



Public Notice

CG Olmsted, LLC

ISSUED: 11 June 2014

EXPIRES: 11 July 2014

U.S. Army Corps
of Engineers
Buffalo District

Application No: 2009-01433 Section: OH

All written comments should reference the above Application No. and be addressed to:
US Army Corps of Engineers, Buffalo District Regulatory Branch, 1776 Niagara Street
Buffalo, NY 14207-3199

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

APPLICANT: CG Olmsted, LLC, 3777 East Galloway Drive, Richfield, Ohio 44286

WATERWAY & LOCATION: Federal jurisdictional streams and wetlands on an approximately 17-acre parcel located north of Sprague Road, west of Evan Miller Trail, and east of Tuttle Road in Olmsted Township, Cuyahoga County, Ohio (Sheet 1 of 5).

LATITUDE & LONGITUDE: Latitude North: 41.5353
Longitude West: -81.94012

EXISTING CONDITIONS:

Description of delineation of waters of the US, if applicable: A preliminary jurisdictional determination (PJD) for the parcel was issued December 23, 2013. The PJD identified two streams, Stream 1 (831 linear feet (LF)), and Stream 2 (240 LF), totaling 1,071 LF, and ten non-forested wetlands, Wetland A (0.32 acres), Wetland B (0.12 acres), Wetland C (0.02 acres), Wetland D (0.05 acres), Wetland E (0.18 acres), Wetland F (0.01 acres), Wetland G (0.02 acres), Wetland H (0.07 acres), Wetland I (0.03 acres), and Wetland J (0.03 acres), totaling 0.85 acres, on the subject parcel (Sheet 2 of 5).

PROPOSED WORK: The applicant is proposing to construct a 75-lot residential subdivision, including four on-site stormwater ponds and other attendant features (Sheet 3 of 5). The proposed project will result in permanent impacts to one stream, Stream 2 totaling 100 LF, and all eight wetlands, totaling 0.85 acres (Sheets 3 and 4 of 5). In addition, the proposed project will result in temporary impacts to 50 LF of Stream 2 during installation of a sanitary sewer line (Sheets 3 and 5 of 5).

PROJECT PURPOSE

Basic: To construct a residential subdivision.

Overall: To complete development of Gates Village, the last component of the Woodgate Farms master

residential plan by constructing a 75-lot residential subdivision that allows for 4.15 homes per acre as approved by the Olmsted Township Zoning Commission and the Cuyahoga County Planning Commission.

Water Dependency Determination: The project does not require access or proximity to or siting within the 0.85 acres of proposed wetland impacts to fulfill its basic purpose. Thus, it is not a water dependent activity and practicable alternatives that do not involve wetlands, or other special aquatic sites, are presumed to be available unless clearly demonstrated otherwise.

Avoidance and Minimization Information: The applicant has indicated that they have modified their original design layout by removing an access road that would have resulted in an additional 100 LF of stream impacts to Stream 1. The applicant has indicated that there are no design alternatives that will enable them to avoid impacts to wetlands and still complete their project purpose.

The applicant has indicated that offsite alternatives are not practicable as this site is the only site within the Olmsted Township zoning district with a home density of 4.15 home sites per acre. In addition, Gates Village residents will be able to take advantage of the amenities (junior size Olympic pool, clubhouse, parking and open space) that have already been constructed at Woodgate Farms.

Proposed Mitigation: The applicant is proposing to purchase 1.3 acres of wetland mitigation credit at the Wellington Reservoir Wetland Mitigation Bank at a ratio of 1.5:1 to compensate for wetland impacts. The Wellington Reservoir Wetland Mitigation Bank is an approved bank within the Black-Rocky River watershed. The applicant has not proposed stream mitigation to compensate for stream impacts.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Keith C. Sendziak, who can be contacted at the above address, by calling (716) 879-4339, or by e-mail at: keith.c.sendziak@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. John Kessler
Ohio Department of Natural Resources
Office of Real Estate
2045 Morse Rd.
Columbus, OH 43229-6605
phone: 614-265-6621
email: john.kessler@dnr.state.oh.us

