



# Public Notice

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

---

Applicant:  
**Crowland, Ltd.**

Published: APRIL 25, 2012  
Expires: MAY 25, 2012

---

Application No: 2001-00087  
Section: Ohio

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

Crowland, Ltd., 6055 Rockside Woods Boulevard, Independence, Ohio 44131 has applied for a Department of Army permit to place fill in Waters of the U.S. in order to prepare an 85.60 acre parcel for the construction of a mixed use development. The proposed development may include commercial retail, offices, and residential development depending on different zoning areas throughout the site. The project site is located north of Miller Road and east of Interstate 77 in the City of Brecksville, Cuyahoga County, Ohio.

The proposed project consists of preparing the project site for the construction of 20.1 acres of office buildings and associated parking, 23.0 acres of residential development, 4.3 acres of development associated with a drug mart, an access road throughout the property, and stormwater management areas. The proposed project will result in a total of 57.95 acres of overall development throughout the property.

Department of the Army authorization is needed for the proposed filling of 6.44 acres of federally jurisdictional wetlands and 829 linear feet (lf) of stream (40 lf perennial and 789 lf ephemeral).

An approved jurisdictional determination (JD) was issued by the Buffalo District on January 12, 2011 verifying the presence of 12.132 acres of federally jurisdictional wetlands and 5,757 lf of stream within the 86.5 acre parcel delineated. Note: The JD was issued for a larger parcel than the parcel included in the permit application.

The applicant proposes to mitigate for the proposed impacts to federally jurisdictional wetlands and streams through the restoration of 8.3 acres of wetlands on-site, the purchase of 4.6 credits at an

approved mitigation bank, and the enhancement of 1,190 lf of stream on-site.

A conservation easement is proposed to protect all of the remaining and restored wetlands and their associated upland buffers.

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](mailto: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(s) may be required for this project:

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

Based on preliminary findings and information provided by the applicant, 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 3 of 8. As no properties listed in, or eligible for listing in the National Register of Historic Places have been identified within the vicinity of the project area/area of potential effects, the Corps has determined that no historic properties will be affected by the proposed activity. 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*), Kirtland's warbler (*Dendroica kirtlandii*), and piping plover (*Charadrius melodus*) 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.

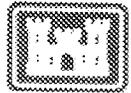
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits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

