



Public Notice

Applicant:

Published: May 10, 2012

Chagrin River Watershed Partners, Inc. Expires: June 8, 2012

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

Application No: **2010-01236**
Section: OH

All written comments should reference the above Application No. and be addressed to:
Buffalo District U.S. Army Corps of Engineers
Orwell Regulatory Field Office (Attn: Mark Gronceski)
33 Grand Valley Avenue
Orwell, Ohio 44076

INTERESTED PARTIES ARE HEREBY NOTIFIED THAT A PROSPECTUS HAS BEEN RECEIVED PURSUANT TO 33 CFR 332 AND 40 CFR 230 PROPOSING THE ESTABLISHMENT OF AN UMBRELLA MITIGATION BANK IN PORTIONS OF CUYAHOGA, GEAUGA, LAKE AND PORTAGE COUNTIES, OHIO. A MITIGATION PLAN FOR THE FIRST SITE PROPOSED FOR INCLUSION UNDER THE UMBRELLA MITIGATION BANK HAS ALSO BEEN RECEIVED. THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING (1) THE ESTABLISHMENT OF THE PROPOSED UMBRELLA MITIGATION BANK AND (2) INCLUSION OF THE PROPOSED FIRST SITE WITHIN THE UMBRELLA MITIGATION BANK AT CLEVELAND METROPARKS NORTH CHAGRIN RESERVATION. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT THIS UMBRELLA MITIGATION BANK OR THE PROPOSED FIRST SITE WILL BE APPROVED.

APPLICANT: Chagrin River Watershed Partners, Inc., P.O. Box 229, Willoughby, Ohio 44096-0229

LOCATION: The proposed umbrella mitigation bank would allow establishment of multiple mitigation sites throughout the Chagrin River watershed in Cuyahoga, Geauga, Lake and Portage counties. The first site proposed is located at the North Chagrin Reservation of Cleveland Metroparks located east of SOM Center Road (SR 91) within Mayfield Village, Cuyahoga County and the City of Willoughby Hills, Lake County.

BACKGROUND: Under Section 404 of the Clean Water Act (CWA), applicants for the Department of the Army permits to discharge dredged or fill material into waters of the United States, including

wetlands, are often required to mitigate for permitted wetland and stream losses by creating, restoring, enhancing, or in exceptional circumstances, preserving wetlands or streams. Authorized mitigation banks provide the US Army Corps of Engineers and the regulated public with additional options for compensatory mitigation of aquatic resource losses. The establishment and use of a mitigation bank must be in accordance with a mitigation banking instrument signed by the Interagency Review Team (IRT). The IRT is presently comprised of the U.S. Army Corp of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Natural Resources Conservation Service, the Ohio Department of Natural Resources, and the Ohio Environmental Protection Agency.

PROJECT DESCRIPTION: The Applicant, Chagrin River Watershed Partners, Inc. proposes to establish an umbrella mitigation bank to be known as the Chagrin River Watershed Partners, Inc. Umbrella Mitigation Bank in order to provide compensatory wetland mitigation for impacts authorized under Section 404 of the Clean Water Act. An umbrella mitigation bank allows the inclusion of multiple mitigation sites under one governing instrument. Each individual mitigation site as it is proposed will be reviewed by the IRT and public comments will be solicited. Assessment of effects under the Endangered Species Act and National Historic Preservation Act will be conducted for each mitigation site as they are proposed. The first such site, known as the North Chagrin Reservation Mitigation Bank, has been proposed and is included as part of this public notice.

The Chagrin River Watershed Partners, Inc. Umbrella Mitigation Bank is proposed to allow inclusion of mitigation sites located anywhere within the Chagrin River watershed (Hydrologic Unit Code 04110003). The primary service area for a mitigation bank site is normally limited to the 8 digit HUC within which a site is located. A secondary service area for lower quality impacts (ORAM Category 1 wetlands and isolated ORAM Category 2 wetlands less than 0.5 acre) typically encompasses all USACE-Buffalo District portions of the State of Ohio.

