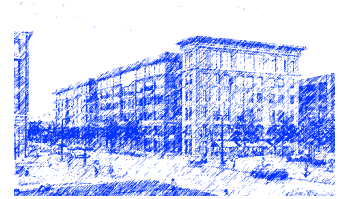


**ARENA
DEVELOPMENT INC.**
506 SPRING ST
ANYTOWN, USA
555-666-6666 ARENADEVINC.COM



A-5

September 13, 2013
Harry Houdini, Executive Director
Anytown USA Department of Community Planning and Development
123 Main St.
Anytown, USA

RE: Proposal of Funding for Arena West Apartments, Phase IA

Mr. Houdini:

We are trying to respond to all of the concerns raised in your letter of August 26, 2013 and subsequent meeting.

1. Floodplain

Attached is Exhibit A-1, a site plan prepared by our engineer, Anytown Engineering, that shows the 100 year base flood (721) drawn onto the site plan. Please note that no part of Phase I is located in the 100 year floodplain. When the Jagger toolworks was demolished in 2005 new fill was brought onto the site raising all elevations above the base flood elevation of 721. The 721 data was developed by the Anytown Engineering using the FEMA Flood Insurance Study for the Olentangy and Scioto Rivers.

2. Wetland

Our Engineer, Anytown Engineering, has subcontracted with Dr. Phil Moss to perform a wetland delineation for the site. He will be advised to use the U.S. Department of Interior's Fish & Wildlife Service wetland criteria.

3. Historic Preservation

We are exploring various plans for the existing structures along Nationwide Boulevard. These plans include both demolition and rehabilitation. Arena Development, Inc. has successfully rehabilitated historic structures (and used federal tax credits) in the Arena District just east of this site. Some structures are more conducive to adaptive reuse than others. The Power Plant, for instance, presents some unique challenges.

4. Site Contamination

We have asked Anytown Environmental, who prepared the 2006 report, to prepare a new report in accordance with current protocols.

5. Geotechnical

Please find attached Geotechnical report from Anytown Engineering dated October 15, 2006.

6. Above Ground Storage Tank

The above ground storage tank will be demolished as part of the construction of Phase I.

We greatly appreciate all of the work going into the environmental review. If I can provide additional information please feel free to contact me.

Most Sincerely,

Jon Doe
President
Arena Development, Inc

Exhibits



Mayer T. Meyerson, Mayor

City of Anytown
Planning Department
123 Main Street
Anytown, Anystate
555-555-5555
Comdev@anytown.gov



Daniel Burnham, Planning Director

B-1

Memorandum To: Ben Sturm, Housing & Community Development

Date: September 4 2013

From: James Pottersmith, Planner I

In response to your request for information that will help you prepare the Environmental Assessment for HUD funded activities in the area bounded by Route 315 to the West, I-670 to the north, the CSX/Norfolk Southern railroad tracks to the East and Spring Street to the South please be advised that:

- This area has been the subject of a concentrated planning effort. In The City's 2000 Comprehensive Plan this area was identified as blighted and targeted for redevelopment. The Jaeger Tool works had ceased operations in the 1990's. The City had worked with a developer to access USEPA and State brownfield funding and the industrial structures had were demolished in 2005. time Jaegger tool had closed down. City supports mixed commercial/residential supporting Arena District to East.
- The City of Anytown plans to replace the existing infrastructure. Over the next two years the – Water, sanitary sewer, storm sewer with green stormwater infrastructure, street lights, bike lanes, bus routes will de developed.
- The City has also committed to develop two new parks as those areas develop:
 - A Central Park for Phase I
 - A Riverside Park along the Olentangy River similar to the existing nearby North Bank Park
- Development was approved as Planned Development in 2011 providing for maximum units and floor area as follows:

	Ph 1	Ph 2	Ph 3
	Nationwide North	Nationwide South	Riverside
Res	900du	223 du	223 du
Cmmcl	2.2 mil sf	1.5 mil sf	.5 mil sf



Mayer T. Meyerson, Mayor

City of Anytown
Planning Department
123 Main Street
Anytown, Anystate
555-555-5555
Comdev@anytown.gov



Daniel Burnham, Planning Director

HP-1

September 13, 2013

J Edith Ediface, Ph.D.,
Deputy State Historic Preservation Officer,
Division of Historic Preservation and Archaeology
Department of Natural Resources
402 West Washington Street, W274
State Capitol, Anystate 55555
Attention:
Ms. Anita Ahavah, Assistant Director for 106 Reviews

Subject: Determination of No Adverse Effect
ArenaWest Redevelopment
Anytown, Anystate

Pursuant to 36 CFR 800.4(d)(1) please find attached a "Determination of No Adverse Effect" for the ArenaWest Redevelopment located in just 1 mile northwest of the downtown CBD in Anytown, Anystate. This determination is being made by the City of Anytown acting as the Responsible Entity pursuant to 24 CFR 58. The Federal funding, which will comprise a minority portion of the overall financing, will include, but will not be limited to, project based vouchers for 20% of the rental units (30 units in each of the first three phases) targeted for affordable housing, and CDBG funds for infrastructure improvements. The documentation for this finding has been prepared in accordance with 36 CFR 800.11(e).

I hope you can advise me shortly of your agreement with this Determination. If you do not concur, please express your concerns and objections clearly in writing to that we may continue the consultation process as needed. Please also indicate in your non-concurrence letter if there are other sources of information that should be checked, and if there are other parties, tribes, or members of the public you believe should be included in the consultation process.

Thank you in advance for your time and consideration.

