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March 21, 2019

*Via Electronic Filing*

Ms. Tanowa Troupe  
Administration/Docketing  
Ohio Power Siting Board  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

**Re: Vectren Energy Delivery of Ohio, Inc. Z50E Pipeline Replacement Project, Case No. 19-025-GA-BLN**

Dear Ms. Troupe:

On February 14, 2019, the Ohio Power Siting Board ("OPSB") Staff issued a Report of Investigation approving Vectren Energy Delivery of Ohio, Inc.'s ("VEDO") Letter of Notification subject to a number of conditions. Within this set of conditions, Condition No. 2 requires to provide copies of permits and authorizations, including all supporting documentation, to Staff.

In compliance with Staff Report Condition No. 2, and as agreed to by VEDO in its Supplement filed on February 19, 2019, attached is a copy of the following permits:

- Ohio Department of Transportation Permit (Attachment 1); and
- Miami Conservancy District Construction Permit (Attachment 2).

Please contact me if you have any questions.

Sincerely,

Devin D. Parram

Attachments

cc: Ashton Holderbaum (w/Attachments)  
Eric Morrison (w/Attachments)

# ATTACHMENT 1

MR-509

Permit No. 7-060-19

**STATE OF OHIO  
DEPARTMENT OF TRANSPORTATION  
Permit**

**Office Use Only**

County or  
Jurisdiction Montgomery  
Rte. 4 Log Pt. 22.50 -  
AccCat 1       

[1] Subject to all of the terms, conditions and restrictions printed or written below, and on the reverse side hereof, or attached,

Name Vectren Energy Attn: \_\_\_\_\_  
Address P.O. Box 209 Evansville IN 47702  
Phone (812) 491-5922 is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform

work necessary in the manner described and at the location indicated in the following or as attached to this permit.

Permittee shall contact Doug Clark, (937) 497-6904 or by email at Doug.Clark@dot.ohio.gov, at least 2 days prior to beginning of work.  
Permittee is to construct a 20" High Pressure Gas Main at a length of 1082.62' in Montgomery County on State Route 4 at the 22.50 MM via  
Horizontal Directional Drilling method. This Bore will start and end outside of the Right of Way of State Route 4. Permittee shall follow all Federal  
and State requirements governing transmission pipelines. NO closure of State Route 4 is permitted under this permit. NO Open Cutting of Pavement or  
of Paved Shoulder is permitted under this permit. No equipment or trucks are to be working from or parked on, the paved surface of State Route 4. All  
work to be completed per approved plans, any deviation from plans must be authorized by ODOT before work is to continue. All areas when work has  
been completed shall be returned to pre-construction conditions including seeding and application of straw. This permit is for all work performed in the  
State Right of Way only, all work performed outside of this area will be the permittee's responsibility to check with local governing agencies for  
permitting requirements. Finish grading and restoration back to existing condition, including seeding, is to be done as soon as work is complete. No  
open bore pits or trenches permitted during dark hours without NCHRP350 crash compliant barricades or drums with flashing lights. Traffic control  
shall be performed as per the latest Ohio Manual of Uniform Traffic Control Devices.

.Permittee shall have a copy of the permit and Ohio Department of Transportation approved, stamped plan on the job.

.Any changes shall be approved by the Department prior to work being performed.

.If permittee is excavating, he/she shall call "OUPS" at 1-800-362-2764 and Oil and Gas Producers Underground Protection Service (OGPUPS) at 1-800-925-0988, as well as, all non-OUPS utilities at least 2 days prior to start of work, for location of buried facilities.

.Maintenance and/or repair of this installation shall in no way be the responsibility of the State of Ohio, Department of Transportation or the Federal Government. Any damage done by this installation shall be restored to its original condition or better.

.Permittee is responsible for compliance with all applicable Federal, State and Local laws relating to environmental protection, including storm water and erosion control. Permittee is responsible for undertaking/securing any necessary notifications, reviews, approval or permits from other agencies for the proposed activities.

.This permit applies to work activities being done on highway rights of way. The permittee is responsible for acquiring any necessary property rights in compliance with Federal and State laws and regulations governing the process for work activities being done off highway rights of way.

.Permittee shall furnish sufficient flagmen and/or signs to protect the traveling public at all times, as per the Ohio Manual of Traffic Control Devices. Through traffic shall be maintained at all times.

All disturbed earth shall be replaced, compacted, and reshaped to its original cross-section and then re-seed it to the satisfaction of the Director of Transportation or his agent.

Permittee is responsible for all clean out work to keep this installation in operating condition.

Permittee shall be responsible for any & all utility installations/relocations as a result of this work.

The State of Ohio or Federal Highway Administration will not participate in the cost of this installation.

[2] This permit shall be in the possession of employees on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

**Doug Clark 937-497-6904**

(Authorized ODOT Employee)

Permit No. 7-060-19

NOTE: Any work performed by the permittee may be stopped if the above requirements are not met.

[4] To the extent applicable, this permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by. 3/14/2020

[5] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[6] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of this permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation, if applicable, at the permittee's expense.

[7] Performance Bond Required ☐

Surety Company \_\_\_\_\_

Effective Date \_\_\_\_\_ Expiration Date \_\_\_\_\_ Amount \_\_\_\_\_

**Permittee:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **General Provisions Applicable to All Permits**

(Sections 5515.01 and 5515.02 of O.R.C.)

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct such work and the permittee shall reimburse the Department for the costs.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from an and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, his employees, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's action and its causes, and given an opportunity to correct the problem.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.
- [9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage.
- [10] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.
- [11] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.
- [12] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.
- [13] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.
- [14] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and his/her successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.
- [15] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:
- (1) No person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the above described property.

- (2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.
- (3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. DOT – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
- (4) In the event that this instrument grants a lease, license, or permit and any of the above nondiscrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.
- (5) In the event that this instrument grants a fee or easement interest and any of the above nondiscrimination covenants is breached, the State of Ohio, Department of Transportation, shall have the unfettered right to re-enter the above described property, and said property will thereupon revert to and vest in and become the absolute property of the State of Ohio and its successors and assigns for the use and benefit of the Department of Transportation.
- (6) In the event that this instrument grants a lease, fee or easement interest, all of the foregoing nondiscrimination covenants shall be and are covenants running with the land.

Rev. 10/15/10

## ATTACHMENT 2

### The Miami Conservancy District

### CONSTRUCTION PERMIT NO. 60-1741-1

THE MIAMI CONSERVANCY DISTRICT, a body corporate and political subdivision of the State of Ohio, hereinafter called "MCD", hereby grants to

**MINNESOTA LIMITED  
2198 DONALD STREET NW  
DOVER, OHIO 44622**

hereinafter called the "Grantee" permission to access and/or use MCD property for the following purposes for **VECTREN ENERGY DELIVERY OF OHIO**:

- **CLEARING TREES**
- **ABANDONING and/or REMOVING EXISTING GAS PIPELINES**
- **INSTALLING NEW GAS PIPELINE**

The property, **Part MCD Parcel No. 2465**, is located in Bath Township, Greene County, Ohio, and more specifically downstream of Huffman Dam as shown on the attached Exhibit "A".

