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# Public Notice

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U.S. Army Corps  
of Engineers  
Buffalo District  
CELRB-TD-R

Applicant: Bendix  
Commercial Vehicle  
Systems LLC

Published: April 21, 2016  
Expires: May 20, 2016

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Application No: 2015-00913  
Section: OH

All written comments should reference the above Application No. and be addressed to:  
**US Army Corps of Engineers, Buffalo District**  
**Regulatory Branch (Attn:) Peter Krakowiak**  
**1776 Niagara Street**  
**Buffalo, NY 14207**

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**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: Bendix Commercial Vehicle Systems LLC

WATERWAY & LOCATION: Wetlands and streams on a 59-acre parcel located at 35500 Chester Road, City of Avon, Lorain County, Ohio

LATITUDE & LONGITUDE: Latitude North: 41.47048  
Longitude West: -82.00739

EXISTING CONDITIONS: The project site contains a mixture of agricultural fields, scrub-shrub, open field, and forested plant communities. Approximately 18 acres is forested.

Description of delineation of waters of the US, if applicable: A Preliminary Jurisdictional Determination (PJD) was issued on December 21, 2015 identifying ten wetlands totaling 10.24 acres and three streams totaling 4,409 linear feet. The wetlands consist of PEM, PSS, and PFO habitat. The streams include one perennial, one intermittent, and one ephemeral channel. All on-site waters are located within the Black-Rocky Rivers 8-digit Hydrologic Unit Code (HUC).

PROPOSED WORK: The proposed project includes the permanent filling of 1.976 acres of

federally jurisdictional wetlands (1.216 acres of forested and 0.760 acre non-forested wetlands) and 1,913 linear feet of stream (453 linear feet of ephemeral, 630 linear feet of intermittent, and 830 linear feet of perennial stream) in association with the construction of a new North American Corporate Headquarters for Bendix Commercial Vehicle Systems. The proposed project will include grading of approximately 34 acres for an office building (246,804 square feet), parking lots (30 truck spaces, 30 visitor spaces, and 719 employee spaces), access driveways, utilities, and stormwater management features.

#### PROJECT PURPOSE

Basic: Commercial development

Overall: Construction of a corporate headquarters for Bendix Commercial Vehicle Systems in eastern Lorain County, Ohio

Water Dependency Determination (*describe only if project affecting Special Aquatic Site*): The proposed project is not a water dependent activity. Therefore, it is presumed that practicable alternatives exist that are less environmentally damaging. It is the applicant's responsibility to demonstrate that there are no alternate sites that are less environmentally damaging that would allow the applicant to accomplish their project purpose.

AVOIDANCE AND MINIMIZATION INFORMATION: The proposed project will avoid 81% of on-site wetlands and 57% of on-site streams whereas the preferred design would avoid 74% of wetlands and 61% of streams. The proposed design incorporates underground stormwater management underneath the employee parking lot. The eastern access driveway for the employee parking lot was shifted east to decrease impacts to Wetland A and a smaller footprint of the test truck parking lot was used to reduce impacts to Wetland R. The proposed design has 0.667 acre less wetland impacts than the preferred design. The proposed design does incorporate more stream impacts than the preferred design due to the re-routing of Stream 1.

PROPOSED MITIGATION: As compensatory mitigation, the applicant has proposed to purchase 3 wetland credits from the Edison Woods Mitigation Bank. Edison Woods is located in the Huron-Vermilion 8-digit HUC, an adjacent HUC to the Black-Rocky HUC. Additionally, the applicant will provide stream mitigation through the relocation of Stream 1 (1,496 linear feet) and purchase 417 stream credits from the North Coast Regional Council of Park Districts In-lieu Fee Program Black-Rocky Service Area. The applicant states that "the relocated stream will be designed and constructed by a landscape architect with an emphasis on stream flow, morphology, and floodplain development. Because the impacted streams are channelized ditches, the quality and morphology of the new stream channel will remain comparable to the original channels after the re-route."

