wetland and 0.60 acres of open water (Sheet 4 of 6). The berm will have a 12 foot top width, 2:1 outside slopes and 3:1 inside slopes (Sheet 5 of 6). Approximately 2,265 lf of berm will abut the Sandusky River and will be armored with approximately 713 cubic yards (CY) of rip rap. The berm along the river will have a top elevation of approximately 577.5 International Great Lakes Datum (IGLD), 1985 and contain an approximate 45 lf rock spillway with a top elevation of 574.5 IGLD, 1985 and a five foot by five foot fish structure open to the Sandusky River (Sheet 6 of 6). An approximate 865 lf water management channel is to be constructed in the northeast corner of the project area.

Please review and comment on the enclosed copy of the applicant's submittal.

Questions pertaining to this matter should be directed to me at (419) 898-3491, by writing to the following address: Brian Swartz, U.S. Army Corps of Engineers, 240 Lake Street, Unit D, Oak Harbor, Ohio 43449, or by e-mail at: brian.p.swartz@usace.army.mil

****IMPORTANT NOTE** -- PLEASE RESPOND WITHIN 15 DAYS OF THE ABOVE DATE OR WE WILL ASSUME YOU HAVE NO OBJECTION TO THE ISSUANCE.**

U.S. ARMY CORPS OF ENGINEERS

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

(33 CFR 325)

OMB APPROVAL NO. 0710-0003
EXPIRES: 31 AUGUST 2012

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required)
First - Mark Middle - J. Last - Rieneck	First - Mark Middle - David Last - Witt
Company - Riley Point LLC	Company - ODNR/Division of Wildlife
E-mail Address - mrdvm86@gmail.com	E-mail Address - mark.witt@dnr.state.oh.us
6. APPLICANT'S ADDRESS:	9. AGENT'S ADDRESS:
Address- 2275 CR 239	Address- 13229 W. State Route 2
City - Fremont State - OH Zip - 43420 Country - USA	City - Oak Harbor State - OH Zip - 43445 Country - USA
7. APPLICANT'S PHONE NOs. w/AREA CODE	10. AGENTS PHONE NOs. w/AREA CODE
a. Residence b. Business c. Fax	a. Residence b. Business c. Fax
419-355-3904	419-889-3706 419-898-0960 x 26 419-898-4017

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Mark D. Witt to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

Mark Rieneck, member — SIGNATURE OF APPLICANT

1/20/2015 — DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

Riley Point Wetland Restoration

13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable)
Sandusky River	Address 2914 CR 950
15. LOCATION OF PROJECT Latitude: °N 41.25' 33.68" Longitude: °W 083.03' 26.41"	City - Fremont State- OH Zip- 43420

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

State Tax Parcel ID 080600000300 Municipality Unincorporated

Section - 29 & 30 Township - Riley Twp Range -

17. DIRECTIONS TO THE SITE

From the SR 19/ SR 163 intersection in Oak Harbor, Ohio
Go South on SR 19 to SR 20 (10.5 miles)
Go West on SR 20 to SR 6 East (2.6 miles)
Go East on SR 6 to CR 202 North (2.0 miles)
Go North on CR 202 to CR 259 West (3.0 miles)
Go West on CR 259 to CR 950 North (0.3 miles)
Go North on CR 950 and arrive at property when road ends (0.3 miles)