All real property, easements, land, structures, infrastructure, and facilities that are owned or controlled by MCD or any MCD subdistrict shall hereinafter be called "MCD property."

THIS PERMIT IS GRANTED SUBJECT TO COMPLIANCE WITH THE FOLLOWING TERMS, CONDITIONS AND RESTRICTIONS AS SET FORTH BY MCD IN ACCORDANCE WITH SECTION 6101.19 OF THE OHIO REVISED CODE:

**1. FINAL PLAN APPROVAL:** The Grantee AGREES that placement or construction of any structure and/or improvements on MCD property will be completed in accordance with those plans and specifications approved by MCD. Any revisions or updates to the plans must be provided for MCD review. MCD issued Land Use Permit 11-3539-1 to Vectren Energy Delivery of Ohio for the 20" Z50E Pipeline Replacement project on approved plans filed as MCD drawings 42804 through 42821. Upon project completion, the Grantee AGREES to provide a set of as-built drawings in an electronic format for any structure and/or improvements constructed on land owned or controlled by MCD.

**2. CONSTRUCTION NOTIFICATION:** At least forty-eight (48) hours before the start of the project, the Notification Form must be completed and returned verifying the start date and who will be on MCD property.

A copy of this Permit must be kept on site at all times.

**3. PROPERTY USE, MAINTENANCE, & RESTRICTIONS:** The approved activity includes clearing trees and underbrush, installing temporary sediment and construction fencing, grading, abandoning and/or removing existing gas pipelines, and installing a new pipeline according to plans

5. **TERM:** Land use granted under this Permit shall be permitted for a period beginning **March 11, 2019** and expiring on **December 31, 2019**.

6. **MCD's RIGHT OF REVOCATION**

- a. If the property use causes damage or imminent damage to MCD property, or creates a health or safety hazard, MCD will order all work be stopped immediately and notify the Grantee to repair, replace or remove the hazard. If the Grantee fails to respond in the time set by MCD, MCD will revoke the rights granted by this Permit. Such revocation would not release the Grantee from its obligation to restore the land as required by item 8 below.
- b. If, at any time, in the opinion of MCD, the said use interferes with the primary objectives of MCD; or should the best interests of MCD so justify; this Permit shall be revoked. MCD will provide seven (7) days written notice of revocation. Such revocation would not release the Grantee from its obligation to restore the land as required by item 8 below.

7. **GRANTEE'S RIGHT OF TERMINATION:** The Grantee may request termination of this Permit if the use of MCD property described in this Permit is no longer necessary or desired. The Grantee shall notify the MCD Property Administrator within forty-eight (48) hours following cessation of the permitted land use to request termination.

8. **RESTORATION:** Prior to termination of this Permit for any reason, the Grantee shall repair any damages caused by Grantee and restore all MCD property. The Grantee shall notify MCD prior to repair of MCD structures and facilities including, but not limited to levees, bikeways, roads, gates, wells, gages, monitoring equipment, and monuments. All repairs must be completed in a manner satisfactory to MCD and in accordance with the general restoration specifications defined in Appendix III of the Land Use Policy attached hereto as Exhibit "C". All areas disturbed by the activities in this Permit shall be seeded to establish grass cover.

The required Maintenance Bond will be waived for this project only.

9. **FINAL INSPECTION:** Within forty-eight (48) hours following cessation of all construction and restoration, the Grantee **AGREES** to notify the MCD Property Administrator for final inspection.

10. **OPTION OF RENEWAL:** This Permit may be renewed, subject to MCD approval, provided all terms, conditions, and restrictions of the Permit have been maintained to the reasonable satisfaction of MCD. All renewals will be subject to those terms, conditions, and Permit fees in effect at time of renewal.

11. **INDEMNIFICATION:** The Grantee **AGREES** to indemnify and hold MCD harmless, to the extent Permitted by law, from and against any and all claims, demands, and damages for injuries to persons or property and all direct cost and expenses associated therewith, arising on such property as herein described or in connection with Grantee's use as defined within this Permit, to the extent caused by the negligent act or omission of the Grantee, its agents, employees or contractors and not arising from the negligent act or omission of MCD, its agents, employees or contractors.

submitted on November 29, 2018 and approved by MCD on January 3, 2019. The Grantee AGREES to provide to the MCD Property Administrator for approval any plans, sketches, and other information describing any other use of MCD property during construction, including but not limited to excavations and backfill as required, access, embankments, staging areas, material stockpile areas, fences, barricades, utility locations, and parking.

All activities listed in the attached Exhibit "B" are prohibited unless specifically authorized in this Permit.

The Grantee AGREES all MCD property will be continually used and maintained in a safe and responsible manner to minimize any impact to MCD operations and maintenance. All activities granted in this Permit shall be contained within the approved work limits. The Grantee shall maintain all MCD Property within the work limits or coordinate access and maintenance with MCD staff.

All use of vehicles on MCD property shall be in compliance with the Ohio Revised Code and other applicable laws. Regulations regarding MCD land include but are not limited to the following:

- Motor vehicles necessary to perform the work may access MCD property for the purposes described in this Permit. No other motor vehicles use or parking on MCD property will be allowed.
- Motor vehicles must stay within the designated work limits.
- The Grantee AGREES to coordinate with the City of Dayton to access MCD property.
- Any trash or debris generated or deposited on the site during the term of this Permit shall be removed from the site by the Grantee.
- The Grantee AGREES to plant a total of nine (9) trees consisting of three (3) Princeton Elms, three (3) Swamp White Oak, and three (3) Exclamation London Plane Tree. Trees will be planted by the subcontractor, Beaver Creek Landscaping, at locations designated by MCD near the intersection of Findlay Street and Monument Avenue in Dayton.

The Grantee, prior to initiating any construction, AGREES to contact OUPS to confirm the location of all utilities within the Permit area. The Grantee further AGREES to protect all identified utilities from damage that could result from land use as outlined in this Permit.

**4. DAMAGE TO MCD PROPERTY:** Any damages, resulting from the land use granted, caused to MCD structures and facilities including, but not limited to, levees, dams, floodwalls, bikeways, roads, gates, wells, gages, monitoring equipment, monuments and/or MCD property shall be repaired or replaced in a manner satisfactory to MCD as more specifically defined in Appendix III of the Land Use Policy attached hereto as Exhibit "C" of this Permit. Revocation, termination or expiration of the Permit does not release the Grantee from its obligation to repair damages. In the event the repair or replacement is not completed in a reasonable amount of time, MCD may, at its option, cause said repairs or replacements to be accomplished and Grantee shall reimburse MCD for any expenses incurred.



