



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

Public Notice

Applicant: City of
Brecksville

Published: April 18, 2019
Expires: May 17, 2019

Application No: 2016-01281
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

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: City of Brecksville

WATERWAY & LOCATION: Wetlands and streams located on a 130-acre site that is south of Oakes Road in the City of Brecksville, Cuyahoga County, Ohio

LATITUDE & LONGITUDE: Latitude North: 41.303841
Longitude West: -81.663406

EXISTING CONDITIONS: The subject parcel is almost entirely comprised of forested and scrub-shrub areas with wetlands and streams therein.

Description of delineation of waters of the US, if applicable: A PJD was issued on December 23, 2016 identifying 33.78 acres of wetland and 5,419 linear feet of streams within the review area.

PROPOSED WORK: The proposed project includes the discharge of fill with 5.69 acres of federal wetlands and 206 linear feet of streams in association with the construction of a new elementary school facility with associated features.

PROJECT PURPOSE

Basic: Institutional development

Overall: To construct a new elementary school facility within the Brecksville Broadview Heights City School District

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 upland 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 applicant has performed an off-site and on-site alternatives analysis to demonstrate avoidance and minimization. The proposed facility will primarily impact Wetland 20, a mosaic wetland, and will avoid over 5,000 linear feet of stream. Higher quality, ORAM Category 3 wetlands are being avoided. Several different on-site configurations were investigated to avoid and minimize the proposed wetland and stream fills as much as practicable.

PROPOSED MITIGATION: As compensatory mitigation for the proposed wetland fills, the applicant has proposed to purchase 5.7 forested wetland credits from the Granger Mitigation Bank, 5.0 wetland credits from the Trumbull Creek Mitigation Bank, 4.1 wetland preservation credits from the Pine Brook Mitigation Bank, and to preserve 8.08 acres of Category 3 wetlands and the surrounding wooded upland buffer on the project site. As compensatory mitigation for the proposed stream fills, the applicant has proposed to purchase 206 stream credits from the Nature Conservancy, In-lieu Fee Program, preserve approximately 3,000 linear feet of stream in cooperation with West Creek Conservancy (WCC), and preserve 792 linear feet of intermittent stream on-site. The WCC preservation area is an 18-acre property located east of Avery Road and north of State Route 82 in the City of Broadview Heights.

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 3 of 4. 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.



