



# Public Notice

**Applicant:**

Whispering Meadows  
Subdivision

**Date:**

Published: October 4, 2004  
Expires: November 2, 2004

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

Buffalo District **CELRB-TD-R RE:** 92-494-16(3) **Section:** OH 404

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

The applicant, George Callas, 13876 Mohawk Trail, Middleburg Heights, Ohio, 44130, has requested a Department of the Army permit to fill wetlands during the construction of Phase 3 of the Whispering Meadows residential subdivision. The project is located south of Wallings Road, in North Royalton Township, Cuyahoga County, Ohio. Water from this site flows via an unnamed tributary to Chippewa Creek and eventually to the Cuyahoga River.

A wetland delineation was originally verified, and Nationwide Permit 26 was affirmed on April 22, 1992, for the filling of approximately 0.99 acre of wetlands in Phase 1. No mitigation was required or performed at that time. In a letter dated November 15, 2001, the Corps of Engineers verified a new delineation and determined that both Federal and isolated wetlands were present on the site. See Sheet 2 of 3. According to the applicant, no Federal wetlands were impacted during Phase 2 of the project.

Phase 3 involves the filling of approximately 0.176 acre of Federal wetlands (Wetland M and a portion of Wetland I) and impacts to approximately 175 linear feet of an unnamed tributary during the installation of an access road and subplot grading. See Sheet 3 of 3.

As mitigation for a total of approximately 1.116 acres of wetland impacts, the application proposes a conceptual mitigation plan to include the creation, restoration, or preservation of high quality wetlands within the watershed, as well as assisting with a riparian corridor restoration, enhancement, or preservation project.

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

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: elizabeth.w.stone@usace.army.mil

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, 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 2 of 3. 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.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

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 should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: elizabeth.w.stone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

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

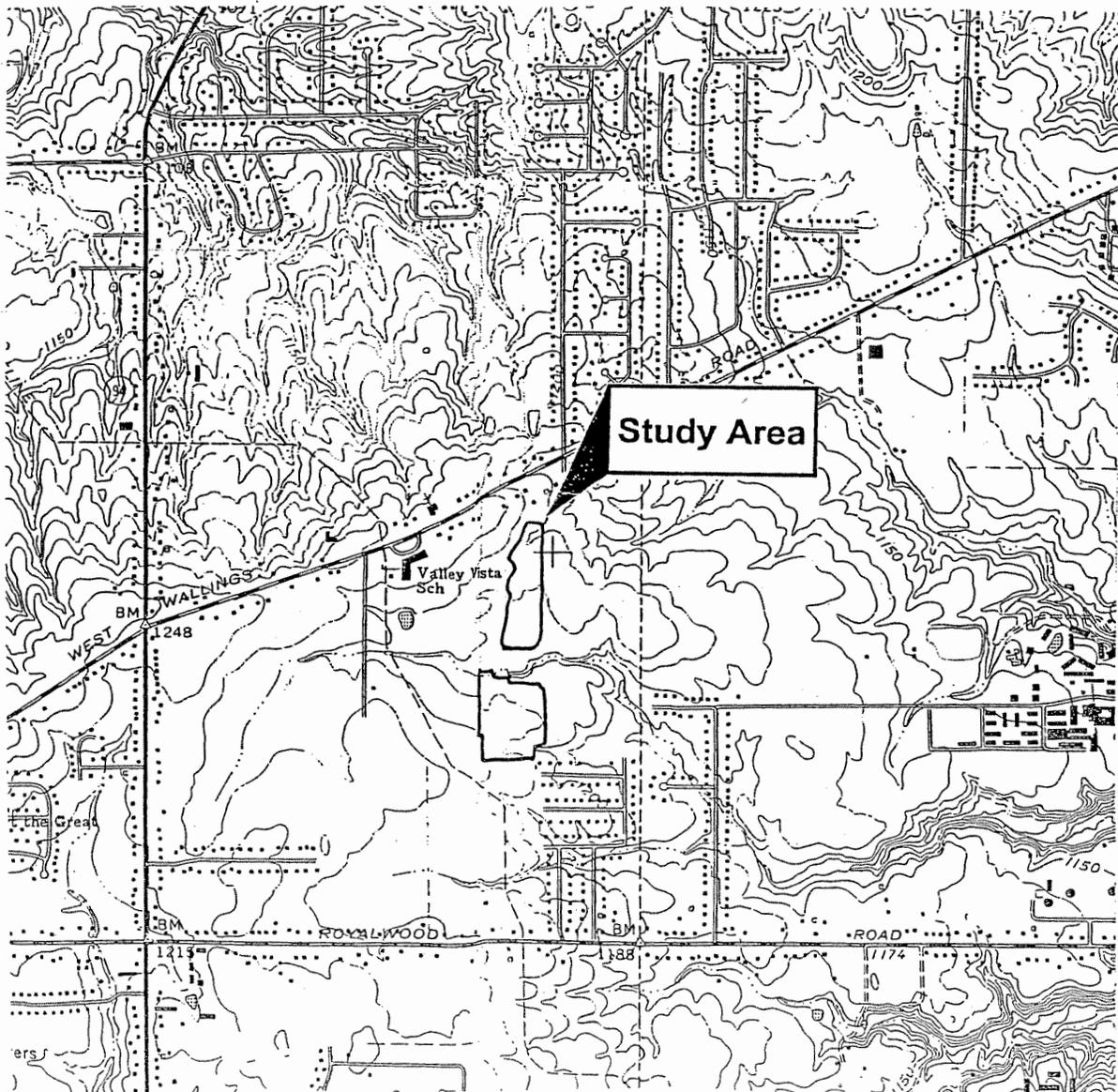
Thomas C. Switala  
Chief, Regulatory Branch