**12. INSURANCE:** MCD is to be insured in an amount not less than **One Million (\$1,000,000) Dollars**, from any liability resulting from injuries to persons or property and all direct cost and expenses associated therewith. Prior to issuance of this Permit the Grantee AGREES to provide to MCD verification of liability coverage naming "**The Miami Conservancy District**" as an additional insured for an amount of not less than **One Million (\$1,000,000) Dollars**. The Grantee AGREES to provide MCD a copy of a certificate of liability verifying that MCD has been named as an additional insured. Insurance coverage must be in force throughout the term of the permit. If insurance coverage is cancelled the permit will terminate.

**13. SOIL & WATER CONTAMINATION:** The Grantee AGREES to assume all liability and responsibility for clean-up and restoration required due to soil and water contamination resulting from the land use granted within this permit.

The contractor is responsible for installing and maintaining all required storm water runoff controls (silt fence, straw bales, sediment collection, areas etc.) for the duration of the project.

**14. RELEASE OF LIABILITY:** The Grantee herein releases MCD, to the extent permitted by law, from any and all liability resulting from injuries to persons or property and all direct cost and expenses associated therewith, resulting from or caused by floodwater, maintenance or construction operations and/or any other activities of MCD, its agents, employees or contractors provided such damages were not caused by the negligent act or omission of MCD, its agents, employees or contractors.

**15. RIGHT OF ACCESS:** MCD, shall at all times, have the right to enter upon any MCD property for the purpose of using, monitoring, maintaining, altering or repairing any infrastructure or improvements owned or controlled by MCD. MCD retains the right to photograph, for private and/or public use, any use, work or event, which takes place on MCD property.

At all times, during the term of this Permit, MCD shall have the right of inspection to determine compliance with this Permit. Upon notification of any violation, the Grantee shall promptly take corrective action taken as directed by MCD. Should corrective action not be taken within the time specified, MCD may revoke any land use subject to the terms and conditions as stated within this Permit.

**16. TRANSFER OF LAND USE RIGHTS:** Land use granted by this Permit is NOT assignable or transferable.

**17. PRE-EXISTING LAND USE RIGHTS:** All rights granted within this Permit will be limited by, and subject to, any rights and claims of record that exist prior to the effective date of this Permit. Said claims of record include, but are not limited to, any existing easements, rights-of-way, and/or permits.

**18. ADDITIONAL RIGHTS:** MCD does not claim full warranty deed ownership to all MCD property. The Grantee must accept full responsibility for acquiring any additional rights to property not owned by MCD, when use of such property is necessary for the purposes of this Permit. Furthermore, MCD, in granting land use authorization, is to be released from any additional expense and/or all liability related to any unauthorized use of property.

**19. PUBLIC DISCLOSURE:** All MCD records are subject to Ohio Public Records laws. Permits and related correspondence may be available for public use and disclosure.

**20. COMPLIANCE WITH LAWS:** The Grantee AGREES that MCD property is not to be used or occupied for any unlawful purpose. Additionally, all use of MCD property will comply with all laws, ordinances, rules, regulations, requirements, and orders of the United States of America, the State of Ohio, and of all governmental authorities or agencies, including, without limitation, all bureaus, boards or officials thereof respecting said premises and the use and occupation thereof.

**21. ADDITIONAL IMPROVEMENTS:** The Grantee AGREES no additional temporary or permanent structures and/or improvements will be constructed by the Grantee on MCD property.

**22. PERMIT FEE:** The Permit fee is **Three Hundred and Fifty (\$350.00) Dollars.**

## **EXHIBIT "B" - PROHIBITED USE**

The following activities are prohibited on MCD property:

- a. Violating any federal, state, county, municipal, or other applicable law, ordinance, rule, regulation or requirement.
- b. Soliciting.
- c. Abandoning any animal.
- d. Lighting fires or burning any materials.
- e. Sledding, skiing, or ice skating.
- f. Camping.
- g. Operating any vehicle on dam or levee slopes.
- h. Moving, by-passing, or damaging any gate, barricade or barrier so placed to temporarily or permanently close a road or area to traffic.
- i. Hunting and trapping.
- j. Depositing burning material or hot ashes on grass, plants or in refuse receptacles.
- k. Dumping, depositing or discarding, intentionally or unintentionally, any trash, garbage, building debris, rubble, metal, concrete, asphalt, organic waste, or other noxious materials.
- l. Damaging, destroying, or disturbing any MCD land as described below:
  1. Removing any property, structures, facilities, or amenities, or any part thereof.
  2. Writing upon, painting, cutting, mutilating, defacing, or damaging in any manner any building, flood control structure, equipment, or other property, or part thereof.
  3. Climbing or rappelling any flood control structure, rock escarpment or other natural features.
  4. Willfully destroying, injuring or removing any bench marks, witness marks, stakes, or other reference marks (ORC 6101.81).
  5. Disturbing, defacing, removing, or injuring trees or other vegetation.

## EXHIBIT "C"

### APPENDIX III

#### GENERAL DESIGN AND CONSTRUCTION REQUIREMENTS

Improvements and developments on MCD land must be designed to minimize their effect on MCD and subdistrict infrastructure.

- a. All surveys to locate the proposed improvement, development, or use, include property and right-of-way surveys, shall be the responsibility of the applicant.
- b. No permanent cuts through dams, levees, floodwalls or other flood protection structures will be permitted.
- c. Dam and levee embankment penetrations requiring boring and jacking will not permitted.
- d. Boring in the foundation beneath the levee and/or river channel is subject to MCD approval.
- e. Levee Excavation
  - Levee excavations that require open cutting are subject to MCD approval.
  - The design and construction must be sequenced to minimize the time required for the levee cut.
  - The grantee or its contractor provide MCD a contingency plan for filling the opening and armoring it against high water within 24 hours after notification from MCD.
  - Complete levee cuts may not be open for more than five consecutive days. All levee cuts must be restored to a minimum elevation equal to the FEMA base flood for that levee section during weekends and any time the contractor is not on site for two or more consecutive days.
- f. Earthen Areas
  - All disturbed earthen areas shall be restored to the lines and grades of the approved project plans or to original lines and grades as appropriate.
  - All areas shall be graded to avoid pockets that do not drain.
  - Areas graded to encourage concentrated flow shall be adequately armored against erosion.
- g. Fill Material
  - All fill materials for embankment construction and restoration must be approved by MCD.
  - Fill and embankment soil material is specified in Appendix V of the Land Use Policy and shown as Exhibit "D" of this Permit.
  - Fill shall be clean earthen material free of loam, roots, organic matter, boulders, concrete, asphalt, wood, metal, building rubble, and other unsuitable material.
  - MCD reserves the right to reject any fill material.
  - MCD requires a Standard Proctor test to be performed on the proposed material prior to use to determine the optimal water content at which the soil can reach its maximum dry density. Testing for Atterberg limits, grain size distribution and soil type classification are also required. Material shall conform to the Fill and Embankment Soil Specifications per Appendix V of the Land Use Policy and shown as Exhibit "D" of this Permit. Copies of all test reports shall be provide to MCD for approval.
  - Grantee shall provide contact information of all sources of materials.
  - MCD may require environmental testing of material.