Harry Houdini, Executive Director
Anytown USA Department of Community Planning and Development
123 Main St.
Anytown, USA

cc:
Anytribe THPO

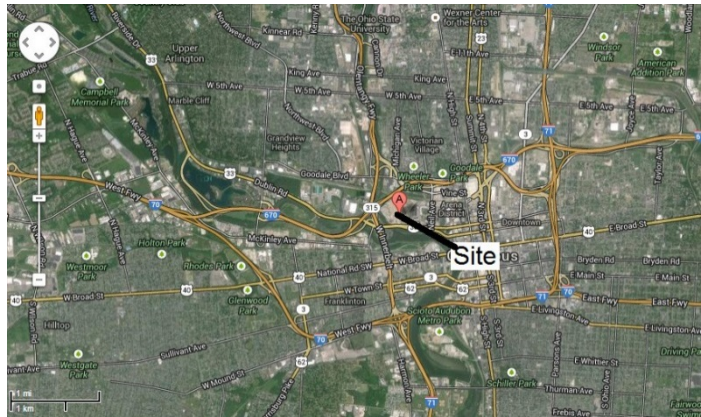
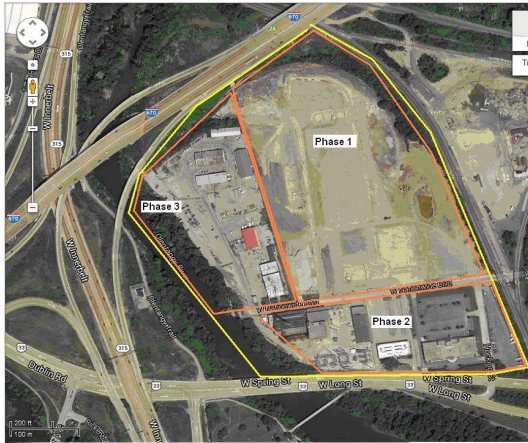
Finding Of No Adverse Effect

ArenaWest Redevelopment
Anytown, Anystate

(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;

Project Location:

Area bounded by I-670, Railroad, Spring St & Rt 15

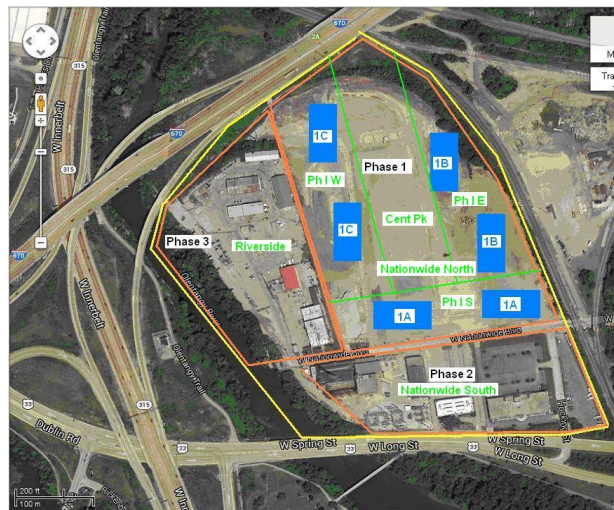


Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The overall project is a 32 acre mixed unit development consisting of residential, commercial and office uses. (see figures above and below)

The character of Nationwide North will be residential and will consist of housing with about 75,000 square feet of commercial space. Each of the three phases of Phase I (A, B, & C) will be split between condominium for sale and rental housing. 20% of the rental units will be affordable.

Although construction for occupancy will begin with only 100 units in two buildings on an initial 5 acres, this Environmental Assessment, EA, examines the impact of the entire development of the 32 acre area bounded by Route 315 to the West, I-670 to the north, the railroad tracks to the East and Spring Street to the South..



Phase I will consist of 900 units to be built in 3 phases (A, B, & C)

A Phase	Ph I S	100 units on 5 acres	75,000 sq ft commercial
B Phase	Ph 2 E	400 units on 5 acres	75,000 sq ft commercial
C Phase	Ph 2 W	400 units on 5 acres	75,000 sq ft commercial

Phase II, also known as Nationwide South, will consist of approximately 1.5 million square feet of office space on 7 acres with some ancillary commercial use and perhaps one residential tower with 223 units. About half of this area, Nationwide South, has already been developed with no federal funds.

Phase III, also known as Riverside, will consist of development of a city park and no more than 500,000 square feet of commercial space and 223 luxury condominium units.

Bdrm	# units	Phase 1	Phase 2	Phase 3
0	250	167	41	41
1	450	300	74	74
2	300	200	50	50
3	300	200	50	50
4	50	33	8	8
	1350	900	223	223

	Ph 1 Nationwide North	Ph 2 Nationwide South	Ph 3 Riverside
Res	900du	223 du	223 du
Cmmcl	2.2 mil sf	1.5 mil sf	.5 mil sf

20% of the rental units (30 units in each of the first three phases) will use Low Income Tax Credits and Section 8 vouchers to provide affordable housing.

The City is providing infrastructure improvements, including streets, streetlights, sidewalks, water and sewer lines as well as a new city park along the river. Some of this work will be supported with CDBG funds. The general developer is assembling the parcel and selling pieces to individual builders who will construct the structures and then sell them. The condo will be conveyed to an Association with units sold to individuals. The rental building will be sold to an entity, possibly a real estate investment trust (REIT), who will hold the property and rent apartment and commercial space.

The local government supports the development; it has approved the proposal as a planned development district under the local ordinance and is rebuilding all of the city infrastructure, including streets, water and sewer (sanitary and storm) lines, and street lights. The City has also agreed to develop a new park along the Olantangy River and to manage a park the developer will create in the central section of Phase I - Nationwide North.

(2) A description of the steps taken to identify historic properties;

The National Register of Historic Places was consulted and, in order to identify properties that may be eligible for inclusion in the National Register, the County Survey (based upon original 1976 reconnaissance) and State database (available on line) were also examined.

(3) A description of the affected historic properties, including information on the characteristics that qualify them for the National Register;

No properties within the project area are now on the National Register. The power plant listed on surveys and The City's Preservation staff believe it is eligible for the NR and most likely will be put on sometime in the future. The building to the West of the powerplant (589 W Nationwide) also has architectural interest. See Photos.

(4) A description of the undertaking's effects on historic properties;

The initial development will take place on the cleared property north of Nationwide Boulevard. The city will be vacating the maintenance yard west of this cleared site by July 2015, at which time it and the other vacant buildings along Nationwide will be sold to a yet-to-be-determined developer for redevelopment. The

city has awarded a contract to an architectural firm to do a reuse feasibility study for the power plant. It is anticipated that the power plant property will be adaptively reused to take advantage of tax incentives, as has been done on the Buggy Works property just East along Nationwide.