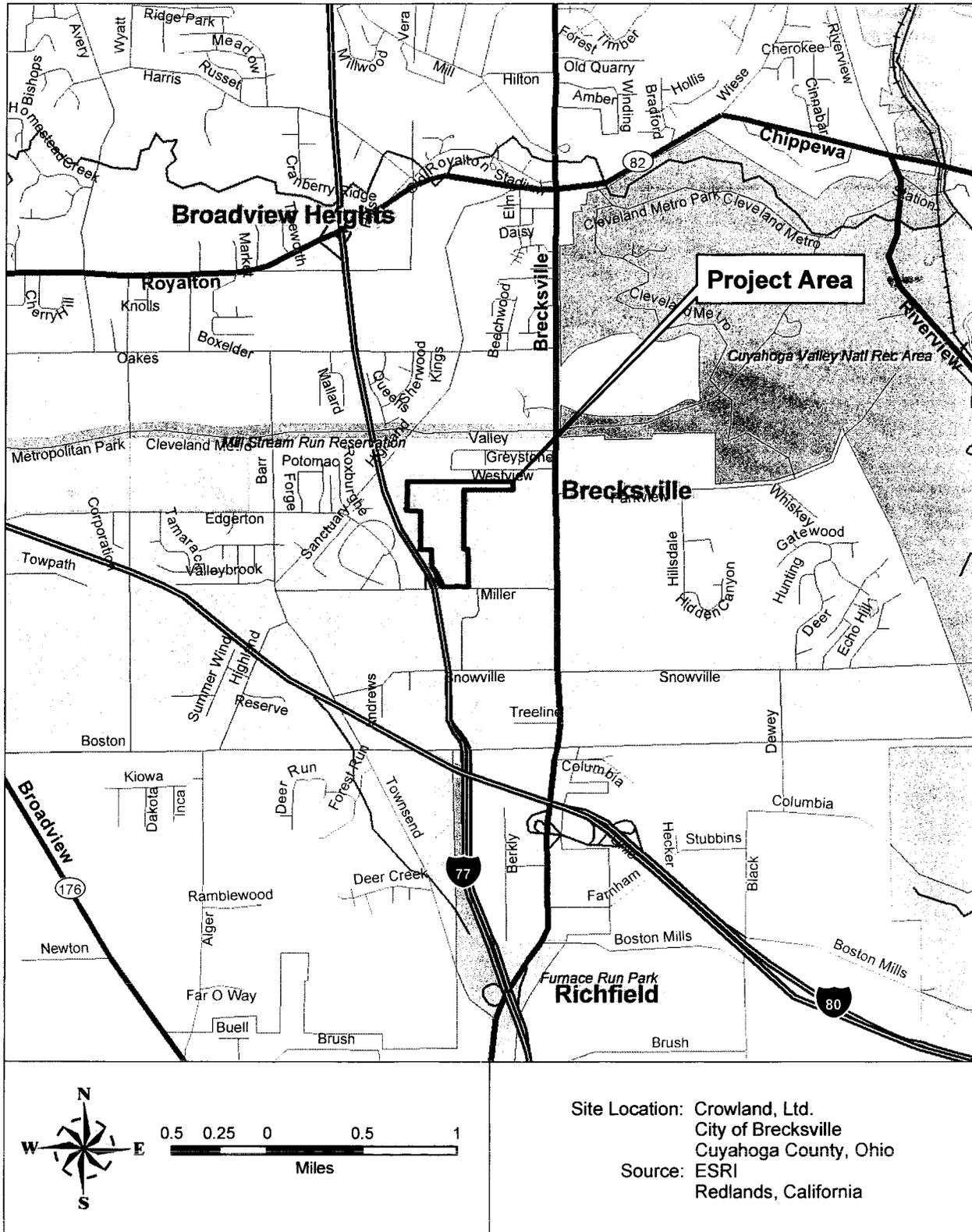
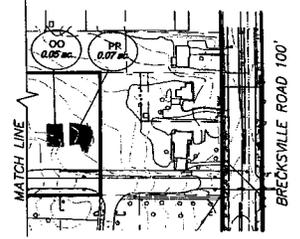


Figure 6



GRAPHIC SCALE  
0' 150' 300'



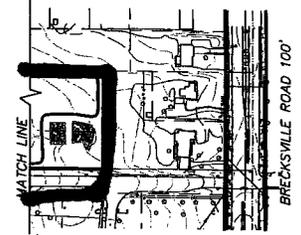
Crowland, Ltd.  
D/A Processing No. 2001-00087  
Cuyahoga County, Ohio  
Quad: Broadview Heights  
Sheet 2 of 8



