



State of Ohio  
Environmental Protection Agency

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Division of Surface Water

# SWERP Clearinghouse Users Guide



A Tool to Facilitate  
Submission and Selection of Potential  
Surface Water Enhancement, Restoration and  
Protection Projects

**April 2009**

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## **1.0 Purpose**

The Surface Water Enhancement, Restoration and Protection (SWERP) Clearinghouse Users Guide is designed to provide information for applicants seeking surface water improvement and protection sites for Section 401 water quality certifications, isolated wetland permits, or supplemental environmental projects and to persons or organizations who wish to offer property for consideration. It also provides a forum for presenting possible projects that may address implementation opportunities identified in total maximum daily load program projects, source water protection plans, watershed action plans or remedial action plans. The guide gives step-by-step instructions on how to complete the SWERP Clearinghouse application and provides links for assistance and potential partnering. The SWERP Clearinghouse should facilitate the effort to locate surface water improvement projects close to proposed surface water impacts.

## **2.0 Introduction**

It is sometimes difficult for Section 401 certification applicants, isolated wetland permit applicants or people looking for supplemental environmental projects to know what areas are available for wetland, stream or lake improvement or protection in the vicinity of a proposed surface water impact site. It is also difficult for people with property that could be used for surface water improvement projects to link with qualifying applicants. By accessing the SWERP Clearinghouse, applicants will be made aware of potential options.

Inclusion of a project or site in the SWERP Clearinghouse does not constitute Ohio EPA endorsement or approval of that site. It means only that Ohio EPA has received sufficient information to post the information in the Clearinghouse. It is incumbent upon the applicant to contact the party that offered the project or site to determine if the project will satisfy their requirements. Ohio EPA does not pre-authorize these projects. Applicants are required to go through the certification/permitting process or the supplemental environmental project review process including the project and mitigation sequencing (for Section 401 certification and isolated wetland permit mitigation) described in Section 4.0 of this guide.

Individuals or groups, such as watershed groups that have a total maximum daily load program project, source water protection plan, watershed action plan or remedial action plan are encouraged to seek funds to support local restoration efforts from those applicants who need to construct mitigation projects for impacts to surface waters. Therefore, these individuals or groups should complete and submit a SWERP application that identifies potential restoration, enhancement or preservation opportunities in their watershed as identified in their plans.

## **3.0 Disclaimer**

This SWERP Clearinghouse hosted by the Ohio EPA, Division of Surface Water is not intended to represent a complete or comprehensive list of all surface water improvement and protection projects/sites that are available. The SWERP Clearinghouse contains those projects/sites that various individuals or groups have voluntarily submitted to Ohio EPA, Division of Surface Water.

Note: Properties listed in the SWERP Clearinghouse must be owned by the applicant, or the property owner must have given express approval for listing the property in the SWERP Clearinghouse.

Project information displayed in the SWERP Clearinghouse does not constitute an endorsement of any of the listed projects/sites by Ohio EPA, nor a guarantee by Ohio EPA that such projects/sites will be acceptable as part of a Section 401 certification review, isolated wetland permit review, or supplemental environmental project. The listing of a potential project/site in the SWERP Clearinghouse has no bearing or effect upon the requirements of the Section 404 permit reviewed by the U.S. Army Corps of Engineers, if applicable.

## **4.0 Information for Applicants Seeking Surface Water Improvement and Protection Sites**

The SWERP Clearinghouse, posted on the internet at <http://www.epa.ohio.gov/dsw/swerp/index.aspx>, includes a database that lists water quality enhancement, restoration and protection projects submitted to Ohio EPA. The database is periodically updated to add new submissions. It is the applicant's or defendant's responsibility to determine if any of the listed projects are still available or viable.

### **4.1 Project and Mitigation Sequencing**

Ohio EPA reviews projects for Section 401 certifications and isolated wetland permits to determine compliance with Ohio's water quality standards rules, Chapter 3745-1 of the Ohio Administrative Code (OAC). OAC rules 3745-1-54 and 3745-1-05 require a sequencing analysis when reviewing Section 401 certification and isolated wetland permit applications. Emphasis is placed on avoidance of impacts to surface waters first, and then minimization of impacts. Applicants for Section 401 certifications and isolated wetland permits are required to consider all less environmentally damaging, practicable upland alternatives to filling in waters of the state. This applies to all surface waters including wetlands, streams, ponds and lakes. If applicants demonstrate to Ohio EPA there are no other practicable, less environmentally damaging upland alternatives and that impacts to surface waters can be minimized and adequately mitigated, applicants may obtain a Section 401 certification or isolated wetland permit.