(5) An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects; and

(i) Physical destruction of or damage to all or part of the property;

The plan is for adaptive reuse of the power plant. None of the other properties have been identified as historic.

(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines;

The work on the power plant will be done in conformance with the Secretary's Standards for Rehab and Tax Credit certification will assure compliance

(iii) Removal of the property from its historic location;

The structure will not be moved

(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

The structure has outlived its economic life and use as a powerplant. Adaptive reuse is necessary in order to save the building.

(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

As has been demonstrated in the redevelopment of the neighborhood to the East, redevelopment of this area will give new life to the older buildings.

(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

This area has outlived its economic use and the current vacant buildings are deteriorating. Redevelopment will save the power plant.

(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

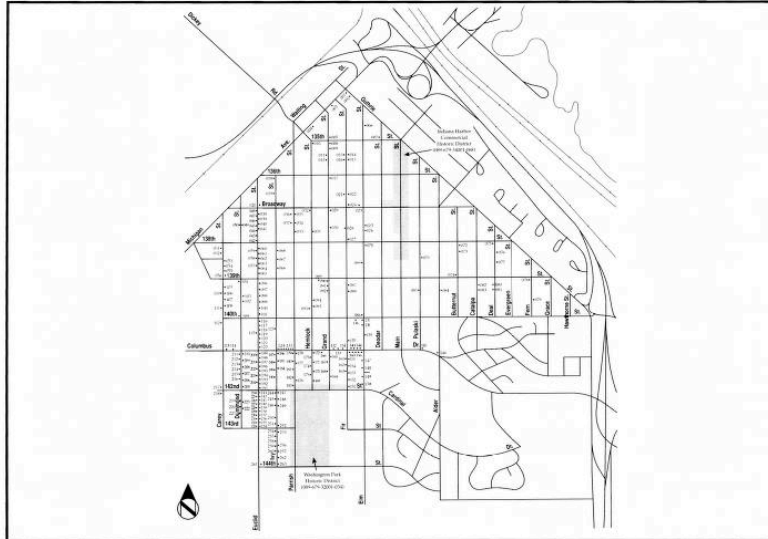
The power plant has never been owned by the federal government.

(6) Copies or summaries of any views provided by consulting parties and the public.

The City has not yet received any comments (or include comments by local Historic Commission)

Exhibits

Need page like this – from County Survey Indiana Harbor Scattered Sites (33001-263)



- 010 N Apartment Building, 1705-1707 135th Street; Colonial Revival, c.1925; Architecture (679)
- 011 C Apartment Building, 3522 Grand Boulevard; Colonial Revival, c.1925; Architecture (679)
- 012 C Apartment Building, 3526 Grand Boulevard; Chicago two-flat, c.1925; Vernacular/Construction (679)
- 013 C House, 3504 Fir Street; American four-square, c.1920; Vernacular/Construction (679)
- 014 N Indiana Harbor Masonic Temple, 3511 Fir Street; Colonial Revival, c.1920; Architecture, Social History (679)
- 015 C House, 3509 Fir Street; Vernacular, c.1915; Vernacular/Construction (679)
- 016 C Apartment Building, 3506 Fir Street; Vernacular, c.1920; Vernacular/Construction (679)
- 017 N **Indiana Harbor Public Library, 3605 Grand Boulevard; Craftsman, 1913/1931/c.1940; Architecture, Social History (679)**
- 018 N First Hungarian Reformed Church, 3602 Ivy Street; Vernacular, 1932; Ethnic Heritage, Religion, Vernacular/Construction (679)
- 019 N Apartment Building, 3616 Ivy Street; Vernacular, c.1930; Vernacular/Construction (679)
- 020 C Commercial Building, 3605 Euclid Avenue; Commercial Vernacular, c.1925; Commerce, Vernacular/Construction (679)
- 021 C St. George Greek Orthodox Church, 3620 Fir Street; Twentieth Century Gothic Revival, c.1935; Architecture, Ethnic Heritage, Religion (679)

- 022 C Apartment Building, 3619 Fir Street; Apartment Vernacular, c.1930; Vernacular/Construction (679)
- 023 N Fusek Building, 1902 Broadway; Neoclassical, c.1925; Architecture, Commerce (679)
- 024 C Commercial Building, 1904 Broadway; Commercial Vernacular, c.1920; Commerce, Vernacular/Construction (679)
- 025 O Holy Ghost Slovak Church, 3719 Elm Street; Twentieth Century Gothic Revival, 1927; Architecture, Ethnic Heritage, Religion (679)



- 025 025
- 026 C Apartment Building, 3724 Elm Street; Vernacular, c.1925; Vernacular/Construction (679)
- 027 C House, 3735 Fir Street; Gable-front, c.1920; Vernacular/Construction (679)
- 028 C Duplex, 3720 Fir Street; Vernacular, c.1925; Vernacular/Construction (679)
- 029 N Commercial Building, Grand Boulevard; Neoclassical, 1927; Architecture, Industry, Social History (679)



- 030 N First Christian Church of Christ, 37 Grand Boulevard; Twentieth Century Gothic Revival, c.1925; Architecture, Religion (679)
- 031 C House, 3725 Hemlock Street; Gabled c.1920; Vernacular/Construction (679)
- 032 C House, 3718 Hemlock Street; Bungalow c.1930; Architecture (679)
- 033 C Apartment Building, 3725 Parrish St; Colonial Revival, c.1930; Architecture (679)
- 034 C House, 3723 Parrish Street; Bungalow c.1920; Architecture (679)
- 035 C House, 3721 Parrish Street; Bungalow c.1920; Architecture (679)
- 036 C House, 3718 Parrish Street; Bungalow c.1920; Architecture (679)
- 037 C House, 3716 Parrish Street; American four-square, c.1930; Vernacular/Construction (679)
- 038 C House, 3719 Euclid Avenue; Bungalow c.1930; Architecture (679)
- 039 C House, 3721 Euclid Avenue; Bungalow c.1930; Architecture (679)