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 5. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the United States Fish and Wildlife Service (USFWS) to evaluate any potential impacts to: Piping plover (*Charadrius melodus*), Kirtland's warbler (*Setophaga kirtlandii*), rufa red knot (*Calidris canutus rufa*), northern long-eared bat (*Myotis septentrionalis*) and Indiana bat (*Myotis sodalis*) and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will

reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

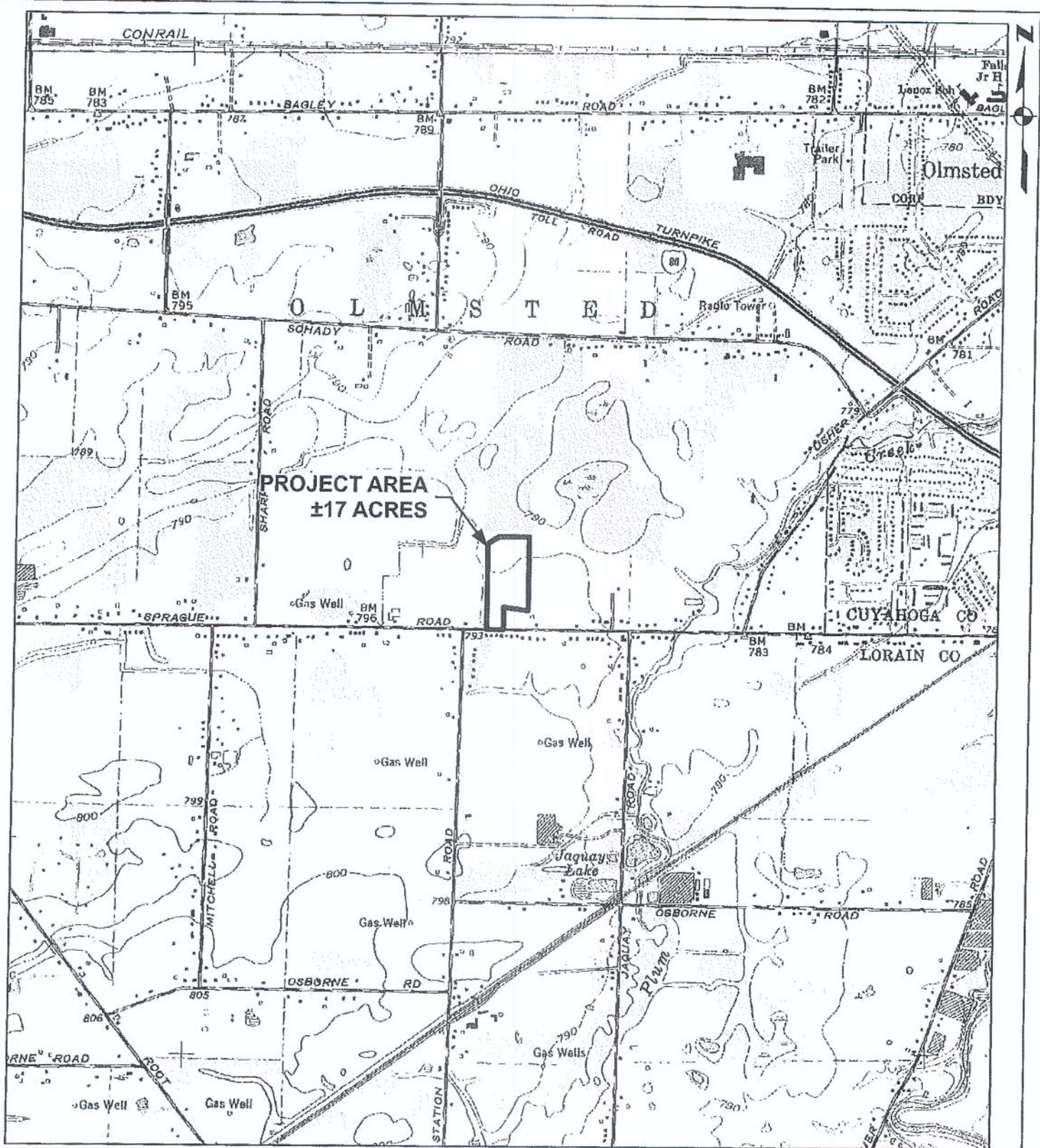


FIGURE 1: SITE LOCATION MAP
 GATES VILLAGE
 OLMSTED TOWNSHIP
 CUYAHOGA COUNTY, OHIO

REFERENCE
 USGS 7.5 MIN TOPO QUAD
 WEST VIEW, OHIO QUAD 1994

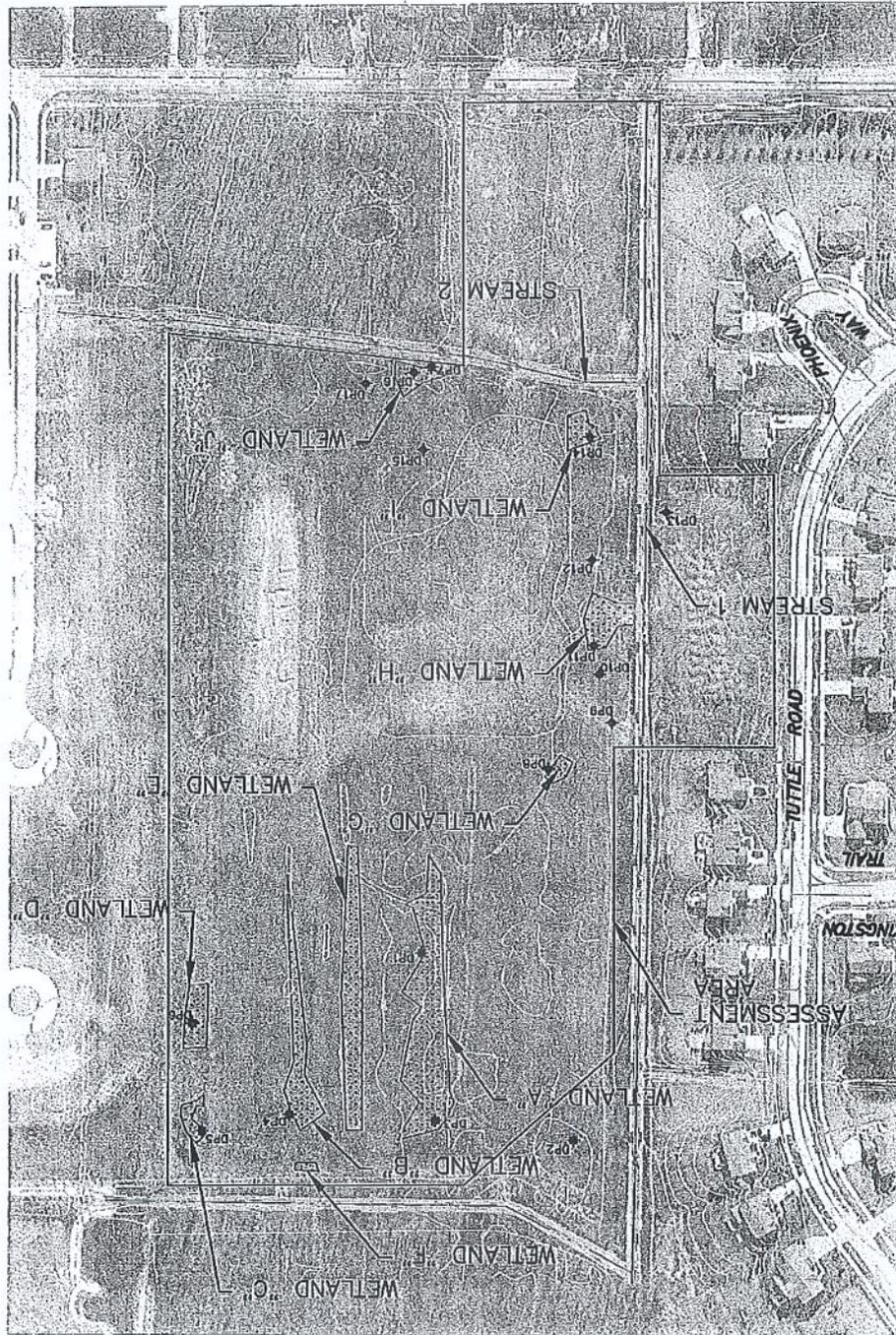
DATE: 10/17/2012



CG Olmsted LLC
 D/A Processing No. 2009-01433
 Cuyahoga County, Ohio
 Quad: OH- West View
 Sheet 1 of 5