18. Nature of Activity (Description of project, include all features)

The construction of a 3,565 linear feet levee adjacent to the Sandusky River. This levee will be constructed with a 12 foot top width, 2:1 outside slopes and 3:1 inside slopes using a combination of heavy equipment including, but not limited to dozer, excavator, haul trucks, dragline and pan. Additionally, the levee will be protected from the erosion action of the Sandusky River by the placement of 2,265 linear feet of large rip-rap (class D) totalling 713 cubic yards using haul trucks and excavator. Levee material will be excavated from macro topography areas during the creation of a wetland in the adjacent farm land. Drainage of adjacent farm land can be diverted and filtered through the wetland via the tile system and a pump station . A fish passageway/water control structure station will be installed into the new levee during construction. Additionally, a 50 linear foot rock spillway will be built into the levee to accommodate Sandusky River flood events. This allows for flood storage, sediment filtration and nutrient reduction during these high water events.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The construction of this levee will facilitate water level management of this wetland site which is currently degraded and of poor value to wetland dependent species of birds, reptiles, amphibians, mammals and fish. Several federally listed species that will benefit from the protection and restoration work including Kirtlands Warbler (E) which utilize the early successional growth on the perimeter of the wetland. The Indiana bat (E) and the Northern long-eared bat (PE) which ocuppy the larger canopy trees. Bald Eagles (SC) utilize the super canopy cottonwood trees for nesting and perches to hunt the river and wetland for food. The installation of the fish passageway/ water control structure will allow wetland management of noxious invasive plant species and establishment of native wetland vegetation. Additionally, the fish passageway/water control structure will allow connectivity of the Sandusky River fish communities with this newly enhanced wetland site. Four Ohio-Endangered fish that will benefit from the restoration and availability of this costal wetland include (spotted gar, blackchin shiner, blacknose shiner, and pugnose minnow) and 1 Species of Concern (muskellunge). See attached ORAM.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Construction of a levee to allow for water level management, invasive species control, native wetland vegetation establishment, native terrestrial wetland dependent species use and native fish community access. Additionally, the project will allow for flood water retention, sediment and nutrient filtration and ground water recharge.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
Clay 19,113 cubic yards	Rip Rap (Class D) 713 cubic yards	

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres 3.2 acres will be filled. This fill will result in the enhancement of 27 acres of degraded wetland.
or
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The constructed levee will be protected with class D rip-rap as it is built and after finish grade it will be seeded, fertilized and mulched.

24. Is Any Portion of the Work Already Complete? ☐ Yes ☒ No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- Reginal Parks Trustee 1760 CR 129

City - Fremont State - Ohio Zip - 43420

b. Address- Charles and Paul Gonya Trustees 1880 CR 129

City - Fremont State - Ohio Zip - 43420

c. Address- Wightmans Grove Conservancy 2923 CR 206

City - Fremont State - Ohio Zip - 43420

d. Address- Robert and Linda Schwyn 2890 CR 198

City - Fremont State - Ohio Zip - 43420

e. Address- Dennis Buehler 7538 W. Stump Rd

City - Oak Harbor State - Ohio Zip - 43449

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

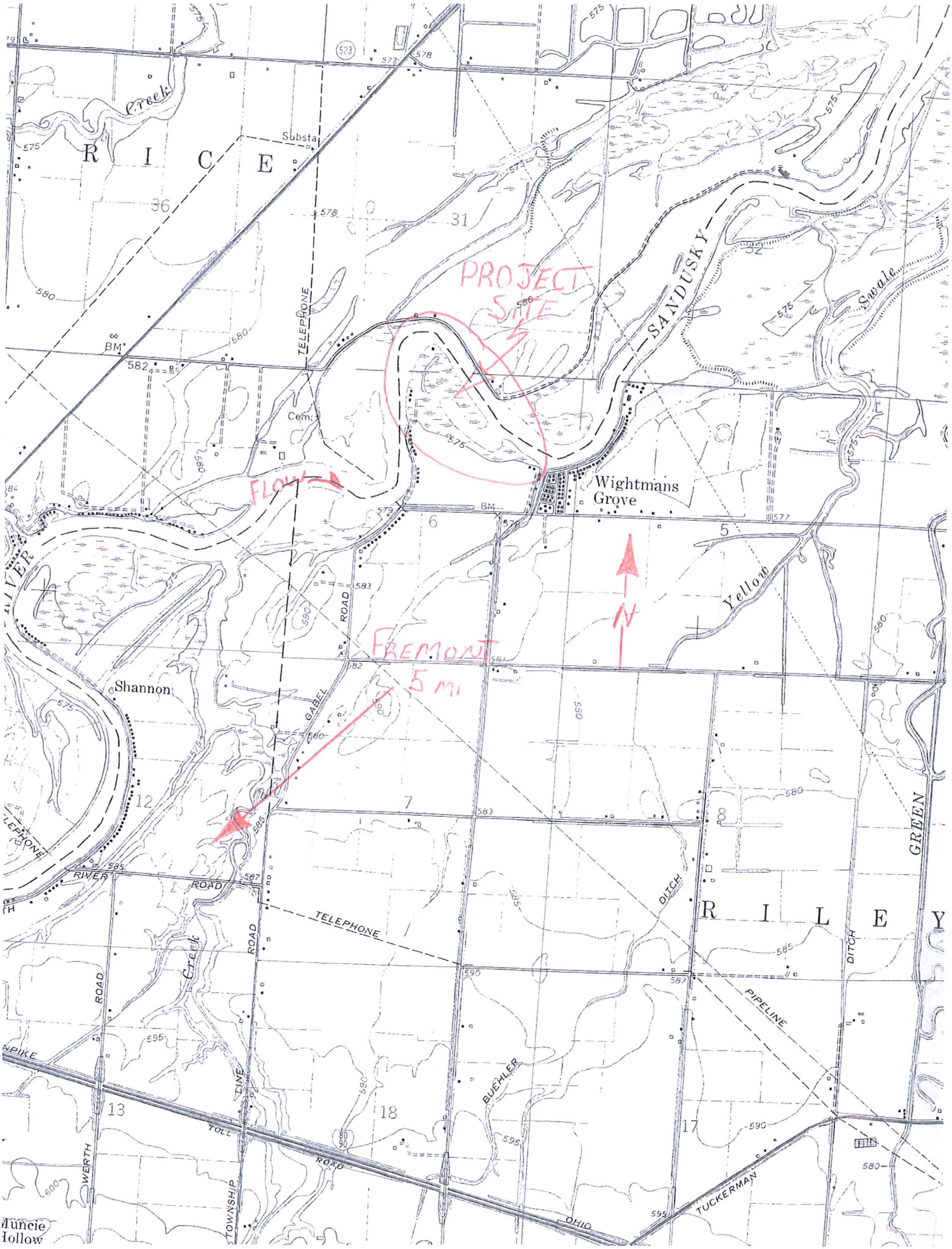
* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Mark Reinert member — SIGNATURE OF APPLICANT
1/20/2015 — DATE
Mel D. Tuff — SIGNATURE OF AGENT
1/20/2015 — DATE