When presenting a mitigation option to Ohio EPA, applicants must first consider opportunities for on-site mitigation. This means that appropriate in-kind mitigation must be considered within a 1-mile radius of the proposed impact. If mitigation would not adequately replace the lost functions of the impacted surface water, or is not technically feasible, then off-site mitigation in the hydrologic unit code (HUC) 8 watershed may be considered.

Applicants looking for stream mitigation options should ensure that mitigation relates directly to compensating for the particular type of water quality impact.

### **4.2 Wetland Mitigation**

Mitigation of category 1 wetland impacts may be mitigated outside the HUC 8 watershed but must be mitigated within the same U.S. Army Corps of Engineers district boundaries.

Information about mitigation options and ratio requirements for isolated wetlands are contained in sections 6111.02 to 6111.029 of the Ohio Revised Code (ORC). Information about non-isolated wetlands is found in OAC rule 3745-1-54. In addition to the mitigation ratio requirements, Ohio EPA encourages applicants to consider replacement of function and value of the impacted resource. In addition, applicants are encouraged to look for potential restoration wetlands before looking for wetland creation, enhancement or preservation opportunities.

Wetland mitigation banks are available for certain service areas when wetland mitigation projects need to be located off-site from the impact. Wetland mitigation banks are the only Ohio EPA pre-evaluated mitigation areas. However, use of mitigation credits to compensate for wetland impacts must be approved by a Section 401 certification or isolated wetland permit (either an individual or general permit). The Ohio wetland mitigation banks table is posted on the internet at <http://www.epa.ohio.gov/dsw/401/IWP.aspx> and contains the delineation of Mitigation Bank service areas and information about banks. Additional wetland mitigation banks may be added or closed. These changes will be reflected in the table. If you have an area that you are interested in offering as a mitigation bank, please contact the U.S. Army Corps of Engineers District where the land is located.

### **4.3 Stream and Lake Mitigation**

Stream mitigation may include bank stabilization using biotechnical erosion control techniques, riparian corridor protection or establishment, in-stream habitat enhancement, or re-establishment of flood plain areas. Lake mitigation may include enhancing fish habitat along the shore.

### **4.4 Supplemental Environmental Projects (SEPs)**

The Ohio EPA SEP guidance establishes procedures and criteria for Ohio EPA and the Ohio Attorney General's Office, Environmental Enforcement Section, regarding the potential use of SEPs in administrative and judicial consent orders to resolve environmental enforcement actions. The Ohio EPA SEP guidance is posted on the internet at <http://www.epa.ohio.gov/dsw/swerp/index.aspx>.

Additional SEP information, including links to U.S. EPA's Final Supplemental Environmental Projects Policy (SEPs Policy) and a Model SEP Consent Agreement and Final Order with provisions for including SEPs, is available on the U.S. EPA Web page <http://www.epa.gov/compliance/civil/seps/>.

## **5.0 Information for Persons or Organizations Who Wish to Offer Property for Consideration – Completing the SWERP Application**

**Note:** Properties listed in the SWERP Clearinghouse must be owned by the applicant, or the property owner must have given express approval for listing the property in the Clearinghouse.

The SWERP Clearinghouse is set up for input from, and review by the public. Interested parties may submit an electronic or hard copy version of their proposal to Ohio EPA, Division of Surface Water as directed at the end of the SWERP application. The information will be added to the

web site, but Ohio EPA will not be evaluating or editing this information. It is important to provide complete and concise information to make this a useful and user-friendly web site for applicants looking for projects/sites. At a minimum, we must have a contact name, location information (with correct latitude/longitude), type of project available and short text description.

The following is step-by-step guidance in how to complete the SWERP Application. It outlines what type of information should be included, where to find this information, and a framework in how it should be presented.

## **I. Contact Information:**

**Name:** List the primary contact name associated with the address below.

**Organization:** List the organization or organizations (if applicable) with an interest in developing the area and offering as a project option.

**Address:** List a complete street address, not a post office box.

**Phone Number:** List the phone number for the primary contact listed above.

**Fax Number:** List a Fax number, if available, for the primary contact listed above.

**E-Mail Address:** List an e-mail address, if available, for the primary contact listed above.

**Submission Date:** (Ohio EPA Use) - The date you e-mailed your information to or sent Ohio EPA Division of Surface Water a hard copy of the SWERP Application.