The North Chagrin Reservation of Cleveland Metroparks site is located within Mayfield Village, Cuyahoga County and the City of Willoughby Hills, Lake County, and is east of SOM Center Road (SR 91). The park is 2140 acres in size. The portion proposed for inclusion within the bank is 350 acres, mostly second growth maple forest, located along the western edge of the metropark. The site contains 9.4 acres of existing wetlands and 2751 linear feet of existing perennial streams. The sponsor proposes to implement approximately 18.8 acres of wetland establishment and 9.4 acres of wetland rehabilitation as well as 921 linear feet of stream rehabilitation. Wetland establishment will include creation of

approximately 9.1 acres of wet meadow and emergent marsh, 0.7 acre of scrub-shrub wetland and 9.0 acres of vernal pools (21 pools). Wetland rehabilitation will include invasive species control, seeding and installation of native vegetation, and hydrologic improvement of existing emergent (6.3 acres), scrub-shrub (approximately 0.1 acre) and forested wetlands (2.9 acres). The sponsor is also asking to be granted mitigation credits for rehabilitation (invasive species removal and replacement planting of native species) of upland forest areas buffering existing and to-be-established wetlands. Stream restoration would consist of the restoration of riffle/pool structure and expansion and replanting of the floodplain of a tributary of Buttermilk Creek. An authorization under Section 404 of the Clean Water Act will be required to implement the proposed mitigation plan and review of the needed impacts will be processed under Nationwide Permit 27.

If approved, monitoring of the success of the proposed mitigation will occur over 10 years following construction or until full success of ecological improvements is achieved. After achievement of all performance goals and sale of all credits, the site will be managed by Cleveland Metroparks under terms to be defined in the bank instrument.

Permit applicants proposing to discharge dredged or fill material into wetlands and compensate for these wetland impacts at the Bank will be subject to the same level of review as all other applicants. They will be required to avoid or minimize impacts to aquatic resources to the maximum extent practicable in accordance with the U.S. Environmental Protection Agency Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230). Use of the mitigation bank will be permitted if the Corps determines that it is environmentally preferable to on-site mitigation. Use of the Bank may also be authorized to complement proposed on-site mitigation. In instances where the permittee is required to obtain an individual water quality certification under Section 401 of the CWA, use of the Bank will also be subject to approval of the Ohio EPA. The number or ratio of credits required to offset permitted wetland losses will be determined by the Corps (and Ohio EPA, if required) on a case-by-case basis. The Corps (or Ohio EPA, if applicable), may also reject any proposal to use the bank and require an alternate mitigation plan.

Location and details of the above described work are shown on the attached maps and drawings. The full prospectus is available for review upon request.

Comments or questions pertaining to the work described in this notice should reference the Application

Number and be directed to the attention of Mark Gronceski, who can be contacted at the above address, by calling (440) 437-5847, or by email at Mark.E.Gronceski@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.

Available evidence indicates that the proposed work may affect the following species proposed or designated by the U.S. Department of the Interior as threatened or endangered: Indiana bat (*Myotis sodalis*) and Kirtland's warbler (*Setophaga kirtlandii*).

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-332. Any interested party desiring to comment on the work described herein may do so by submitting their comments in writing, so they are received no later than 4:30pm 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 proposal. All written comments will be made 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 internet website. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