CG Olmsted LLC
 D/A Processing No. 2009-01433
 Cuyahoga County, Ohio
 Quad: OH- West View
 Sheet 2 of 5



GATES VILLAGE NATURAL FEATURES INVENTORY	
STREAM SUMMARY	LINEAR FT (ON SITE)
STREAM 1	831
STREAM 2	240
WETLAND SUMMARY	
WETLAND A	0.32
WETLAND B	0.12
WETLAND C	0.02
WETLAND D	0.05
WETLAND E	0.18
WETLAND F	0.01
WETLAND G	0.02
WETLAND H	0.07
WETLAND I	0.05
WETLAND J	0.05

NOTE: THE WETLAND BOUNDARIES DEPICTED ON THE MAP ARE PRELIMINARY UNTIL REVIEWED BY THE STATE OF OHIO. THIS MAP IS FOR INFORMATION ONLY. ONLY THE STATE HAS JURISDICTION OVER WETLANDS IN THE STATE OF OHIO TO DETERMINE THE JURISDICTIONAL STATUS OF WETLANDS AND STREAMS.

-STREAMS FIELD ASSESSED BY OTHERS

DATE: OCTOBER 4, 2013
 NOVEMBER 14, 2013 - REVISED
 NOVEMBER 25, 2013 - REVISED PER USAGE

PROJECT NO.: 13001449
 DATE: DECEMBER 02, 2013

SCALE: 1" = 150'