**Tracking Name:** (Ohio EPA Use)

**Tracking Number:** (Ohio EPA Use)

## **II. Project Location Information:**

**1) Project Name:** Give all names attributed to the project.

**2) Address:** Address or location along a road (perhaps between addresses) where the property is located. Or, identify the length in miles or feet from a major intersection and then which side of the road (north, south, east, west) and how far off the road. If there are multiple potential project areas at different locations within the same HUC 8 watershed, then you may specify on one application, listing each area as separate entries. Each potential project area at different locations in different HUC 8 watersheds should have a separate form submitted for the SWERP Clearinghouse.

Most of the following location information can be obtained by going to the following web site: <http://gis.epa.ohio.gov/map.php>

**3) County:** List the county or counties where the property is located.

**4) HUC 8 Watershed:** Select the proper HUC 8 Code.

**Other HUC Designation:** If you have a smaller HUC unit determination, include it here. For example, you may respond by indicating HUC 11 - 05040001090. For assistance in locating a site, you may refer to the NRCS web site that includes stream overlays on HUC 11 and HUC 14 maps. See HUC Information.

**Latitude and Longitude:** Ohio EPA encourages you to provide coordinates in degrees, minutes and seconds. Seconds should be to at least two decimal places. Choose a point in the center of the wetland for an individual wetland (or potential wetland) or in the center of a wetland complex (or potential wetland complex) on the same property.

Choose a point in the center of a stream segment for a stream mitigation area or in the center of a length of shoreline for a lake mitigation project.

**5) Location Description:** Include notes on Lat/Long coordinates. Be specific about where the coordinates were taken to best identify the location of the potential mitigation area. Note any distinguishing landmarks that might help identify the location. In addition to providing this information, we suggest you send us a map with the site circled.

**6) Land Ownership:** Do you or the contact organization own the land where mitigation is proposed? If not, who owns the land and what is their address and telephone number?

### III. Project Description:

**1) Project is available for:** If you would like your project to be considered for both 401 and Isolated Wetland Permit mitigation and as a Supplemental Environmental Project, then check both boxes. If not, then just check the box that you prefer.

**2) Opportunities available on your site:** Restoration, Creation, Enhancement, Preservation. Note that Ohio EPA prefers wetland restoration to other types of wetland mitigation because there is a higher probability of success in replacing lost functions and values of an impacted wetland. Wetland preservation does not replace lost wetland acreage but is occasionally authorized, especially if paired with wetland restoration. Please check all opportunities that may apply to your site.

**3) Mechanism to Protect Project Area:** Conservation Easement, Environmental Covenant, Fee Simple Transfer. There should be a mechanism for protection of the project area. Any mitigation area constructed as part of a Section 401 Certification or Isolated Wetland Permit must be protected in perpetuity in order to be authorized. Please identify the specific protection mechanism offered with this mitigation area.

**Comments:** Please indicate whether the contact or contact organization is an entity authorized to acquire conservation easements under ORC 5301.69(A), or whether you know of such an entity operating in the area that might be willing to accept the easement.

**A – Stream resources PROPOSED on your site:** This table is for information about the proposed improvements to streams on your property.

**Stream ID:** Assign a unique name to distinguish this stream(s) or stream segment(s) from others on the site. Each stream or segment should be uniquely identified.

**Stream Type:** Specify type of stream on your property. List separately on each line the type of stream(s) or stream segment(s) to be offered (ephemeral, intermittent, perennial).

**Headwater Stream?:** If the stream offered is a headwater stream (drainage area less than 1 square mile), indicate YES. If it is not, indicate NO or unknown.

**Linear Feet:** Identify the linear feet, as measured along the center of the stream, offered for improvement or protection.

**Water Quality Benefit:** For each stream or segment offered, indicate on a separate line whether you offer restoration, enhancement or preservation opportunities.

**Current Stream Designation:** Identify, if known, the designated use of the stream(s). Select from MWH (modified warmwater habitat), WWH (warmwater habitat), CWH (coldwater habitat), EWH (exceptional warmwater habitat) or Unknown.

**Riparian Width:** Indicate the width of the riparian corridor (in linear feet) of both the LBD (left descending bank) and RDB (right descending bank).