Photos



Power Plant



555 W Dublin



589 W Nationwide





Mayer T. Meyerson, Mayor

City of Anytown
Office of Community Development
123 Main Street
Anytown, Anystate
555-555-5555
Comdev@anytown.gov



Harry Houdini, Executive Director

HP-2

September 13, 2013

Joseph Whitehorse
Tribal Historic Preservation Officer
AnyTribe
Anyplace, Oklahoma

Subject: Determination of No Adverse Effect
ArenaWest Redevelopment
Anytown, Anystate

Pursuant to 36 CFR 800.4(d)(1) please find attached a "Determination of No Adverse Effect" for the ArenaWest Redevelopment located in just 1 mile northwest of the downtown CBD in Anytown, Anystate. This determination is being made by the City of Anytown acting as the Responsible Entity pursuant to 24 CFR 58. The Federal funding, which will comprise a minority portion of the overall financing, will include, but will not be limited to, project based vouchers for 20% of the rental units (30 units in each of the first three phases) targeted for affordable housing, and CDBG funds for infrastructure improvements. The documentation for this finding has been prepared in accordance with 36 CFR 800.11(e).

I hope you can advise me shortly of your agreement with this Determination. If you do not concur, please express your concerns and objections clearly in writing to that we may continue the consultation process as needed. Please also indicate in your non-concurrence letter if there are other sources of information that should be checked, and if there are other parties, tribes, or members of the public you believe should be included in the consultation process.

Thank you in advance for your time and consideration.

Harry Houdini, Executive Director
Anytown USA Department of Community Planning and Development
123 Main St.
Anytown, USA

Finding Of No Adverse Effect

Exhibits same as previous to SHPO



X Nation

123 Main street, Anytribe, Oklahoma

HP-4

Re: Determination of No Adverse Effect, Arena West Development Anytown, Anystate

Dear Mr. Houdini,

Thank you for your correspondence regarding the above referenced project. X county is within an area that is of historic interest to the X Tribe. As a federally recognized Tribe, we wish to exercise our right to enter into government-to-government consultation directly with the federal agency (HUD) as directed in 36 CFR Part 800.3(c) (3), Executive Order 13175, and as stated in HUD policy Section III B.

In the interim, we ask that you please send our office comments from the SHPO regarding this project, so that we may have a better idea of its likelihood to impact ancestral X tribe archaeological sites or sacred areas. Also, we request that the following inadvertent discovery clause be written into the contract for this project:

“In the advent that ground-disturbing work uncovers significant archaeological materials, such as stone arrowheads, ceramics, or early building foundations, or if work uncovers human burials or human remains, ground disturbing activities will immediately be stopped within a 300 foot radius and the materials protected. The State Historic Preservation Officer and the X Tribe Historic Preservation Department will be contacted as soon as possible, and given an opportunity to provide input before construction resumes.

If any archaeological or cultural materials are discovered during the project undertaking, neither the construction team or the HUD applicant will disclose this information to the general public or the media in any manner. Discoveries of archaeological material will be kept private and confidential. ”

Please feel free to contact me,

Sincerely

XXX

Tribal Historic Preservation Officer

Anytown Historic Commission

123 Main street, Anytown, Anystate

HP-5

We understand that the City is undergoing a historic preservation review, pursuant to section 106 of the National Historic Preservation Act of 1966, for the area generally bounded by Route 315 to the West, I-670 to the north, the railroad tracks to the East and Spring Street to the South. We would like to be included as a consulting party in the 106 consultation process for this project.

This area was originally developed in the early 20th century with industrial uses, and are excellent examples of the period. Although the major building in the area, the Jagger Toolworks, was demolished in 2005, many of the remaining structures retain their integrity and their adaptive reuse should be considered. Of particular note are the Anytown Power Plant, and the structures at 555 W Dublin and 589 W Nationwide. We have many historical photos in our archives and these are available to the public. We encourage consideration of adaptive reuse of older structures as has been done in the Arena District to the East of this area. The success of these developments proves that older structures can be rehabilitated and reused for modern top of the line developments.

We are looking forward to participating in further discussions.

HP-6

Letterhead – Arena District Neighborhood Association

This letter is to request inclusion of our organization as a consulting party in the City's discussion with the State Historic Preservation Officer.

Our organization represents residents and business owners in the neighborhood just to the East of this proposed development. Many of the older buildings in our neighborhood have been rehabilitated and form an important part of our charm and identity. There are a few nice older structures in this area that would add to the cohesiveness if they were kept and rehabilitated. More importantly, construction of new structures out of scale or incompatible with the existing structures would not be appropriate.

Our organization meets monthly and we would welcome a presentation by the City and/or developer to our group.

HP-7

MOA – draft once we get SHPO response



Mayer T. Meyerson, Mayor

City of Anytown
Planning Department
123 Main Street
Anytown, Anystate
555-555-5555
Comdev@anytown.gov



Daniel Burnham, Planning Director



Mayer T. Meyerson, Mayor

City of Anytown
Planning Department
123 Main Street
Anytown, Anystate
555-555-5555
Comdev@anytown.gov



Daniel Burnham, Planning Director

FP-1

September 26, 2013

Jon Doe, President
Arena Development, Inc
506 Spring St
Anytown, Anystate 55555

Subject: Environmental Processing and 8 Step Process for Arena West Apartments, Phase 1A

Dear Mr. Doe:

Thank you once again for the response to our queries in your September 13, 2013 letter. We are making a lot of progress on the environmental review. As we discussed last week it seems as if there are a few issues that will need to undergo higher level testing:

Historic Preservation

Since the project will affect historic resources we will have to initiate the 106 historic preservation process (see 36 CFR 800). Attached we are providing you with a courtesy draft of our Finding Of No Adverse Effect. As we discussed, in the interest of moving this project along this finding assumes that you will rehabilitate all of the significant historic buildings along Nationwide Boulevard. If at any time in the future you decide to demolish any of these structures we will first have to reinstate the 106 consultation process even if no new federal funds are involved.