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 11 has been filled out and signed.

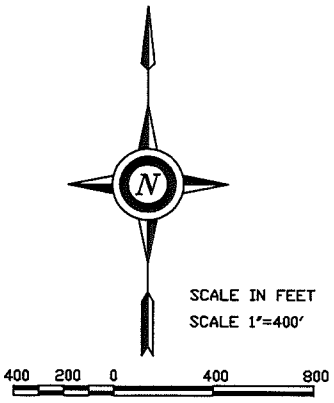
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.



PROJECT SITE
FLOW
FREMONT 5 mi
N
R I C E
R I L E Y
Wightmans Grove
Shannon
Creek
Substa
Cem
SANDUSKY
Swale
Yellow
GREEN
TELEPHONE
GABEL ROAD
RIVER ROAD
DITCH
PIPELINE
BUEHLER
TOLL ROAD
TOWNSHIP LINE
WERTH ROAD
TUCKERMAN
OHIO
Muncie Hollow
36
31
32
1
6
5
12
7
8
13
18
17

PLAN VIEW
RILEY POINT

OBJECTIVE:
TO CONSTRUCT THE PROPOSED EARTHEN DIKE TO AID THE MANAGEMENT AND MAINTENANCE OF WETLAND VEGETATION AND WATER LEVELS WITHIN THE IMPOUNDED WETLAND.
THE EXISTING VEGETATION WITH IN THE PROPOSED PROJECT IS DOMINATED BY PHRAGMITES.