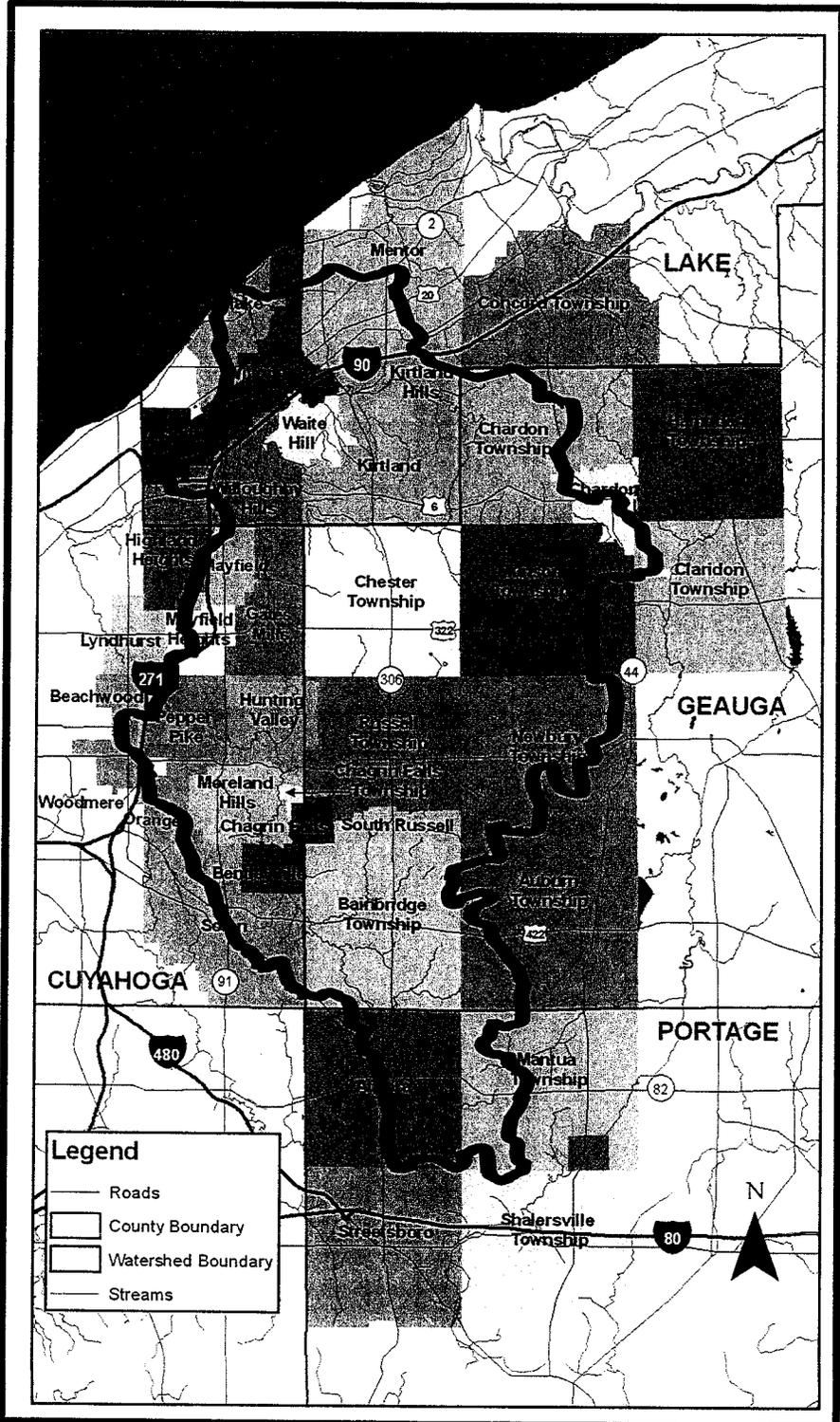
The decision to approve or deny this bank proposal will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonable 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, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps 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 to determine whether to issue, modify, condition or deny authorization 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 overall public interest of the proposed activity.