**B – Wetland resources PROPOSED on your site:** This table is for information about your proposal for wetlands on your property. This table gives you the opportunity to specify the type of wetland options in acres (restoration, enhancement, preservation, creation). Be sure to list separately different wetland areas on your site that you may wish to offer as different options. Buffers are an important part of wetland mitigation projects. Be sure to include buffer/riparian width possibilities in linear feet.

**Wetland ID:** Assign a unique name to distinguish this wetland(s) from others on the site. Each wetland should be uniquely identified.

**C – Lake resources PROPOSED on your site:** This table is for information about your proposal for lakes and ponds on your property. This table gives you the opportunity to specify the type of lake/pond mitigation options in linear feet (restoration, enhancement, preservation, creation). Be sure to list separately different mitigation options. Buffers can be an important part of lake mitigation projects. Be sure to include buffer/riparian width possibilities in linear feet if available.

**Lake/Pond ID:** Assign a unique name to distinguish this lake/pond/shoreline segment from others on the site. Each lake/pond should be uniquely identified.

**D – Text description of your site and the type of resources that are available:** Be sure to include as many responses to the following questions as you can in the text description of your site. Please keep it short and concise.

#### For Streams

- What river does your stream empty into?
- Does the river connect with other surface waters such as wetlands or lakes? If so, where?
- Identify land use adjacent to both sides of the stream and upstream to the headwaters if possible.
- Describe the riparian corridor.
- Identify any prior stream modifications including widening, straightening, riparian impacts, dredging, or erosion control.
- Do you propose to enhance or repair the riparian corridor? If so, how?
- Do you propose to enhance the stream channel? If so, how? Do you intend to increase QHEI scores or aquatic life scores?
- Other pertinent information.

#### For Wetlands

- Do you have a wetland determination or wetland delineation of the property? If so, has it been verified by the U.S. Army Corps of Engineers?
- Do you have an ORAM version 5.0 analysis of your wetland? If so, what is the score?
- Identify the drainage area and the closest stream and any connection to other surface waters.
- Do you have a potential wetland restoration area? If so, is it prior converted cropland or farmed wetland?
- What is the soil series type?
- Why is this area not currently a wetland?
- How do you propose to remedy this?
- Could this area be connected seasonally or permanently to another surface water? How would you propose to do this?

- Do you have a potential wetland creation area?
- What is the position in the landscape?
- If there are no hydric soils or hydric included soils, how do you propose to establish hydric soil-like conditions to support wetland vegetation?
- How will permanent wetland hydrology be established?
- Do you have a potential wetland enhancement area?
- Why is the current wetland degraded? How do you propose to remedy this?
- Why is enhancement of this wetland important?
- Do you have a potential wetland preservation area? Why do you think this wetland is important to preserve?
- Is it part of a larger high quality wetland complex?
- Does it contain rare, threatened or endangered plant or animal species? If so, what are they? Is it in an area of disappearing habitat?
- Other pertinent information.

For Lakes/Ponds

- Does the lake or pond have a name? If so, what is it?
- Are you proposing enhancement of the lake or pond? If so, how?
- Are you proposing preservation or establishment of a buffer around the pond? If so, please characterize the width and vegetative composition of the buffer.
- Other pertinent information.

**E – Special conditions:** Indicate any special conditions that would restrict or enhance potential projects on your site. For instance, you should outline any potential problems that might arise with hydrology support because of changes in the watershed that are beyond your control. Changes in surrounding land use and zoning may limit or enhance the mitigation area and should be identified. An example of an enhancement might be connection with a greenway that connects other areas along a stream or other habitat areas. You may indicate costs of implementation (overall, per linear foot or per acre) in this section.

**F through L:** Provide as much of this information as possible to help applicants decide if your project will meet their needs.

**M – Photographs:**

Number (3 max): Make sure these photographs are truly representative of the area you are proposing for mitigation.

Format: Prints or Electronic (specify type)

**N – Delisting Date:** Ohio EPA requests that when projects are no longer available, those individuals or groups who posted the projects notify Ohio EPA as soon as possible by e-mailing [SWERPclearinghouse@epa.state.oh.us](mailto:SWERPclearinghouse@epa.state.oh.us) so the projects may be removed from the Clearinghouse. Those seeking projects should check with those posting projects to determine if projects are still available.