PLAN VIEW
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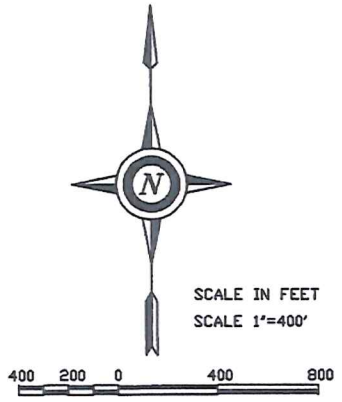
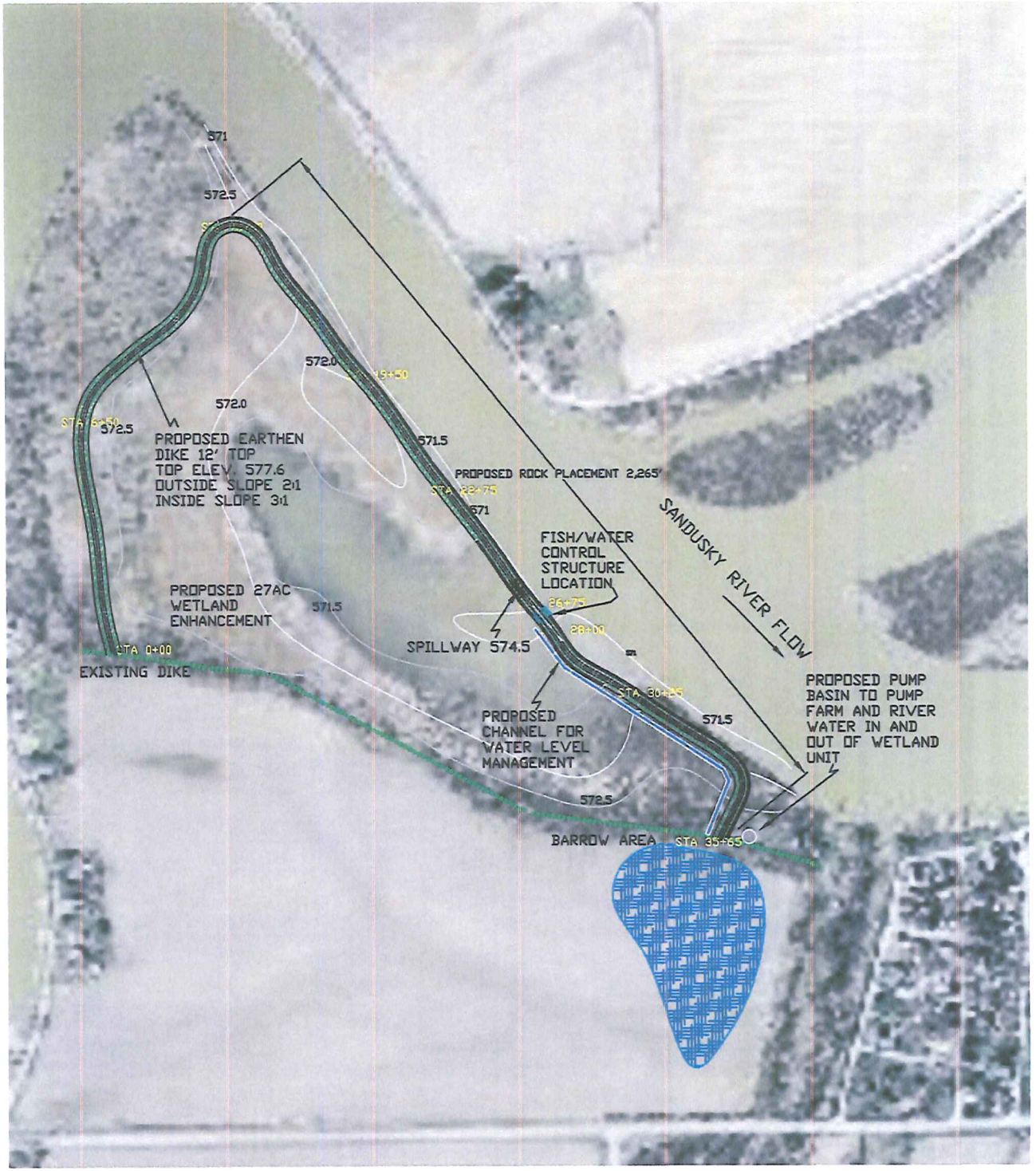
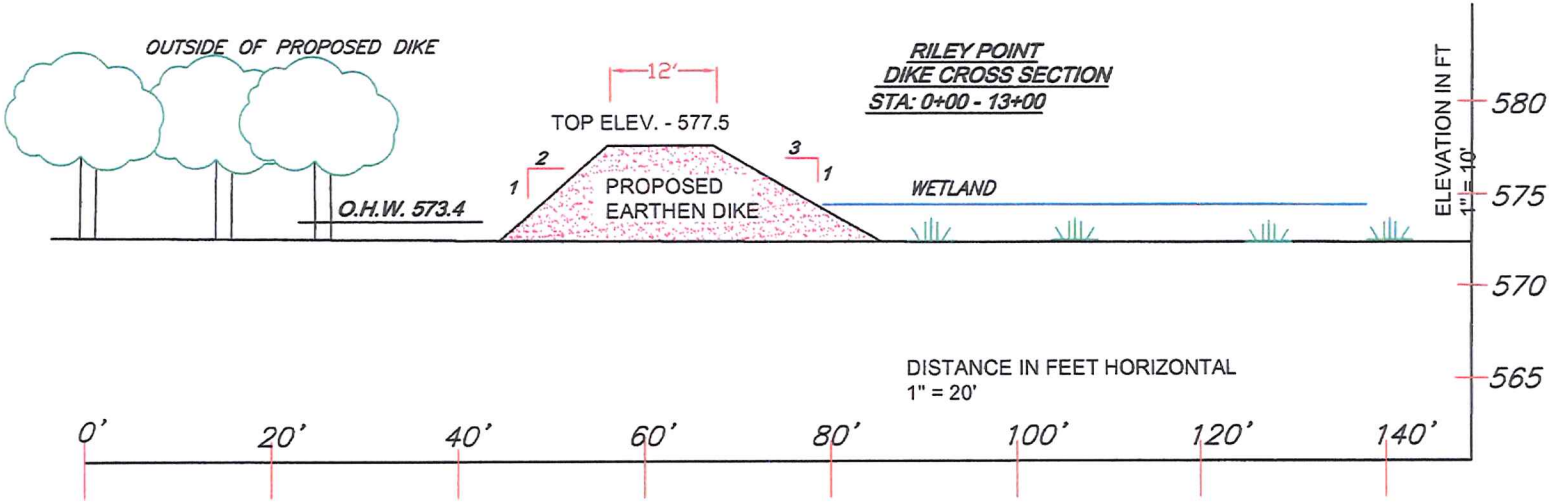
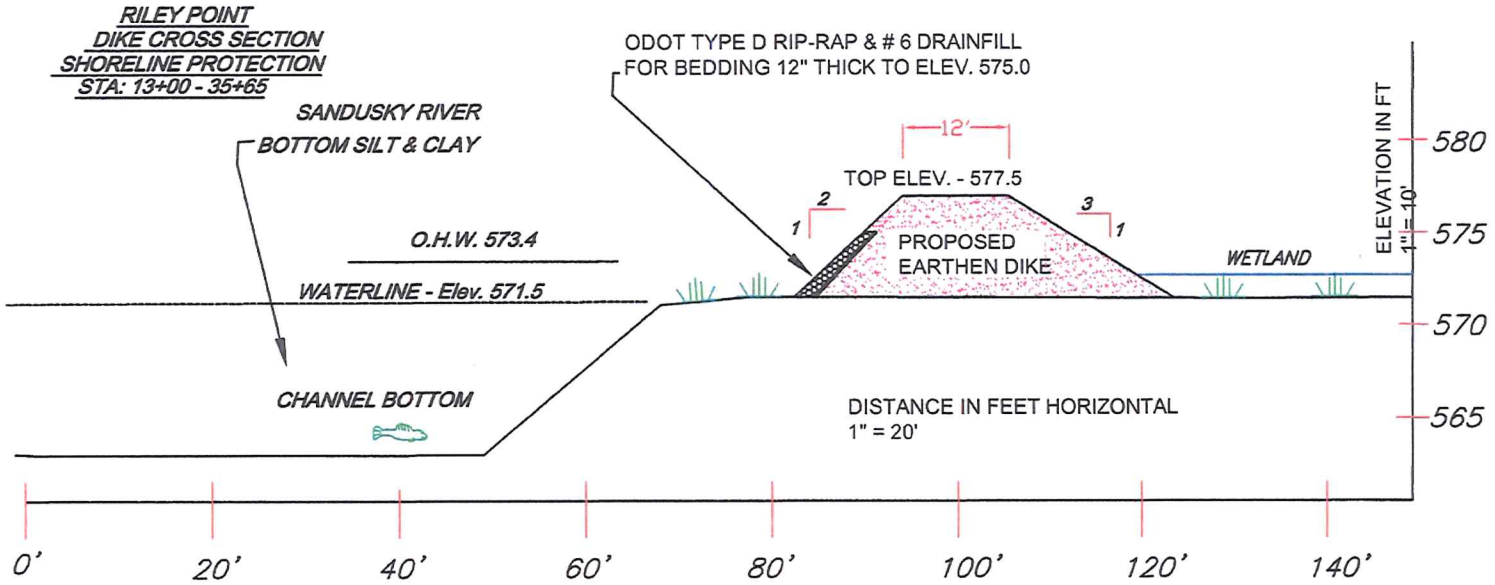