SIGNED

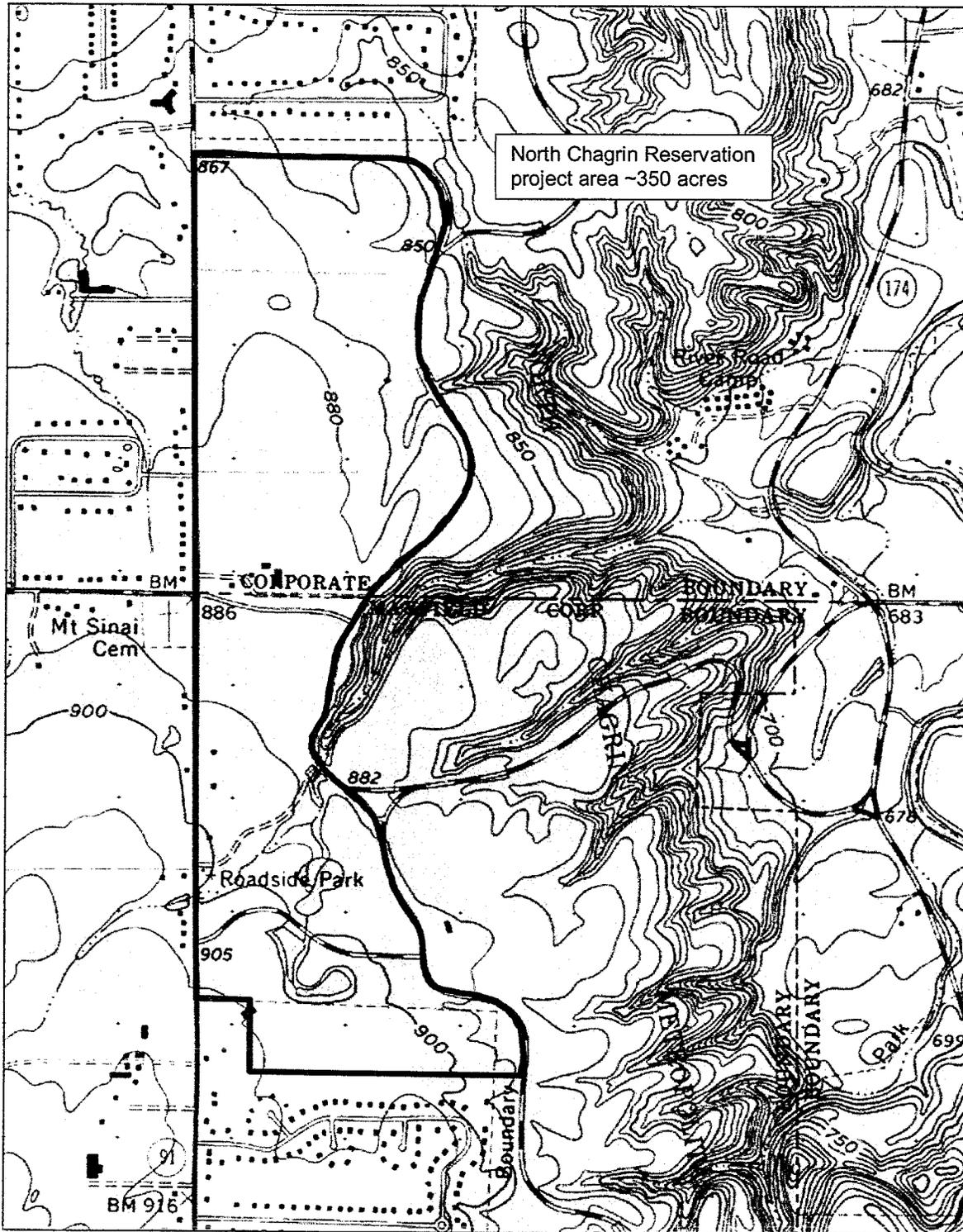
Diane Kozlowski
Chief, Regulatory Branch