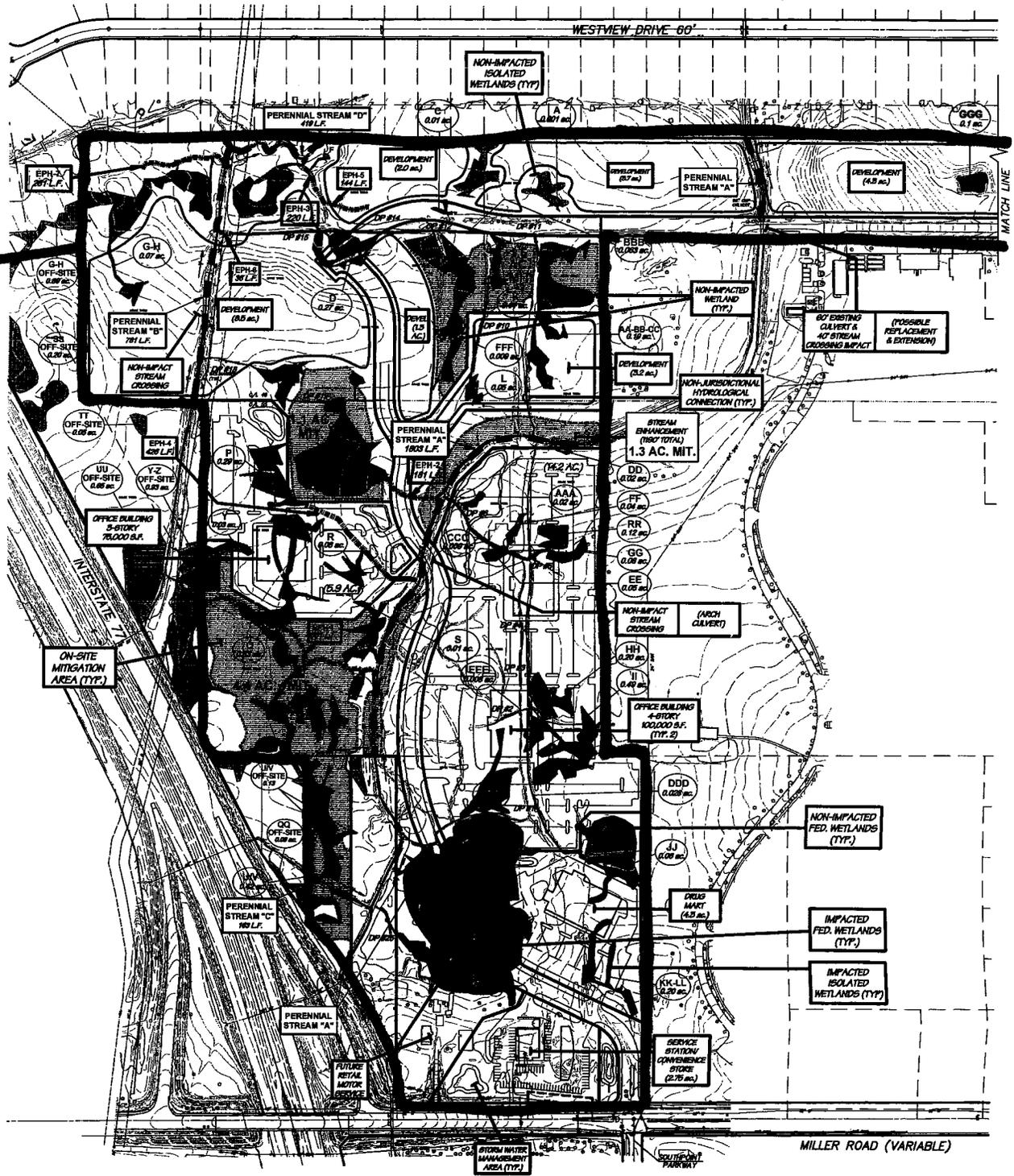
ON-SITE: WETLANDS/STREAMS:	EXISTING:
FEDERAL WETLANDS	12.06 AC.
ISOLATED WETLANDS	0.80 AC.
STREAMS	5,135 LIN. FT.

**EXISTING WETLANDS**  
CROWLAND, LTD.  
CITY OF BRECKSVILLE, CUYAHOGA COUNTY, OHIO  
Or. No. 3541W Date: Sept., 2011  
M:\daccadd\p\3541-W\dwg\3541W extg\dwg 9/9/2011 3:30:36 PM EDT

Figure 3



Permit Area



Crowland, Ltd.  
 D/A Processing No. 2001-00087  
 Cuyahoga County, Ohio  
 Quad: Broadview Heights  
 Sheet 3 of 8

ON-SITE WETLANDS/STREAMS:	EXISTING:	IMPACTED:
FEDERAL WETLANDS	12.06 AC.	6.44 AC.
ISOLATED WETLANDS	0.80 AC.	0.301 AC.
STREAMS	5,135 LIN. FT.	829 LIN. FT.