Floodplain and Wetlands

Construction in areas that are presently shown as floodplain and wetland triggers implementation of the 8 step process set forth in Executive Orders 11988 & 11990 as implemented at 24 CFR 55. Please find attached a courtesy draft of the "Early Notice and Public Review of a Proposed Activity in a 100-Year year Floodplain and Wetland" that we will publish in the Anytown Journal-Star and distribute to anyone interested or affected by the development.

Please also note that if we approve the project flood insurance will be required until and unless a Letter of Map Amendment is obtained taking Phase I out of the regulatory floodplain.

Should you have any question or comments please contact Ms. Ida Bomb, Planner I, at extension 555 or via email at idabomb@anytown.gov.

Yours truly,

Harry Houdini, Executive Director

FP-2

Early Notice and Public Review of a Proposed
Activity in a 100-Year year Floodplain and Wetland

To: All interested Agencies Groups and Individuals

This is to give notice that the City of Anytown, Anystate, under Part 58 has determined that the following proposed action under HUD's Community Development Block Grant Program - HUD grant number B-14-55-5555 is located in the 100-year/500-year floodplain and wetland, and the City of Anytown will be identifying and evaluating practicable alternatives to locating the action in the floodplain and wetland and the potential impacts on the floodplain and wetland from the proposed action, as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

Arena West is located within 1 mile of downtown Anytown and consists of 32 acres bounded roughly by the railroad to the East, I-670 to the north, the Olentangy River to the West and Spring Street to the South. Plans call for approximately 2,000 residential units, 4.5 million square feet of commercial floor area, and a new city park along the river.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplains and wetlands, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by the City of Anytown] at the following address on or before November 15, 2013 or a minimum 15 calendar days after the date of publication of this notice, whichever is later.

Mayor Mayer T Meyerson
City of Anytown
Office of Community Development
123 Main Street
Anytown, Anystate
555-555-5555
Comdev@anytown.gov

A full description of the project may also be reviewed from 8:30 – 4:30 at the address set forth above. Comments may also be submitted via email to Comdev@anytown.gov.

Date: October 31, 2013

Note:

This notice will be published in Anytown Journal-Star & distributed to the following:

SHPO

Anytown Planning Department
Anystate Division of Water Resources
Anywhere Regional Planning Commission
US Fish & Wildlife Service, Anytown Field Office
Arena District Neighborhood Association
Herman Hoosier, Alderman
Anytown Chamber of Commerce
Anytown Friends of the River



of the River

FP-3

We are writing to express our support for the planned shoreline park that will turn an underutilized eyesore into a vibrant asset. Anytown's rivers have been an underutilized natural resource for many years and we have been working with the City to transform these rivers into vertical parks featuring trails for pedestrians, bikers, and canoeists/kayakers. IN this vein we are pleased with the preliminary plans and encourage:

- Inclusion of a new revamped boat ramp to replace the existing one
- Coordination with the City's bicycle trails
- Adequate parking

- Please keep us advised of project planning.

Sincerely,

Joan Rivers
Executive Director



FP-4

Thank you for transmitting the “Early Notice and Public Review of a Proposed Activity in a 100-Year year Floodplain and Wetland” (published in the Anytown Gazette on October 31, 2013) for the Arena West development. We have also been discussing this project with Anytown Engineering, who is representing the developer, Arena Development Inc.

Of interest to us is the planned park along on the west side of the site fronting the Olentangy River. Preliminary plans show structural improvements in the Riverine wetlands along the banks, including demolition of the existing boat launch and construction of a new, improved one, bank stabilization and trail improvements.

Since this work takes place in a jurisdictional wetland it will need a Section 404 permit. Since the plans for the future park are still under development it is too early to tell if the work will need an individual permit or it will fall within one of our nationwide or regional general permits, or if it will need an individual permit. We are confident, however, that given the goals and objectives of the project (to create a park and improve the riverside) that the project will beneficially impact the ecological values of this part of the river.

Please do not hesitate to contact this office for any further information

Sincerely,

Major M J. Major
District Comander



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Anytown Field Office



FP-5

In response to the “Early Notice and Public Review of a Proposed Activity in a 100-Year year Floodplain and Wetland” published in the Anytown Gazette on October 31, 2013 for the Arena West development we would like to inform you that the following endangered species may be affected:

Clams

clubshell (*Pleurobema clava*)
Northern riffleshell (*Epioblasma torulosa rangiana*)
Rayed Bean (*Villosa fabalis*)
Snuffbox mussel (*Epioblasma triquetra*)

Fishes

Scioto madtom (*Noturus trautmani*)

Mammals

Indiana bat (*Myotis sodalis*)

In addition the northern long-eared Bat (*Myotis septentrionalis*), a proposed endangered species, and the rabbitsfoot (*Quadrula cylindrica cylindrica*) clam, a threatened species, may be found within Anycounty.

We have met with Anytown Engineering, who is representing the developer, Arena Development Inc. They have shown us the results of their on-site wetland delineation and reconnaissance of the area. We agree with the delineation and agree that there is presently no critical habitat on the site.

We ask that we be included as plans for the riverfront park progress, so that it may be designed to provide high quality habitat and promote ecological diversity.

Yours truly,

Dr. Amanda Hare

FP-6

This office is in receipt of your October 31, 2013 Early Notice and Public Review of a Proposed Activity in a 100-Year year Floodplain and Wetland. The City of Anytown adopted a City-wide flood ordinance in on September 15, 1974. The most recent amendment to said ordinance was enacted in 2011. The ordinance provides that the lowest floor of all structures in the regulatory (1%) floodplain be at least two feet above the base flood elevation.

The Anytown Water Reclamation District also has an ordinance that calls for on-site detention and controlled release of stormwater. A development of this size will need an individual permit from the District.

We also understand that the development includes plan for a park along the Olentangy River. We recommend that development of the park be coordinated with the Anytown Park District.