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



CHAGRIN RIVER WATERSHED BOUNDARY – UMBRELLA BANK PRIMARY SERVICE AREA

USGS Topographic map of North Chagrin Reservation Project Area

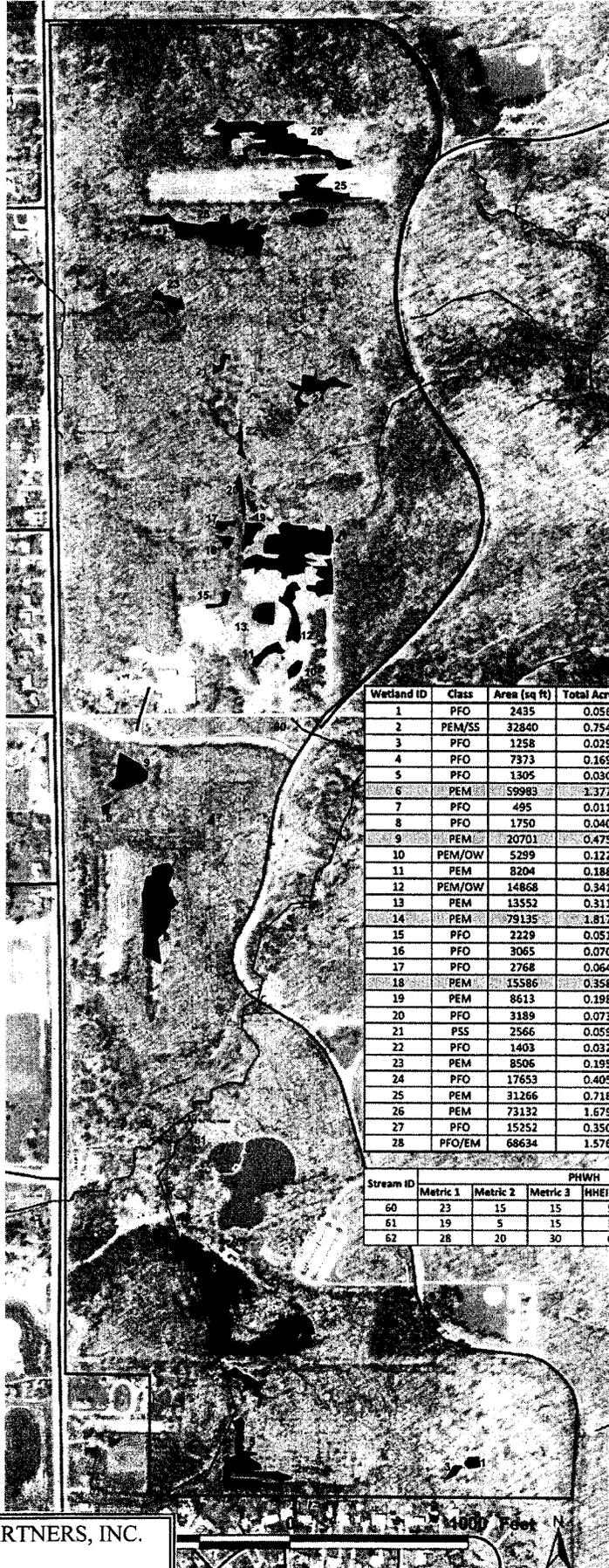


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CHAGRIN RIVER WATERSHED PARTNERS, INC.
Processing No. 2010-01236
Cuyahoga, Geauga, Lake and Portage Counties, Ohio
Quad: Mayfield Heights
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Existing Wetlands

Chagrin River Watershed Partners – North Chagrin Reservation



Wetland ID	Class	Area (sq ft)	Total Acreage	%Wetland	Wetland Acreage
1	PFO	2435	0.056	100%	0.056
2	PEM/SS	32840	0.754	100%	0.754
3	PFO	1258	0.029	100%	0.029
4	PFO	7373	0.169	100%	0.169
5	PFO	1305	0.030	100%	0.030
6	PEM	59983	1.377	38.50%	0.530
7	PFO	495	0.011	100%	0.011
8	PFO	1750	0.040	100%	0.040
9	PEM	20701	0.475	36.70%	0.174
10	PEM/OW	5299	0.122	100%	0.122
11	PEM	8204	0.188	100%	0.188
12	PEM/OW	14868	0.341	100%	0.341
13	PEM	13552	0.311	100%	0.311
14	PEM	79135	1.817	52.80%	0.959
15	PFO	2229	0.051	100%	0.051
16	PFO	3065	0.070	100%	0.070
17	PFO	2768	0.064	100%	0.064
18	PEM	15586	0.358	60.50%	0.216
19	PEM	8613	0.198	100%	0.198
20	PFO	3189	0.073	100%	0.073
21	PSS	2566	0.059	100%	0.059
22	PFO	1403	0.032	100%	0.032
23	PEM	8506	0.195	100%	0.195
24	PFO	17653	0.405	100%	0.405
25	PEM	31266	0.718	100%	0.718
26	PEM	73132	1.679	100%	1.679
27	PFO	15252	0.350	100%	0.350
28	PFO/EM	68634	1.576	100%	1.576

Stream ID	PHWH				Class	HMFEI	QHEI
	Metric 1	Metric 2	Metric 3	HHEI Total			
60	23	15	15	53	II	12	N/A
61	19	5	15	39	II	13	N/A
62	28	20	30	62	III	29	70.5

Draft Mitigation Concept Plan

Chagrin River Watershed Partners – North Chagrin Reservation

The North Chagrin Reservation provides an excellent mitigation opportunity due to location, diversity of resources, management capabilities and public exposure. The proposed mitigation is a combination of wetland establishment, rehabilitation, re-establishment, and stream restoration. Vernal pools while a small part of the overall total acreage are an important component from a standpoint of value and appropriateness for the region. The project provides the opportunity to restore/establish a diversity of habitat sizes and types over a large project area ~350 acres. Many of the wetland opportunities entail the expansion and rehabilitation of existing wetland areas as they have been impacted by field tile and manipulation. Approximately 600 ft of stream restoration is proposed in the southern area that will also provide increase hydrology to the corresponding proposed wetland. Rehabilitation will be centered around increasing hydrology, improving vegetation communities and invasive species management. Target invasive areas are only visually shown while there are additional opportunities over most of the forest area for improvements to the surrounding buffer for approximately 111 acres.