- MCD may require a physical sample of the proposed material for approval.
- Fill may not be placed on frozen, wet subgrade, or in standing water.
- Fill for restoring levee slopes shall be placed in loose lifts not to exceed six-inch in depth and compacted to 95% Standard Proctor as determined by a certified testing company. Testing will be performed every two (2) compacted lifts of height at one-hundred (100) foot intervals beginning fifty (50) feet from the ends of the project or as directed by MCD. Copies of all compaction and laboratory test reports shall be provided to MCD.
- Moisture control limits are to be within -1% to +3% of optimum.
- Lifts may not contain any veins of gravel material.
- Fill material shall be no larger than three (3) inches in diameter.
- Fill material shall have no more than 15% gravel.
- The fill shall be graded to the lines and grades of the adjoining areas.
- The surface of the levee shall be stripped of organics and topsoil to a depth of six (6) inches prior to benching the levee slope.
- The existing levee embankment shall be over-excavated in all directions by benching one (1) foot vertical and a minimum of one (1) foot horizontal into stiff undisturbed soil. A level bottom surface day-lighting toward the levee toe shall be provided from which the upward benching on the sides shall initiate. Benching may have to be performed by hand methods or using small-scale excavation equipment.
- The levee soil on which the backfill is to be placed should not be excavated until immediately before backfilling, and shall not be allowed to become overly wet or dry while exposed.
- The surface area of the benches shall be scarified as necessary to ensure a good bond between the existing soil and the backfill material.

#### h. Top Soil

- After the final lines, grades, and elevations have been established, six (6) inches of topsoil placed in loose lifts that construct a four (4) inch compacted depth shall be spread on all disturbed areas.
- The topsoil shall be tracked in with a dozer or approved equipment to compact and provide a good contact between the topsoil and the surface of the fill material.
- Topsoil shall be scarified prior to seeding.

#### i. Seeding

- Within ten days following any construction or land disturbing activity, all disturbed earth areas shall be seeded, fertilized and mulched. Seed, fertilizer and mulch specification and application rates are specified in Appendix V of the Land Use Policy and shown as Exhibit "D" of this Permit.
- MCD will do a preliminary inspection after 4 weeks to ensure that grass is being established after final seeding.
- MCD will inspect all seeded areas no earlier than 6 months and no later than 12 months after final seeding. For any area identified without uniform density of at least 90 percent grass cover, the grantee will be required to seed, fertilize and mulch any areas where sufficient turf has not been established.
- If seeding of an area is not successful, MCD may require sodding of disturbed areas.

- All property is to be properly monitored and maintained until sufficient turf has been established.

j. Structural

- Because of the various types of structures on MCD property, structural restoration requirements shall be addressed on a case by case basis.
- Components (concrete, asphalt, masonry, crushed aggregate, rock slope protection, metal, etc.) shall conform to the most recent version of the ODOT Construction and Material Specifications.
- The contractor shall assume responsibility for protection of all existing structures during construction.
- Existing curbs, catch basins, manholes, drainage pipes, and other structures disturbed or damaged during construction shall be repaired or replaced with like material to the owner's satisfaction.
- If any structure is damaged during construction, the contractor shall immediately notify MCD and the structure owner.
- All fences, gates, railing, signs, posts, and other incidentals disturbed by construction shall be replaced or restored with like materials to the owner's satisfaction.

k. Revetment

- Any damage to revetment shall be restored to match the adjacent lines and grades.
- Any damaged sections of revetment shall be restored using materials that meet the MCD material specification from Appendix V of the Land Use Policy and shown as Exhibit "D" of this Permit.
- Damaged sections of revetment shall be saw-cut at the nearest construction joint and removed.
- Sub-base shall be compacted to 95% Standard Proctor.
- 6" of ODOT ITEM 304 aggregate base shall be placed and compacted to 95% Standard Proctor.
- Place 4x4x4/4 85 pound welded steel fabric in a way to maintain proper mesh clearance of 2" from top of the slab during placement of concrete per ODOT ITEM 709.10.
- 18" #4 epoxy coated dowels shall be epoxied 6" in depth into the toe wall with 12" in the new revetment concrete. Dowels shall be 12" on center per ODOT ITEM 709.13.
- 12" #4 epoxy coated dowels shall be epoxied 6" in depth into the adjacent revetment panel with 6" in the new revetment concrete. Dowels shall be 12" on center per ODOT ITEM 709.13.
- Concrete to have a "soft" broom finish with all edges having a 1/4" radius.
- MCD may require expansion joint material where needed.
- ODOT ITEMS are referenced to the most recent version of the ODOT Construction and Material Specifications.
- A typical revetment section drawing is located at the end of this appendix.

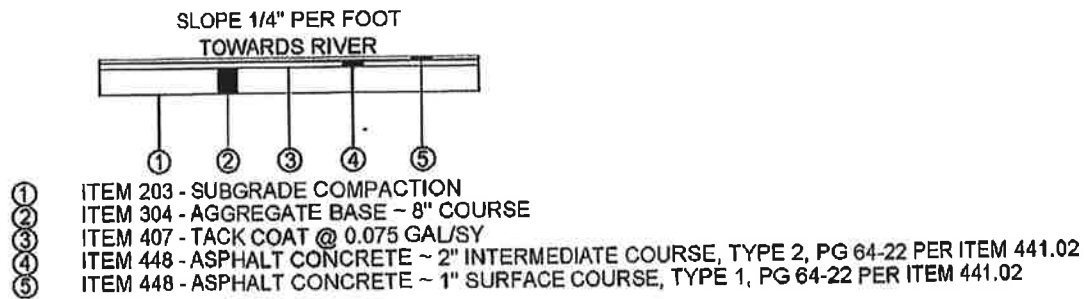
l. Pavement

- Depending of the severity of damage to the recreation trail, MCD shall require either, pavement planing (milling) and a surface course of asphalt be applied or full depth replacement with intermediate and surface courses of asphalt per MCD's typical recreation trail section drawings.
- Full depth replacement will require sub-base to be compacted to 95% Standard Proctor.