ALL FILL MATERIAL WILL BE PLACED WITHIN THE PROPOSED DIKE FOOT PRINT.
LENGTH OF FILL 3,565'
APPROXIMATELY 19,113 CYDS OF EARTHEN MATERIAL

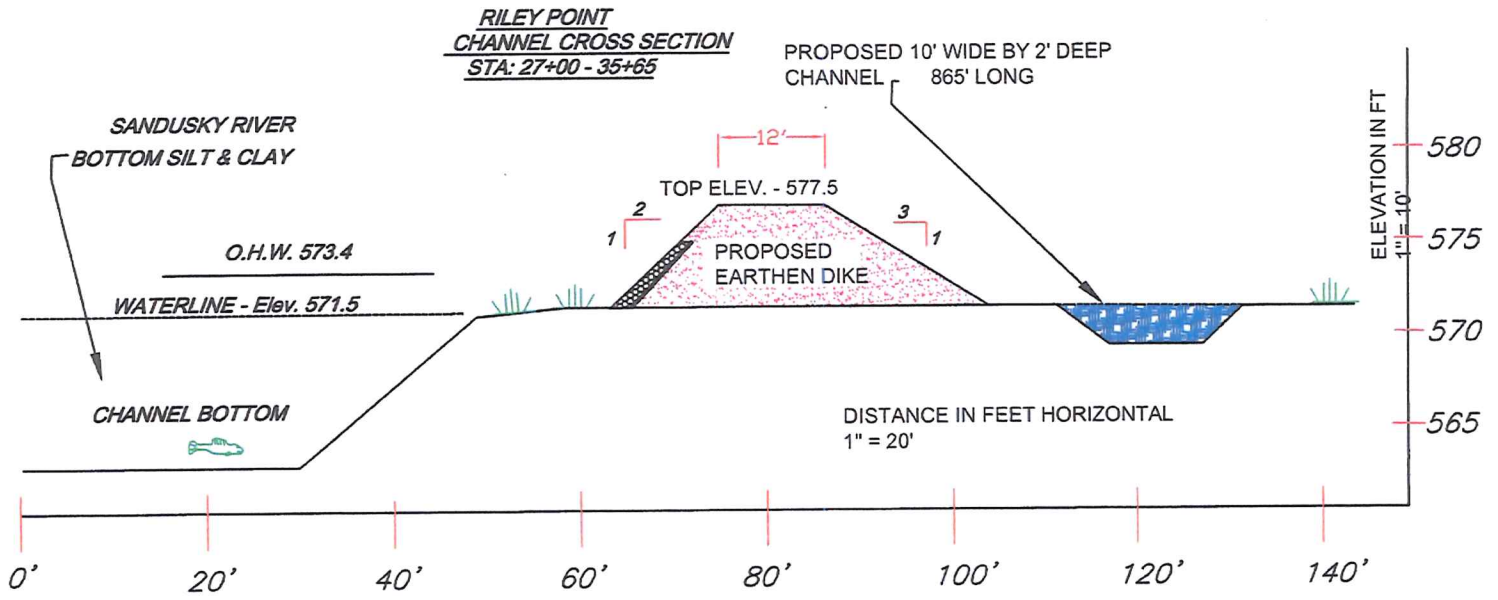
LENGTH OF FILL 2,265'
APPROXIMATELY 713 CYDS OF ROCK RIP RAP

