



State of Ohio Environmental Protection Agency

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MAILING ADDRESS:

P.O. Box 1049  
Columbus, OH 43216-1049

August 9, 2010

Andrew Bushman, Chairman  
Munson Township Trustees  
12210 Auburn Road  
Chardon, OH 44024

Dear Mr. Bushman,

As you are aware, your Fowler's Mill Restoration Project is in partial funding range on the 2010 Water Pollution Control Loan Fund priority list. Currently, there is \$5,042,000.00 available for your project upon a successful environmental and administrative review. Ohio EPA now needs to know how you are going to finance the remaining \$74,175 needed to proceed with the land purchase and the additional \$395,130 for the restoration work.

Since you have assumed implementer status on the above referenced project from Geauga Park District, we will need you to fill out the WRRSP nomination form with the appropriate contact information, budget, and details for the project as it has been modified to accommodate Munson Township. We have received some of this information piecemeal, but please complete the form, and revise all language and activities appropriate to Munson Township as the implementer. The form can be found at the following link: [http://www.epa.state.oh.us/defa/newonline\\_forms.aspx](http://www.epa.state.oh.us/defa/newonline_forms.aspx).

In your nomination, please indicate a timeline for purchasing the property and implementing the needed restoration keeping in mind that the restoration must be done in a timely manner regardless of the township's ability to secure additional funding. WRRSP restoration projects are expected to request restoration funding, but and the township's willingness to cost share this portion of the project has allowed this project to remain on the priority list. Prior to the award of NEORSD's sponsoring loan, the township must provide documentation that its share of the project cost has been secured.

Completion of the restoration work is essential to achieve the substantial environmental outcomes which are reflected in the project's WRRSP ranking score. Without the restoration, this project will not be in funding range. It is unlikely that you will receive 319 funding for restoration activities before you own the property, so we need assurance that the funds that will be used for restoration are obligated and secured prior to the land acquisition. Restoring the property will become part of the sponsorship agreement between NEORSD and Munson Township. Failure of the township to perform all the restoration work may be considered an event of default in accordance with Section 5.11 and Article VI of the WPCLF loan agreement between NEORSD and

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

the Ohio EPA. Such an event of default could lead to sanctions up to and including the repayment by NEORSD of any WRRSP funds expended up to the time of the default.

Please keep in mind that an environmental covenant will need to be executed prior to release of any funds, and it must be recorded with the county auditor upon closing on the property. The covenant has use restrictions which are not negotiable, and are mandatory for all WRRSP projects. Please familiarize yourself with the covenant to be sure that this is consistent with your vision of the property use. The covenant can be found on our website at the following link:

<http://www.epa.state.oh.us/defa/09wrrsp.aspx> .

The original nomination that was submitted by Geauga Park District indicated that they intended to buy the property in December 2010 and let the current owner operate the golf course through November 2011. As stated above, the environmental covenant will need to be placed on the property immediately following purchase and the use restrictions will not allow for the operation of the golf course beyond that period. If the current owner cannot turn over the property until November, 2011 then we suggest that you re-nominate the project for funding during a year when you can immediately implement the project. We will not obligate funds this year and allow the golf course to operate after the purchase has taken place.

Public participation will need to be conducted as part of the environmental review. In addition, the appraisal for the property is being evaluated to ensure that a reasonable cost is being requested for this property. Being placed on the WRRSP priority list is no guarantee of funding.

Please have the requested information completed and submitted to us by August 20, 2010. Feel free to call Theresa Gordon at 614-644-3664 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Monsarrat, Jr.", with a stylized flourish at the end.

Robert Monsarrat, Jr.  
Manager, Environmental Planning Section  
Division of Environmental & Financial Assistance

c. Mark Link, NEORSD  
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