MITIGATION:	ON-SITE	OFF-SITE
WETLAND RESTORATION	8.3 AC.	4.6 AC.
STREAMS-RESTORATION/ ENHANCEMENT	1,190 LIN. FT.	---

**MINIMUM DEVELOPMENT ALTERNATIVE**  
**CROWLAND, LTD.**  
 CITY OF BRECKSVILLE, CUYAHOGA COUNTY, OHIO  
 Dr. No. 3541W Date: Sept. 9, 2011



**Table 1 Existing Wetlands and Proposed Impacts**

Code	Wetland Type	Regulation	Area (Acres)	Area (Acres)	Area (Acres)	Percentage	Impact	Area (Acres)
AA/BB/CC	Forested	Federal	0.62	0.19	0.43	69.4%	Mod 2	0.19
AAA	Scrub-Shrub	Federal	0.02	0.02	0.00	0.0%	1/2	0.02
BBB	Swale - Wet Meadow	Federal	0.063	0.063	0.00	0.0%	1	0.06
C	Scrub-Shrub	Federal	0.01	0.01	0.00	0.0%	Mod 2	0.01
CCC	Swale - Wet Meadow	Federal	0.009	0.009	0.00	0.0%	1	0.01
D	Forested	Federal	0.27	0.27	0.00	0.0%	Mod 2	0.27
DD	Forested	Federal	0.02	0.02	0.00	0.0%	Mod 2	0.02
DDD	Swale - Wet Meadow	Federal	0.028	0.028	0.00	0.0%	1	0.03
E	Forested	Federal	0.36	0.00	0.36	100.0%	2	0.00
EE	Forested	Federal	0.05	0.05	0.00	0.0%	Mod 2	0.05
EEE	Swale - Wet Meadow	Federal	0.008	0.008	0.00	0.0%	1	0.01
F	Forested	Federal	0.01	0.00	0.01	100.0%	Mod 2	0.00
FF	Forested	Federal	0.04	0.04	0.00	0.0%	Mod 2	0.04
FFF	Swale - Wet Meadow	Federal	0.014	0.009	0.01	35.7%	1	0.01
G/H*	Forested	Federal	0.71	0.07	0.64	90.1%	2	0.07
GG	Wet Meadow	Federal	0.08	0.08	0.00	0.0%	Mod 2	0.08
HH	Forested /Wet Meadow	Federal	0.20	0.20	0.00	0.0%	Mod 2	0.20
I	Forested /Wet Meadow	Federal	0.49	0.49	0.00	0.0%	Mod 2	0.49
J	Forested	Federal	0.59	0.00	0.59	100.0%	2	0.00
JI	Forested /Wet Meadow	Federal	0.60	0.06	0.54	90.0%	Mod 2	0.06
K	Wet Meadow	Federal	0.10	0.01	0.09	90.0%	Mod 2	0.01
L	Forested	Federal	0.05	0.05	0.00	0.0%	Mod 2	0.05
M	Forested	Federal	0.03	0.00	0.03	100.0%	Mod 2	0.00
MM	Forested /Wet Meadow	Federal	3.60	3.60	0.00	0.0%	Mod 2	3.60
N	Forested	Federal	0.98	0.01	0.97	99.0%	2	0.01
NN	Forested	Federal	0.29	0.29	0.00	0.0%	Mod 2	0.29
O	Forested	Federal	0.19	0.00	0.19	100.0%	2	0.00
P	Forested	Federal	0.29	0.29	0.00	0.0%	2	0.29
Q	Forested	Federal	0.41	0.33	0.08	19.5%	2	0.33
QQ*	Forested	Federal	0.11	0.00	0.11	100.0%	1/2	0.00
R	Forested	Federal	0.08	0.08	0.00	0.0%	2	0.08
RR	Forested	Federal	0.12	0.12	0.00	0.0%	Mod 2	0.12
S	Forested	Federal	0.22	0.01	0.21	95.5%	Mod 2	0.01
T	Forested	Federal	0.07	0.00	0.07	100.0%	Mod 2	0.07
TV*	Forested /Wet Meadow	Federal	1.01	0.00	1.01	100.0%	2	0.59
W	Forested	Federal	0.09	0.00	0.09	100.0%	2	0.09
X	Forested	Federal	0.002	0.000	0.00	100.0%	Mod 2	0.00
YZ*	Forested	Federal	0.23	0.03	0.20	87.0%	Mod 2	0.07
<b>Total Wetlands</b>			<b>12.06</b>	<b>6.44</b>	<b>5.63</b>	<b>46.6%</b>		<b>7.23</b>