## 6.0 Contacts

### 6.1 Government Contacts for Assistance

The following are not all inclusive but are some examples of potential government contacts for assistance:

- U.S.D.A . Forest Service (biotechnical erosion control along streams)  
<http://www.fs.fed.us/>
- USGS <http://www.usgs.gov/>
- NRCS <http://www.nrcs.usda.gov/>
- U.S. Army Corps of Engineers
  - Buffalo District <http://www.lrb.usace.army.mil/>
  - Huntington District <http://www.lrh.usace.army.mil/>
  - Pittsburgh District <http://www.lrp.usace.army.mil/>
- SWCD (<http://ofswcd.org/districts.htm>)
- Ohio EPA - DSW Section 401 <http://www.epa.ohio.gov/dsw/401/index.aspx>
- Ohio EPA - SEP staff <http://www.epa.ohio.gov/dsw/enforcement/enf.aspx>
- RAP Coordinators <http://www.epa.ohio.gov/dsw/rap/rap.aspx>
- DNR Watershed Coordinators  
<http://www.ohiodnr.com/soilandwater/water/watershedprograms/default/tabid/9192/Default.aspx>
- Section 319 Agency Contacts <http://www.epa.ohio.gov/dsw/nps/319Program.aspx>
- Ohio EPA Source Water Protection Staff <http://www.epa.ohio.gov/ddagw/swap.aspx>
- Ohio Department of Natural Resources <http://www.dnr.state.oh.us/>
  - Division of Wildlife
  - Natural Areas and Preserves
  - Real Estate and Land Management
- Metro Parks <http://www.metroparks.net/>

### 6.2 Non-governmental Contacts for Assistance or Partnering

- Cleveland Museum of Natural History <http://www.cmnh.org/site/Index.aspx>
- Nature Conservancy <http://www.nature.org/>
- Rivers Unlimited <http://www.riversunlimited.org/>
- Watershed Coordinators (<http://ohiowatersheds.osu.edu/groups>)
- Schools (i.e., Upper Arlington High School, New Albany High School etc.)

## 7.0 Glossary of Terms

**Category 1 forested wetland:** A wetland with trees greater than 20 feet tall, which supports minimal wildlife habitat, and minimal hydrological and recreational functions. See ORAM manual to determine scoring.

**Category 1 non-forested wetland:** A wetland without trees greater than 20 feet tall, which supports minimal wildlife habitat, and minimal hydrological and recreational functions. See ORAM Version 5 Manual to determine scoring.

**Category 2 forested wetland:** A wetland with trees greater than 20 feet tall, which supports moderate wildlife habitat, or hydrological or recreational functions. See ORAM Version 5 manual to determine scoring.

**Category 2 non-forested wetland:** A wetland without trees greater than 20 feet tall which supports moderate wildlife habitat, or hydrological or recreational functions. See ORAM Version 5 manual to determine scoring.

**Category 3 forested wetland:** A wetland with trees greater than 20 feet tall with superior habitat, or superior hydrological or recreational functions. See ORAM Version 5 manual to determine scoring.

**Category 3 non-forested wetland:** A wetland without trees greater than 20 feet tall with superior habitat, or superior hydrological or recreational functions. See ORAM Version 5 manual to determine scoring.

**Creation:** The establishment of a wetland where one did not formerly exist and that involves wetland construction on non-hydric soils.

**CWH:** Coldwater Habitat aquatic life use.

**Ephemeral:** A stream has flowing water only during and for a short duration after, precipitation events in a typical year. Ephemeral streambeds are located above the water table year-round. Ground water is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

**Enhancement:** Activities conducted in an existing wetland to improve or repair existing or natural wetland functions and values of that wetland.

**Environmentally beneficial activity:** An activity that reduces the emission or discharge of pollution into the environment or otherwise improves, protects, or reduces risks to public health or the environment.

**EWH:** Exceptional Warmwater Habitat aquatic life use.

**Farmed Wetland:** Farmed wetlands (FW) are similar to prior converted cropland in that they were drained, dredged, filled, leveled, or otherwise manipulated before December 23, 1985, to make production of an agricultural commodity possible, but are often wet enough to still be valuable wetland habitat subject to Swampbuster and CWA §404. Farmed wetlands include

potholes, playas, pocosins, and other manipulated and cropped areas that meet specific hydrologic criteria.

**Function and value:** Type of water quality service provided by the surface water resource. This may include habitat for wildlife, flood control, filtering, erosion control, etc.

**Headwater stream:** A stream which has a watershed less than or equal to 1 sq. mile and a maximum pool depth less than or equal to 40 cm.

**HUC 8 watershed:** A type of hydrologic unit.

**Hydric soil:** A soil that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper part.

**In-kind mitigation:** Mitigation with the same type of resource (i.e., forested wetland for forested wetland, non-forested wetland for non-forested wetland, pond for pond, and stream for stream).