LEGEND

- WETLAND
- STREAM
- DATA POINT

WETLAND DELINEATION MAP
 OLMSTED TOWNSHIP
 CUYAHOGA COUNTY, OHIO

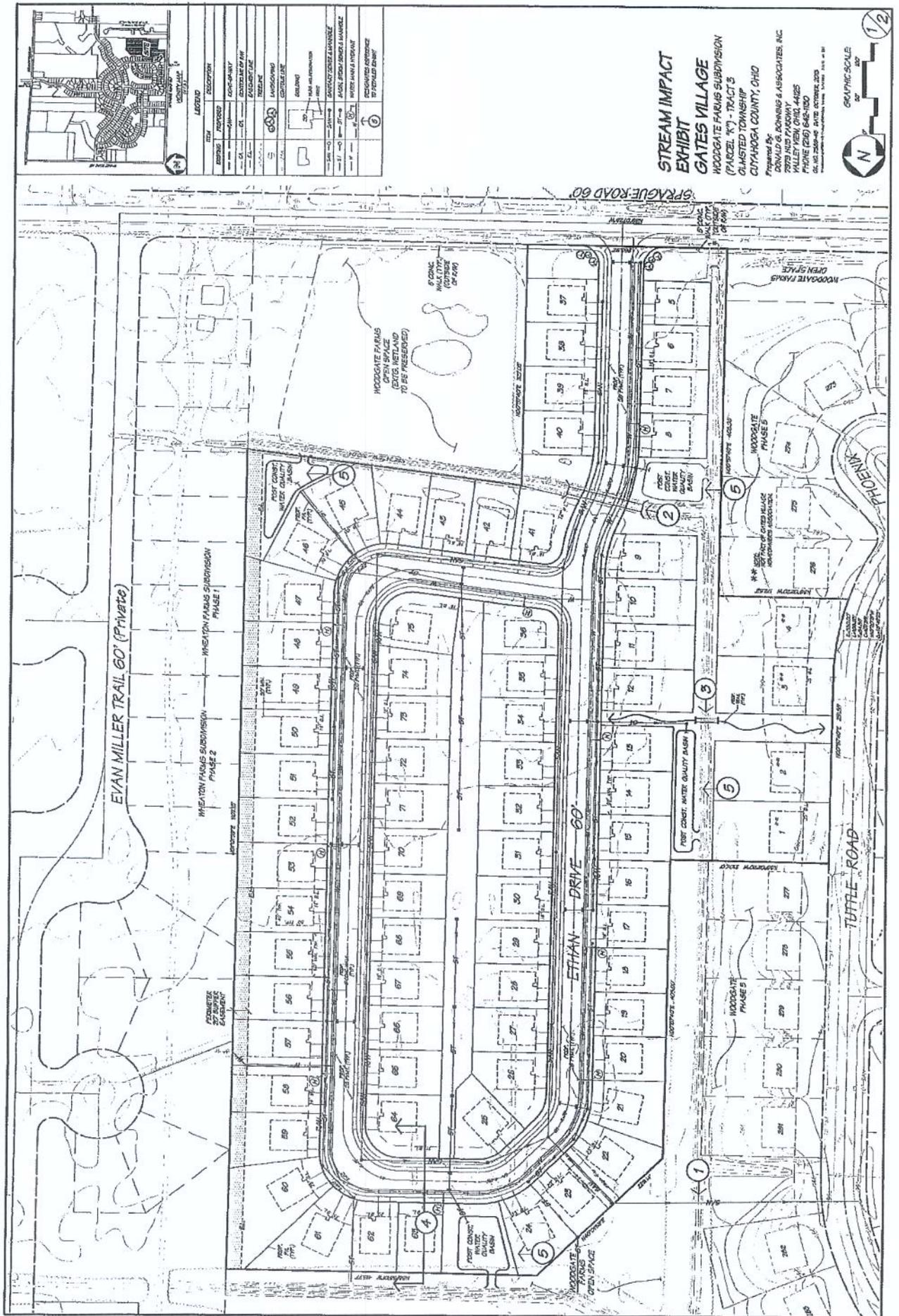


Land Development & Real Estate
 Power & Energy
 Infrastructure & Transportation
 Environmental & Solid Waste
 Water & Natural Resources

ATWELL
 666.850.6000 | www.atwell-group.com
 30275 BANGOR ROAD, SUITE 180
 WILMINGTON, OHIO 44095-1930

DR: LWP
 CAD: FILE:13001449-EC-01-WLM-REV.DWG

CG Olmsted LLC
 D/A Processing No. 2009-01433
 Cuyahoga County, Ohio
 Quad: OH- West View
 Sheet 3 of 5



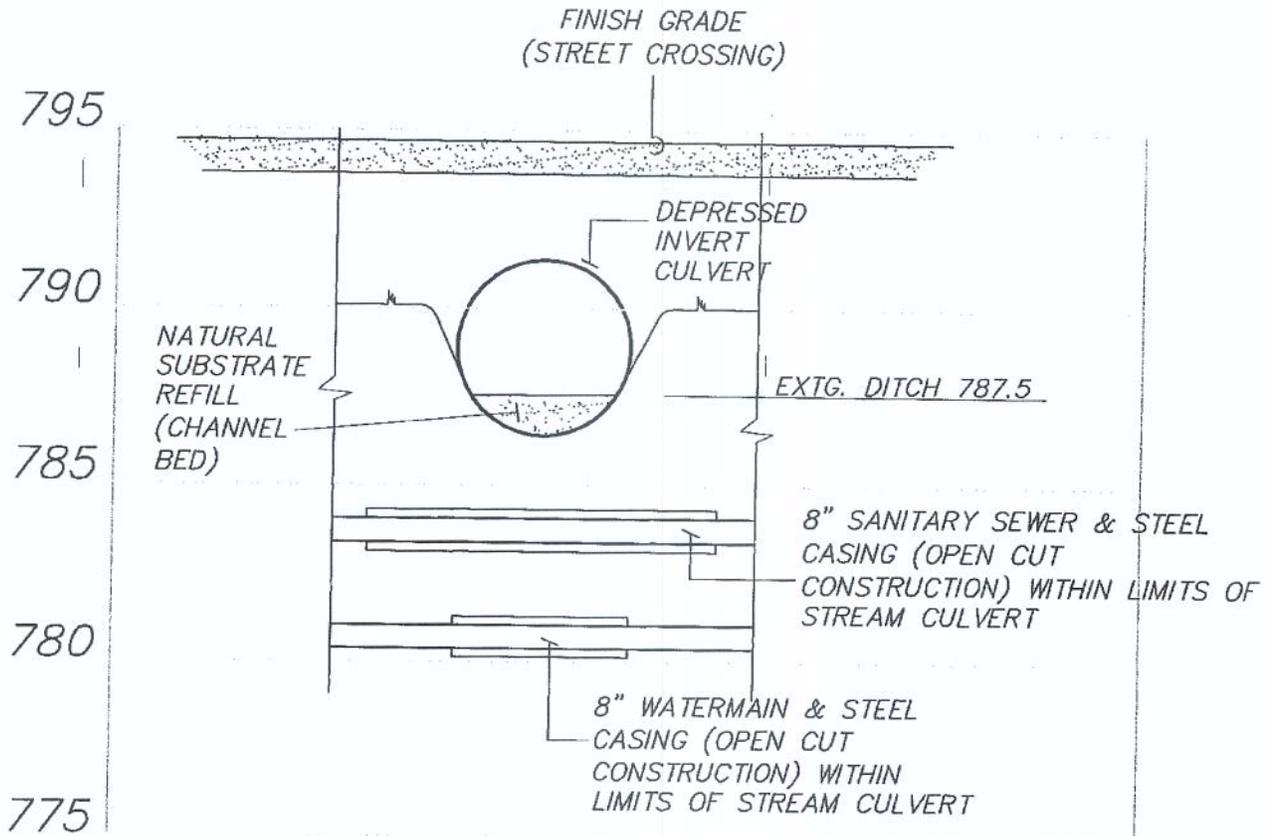
ITEM	DESCRIPTION
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61	WOODGATE FARMS WALK CITY (OUTSIDE OF MAP)