Sincerely,

Hank Waterton
Director

FP-7

The Friend of the Parks welcomes the opportunity to comment on this mnajor redevelopment of Anyutown's urban core. With the conversion of this area from its historical industrial use to residential mixed with commercial there will be a need for new park facilities.

In this vein we are pleased with Areal Development's plan to include two new parks, one in the center to the "Jagger Toolworks" parcel and the other along the Olentangy River. In development plans for these parks we encourage everyone to consider:

- Linking to the existing segments of bikeways and jogging paths along the Olentangy and Scioto Rivers
- Providing active recreation areas for young children
- Providing passive sitting areas for the elderly
- Providing safe access to these parks. There is currently no good pedestrian access to that part of the site along the riverfront and south of Spring Street. We hope project planning will solve that problem.
- Providing nearby parking so that residents from other areas of Anytown may use these new facilities

Please keep us advised of all future opportunities to participate in the planning process for this important parcel.

Yours truly,

Leslie Knope
Director

FP-8

The Anytown Chapter of the US Green Building Council support Arena Development's pledge to build LEED Gold certified buildings in its Arena West Development. LEED certification provides guidance to designing sustainable structures that will reduce greenhouse gas emissions and provide for healthier lifestyles. This is particularly appropriate in this redevelopment of a former industrial area near downtown into a mixed use area, where families can reduce their car dependence by walking to work, shop and play.

We will be glad to work with the project designers should they wish to aim higher (for platinum certification)

Sincerely

Jessica Green, AIA, LEED
Chapter President

FP-8

Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetland

To: All interested Agencies Groups and Individuals

This is to give notice that the City of Anytown, Anystate, under Part 58 has conducted an evaluation as required by Executive Orders 11988 and 11990], in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under HUD's Community Development Block Grant Program - HUD grant number B-14-55-5555. Arena West is located within 1 mile of downtown Anytown and consists of 32 acres bounded roughly by the railroad to the East, I-670 to the north, the Olentangy River to the West and Spring Street to the South. Plans call for approximately 2,000 residential units, 4.5 million square feet of commercial floor area, and a new city park along the river. Approximately 1.5 acres of wetland and between 5-10 acres of floodplain is affected by the proposed project.

The City of Anytown has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

- A City park will be developed along the Olentangy River that will include all of the wetland area. The City will work with the State Department of Natural Resources and US Fish & Wildlife Service to restore as much natural habitat as feasible.
- The developer had already filled in the floodplain prior to coming to the City for Assistance. This work was completed approximately 5 years ago in preparation for a development that never went forward. Flood Insurance will be required for all development until and unless a LOMA – Letter of Map Amendment, is issued. If any fill is desired for future phases the proposal must first be subject to the 8 step process, including public notification.
- The stormwater drainage plan will make use of bioswales and raingardens and encourage infiltration. A stormwater detention pond will also be included in the central city park being developed as part of Phase 1. Said stormwater detention pond will be sized to handle the 100 year storm and will release stormwater at a rate that does not exceed releases of a similar parcel in its natural state.

The City of Anytown has reevaluated the alternatives to building in the floodplain and wetland and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Orders 11988 and 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government

determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by the City of Anytown at the following address on or before January 7, 2014:

Mayor Mayer T Meyerson

City of Anytown

Office of Community Development

123 Main Street

Anytown, Anystate

Attention: Ida Bomb

A full description of the project may also be reviewed from 8:30 – 4:30 at the address set forth above. Comments may also be submitted via email to Comdev@anytown.gov.

Date: December 31, 2013

NS-1

----- Original Message -----

Subject: Need operational information line near Anytown, Anystate downtown

From: "Ida Bomb" <idadbomb@anytown.gov>

Date: Thu, September 12, 2013 7:46 am

To: TellCSX@CSX.com<<mailto:TellCSX@CSX.com>>

I am working with a team from The Cloudburst Group on an environmental review (see 24 CFR 50 & 58) for the Arena West Development is a 32 acre area bounded by Route 315 to the West, I-670 to the north, the railroad tracks to the East and Spring Street to the South..

One of the components of the environmental review is a noise analysis (see 24 CFR 51).

Since our site at 540 w Nationwide Blvd is within 3,000 feet of railroad tracks we need to get information on train operations.

I tried to get this information from the website provided by the Federal Railway Administration's Office of Safety Analysis

<http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/crossing/xingqryloc.aspx>

but

as noted on the attachment

it indicated that 0 operations crossed Nationwide Blvd (although the latitude and longitude coordinates did not match a location crossing Nationwide Blvd) and our experience at the site indicated that the line is in use.

I would greatly appreciate if you could provide me with the following for the line that crosses Nationwide Blvd at this location (just west of the Arena District - about 4 blocks west of Neil Ave; the GPS coordinates for the crossing are 39.96755,-83.014694)

- number of trains
- number at night (between 10 PM & 7 AM)
- Engines per train
- Cars per train
- average speed

Also

do any other railroads use these tracks (they are labeled CSX at the site)? If so, do you have contact information for these other railroads?

Thank you in advance for your assistance. Please do not hesitate to call (my cell) with any questions.

Ida Bomb, Planner I
Anytown, Anystate

U.S. DOT - CROSSING INVENTORY INFORMATION
AS OF 9/12/2013

Crossing No.: **513267J** Update Reason: **Changed Crossing** Effective Begin-Date of Record: **01/01/11**
Railroad: **NS Norfolk Southern Corp. [NS]** End-Date of Record:
Initiating Agency **Railroad** Type and Position: **Public RR Under**

Part I Location and Classification of Crossing

Division:	DEARBORN	State:	OH
Subdivision:	608113	County:	FRANKLIN
Branch or Line Name:	CINCINNATI LI	City:	In COLUMBUS
Railroad Milepost:	0138.10	Street or Road Name:	NATIONWIDE BLVD
RailRoad I.D. No.:		Highway Type & No.:	
Nearest RR Timetable Stn:	COLUMBUS	HSR Corridor ID:	
Parent Railroad:		County Map Ref. No.:	25
Crossing Owner:		Latitude:	39.9958920
ENS Sign Installed:		Longitude:	-83.0935440
Passenger Service:		Lat/Long Source:	
Avg Passenger Train Count:	0	Quiet Zone:	No
Adjacent Crossing with Separate Number:			