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 Peter Krakowiak, who can be contacted at the above address, by calling (716) 879-4363, or by e-mail at:

Peter.j.krakowiak@usace.army.mil A lack of response will be interpreted as meaning that there

is no objection to the work as proposed.

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 3. Therefore, the Corps has determined that the proposed project will have no effect on historic properties. 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 USFWS to evaluate any potential impacts to: Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Kirtland's warbler (*Setophaga kirtlandii*), piping plover (*Charadrius melodus*), and rufa red knot (*Calidris canutus rufa*) 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.

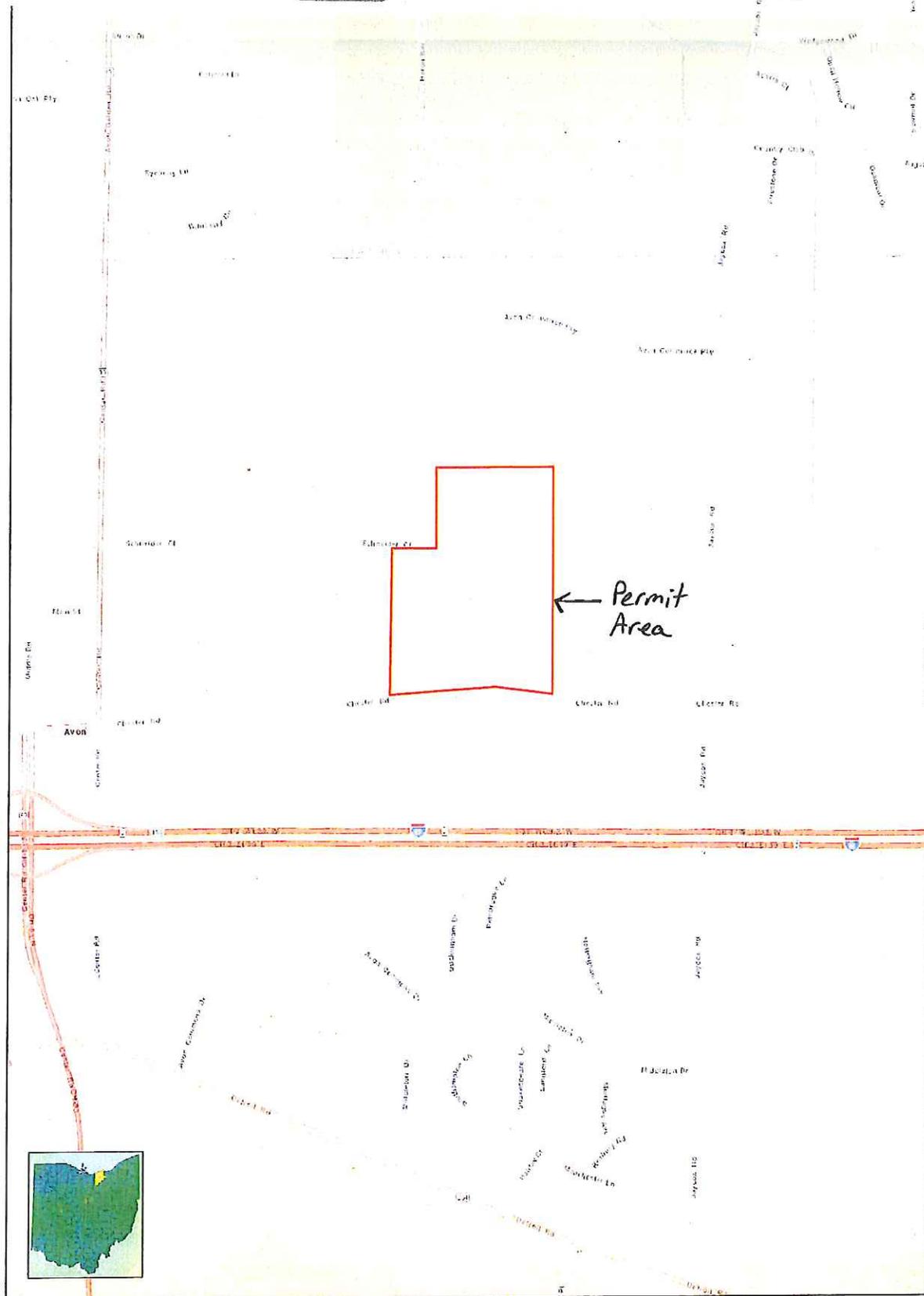
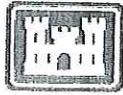
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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