\*Note: Wetland extending off-site

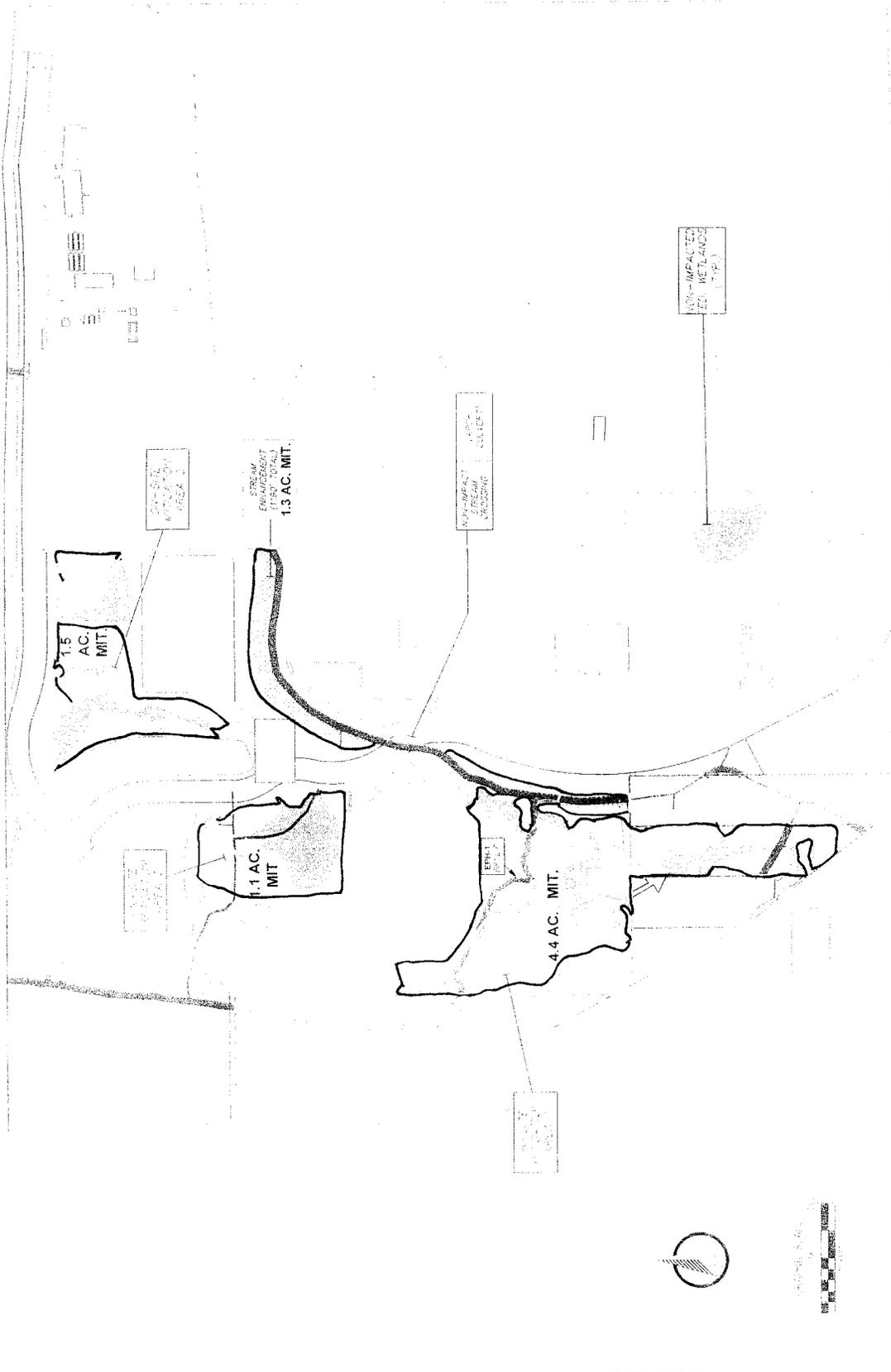
Code	Wetland Type	Added Acres
*G/H	Forested	0.89
*Y/Z	Forested /Wet Meadow	0.93
*TV	Forested	0.12
*QQ	Forested	0.08

\*\*Note - Wetland off-site and not connected to subject parcel.