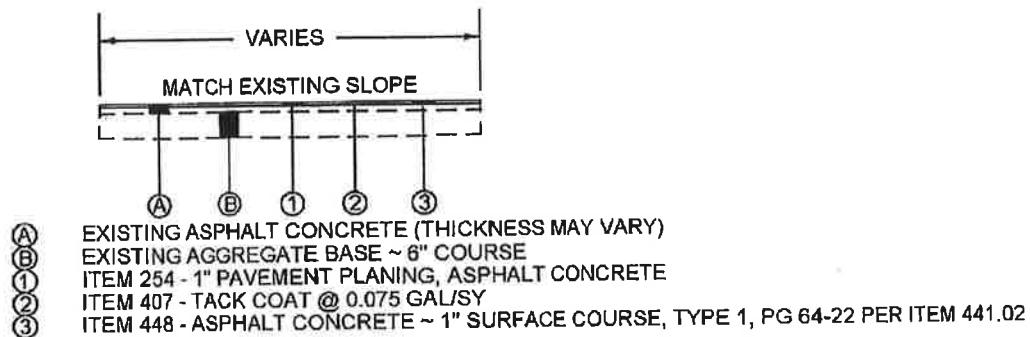
- Base shall consist of 8" of ODOT ITEM 304 aggregate base material compacted to 95% Standard Proctor.
  - See typical recreation trail section drawings located at the end of this appendix for asphalt concrete details.
  - For asphalt roads, parking lots, and all other asphalt surfaces, MCD will determine the design on a per project basis.
  - Concrete roads, trails and parking lots disturbed by construction shall be restored to their original lines and grades. Remove all damaged areas by saw-cutting to provide a clean square joint. The concrete for the pavement shall be Class QC1 per ODOT ITEM 499. All replacement concrete pavement shall be dowelled into existing pavement per ODOT ITEMS 509 and 510. The size and spacing of dowels shall be determined by MCD on a per project basis.
  - ODOT ITEMS are referenced to the most recent version of the ODOT Construction and Material Specifications.
- m. Gravel Surfaces
- Gravel roads, trails, and parking lots disturbed by construction shall be graded to remove ruts, holes, and uneven surfaces, and patched using approved crushed aggregate matching the existing surface material.
  - North and South Riverwalks, located in downtown Dayton, shall be restored to match the typical section drawings at the end of this appendix.
- n. Plans for lighting, signage, wayfinding information, striping, painting, landscaping and all other supporting facilities must be submitted for review.
- o. MCD access
- No improvement, development, or use will be approved that obstructs or alters existing access to the river channel for routine maintenance, inspection, or emergency repairs.
  - No new structures or obstructions, including trees and landscaping, will be permitted within 15 feet of the land side levee toe.
  - MCD will retain right of access and inspection of all improvements, developments, and uses on MCD owned or controlled property.
- p. MCD maintenance
- MCD will not approve improvements, developments, or uses that permanently alter or diminish MCD's ability to maintain the flood protection system or existing river corridor amenities.
  - Concrete stairways and other structures on levee slopes affect mowing and require additional maintenance effort. The need for additional stairways must be shown before MCD will consider more stairways. Positive consideration may be given to a proposed access ramp if the project includes removal of a stairway in the same area.
  - MCD may not approve a proposed improvement, development, or use if it creates an "orphan" maintenance area (i.e. a small grass area not connected to other maintained grass areas that is difficult to access or maintain.)
  - MCD will consider other amenities owned and maintained by the requesting agency. If existing amenities are not properly maintained, additional amenities will not be permitted.
- q. Levee embankments and structures

- MCD will not allow removing, lowering, notching, or otherwise altering a levee top elevation (including floodwall and crest wall top elevations) that would result in reducing existing freeboard or lowering the level of flood protection.
  - MCD will not allow ramps or other improvements, developments, or uses to be constructed that would result in narrowing the levee top width.
  - Cutting into levees for ramps or other improvements, developments, or uses can weaken the levee. Concrete walls may be used to replace earthen levee sections, but they must be designed to withstand the hydraulic loading during the OPF.
  - Dam and levee slopes may not be made steeper than they currently exist. New slopes should be designed at 3:1 (horizontal:vertical) to accommodate slope maintenance. If 3:1 slopes are shown to negatively affect channel hydraulics or result in irregular levee slopes within an area, MCD may consider slopes as steep as 2 ½ :1.
- r. Temporary Activities
- Temporary activities that are necessary for construction shall be designed to minimize erosion or damage to MCD property and infrastructure. Such activities include but are not limited to stripping turf, excavation, building and removing cofferdams and causeways, material stockpiling, and temporary embankments.
  - Erosion or other damages to MCD property or infrastructure caused by construction activities must be repaired and restored to MCD's satisfaction.
  - MCD may allow gravel placement for temporary access road. All construction materials placed for access roads must be removed from MCD property.
- s. Underground tanks and fuel tanks
- The installation or construction of any underground fuel tank is prohibited.
  - The installation of new gravity flow fuel tanks is prohibited.
- t. Signs
- MCD will not allow signs for the purpose of commercial public advertising.
  - MCD will not allow signs that generate a profit for the Grantee or other party.
  - Signs identifying a municipality or other political subdivision (i.e. Welcome to City) may include name s or logos of local organizations and businesses. The Grantee may charge an installation or maintenance fee but may not sell advertising space for revenue generation.
  - Signs identifying a neighboring business or organization may be permitted. The sign may have the organization's name and/or logo.
  - Signs, lettering, and logos may not be affixed to or painted on floodwalls or revetment.
- u. Naming and designations
- The applicant must submit any proposed naming plans and intended designations.
  - MCD reserves the right to deny names and third-party designations for any requested improvement, development, or use of MCD property.
- v. A Professional Engineer registered in Ohio must sign plans for any structure.





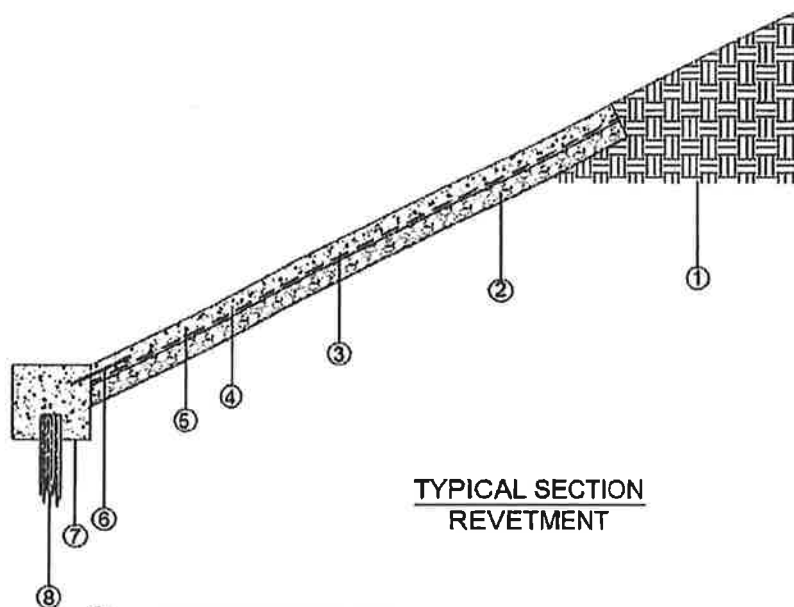
**TYPICAL SECTION  
(FULL DEPTH REPLACEMENT)**



**TYPICAL SECTION  
(PLANING AND RESURFACING)**

NOTE: ALL PAVEMENT SHALL MATCH EXISTING SLOPES OR IF NECESSARY SLOPE TOWARDS THE RIVER. AT NO TIME SHOULD THE TRAIL BE SLOPED AWAY FROM THE RIVER.