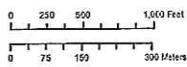
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



Date: 5/29/2015 Path: P:\10\_Projects\Bendix\A70-NR\Lux\_Chester\GIS\Map1\_Location.mxd

Figure 4. Location of Site on Highway Map of Lorain County, Ohio. Bendix - Chester Road.

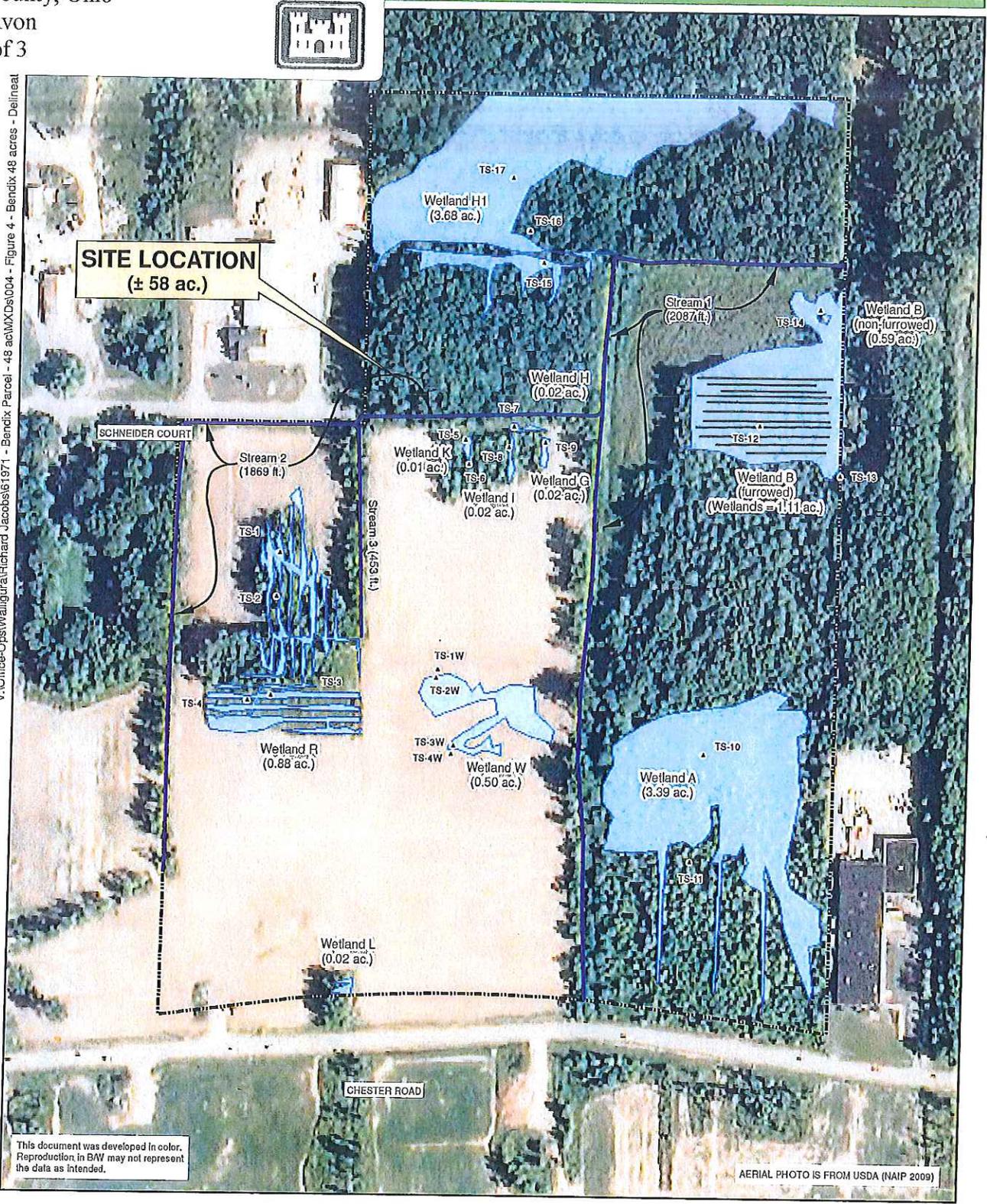
 Project Area





V:\Office-Opst\Waillig\Richard\_Jacobs\61971 - Bendix Parcel - 48 ac\WXDs\004 - Figure 4 - Bendix 48 acres - Delineat

PLOTDATE: 11/06/15 onelljm



This document was developed in color. Reproduction in B/W may not represent the data as intended.

AERIAL PHOTO IS FROM USDA (NAIP 2009)

**LEGEND**

- WETLAND
- STREAM / JURISDICTIONAL DITCH
- GPS TEST LOCATION

**UNDEVELOPED 58 ACRE SITE  
 AVON, LORAIN COUNTY, OHIO**

**WETLAND DELINEATION MAP**



Wetland and Stream Impacts

Wetland	Area (Ac.)	Impacted Area (Ac.)	Non-Impacted Area (Ac.)
A (open water)	3.38	0.090	3.300
B (forested)	1.99	0.110	0.460
G	0.71	0.020	0.339
H	0.02	0.020	0.000
H1	3.88	0.000	3.690
I	0.02	0.020	0.000
K	0.01	0.010	0.000
L	0.02	0.000	0.020
R	0.435	0.000	0.445
W	0.02	0.000	0.000
Total	10.24	1.976	8.264

Stream	Length (ft)	Impacted Length (ft)	Non-Impacted Length (ft)
1 (Pleasant Ditch)	2087	830	1257
2	1869	630	1239
3	453	453	0
New Stream Length	416	0	416
Total	4409	1916	2496