Code	Wetland Type	Regulation
**S**	Forested	Federal
**T**	Forested	Federal

Stream ID	Area (Acres)	Regulation	Flow Reg. (Mod)	Area (Acres)	Area (Acres)	Percentage	Area (Acres)
A	1,803	Perennial	Mod II	40	1,763	97.8%	100
B	781	Perennial	*	0	781	100.0%	0
C	163	Perennial		0	163	100.0%	0
D	419	Perennial		0	419	100.0%	0
EPH-1	681	Ephemeral	Mod I	0	681	100.0%	0
EPH-2	181	Ephemeral		181	0	0.0%	181
EPH-3	220	Ephemeral		0	220	100.0%	0
EPH-4	426	Ephemeral		426	0	0.0%	426
EPH-5	144	Ephemeral		182	-38	-26.4%	182
EPH-6	36	Ephemeral		0	36	100.0%	0
EPH-7	281	Ephemeral		0	281	100.0%	0
<b>Totals</b>	<b>5,135</b>			<b>829</b>	<b>4,306</b>	<b>83.9%</b>	<b>889</b>

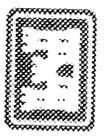
**Figure 8  
Conceptual  
Mitigation  
Plan**



Maximum Development  
Alternative

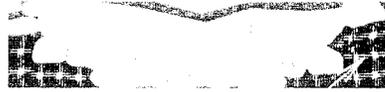


Crowland, Ltd.  
D/A Processing No. 2001-00087  
Cuyahoga County, Ohio  
Quad: Broadview Heights  
Sheet 5 of 8



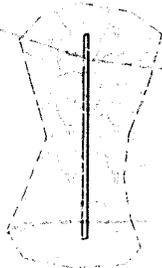
Typical  
plan view

Typical  
cross-section  
(looking up chimney)



Typical  
plan view

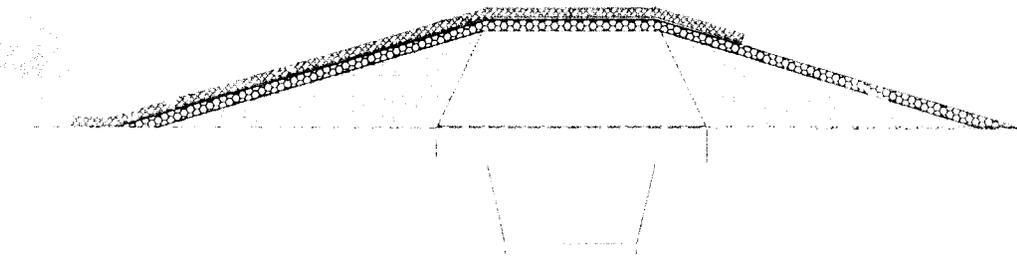
Typical cross-section  
(looking up chimney)