STREAM IMPACT EXHIBIT
GATES VILLAGE
 WOODGATE FARMS SUBDIVISION
 (PARCEL "K") - TRACT 3
 CHANSTOWN TOWNSHIP
 CUYAHOGA COUNTY, OHIO

PREPARED BY:
 FOWLER & BOWEN ASSOCIATES, INC.
 2929 MID PASSWAY
 VALLEY VIEW, OHIO 44125
 PHONE (216) 646-1100
 AS PREPARED BY DATE OCTOBER 2009

GRAPHIC SCALE
 0 20 40
 FEET

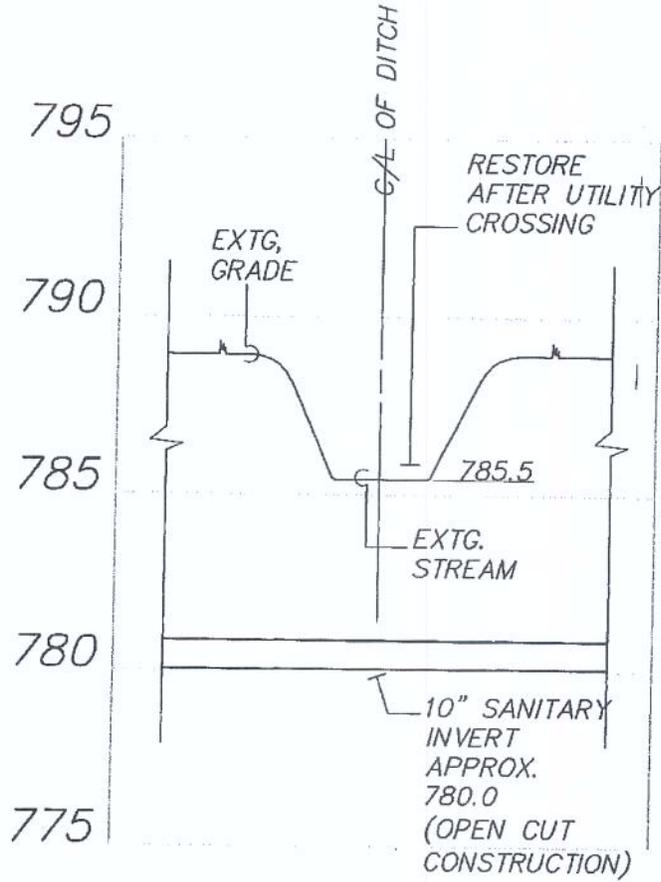
12



STREET STREAM
CROSSING

2

CG Olmsted LLC
D/A Processing No. 2009-01433
Cuyahoga County, Ohio
Quad: OH- West View
Sheet 5 of 5



10" SANITARY SEWER
STREAM CROSSING

1