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

**Appendix C**  
**Location of Study Area on**  
**USGS 7.5-Minute Topographic Map (Broadview Heights**  
**Quadrangle)**

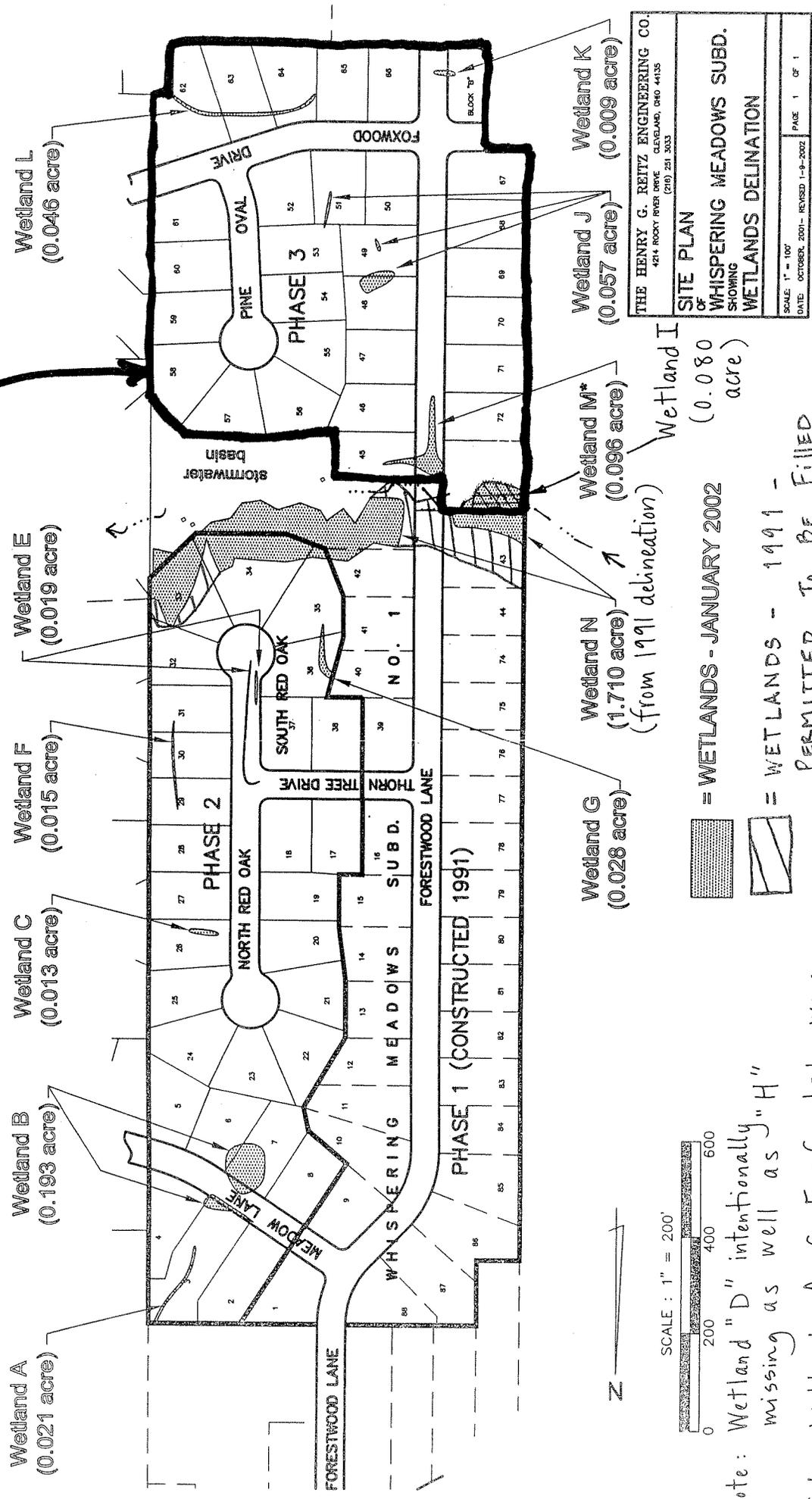


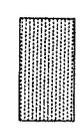
**Site:** Whispering Meadows Subdivision No. 2 and 3,  
29 Acres, Forestwood Lane, North Royalton, Ohio      **Scale:** 1" = 2,000'



CALLAS, GEORGE  
D/A Processing No. 92-494-16(3)  
Cuyahoga County, Ohio Quad: BROADVIEW  
HEIGHTS  
Sheet 1 of 3 LOCATION MAP

Permit Area



 = WETLANDS - JANUARY 2002  
 = WETLANDS - 1991 - PERMITTED TO BE FILLED

Note: Wetland "D" intentionally missing as well as "H"