Typical  
cross-section

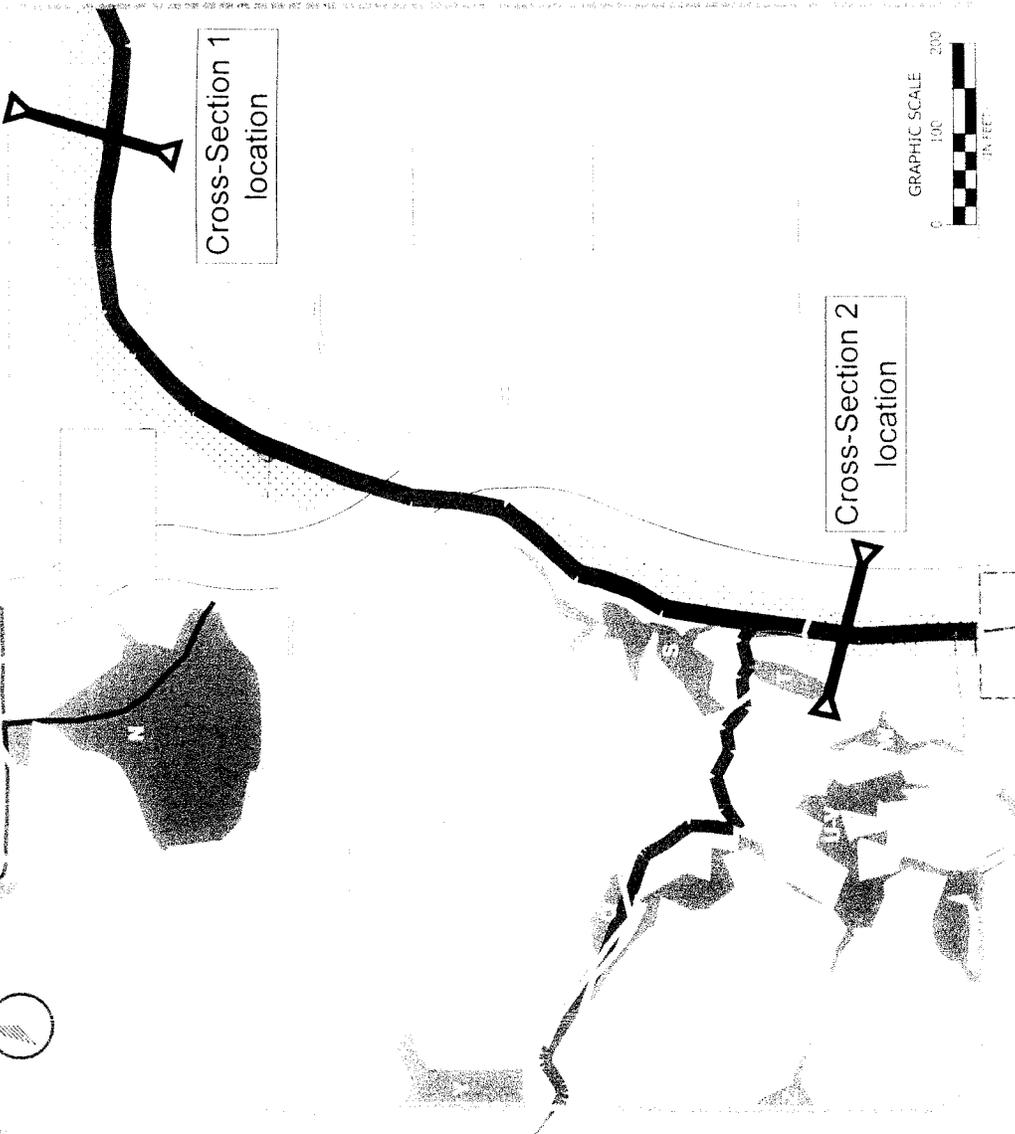
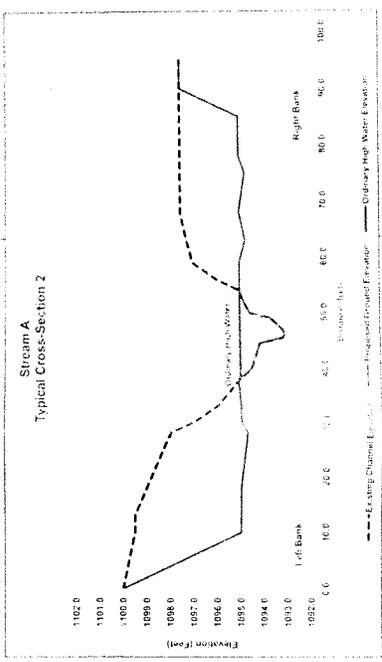
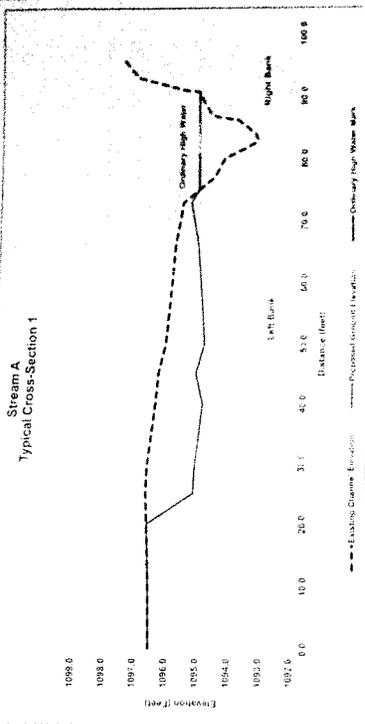
**NOT TO  
SCALE**