**Intermittent:** A stream that has flowing water during certain times of the year, when ground water provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

**Isolated wetland:** A wetland that is not connected seasonally or permanently to another surface water.

**Isolated wetland permit:** A permit issued in accordance with sections 6111.02 to 6111.027 of the Revised Code authorizing the filling of an isolated wetland.

**Left descending bank (LDB):** The side of the river that is on the left when facing downstream.

**MWH:** Modified Warmwater Habitat aquatic life use.

**Non-isolated wetland:** A wetland connected seasonally or permanently to another surface water. Persons wanting to fill non-isolated wetlands must obtain a Section 404 permit from the Corps of Engineers and a Section 401 certification from Ohio EPA.

**Not otherwise legally obligated to perform** (with respect to SEPs): The activity is not currently required by any federal, state or local law or regulation, and is not likely to be required to be performed by the respondent or defendant:

- as injunctive relief in the instant enforcement action;
- as part of a settlement or order in another legal action; or
- in compliance or accordance with other legal requirements or obligations.

**Off-site mitigation:** Wetland restoration, creation, enhancement, or preservation occurring farther than one mile from a project boundary, but within the same watershed.

**On-site mitigation:** Wetland restoration, creation, enhancement, or preservation occurring within, and not more than one mile from, the project boundary and within the same watershed.

**ORAM version 5.0 manual:** A wetland evaluation tool to determine wetland function, value and quality.

**Preservation:** The protection of ecologically important wetlands in perpetuity through the implementation of appropriate legal mechanisms to prevent harm to the wetlands. "Preservation" may include protection of adjacent upland areas as necessary to ensure protection of a wetland.

**Prior converted crop land:** Wetlands that were drained, dredged, filled, leveled, or otherwise manipulated, including the removal of woody vegetation, before December 23, 1985, to make production of an agricultural commodity possible, and that (1) do not meet specific hydrologic criteria, (2) have had an agricultural commodity planted or produced at least once prior to December 23, 1985, and (3) have not since been abandoned. Activities in prior converted cropland are not regulated under Swampbuster or CWA §404.

**QHEI:** Qualitative Habitat Evaluation Index. A method for evaluating stream habitat quality. A copy of the QHEI data form and instructions for filling out the form may be obtained from Jeff DeShon by e-mailing him at [jeff.deshon@epa.state.oh.us](mailto:jeff.deshon@epa.state.oh.us).

**Ratio requirements:** Ratio of mitigated to impacted wetland.

**Restoration:** The reestablishment of a previously existing wetland at a site where it has ceased to exist.

**Right descending bank (RDB):** The side of the river that is on the right when facing downstream.

**Riparian corridor:** Vegetated zone along the top of streambanks or around lakes above the Ordinary High Water Mark determined by the Corps of Engineers.

**Section 401 certification:** State water quality certification issued by Ohio EPA for projects that will result in a discharge of dredged or fill material to waters of the state where there has been an adequate demonstration of compliance with state water quality standards in OAC 3745-1.

**Section 404 permit:** Federal permit issued by the U.S. Army Corps of Engineers for projects that will result in a discharge of dredged or fill material to waters of the U.S. A Section 404 permit requires a Section 401 certification.

**Supplemental environmental project (SEP):** An environmentally beneficial activity which a respondent or defendant agrees to perform as part of a settlement of an enforcement action, but which the respondent or defendant is not otherwise legally obligated to perform.

**Service area:** The designated area where a mitigation bank can reasonably be expected to provide appropriate compensation for impacts to wetlands and other aquatic resources and that is designated as such in accordance with the process established in the "Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (1995)," 60 FR 58605.

**SWERP application:** Surface Water Enhancement, Restoration & Protection application form.

**SWERP users guide:** Instructions how to complete the SWERP application.

**Wetland determination:** A preliminary evaluation of soils, hydrology and vegetation to determine whether a wetland exists.

**Wetland delineation:** A formal process defined in the 1987 Corps of Engineers Delineation Manual to locate the boundaries of an identified wetland.

**Wetland mitigation banks:** Sites where wetlands have been restored, created, enhanced, or, in exceptional circumstances, preserved expressly for the purpose of providing mitigation for impacts to wetlands and that have been approved in accordance with the process established in the "Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (1995)," 60 FR 58605.

**WWH:** Warmwater Habitat aquatic life use.