



April 16, 2013

Ms. Dottie Franey, Director of Public Service  
City Of Gahanna  
200 South Hamilton Road  
Gahanna, OH 43230

RE: Proposal for Professional Services: Sycamore Run Permitting; City of Gahanna, Ohio.

Dear Dottie,

In accordance with our recent discussions, EMH&T is pleased to provide this scope of work and fee proposal for permitting services related to the referenced stream restoration project. The engineering services for this project were included within a previous proposal. The permitting services include obtaining the appropriate Section 404 Nationwide Permit from the U.S. Army Corp of Engineers (USACE), as well as a floodplain use permit from the City, which are required prior to the start of any construction activities within the channel.

#### **PROJECT DESCRIPTION**

The project includes the restoration of approximately 970 linear feet of Sycamore Run downstream of N. Hamilton Road. The project area is located on land owned by the City of Gahanna (along State Route 62; E. Johnstown Road) and land owned by the Sycamore Woods Condominium Association (SWCA). The goal of the stream restoration project is to address existing impairments related to active bank erosion and encroachment of adjacent development, in a way that will restore both physical stability and aquatic habitat potential within the stream, while also considering capacity for flood conveyance. The stream restoration activities will also include the establishment of floodplain wetlands within portions of the active stream channel that will be abandoned as part of the restoration process. These restoration activities were documented in a 319(h) grant application previously submitted to the Ohio EPA.

The stream restoration design that was a part of a previous proposal included a properly sized bankfull channel with connectivity to the adjacent floodplain, and provided a stable sinuous channel pattern with a riffle/run/pool/glide sequence. The design also accounted for channel bank stability to prevent future impairments and provided a planting plan for enhancement of the riparian corridor and wetlands.

#### **SCOPE OF SERVICES**

##### **Task 1: Permit Applications**

The permitting activities described below are required prior to the start of the construction of the project.

- A. Section 404 Nationwide Permit (NWP): NWP #27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities), associated with Section 404 of the Clean Water Act, will be required for the implementation of the project. EMH&T will prepare a notification to the USACE, Huntington District, premised on the application of natural channel design to stabilize and improve the habitat potential of the Sycamore Run stream corridor. The NWP will be obtained by our environmental staff that has an established reputation working with the USACE and in providing the additional coordination described below.
  1. Compile all necessary information for and prepare a permit application in compliance with the requirements for a NWP #27.
  2. Conduct a records search of the Ohio Natural Heritage Database to determine whether unique habitats or records of endangered species exist within the project area. For the purpose of this proposal, we are assuming this research will not reveal any significant findings and a more detailed endangered species surveys will not be required.

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**EXHIBIT A**

3. Conduct a records search through the Ohio Historic Preservation Office and provide other basic literature research regarding potential cultural resources within the project area, which is required as part of a NWP application. For the purpose of this proposal, we are assuming this research will not reveal any significant findings and no further investigation (Phase I CRM investigation) will be required.
4. Coordinate with the U.S. Fish and Wildlife Service regarding endangered species, including a site visit with a designated representative, if needed.
5. Coordinate with the Ohio Department of Natural Resources, which includes requesting and answering comments regarding the conceptual stream enhancement design.
6. Represent the Client to the regulatory agencies during the permit review process.

The completed permit will be presented to the City for consideration prior to submission to the USACE.

- B. Floodplain Permitting: We will prepare a Special Flood Hazard Area Development (SFHAD) permit application for submittal to the City. The flood hazard impact analysis completed with a previous proposal will be used to support the permitting process. For the purpose of this proposal, it is assumed that the results of this analysis will show a no-rise in 100-year flood elevations attributed to the stream restoration project. With that in mind, the SFHAD permit can be obtained from the City without first obtaining a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA).
- C. Notice of Intent (NOI): We will prepare a NOI application for submittal to the City, and we will submit the application to the Ohio EPA once it has been reviewed and signed by the City. As part of this effort, we will prepare a Stormwater Pollution Prevention Plan (SWPPP) document.