NOTE: ITEMS REFER TO ODOT 2013 CONSTRUCTION AND MATERIAL SPECIFICATIONS



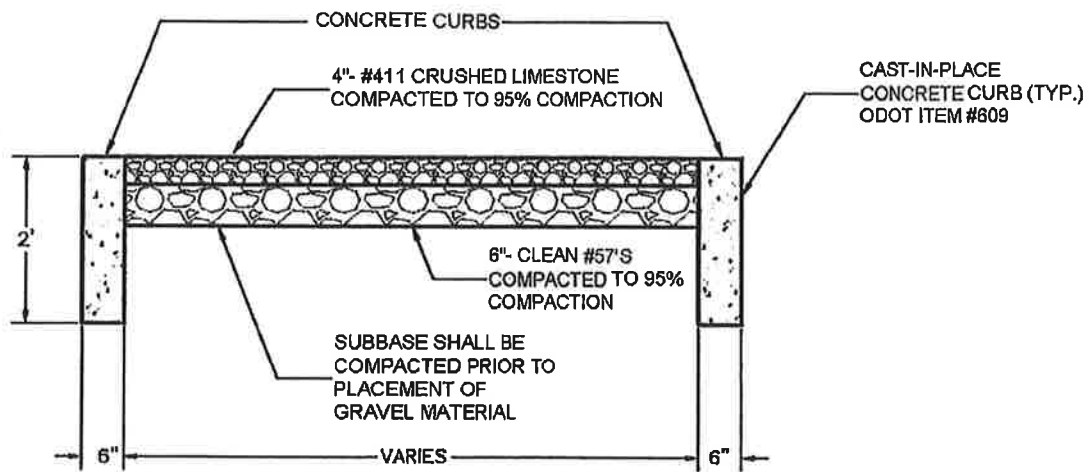
**TYPICAL SECTION  
REVTMENT**

- ① EXISTING LEVEE SLOPE
- ② ITEM 304 AGGREGATE BASE - 6" DEPTH
- ③ ITEM 709.10 4X4X4/4 85 POUND WELDED STEEL FABRIC (MAINTAIN 2" CONCRETE COVER)
- ④ ITEM 511 USING 6" QC1 CONCRETE (4000 PSI)
- ⑤ ITEM 709.13 12"- #4 EPOXY COATED DOWEL, 12" ON CENTER (EPOXY 6" INTO ADJACENT PANEL)
- ⑥ ITEM 709.13 18"- #4 EPOXY COATED DOWEL, 12" ON CENTER (EPOXY 6" INTO TOE WALL)
- ⑦ TOE WALL (SIZE VARIES)
- ⑧ TIMBER PILING

NOTE: NOT ALL TOE WALLS SIT ON TIMBER PILING.

WALLS THAT DON'T ARE TYPICALLY LARGER IN DIMENSIONS.

NOTE: ITEMS REFER TO ODOT 2013 CONSTRUCTION AND MATERIAL SPECIFICATIONS



TYPICAL SECTION  
NORTH AND SOUTH RIVERWALK

## EXHIBIT "D"

### APPENDIX V

#### MATERIAL SPECIFICATIONS

##### 1. Fill and embankment soil

- a. Dam embankment – MCD dams were constructed using hydraulic fill methods to place different gradations of soil materials in specific zones. Any fill material placed in a dam embankment must be specified to match the existing materials in the zone where it is to be placed. Soil boring or test pits may be required to define the characteristics of the existing material. Soil must be clean natural material free from masses of organic matter, sticks, branches, roots, broken concrete, asphalt, metal, building rubble, and other debris, including hazardous and regulated solid wastes. Under no circumstances shall frozen earth, snow, or ice in the material be considered acceptable.
- b. Levee embankment – material placed in levee embankments should be naturally occurring or contractor blended clayey material. Addition of lime, cement, or other soil amendments for any reason is not permitted. Soil that is classified in accordance with ASTM D2487 and the Unified Soil Classification System as CH and CL is suitable. Soil classified as ML shall be considered unsuitable; however, minor amounts of ML may be suitably blended with CH or CL to formulate a material that classifies as a CL as per ASTM D2487. Soil must be free from masses of organic matter, sticks, branches, roots, broken concrete, asphalt, metal, building rubble, and other debris, including hazardous and regulated solid wastes. Soil from a contractor-supplied earthen clay material source may not contain excessive amounts of wood. Not more than 1% (by volume) of objectionable material shall be contained in clay material. Pockets and/or zones of wood shall not be acceptable. Material consisting of greater than 35% sands (by dry weight) or materials with a Plasticity Index (PI) of less than 10 will not be accepted as well as material having an organic content exceeding 9% by weight. Under no circumstances shall frozen earth, snow, or ice in the material be considered acceptable.
- c. Berm or blanket – material placed in a berm or blanket designed to reinforce a dam or levee embankment must meet the design specifications for the berm or blanket. Soil must be clean natural material free from masses of organic matter, sticks, branches, roots, broken concrete, asphalt, metal, building rubble, and other debris, including hazardous and regulated solid wastes. Under no circumstances shall frozen earth, snow, or ice in the material be considered acceptable.
- d. Random fill – areas designed by MCD as not integral to dam and levee embankments may be filled with random fill material. Soil must be clean natural material free from masses of organic matter, sticks, branches, roots, broken concrete, asphalt, metal, building rubble, and other debris, including hazardous and regulated solid wastes. Under no circumstances shall frozen earth, snow, or ice in the material be considered acceptable.

##### 2. Vegetation Restoration of Levee Slopes shall consist of one of the following methods:

Hydroseeding

- a. Between the Seeding Period of **March 15<sup>th</sup> through October 30<sup>th</sup>** all disturbed levee slopes shall be hydroseeded.
- b. Seed types shall consist of an 80/20 Turf Type Tall Fescue Mix with perennial rye with an application rate of 8 pounds per 1000 square feet.
- c. Fertilizer shall be 18-24-12 25% Polyplus Fertilizer.
- d. Mulch shall consist of Cellulose (Paper) Fiber Mulch, or Wood Fiber Mulch.  
Application Rate for mulch shall be 2000 pounds per acre.
- e. Tackifier shall be added to the solution and applied at an application rate of 2 gallons per acre. The tackifier shall not contain any priority pollutants listed under the U.S. Clean Water Act Section 307(2)(1) Priority Pollutant List (40 CFR 401.15).
- f. Application of the slurry should proceed until a uniform cover is achieved.
- g. Prior to application, the topsoil on the levee slope shall be scarified by tracking it in using a steel cleated piece of equipment.
- h. Hydraulic matrices require 24 hours to dry before rainfall occurs to be effective.
- i. Hydroseeded slopes should be inspected periodically for damage due to wind, water, or human disturbance.
- j. Repair all damaged areas immediately using hydroseeding at the original specifications.
- k. Supplemental watering may be required.