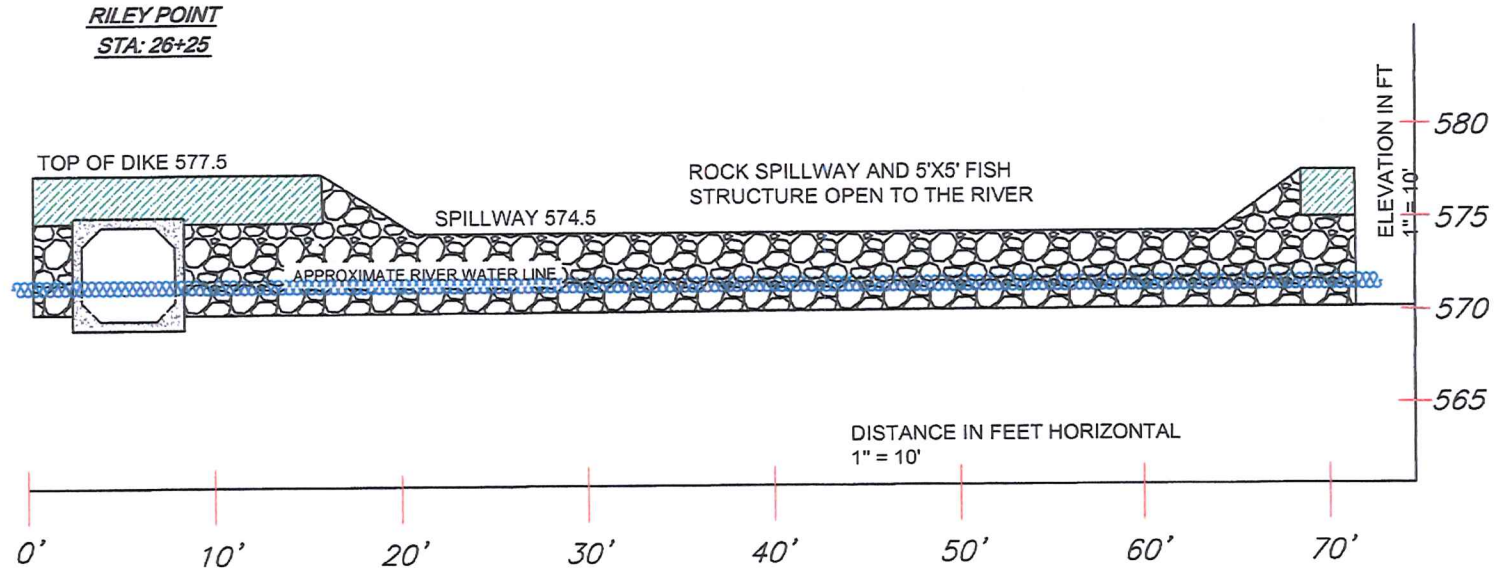
FILL FOR PROPOSED EARTHEN DIKE 3.2 ACRES IN ORDER TO ENHANCE 27 ACRES OF DEGRADED WETLANDS

LENGTH OF SHORE LINE BETWEEN PROPERTY LINES 6,000'

WORK TO BE DONE WITH AN DRAGLINE CRANE EXCAVATOR AND BULLDOZER

PROPOSED PROJECT IS DUE TO THE LANDOWNERS INTEREST IN RESTORING NATURAL NATIVE WETLAND VEGETATION WHERE CURRENTLY THE VEGETATION IS DOMINATED BY INVASIVE'S SUCH AS PHRAGMITEES, THE PROJECT IS SUPPORTED WITH AN AGREEMENT BETWEEN THE USFWS,OHIO DOW, DUCKS UNLIMITED AND THE LANDOWNERS TO MAINTAIN AN NATURAL WETLAND STATE.


RILEY POINT
CHANNEL CROSS SECTION
STA: 27+00 - 35+65
PROPOSED 10' WIDE BY 2' DEEP
CHANNEL 865' LONG
SANDUSKY RIVER
BOTTOM SILT & CLAY
12'
TOP ELEV. - 577.5
2
1
3
1
PROPOSED
EARTHEN DIKE
O.H.W. 573.4
WATERLINE - Elev. 571.5
CHANNEL BOTTOM
ELEVATION IN FT
1" = 10'
580
575
570
565
DISTANCE IN FEET HORIZONTAL
1" = 20'
0'
20'
40'
60'
80'
100'
120'
140'


RILEY POINT
STA: 26+25
TOP OF DIKE 577.5
ROCK SPILLWAY AND 5'X5' FISH
STRUCTURE OPEN TO THE RIVER
SPILLWAY 574.5
APPROXIMATE RIVER WATER LINE
ELEVATION IN FT
1" = 10'
580
575
570
565
DISTANCE IN FEET HORIZONTAL
1" = 10'
0'
10'
20'
30'
40'
50'
60'
70'