Typical earthen berm  
cross-section



Crowland, Ltd.  
D/A Processing No. 2001-00087  
Cuyahoga County, Ohio  
Quad: Broadview Heights  
Sheet 6 of 8

**Figure 6**  
Stream  
Cross-Sections



DATE: 11/11/03  
BY: [illegible]

PROJECT: [illegible]

SCALE: [illegible]

PROJECT: [illegible]

DATE: [illegible]

BY: [illegible]

PROJECT: [illegible]

Minimum Development  
Alternative  
[illegible]

City of Broadview  
Average County, Ohio

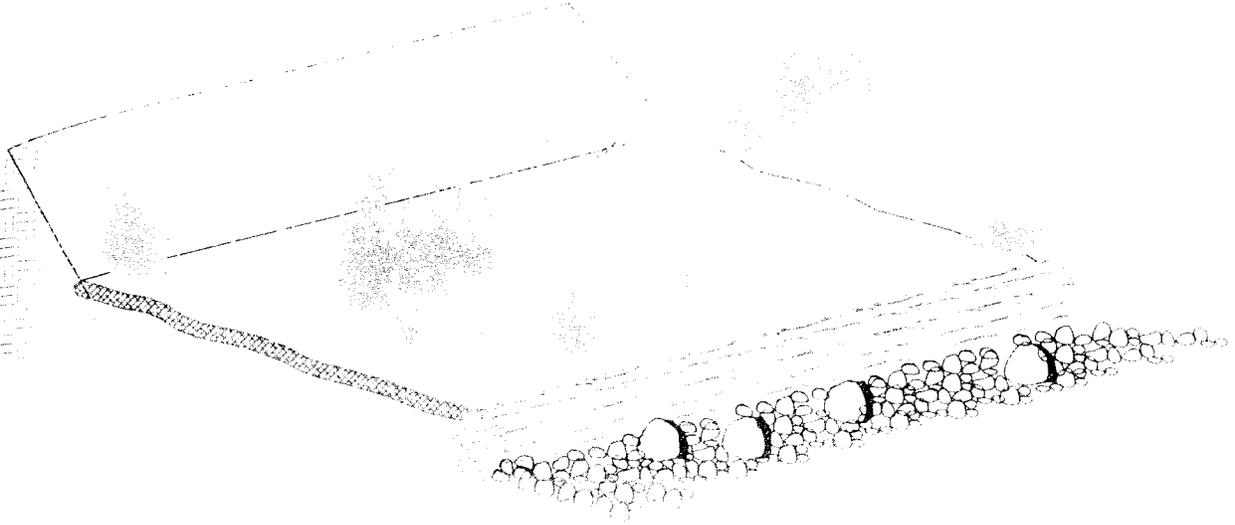
Crowland, Ltd.



Crowland, Ltd.  
D/A Processing No. 2001-00087  
Cuyahoga County, Ohio  
Quad: Broadview Heights  
Sheet 7 of 8



Figure 1



NOT TO  
SCALE



Crowland, Ltd.  
D/A Processing No. 2001-00087  
Cuyahoga County, Ohio  
Quad: Broadview Heights  
Sheet 8 of 8

WEY  
ICE GROUP