**Note:** Smaller projects during the Seeding Period of **March 15<sup>th</sup> through October 30<sup>th</sup>** may use erosion control blankets as described below with approval from MCD.

#### Erosion Control Blankets

- a. Between the Seeding Period of **October 31<sup>st</sup> through March 14<sup>th</sup>** all disturbed levee slopes shall be protected with biodegradable straw erosion control blankets.
- b. The erosion control blankets shall consist of a rapid-breakdown polypropylene netting design, using the finest straw fibers available, be environmentally sensitive and shall be certified that they are weed seed free.
- c. Performance capabilities shall have a shear stress rating of 84 Pa (1.75 lb/ft<sup>2</sup>) for slopes that are 2:1 and flatter.
- d. Seed types shall consist of an 80/20 Turf Type Tall Fescue Mix with perennial rye with an application rate of 8 pounds per 1000 square feet.
- e. Fertilizer shall be 18-24-12 25% Polyplus Fertilizer.

#### 3. All other areas

- a. All disturbed earth areas shall be seeded. Seed types shall meet specifications of an 80/20 Turf Type Tall Fescue Mix with perennial rye.
- b. MCD must approve seed mix prior to seeding.
- c. Application rate of 8 pounds per 1000 square feet.
- d. Hydroseeding is acceptable, approved tackifier shall be applied at 2 gallons per acre.
- e. Fertilizer shall be 18-24-12 25% Polyplus Fertilizer.
- f. Mulch shall consist of straw, hay or wood fiber and be free of weed.
- g. Evenly place straw mulch over all seeded areas at the following rates:

<u>Seeding Period</u>	<u>Rate</u>
From March 15 to October 30	2 Tons per acre

From October 31 to March 14

3 Tons per acre

- h. Evenly place wood fiber mulch from March 1 to October 30 at the following rate:

Surface

Rate

Slopes 3:1 or flatter

46 Pounds per 1000 square feet

- i. Apply a non-toxic and environmentally safe tackifier, at manufacturer's recommendations, to straw, hay or wood fiber mulch.

#### 4. Plantings

All plantings subject to periodic flooding must be able to withstand inundation and be able to regenerate after being under water. In MCD maintained areas Turf Type Tall Fescue shall be used unless alternate planting materials are approved. Alternate planting materials shall be natural materials compatible with their surroundings (i.e. wetlands, mowed areas, prairies, woodlands). Species considered to be invasive to the area will not be allowed.

The following guidelines identify requirements for alternate planting materials within various defined areas of MCD-maintained channels and structures:

- a. Dam embankments
  - Species may be considered on a site-specific case-by-case basis
  - No woody vegetation will be permitted
  - All plantings are subject to periodic mowing (minimum once per year)
- b. Edge of water along maintained areas
  - Woody vegetation and twiggy plants that tend to catch floating debris will not be permitted
  - Roots structures should provide erosion control year around
  - Plants shall withstand high velocity flows and should be able to bend under the force of the water
  - Aesthetics of the plants in their surroundings and the view of the river from trails will be considered
  - Plants should regenerate after mowing
- c. Flat beach area between edge of water and toe of levee
  - Woody vegetation and twiggy plants that tend to catch floating debris will not be permitted
  - Roots structures should provide erosion control year around
  - Plants shall withstand high velocity flows and should be able to bend under the force of the water
  - Aesthetics of the plants in their surroundings will be considered
  - Plants should be able to regenerate after periodic mowing
  - Plants shall withstand occasional vehicular traffic
  - MCD may require a hydraulic analysis to demonstrate that the plants do not affect flow patterns or channel capacity
- d. River side of levee slope
  - Woody vegetation will not be permitted
  - Roots structures shall provide erosion control year around

- Plants shall completely cover the planted area – no bare earth areas will be permitted
  - Plants shall withstand high velocity flows and should be able to bend under the force of the water
  - Plants shall not block vehicular access
  - Plants shall not affect MCD's ability to maintain and inspect the levee
  - Aesthetics of the plants in their surroundings will be considered
  - Plants should be able to regenerate after periodic mowing
  - MCD may require a hydraulic analysis to demonstrate that the plants do not affect flow patterns or channel capacity
  - Low growing plants that require infrequent mowing should be considered for steep slopes
- e. Top of levee
- Plants shall not block vehicular access
  - Trees and woody vegetation may be considered in a case-by-case basis using the following criteria:
    - The top width of the levee is more than 50 feet or the roots are physically contained by a root barrier
    - The trees or vegetation shall not affect MCD's ability to maintain and inspect the levee
    - Roots shall not surface on the levee slope
    - Roots shall not affect recreation trails
- f. Land side of levee slope
- Woody vegetation will not be permitted
  - Plants shall not block vehicular access
  - Plants shall not affect MCD's ability to maintain and inspect the levee
  - Aesthetics of the plants in their surroundings will be considered
  - Plants should regenerate after mowing
  - Low growing plants that require infrequent mowing should be considered for steep slopes
- g. Adjacent to land side levee toe
- Plants shall not block vehicular access
  - Plants, including canopies, shall not affect MCD's ability to maintain and inspect the levee
  - Plants shall not block access to or otherwise affect piezometers or wells
  - Plants shall be able to regenerate after periodic mowing
- h. Under bridges
- Plants must withstand deep shading and dry conditions
  - The requirements for beach areas and river side levee slopes apply for the appropriate location
- i. Adjacent to concrete or stone walls, revetment or other structures
- Plants shall not affect MCD's ability to maintain and inspect the structure
  - Roots shall not affect the structure
  - Vines and other climbing plants will not be permitted

## 5. Environmental Considerations

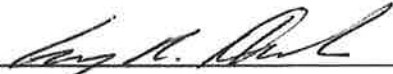
- a. No natural material including plants, rocks, or soil shall be removed or destroyed without prior written approval.
  - b. The top ten (10) inches of topsoil is to be removed and stockpiled for restoration purposes prior to starting any excavation.
  - c. No tree four (4) inches in diameter or great may be removed without prior written approval. The planting of two (2) trees will be required for the removal of every tree larger than four (4) inches in diameter. Type and location of trees to be planted will be as directed.
  - d. Except for authorized activities, no bird nest or animal habitation shall be moved or destroyed.
  - e. Concerning the removal of trees located along MCD owned or controlled property lines
    - If MCD determines any portion of the tree presents a hazard, the tree will be trimmed or removed by MCD, subject to an agreement with adjacent property owner to have the tree trimmed or removed at no liability to MCD.
    - If MCD determines the tree is of no danger to the adjacent property no further action will be taken.
    - If written authorization is granted by MCD allowing the adjacent property owner or its agent to trim or remove any portion of the tree, MCD, subject to pre-approval, agrees to pay fifty (50%) percent of the cost of trimming or removal.
6. Asphalt for recreation trails
- a. ODOT ITEM 304 - Aggregate base – 8” course
  - b. ODOT ITEM 407 – Tack coat @ 0.075 GAL/SY
  - c. ODOT ITEM 448 - Asphalt Concrete – 2” Intermediate Course - Type 2, PG 64-22, per ODOT ITEM 441.02
  - d. ODOT ITEM 448 – Asphalt Concrete – 1” Surface Course, Type 1, PG 64-22, per ODOT ITEM 441.02
  - e. ODOT ITEMS are referenced to the 2013 ODOT Construction and Material Specifications.
7. Concrete for structures
- a. Concrete for structures on MCD property shall conform to ODOT ITEM 511.
  - b. Concrete shall be Class QC1 per ODOT ITEM 499.
  - c. Dowels and reinforcing steel shall be epoxy coated and conform to ODOT ITEM 709.
  - d. Anchoring grout shall be a non-shrink, non-metallic material that conforms to ODOT ITEM 705.20.
  - e. ODOT ITEMS are referenced to the 2013 ODOT Construction and Material Specifications.
8. Other Materials – all other materials not specified herein shall be approved by MCD prior to use on MCD property.