Private Crossing Information:

Category:	Public Access:		
Specify Signs:	Specify Signals:		
ST/RR A	ST/RR B	ST/RR C	ST/RR D
Railroad Use:			
State Use:			
Narrative:			

Emergency Contact: **(800)453-2530** Railroad Contact: **(800)946-4744** State Contact: **(614)466-0407**

Part II Railroad Information

Number of Daily Train Movements:		Less Than One Movement Per Day:	Yes
Total Trains:	0	Day Thru:	0
Total Switching:	0	Maximum Time Table Speed:	0
Typical Speed Range Over Crossing: From	0 to 0 mph	Specify:	
Type and Number of Tracks: Main:	0	Other	0
Does Another RR Operate a Separate Track at Crossing?			
Does Another RR Operate Over Your Track at Crossing?			

U.S. DOT - CROSSING INVENTORY INFORMATION

Crossing **513267J**

Continued

Effective Begin-Date of Record: **01/01/11**

End-Date of Record:

Part III: Traffic Control Device Information

Signs:

Crossbucks: **0**

Advanced Warning:

Pavement Markings:

Highway Stop Signs: **0**

Hump Crossing Sign:

Other Signs: **0** Specify:
0

Train Activated Devices:

Gates: **0**

Mast Mounted FL: **0**

Cantilevered FL (Over): **0**

Other Flashing Lights: **0**

Highway Traffic Signals: **0**

Other Train Activated
Warning Devices:

Channelization:

Track Equipped with
Train Signals?

4 Quad or Full Barrier:

Total Number FL Pairs: **0**

Cantilevered FL (Not over): **0**

Specify Other Flashing Lights:

Wigwags: **0** Bells: **0**

Special Warning Devices Not
Train Activated:

Type of Train Detection:

Traffic Light

Interconnection/Premotion:

Part IV: Physical Characteristics

Type of Development:

Number of Traffic Lanes

Crossing Railroad:

Is Highway Paved?

Crossing Surface:

Nearby Intersecting
Highway?

Does Track Run Down a
Street?

Is Commercial Power Available?

Smallest Crossing Angle:

Are Truck Pullout Lanes Present?

If Other:

Is it Signalized?

Is Crossing Illuminated?

Part V: Highway Information

Highway System:

Is Crossing on State

Highway System:

Annual Average Daily
Traffic (AADT):

Estimated Percent Trucks:

Posted Highway Speed: **0**

Functional Classification of
Road at Crossing:

AADT Year: **1986**

Avg. No of School Buses per Day: **0**

9/12/13

Phone conversation from CSX – not our tracks

Contact Norfolk Western

----- Original Message -----

Subject: [Fwd: Need operational information line near Anytown, Anystate, OH downtown]

From: Ida Bomb" <idadbomb@anytown.gov>

Date: Thu, September 12, 2013 4:08 pm

To: TellCSX@CSX.com<<mailto:TellCSX@CSX.com>>

Thanks for taking the time to look into this

Please find attached photos of signs marking tracks as belonging to CSX and trains using tracks

Thanks for your help!

Ida Bomb, Planner I

Anytown, Anystate





9/13/13

Phone conversation with Norfolk Western

Can you give us info?

> ----- Original message -----

> From: "Haines, Ron E."

<Ron.Haines@exchange.nscorp.com<mailto:Ron.Haines@exchange.nscorp.com>>

> Date: 09/18/2013 8:55 AM (GMT-05:00)

> To: "Bradigan, Blair K."

<Blair.Bradigan@exchange.nscorp.com<mailto:Blair.Bradigan@exchange.nscorp.com>>

> Subject: FW: [Fwd: Need operational information line near Anytown, Anystate, OH downtown]

> Is this ours or CSX?

.....

> From: "Brahler, Michael"

<Michael.Brahler@exchange.nscorp.com<mailto:Michael.Brahler@exchange.nscorp.com>>

> Date: 09/19/2013 6:58 AM (GMT-05:00)

> To: "Bradigan, Blair K."

<Blair.Bradigan@exchange.nscorp.com<mailto:Blair.Bradigan@exchange.nscorp.com>>

> Subject: RE: [Fwd: Need operational information line near Anytown, Anystate, OH downtown]

> I don't know of any RR that crosses Nationwide Blvd. at grade, four blocks

> west of Neil I believe the CSX has an overhead bridge around there.

.....

On Thu, September 19, 2013 9:07 am, Haines, Ron E. wrote:

> Ms.. Bomb,

> I understand your study to be at the railroad crossing at Nationwide Blvd?

> This is a CSXT overhead bridge location.

> Thanks,

> Ron Haines

.....

Subject: [Fwd: Need operational information line near Anytown, Anystate, OH downtown]

From: Ida Bomb" <idadbomb@anytown.gov>

Date: Fri, September 20, 2013 8:49 am

To: "Haines, Ron E." <ron.haines@nscorp.com<<mailto:ron.haines@nscorp.com>>>

Cc: TellCSX@CSX.com<<mailto:TellCSX@CSX.com>>

Thanks for the research and response.

What do you suggest I do?

I had already contacted CSX and sent them photos of their signs and trains at the location (see below)?
Do you know anyone there you can contact and ask to help us?

All the best

Ida Bomb, Planner I
Anytown, Anystate

.....

From: Ida Bomb" <idadbomb@anytown.gov>

Sent: Saturday, September 21, 2013 9:35 PM

To: ken_hall@csx.com; Turner, Gary

Cc: Haines, Ron (Internet); TellCSX

Subject: Need operational information line near Anytown, Anystate, OH downtown

After a few emails and phone calls I've been referred to you

I am working with a team from The Cloudburst Group & the City of Anytown for the US Department of Housing and Urban Development on an environmental review (see 24 CFR 50 & 58).

One of the components of the environmental review is a noise analysis (see 24 CFR 51).

Since our "test" site at 540 w Nationwide Blvd is within 3,000 feet of railroad tracks we need to get information on train operations.

