

SPECIAL CONDITIONS:

1. That mitigation is required for the loss of 1.38 acres of waters of the United States. That 2.5 credits must be purchased from the Trumbull Creek Mitigation Bank **prior** to the placement of any fill in a water of the U.S. on the LAK-90/615-9.26/1.83 PID: 9331; LAK-615-2.82 PID: 9332; LAK-615-1.18 PID: 12790 project. A signed copy of the Trumbull Creek Wetland Mitigation Agreement and verification of the transfer of funds must be sent to Kathleen M. Ryan, U.S. Army Corps of Engineers, Regulatory Branch, 1776 Niagara Street, Buffalo, NY 14207-3199.
2. That you are responsible for ensuring that the contractor and/or workers executing the activity(s) authorized by this permit have knowledge of the terms and conditions of the authorization and that a copy of the permit document is at the project site throughout the period the work is underway.
3. That efforts shall be made to keep construction debris from entering the waterway or wetland, and shall be removed immediately should any such debris be present in the waterway or wetland.
4. That any discharge of dredged or fill material shall consist of suitable material free from toxic pollutants in toxic amounts.
5. That trees with cavities or exfoliated bark shall not be cut between April 15 and September 15 without first conducting a mistnet survey (or other acceptable survey) for the Indiana bat. Trees with cavities or exfoliating bark may provide potential roosting habitat for this Federally listed endangered species. Additional information may be obtained by contacting Mr. Buddy Fazio of the U.S. Fish and Wildlife Service at (614) 469-6923.
6. That the mechanical equipment used to execute the work authorized herein shall be operated in such a way as to minimize turbidity that could degrade water quality and adversely affect aquatic plant and animal life.
7. That the Water Quality Certification issued for this project by the State of Ohio is part of this Department of the Army permit pursuant to Section 401(d) of the Clean Water Act. Noncompliance with any limitations or requirements stated in the certification may be a basis for suspension, revocation or modification of this permit.
8. Silt curtains or a similar type turbidity control device shall be placed upstream and downstream of the construction area. This includes placement in wetlands and unnamed tributaries.
9. All erosion and sediment control practices shall be in place prior to any grading or filling operations and installation of proposed structures or utilities. They shall remain in place until construction is completed and the area is stabilized.

SPECIAL CONDITIONS CONTINUED:

10. That as soon as possible following construction all exposed banks and slopes shall be seeded and mulched to prevent erosion.
11. That the stipulations contained in the Memorandum of Agreement Submitted to the Advisory Council on Historic Preservation Pursuant to 36 CFR 800.6, and accepted by the Advisory Council on Historic Preservation June 1, 1998, be carried out. These stipulations deal with the treatment of two historic properties listed in the National Register of Historic Places that will be affected by this project: The John and Carrie Yager House, 7612 Center Street, and the Benjamin and Mary Young House, 7597 Center Street.