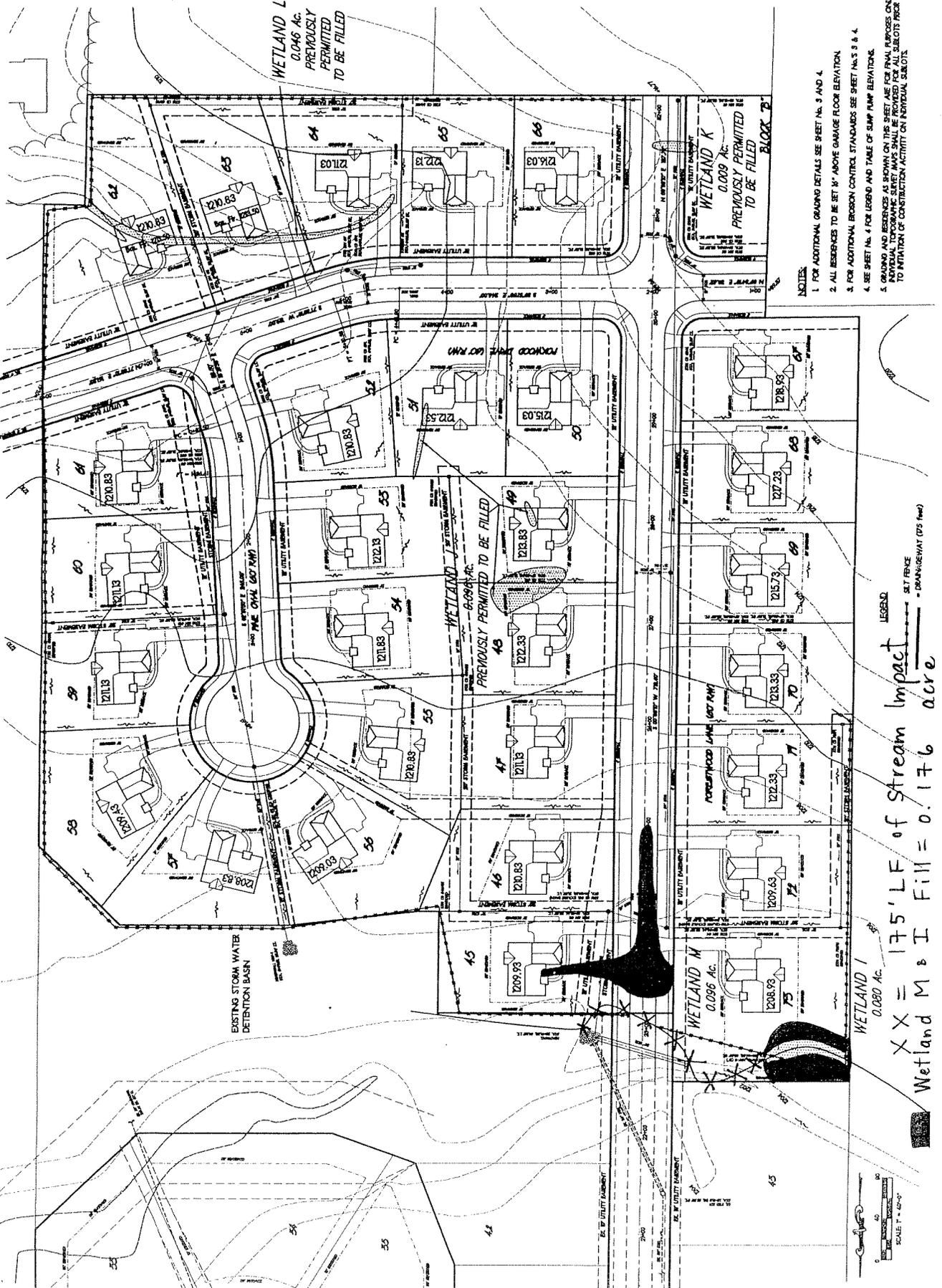
Note: Wetlands A-C, E-G, J-L were isolated and filled, under SWMS ID # 020725

Note: There is no Wetland D on this parcel

Note: Wetland H is part of the original Wetland N acreage, as is Wetland I

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Sheet 2 of 3 WETLANDS: EXPLANATION


**Whispering Meadows Subdivision Phase 3**  
 NORTH ROYALTON, OHIO  
 SOUTH OF WALINGS ROAD  
 PERFORMED DESIGN  
 NORTH ROYALTON, OHIO  
 DATE: 01/27/04  
 SCALE: 1"=40' HORIZ.  
 N.A. VERT.  
 SHEET NO. **2**



- NOTES
1. FOR ADDITIONAL GRADING DETAILS SEE SHEET NO. 3 AND 4.
  2. ALL RESERVOIRS TO BE SET 18" ABOVE GARAGE FLOOR ELEVATION.
  3. FOR ADDITIONAL EROSION CONTROL STANDARDS SEE SHEET NO. 3 & 4.
  4. SEE SHEET NO. 4 FOR LEGEND AND TABLE OF SWAMP PUMP ELEVATIONS.
  5. GRADING AND RESERVES AS SHOWN ON THIS SHEET ARE FOR FINAL PURPOSES ONLY. ADDITIONAL TOPOGRAPHIC SHEET MAPS SHALL BE PROVIDED FOR ALL SUBLOTS PRIOR TO INITIATION OF CONSTRUCTION ACTIVITY ON INDIVIDUAL SUBLOTS.

CALLAS, GEORGE  
 D/A Processing No. 92-494-16(3)  
 Cuyahoga County, Ohio Quad: BROADVIEW  
 HEIGHTS  
 Sheet 3 of 3 IMPACTS MAP