- NON-IMPACTED WETLAND
- IMPACTED WETLANDS
- NON-IMPACTED STREAM
- IMPACTED STREAM
- RE-ROUTED STREAM

CLIENT: PROJECT  
 BENDIX NORTH AMERICAN  
 CORPORATE HEADQUARTERS  
 100 CHESTER ROAD  
 AVON, OHIO 44011

DESIGN ARCHITECT  
 HENK  
 ALGUSTENSTRASSE 54  
 80333 MÜNCHEN  
 GERMANY

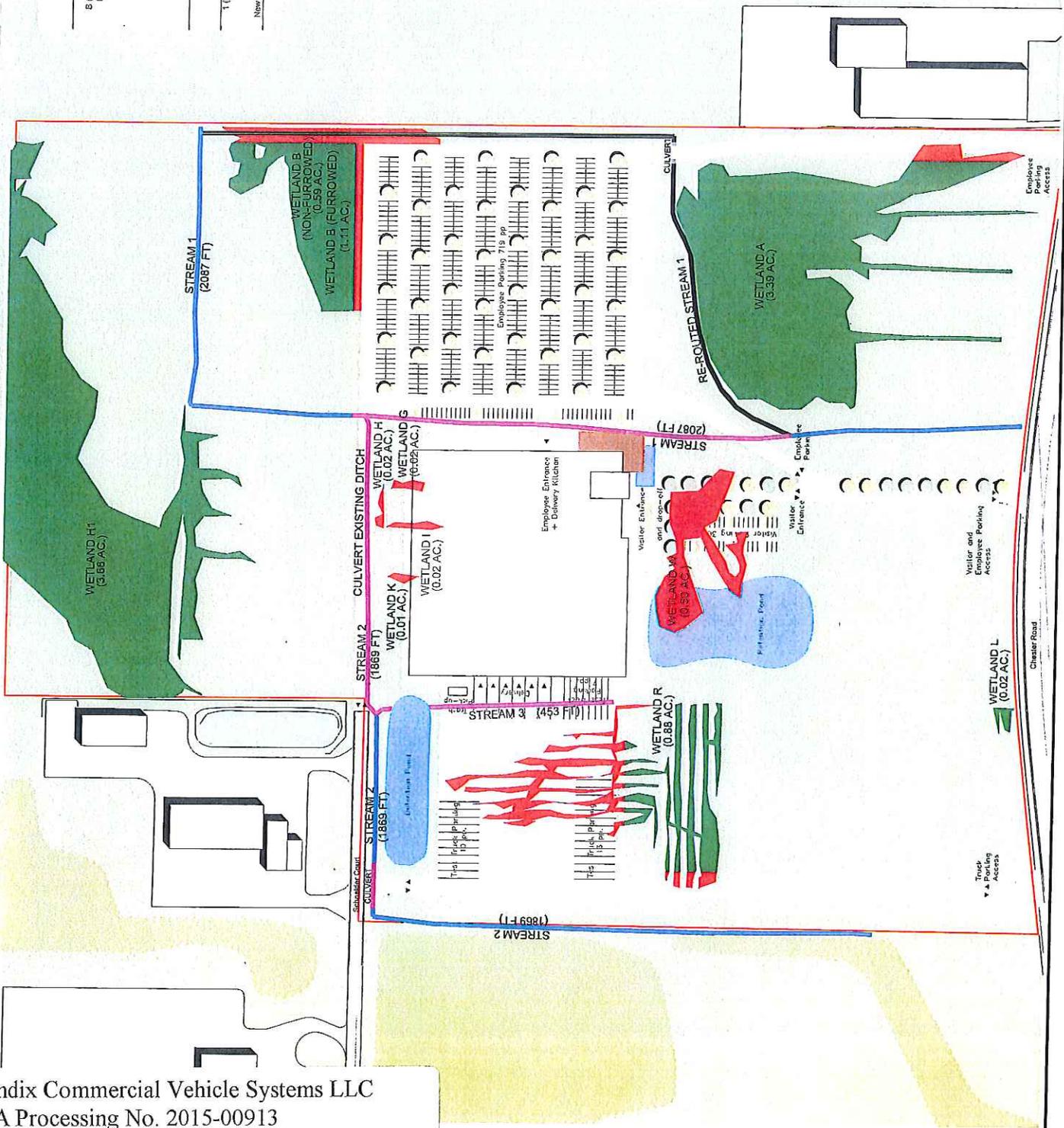
ARCHITECT • ENGINEERS OF RECORD  
 COMA INC. 151  
 WESTLAKE REED LESKOSKY  
 1422 EUCLID AVENUE  
 SUITE 300  
 CAY HOUSE SQUARE  
 CLEVELAND, OHIO 44115

CT Consultants  
 engineers | architects | planners  
 10000 Eastman Avenue  
 Suite 100  
 Cleveland, Ohio 44130

ENVIRONMENTAL CONSULTANT  
  
 EnviroScience

MINIMAL DEGRADATION  
 ALTERNATIVE

FIGURE 2



Bendix Commercial Vehicle Systems LLC  
 D/A Processing No. 2015-00913  
 Lorain County, Ohio  
 Quad: Avon  
 Sheet 3 of 3