**Task 2: Conservation Easements**

A permanent conservation easement will be required for the stream restoration corridor as documented in the 319(h) grant application. Separate easements will be required for the City-owned and SWCA properties. In support of this effort, we will provide legal descriptions and exhibit for these easements. We will also provide recommendations regarding the appropriate conveyance document to record the easements (e.g., Deed of Easement); however, we recommend the City and the SWCA collaborate in the finalization of that document, as well as the recordation of the easements.

**Task 3: Grant Administration Services [If Authorized]**

EMH&T will provide grant administration services at the request of the City, those services to be determined and requested by the City as the project progresses.

**FEE PROPOSAL**

We propose to provide the services described above for the not to exceed fees described below. Actual fees will be billed based on the number of hours worked by the various employees associated with the project. These fees include reimbursable expenses, but do not include any permitting or review fees.

<u>Task</u>	<u>FEE</u>
1 – Permit Applications	
A. Section 404 NWP #27	\$7,200
B. SFHAD Permit	\$3,800
C. NOI (and SWPPP)	\$3,800
2 – Conservation Easements (legal descriptions and exhibits)	\$3,000
3 – Grant Administration Services [If Authorized]	<u>\$2,000</u>
<b>Total Fees:</b>	<b>\$19,800</b>

### **ADDITIONAL SERVICES**

Any services that are not included under this scope of services may be provided on an hourly basis in accordance with our standard rate schedule or under a separate fee proposal. Listed below are three specific services we can continue to assist the City with related to this project.

#### Education and Outreach

The 319(h) grant application outlines specific education and outreach initiatives associated with the project and also alludes to City staff who will participate in that effort. EMH&T can support the City in meeting the various education and outreach objectives of the project.

#### Construction Services

EMH&T's design of the relocated stream channel will be based on the principals of natural stream channel design, integrated with the known constraints of the project site. The ultimate success of the completed project will depend substantially on the construction of the various components of the project. We can either provide very specific construction consultation to ensure conformation with the plans or provide more comprehensive construction administration services. Construction services may include a pre-construction meeting, intermittent on-site inspection, and coordination with the contractor and City throughout the course of the project.

#### Post-Construction Monitoring Services

As a condition of the authorized NWP #27, the USACE will require periodic monitoring of the restored stream and created wetlands proposed for the project. The periodic monitoring is required to determine if the restoration project has been completed per the required permit conditions and that the project is obtaining the assessment scoring criteria identified in the authorized permit. Once the permit has been authorized and the special conditions identified for the completed project, EMH&T can provide a scope of services and fee proposal to complete the periodic post-construction monitoring identified in the permit; completing all the required assessment criteria and monitoring protocol identified by the USACE.

### **EXCLUSIONS**

The services listed below are not included under this proposal but can be provided under a separate proposal at the request of the City.

- Construction staking.
- Construction administration (see discussion of Construction Services, above).
- Permitting activities beyond those described in the Scope of Services.
- Preparation of a Final Mitigation Plan if one is required by the Corps as part of the NWP process.
- Endangered species surveys (Indiana bat mist net survey, fish survey, mussel survey, etc.).
- Phase I Cultural Resources Management investigation.
- Bid advertisement.
- Post-construction stream monitoring for the 319(h) grant program. The Ohio EPA will perform this service to fulfill the monitoring requirements under the 319(h) grant program only. Additional monitoring will most likely be required to fulfill the conditions of the NWP #27 authorized by the USACE.
- A CLOMR application to FEMA. This task should not be required as part of the floodplain permitting process.
- A LOMR application to FEMA. This task may be desired by the City once the project is completed.

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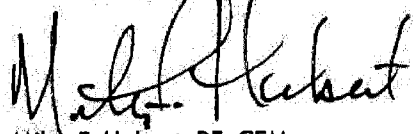
**INVOICING**

Invoices for the aforementioned services shall be due and payable within thirty (30) days of issuance. In the event that payment is not made in a timely manner, the overdue balance shall bear interest at a rate of 1.5% per month.

We appreciate the opportunity to submit our proposal to you and we are prepared to proceed upon receipt of your authorization. You may contact me directly with questions at (614) 775-4205 or at mhebert@emht.com.

Respectfully submitted,

EVANS, MECHWART, HAMBLETON & TILTON, INC.



Miles F. Hebert, PE, CFM  
Director, Water Resources Engineering

**Acceptance and Authorization to Proceed**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name and Date