I tried to get this information from the website provided by the Federal Railway Administration's Office of Safety Analysis

<http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/crossing/xingqryloc.aspx>

but, as noted on the attachment, it indicated that 0 operations crossed Nationwide Blvd (although the latitude and longitude coordinates did not match a location crossing Nationwide Blvd) and our experience

at the site indicated that the line is in use. We actually observed a few trains using the tracks when we were there.

I would greatly appreciate if you could provide me with the following for the tracks that crosses Nationwide Blvd at this location (just west of the Arena District - about 4 blocks west of Neil Ave; the GPS coordinates for the crossing are 39.96755,-83.014694)

- number of trains
- number at night (between 10 PM & 7 AM)
- Engines per train
- Cars per train
- average speed

Also

do any other railroads use these tracks (they are labeled CSX at the site)? If so, do you have contact information for these other railroads?

Thank you in advance for your assistance. Please do not hesitate to contact me (via email - I'll be abroad for next two weeks & will not be able to answer the phone) with any questions.

Ida Bomb, Planner I
Anytown, Anystate

----- Original Message -----

Subject: RE: Need operational information line near Anytown, Anystate, OH downtown

From: "Turner, Gary" <Gary_Turner@csx.com>

Date: Mon, September 23, 2013 7:10 am

To: Ida Bomb" <idadbomb@anytown.gov>

"ken_hall@csx.com" <ken_hall@csx.com>

Cc: "Haines, Ron (Internet)" <Ron.Haines@nscorp.com>

"TellCSX" <TellCSX@CSX.com>

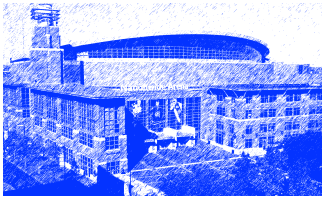
Those GPS coordinates are the CSX mainline at Yard A. My comments in red.

- number of trains **Average 15-20 per day**
- number at night (between 10 PM & 7 AM) **approx.. 8**
- Engines per train- **varies**
- Cars per train- **varies**
- average speed- **25 mph speed limit**

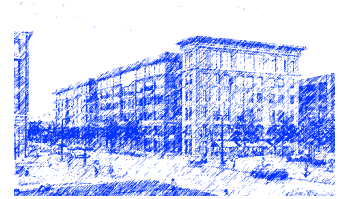
Also

do any other railroads use these tracks (they are labeled CSX at the site)? If so, do you have contact information for these other railroads?

NS Railroad runs adjacent and we cross a diamond in this location.



**ARENA
DEVELOPMENT INC.**
506 SPRING ST
ANYTOWN, USA
555-666-6666 ARENADEVINC.COM



October 15, 2013
Harry Houdini, Executive Director
Anytown USA Department of Community Planning and Development
123 Main St.
Anytown, Anystate 55555

RE: Noise Barriers for Arena West Apartments, Phase IA

Dear Mr. Houdini:

Thanks again for our meeting last week on the noise issue. After due consideration we have decided to construct an earth berm along the eastern and northern perimeters of the site. Please find attached a preliminary site plan showing these changes.

The berm will bring the noise exposure of the buildings below 75 Ldn and the active and passive recreation areas in the proposed park below 65 Ldn.

Most Sincerely,

Jon Doe
President
Arena Development, Inc

CS-1

----- Original Message -----

Subject: School Impact for Arena West Apartments

From: "Ida Bomb" <idadbomb@anytown.gov>

Date: Thu, September 12, 2013 1:00 PM

To: Ed Learned@anyschool.anytown.gov

This is to confirm our conversation of today in which you advised me that Phase I of the Arena West Apartments will be adequately served by Avondale Elementary School at 141 Hawkes Ave and Arts Impact Middle School (Aims) at 680 Jack Gibbs Blvd and the new students will have no adverse impact on these facilities.

You also mentioned that as the area is developed the school district will monitor the situation and consider the construction of a new school if enough new students are generated by the new development.

Thank you in advance for your assistance. Please do not hesitate to call (my cell) with any questions.

Ida Bomb, Planner I
Anytown, Anystate

.....

CS-2

----- Original Message -----

Subject: Emergency Services for Arena West Apartments

From: "Ida Bomb" <idadbomb@anytown.gov>

Date: Thu, September 12, 2013 1:30 PM

To: Pete.Pistol@anypolice.anytown.gov

This is to confirm our conversation of today in which you advised me that Phase I of the Arena West Apartments will be adequately served by the Anytown Police Department with emergency response times under 5 minutes.

Thank you in advance for your assistance. Please do not hesitate to call (my cell) with any questions.

Ida Bomb, Planner I
Anytown, Anystate

.....

----- Original Message -----

Subject: Emergency Services for Arena West Apartments

From: "Ida Bomb" <idadbomb@anytown.gov>

Date: Thu, September 12, 2013 1:30 PM

To: Brian.Burns@anyfiredept.anytown.gov

This is to confirm our conversation of today in which you advised me that Phase I of the Arena West Apartments will be adequately served by the Anytown Fire Department with emergency response times under 5 minutes.

Thank you in advance for your assistance. Please do not hesitate to call (my cell) with any questions.

Ida Bomb, Planner I
Anytown, Anystate

CS-3

----- Original Message -----

Subject: School Impact for Arena West Apartments
From: "Ida Bomb" <idabomb@anytown.gov>
Date: Thu, September 12, 2013 2:00 PM
To: Sam.Seward@anytown.gov

This is to confirm our conversation of today in which you advised me that the Department of Public Works has been working with Arena Development, Inc on their plans for water and sewer and other infrastructure in the the 32 acre area bounded by Route 315 to the West, I-670 to the north, the railroad tracks to the East and Spring Street to the South.

You advised me that the City will remove the old infrastructure and build new roads, sewers (sanitary and storm) water and lighting, in phases as the area is developed.

Thank you in advance for your assistance. Please do not hesitate to call (my cell) with any questions.

Ida Bomb, Planner I
Anytown, Anystate