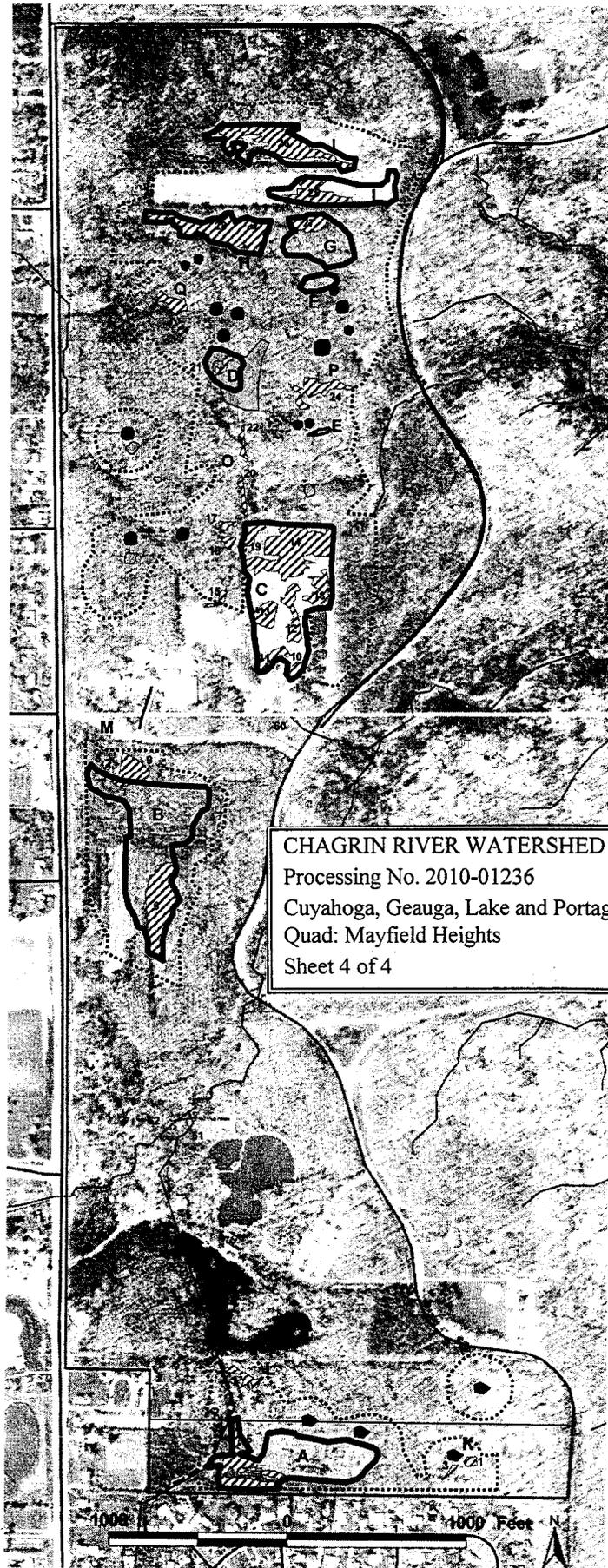


Proposed Mitigation Features



-  Delineated Wetland
-  Prop. Wetland Establishment, Rehabilitation, or Re-establishment
-  Prop. Vernal Pool Location
-  Invasive Treatment
-  Proposed Stream Restoration
-  Project Area Boundary
-  Forested Buffer Enhancement

ID	Establishment	Rehabilitation	Re-establishment
A	2.700	0.75	
B	5.870		0.53
C	4.924	2.34	
D	0.701	0.06	
E	0.030		
F	0.340		
G	1.340	0.35	
H		1.58	
I	0.862	0.72	
J	0.401	1.68	
K		0.09	
L		0.20	
M		0.21	
N	0.200	0.05	
O		0.13	
P		0.41	
Q		0.20	
vernal	1.380		
Totals	18.748	8.77	0.53



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