I, THE GRANTEE OR AUTHORIZED REPRESENTATIVE FOR SAID GRANTEE, IN EXCHANGE FOR SUCH USE AS DEFINED WITHIN THIS AGREEMENT, DO HEREBY ACKNOWLEDGE ACCEPTANCE OF ALL TERMS AND CONDITIONS AS STATED WITHIN THIS PERMIT:

MINNESOTA LIMITED

Date: 3.15.2019

By: 

Print Name: GARY H. HAWK

Title: MANAGER

\* \* \* \* \*

AS AUTHORIZED REPRESENTATIVE FOR MCD I DO HEREBY GRANT APPROVAL, SUBJECT TO THE TERMS AND CONDITIONS OF THIS AGREEMENT, TO USE MCD PROPERTY FOR SUCH USE AS DEFINED WITHIN THIS PERMIT:

THE MIAMI CONSERVANCY DISTRICT

Date: 3/19/2019

By:   
Kurt A. Rinehart, Chief Engineer





Any questions concerning this Permit or the use of MCD property shall be directed to the **MCD PROPERTY ADMINISTRATOR** Roxanne Farrier at (937) 223-1278, ext. 3230.

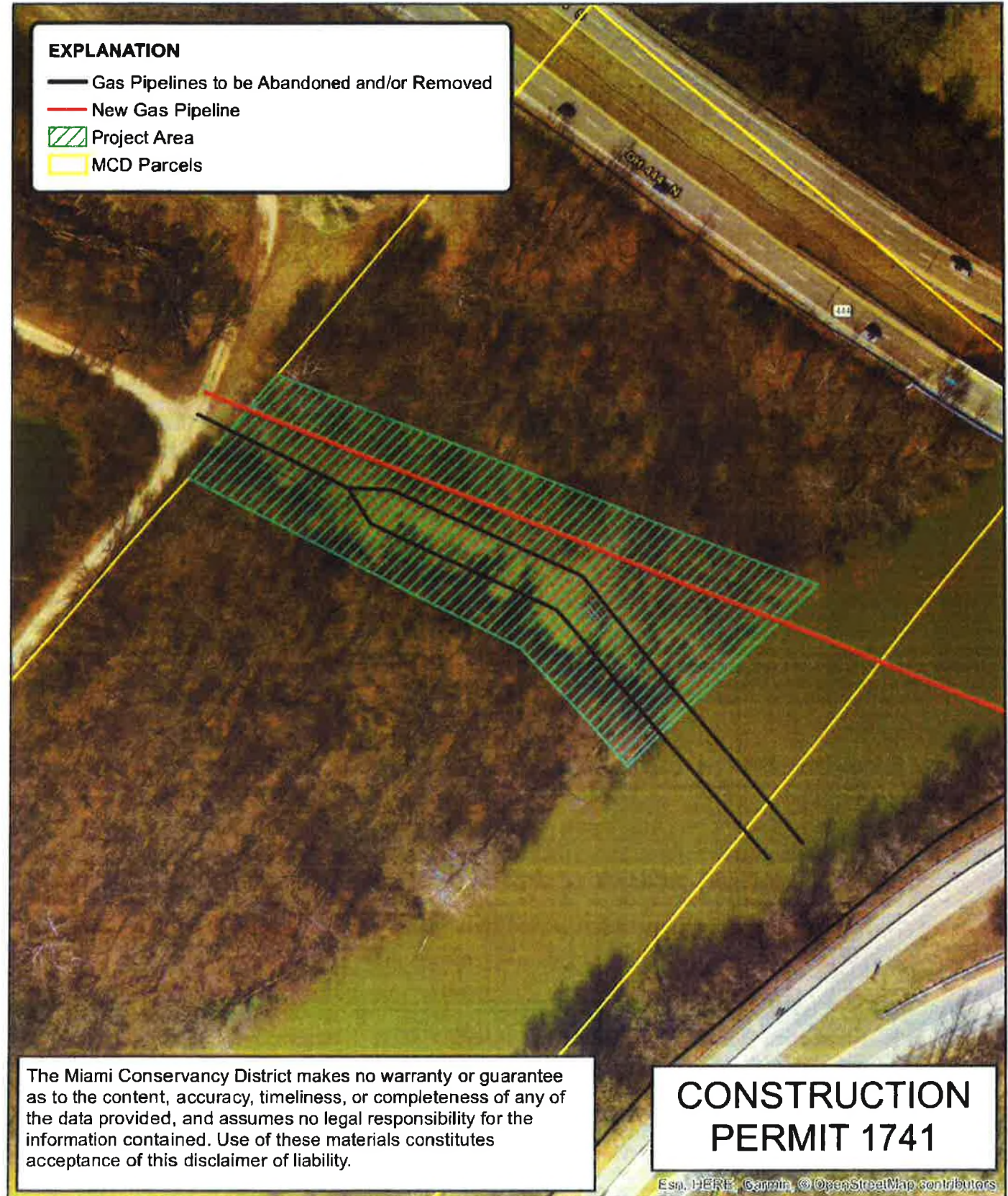
**MCD INSPECTOR:** Jim Kittel at (937) 223-1271 (office) or (937) 649-7027 (cell).

**GRANTEE'S CONTACT PERSON:** Gary Hawk at (330) 343-4612 or (330) 795-0483.

FORM-Permit, Construction.doc (F-046-24, 4/17/2018)

**EXPLANATION**

-  Gas Pipelines to be Abandoned and/or Removed
-  New Gas Pipeline
-  Project Area
-  MCD Parcels



0 50 100 200 Feet

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 19-0025-GA-BLN**

Summary: Correspondence of Vectren Energy Delivery of Ohio, Inc. in Compliance with Staff Report Condition No. 2 electronically filed by Teresa Orahod on behalf of Devin D. Parram