QUADRANGLE LOCATION



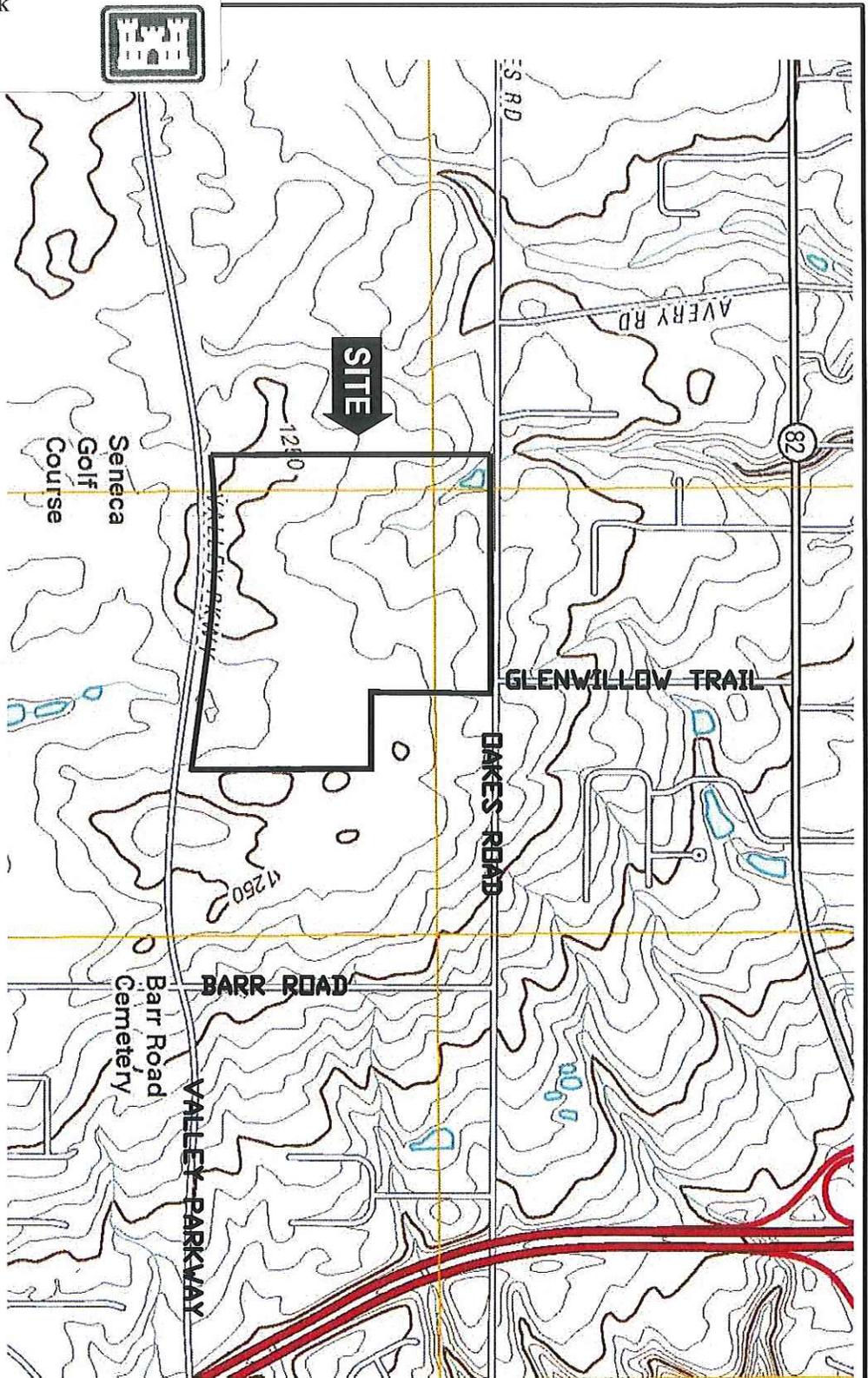
ADJOINING 7.5 QUADRANGLES

Adkinswood	Cleveland South	Shaker Heights
Berea	Broadview Heights	Northeastfield
Medina	Westchester	Painesville

BROADVIEW HEIGHTS QUADRANGLE

OHIO - CUYAHOGA COUNTY

7.5 MINUTE SERIES (TOPOGRAPHIC)

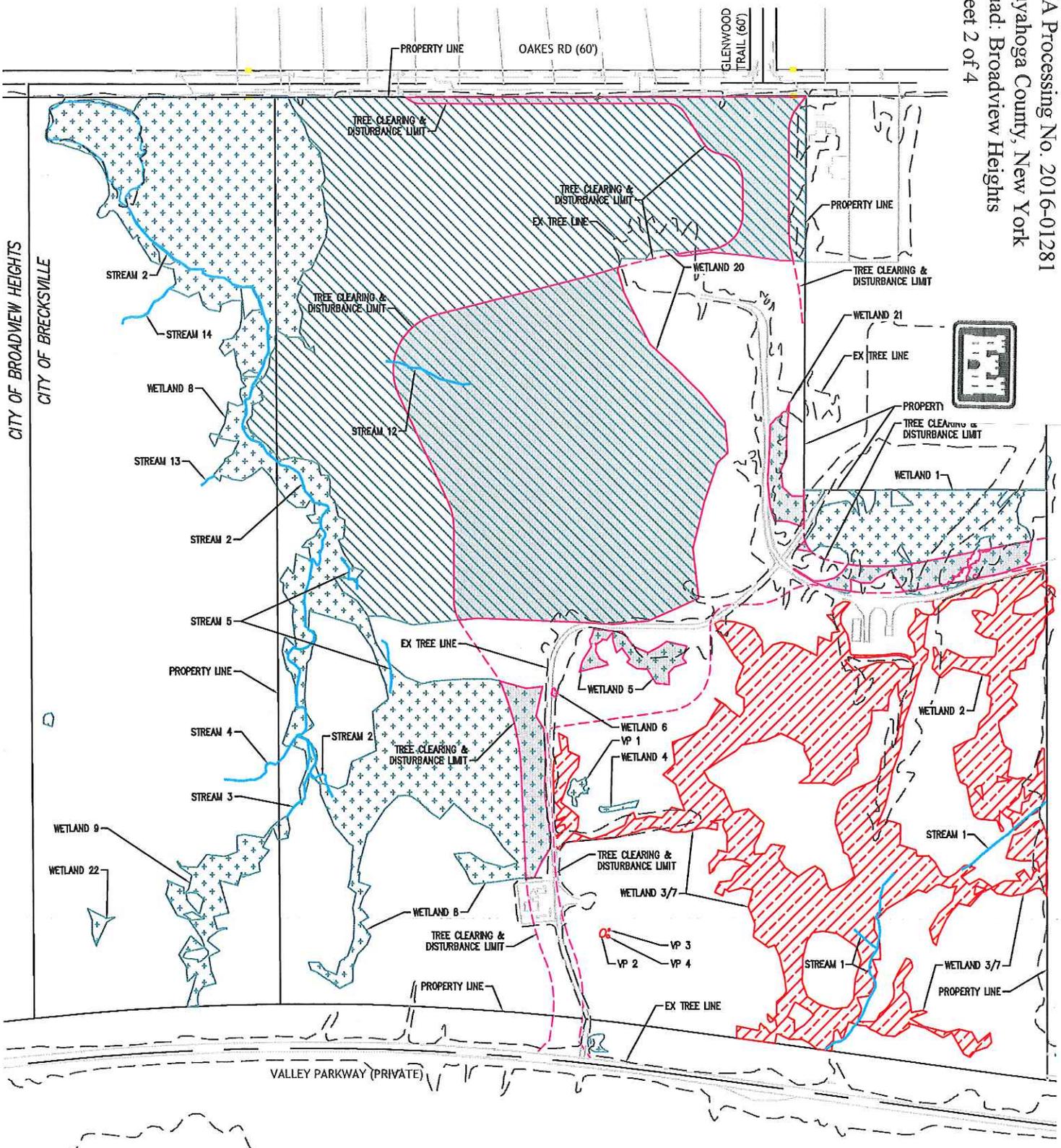


DATE: JAN 2019 SCALE: N.T.S.

PROJECT NO.: **18186**

US GEOLOGICAL SURVEY LOCATION MAP
BHHCSD NEW ELEMENTARY SCHOOL
 CITY OF BRECKVILLE
 CUYAHOGA COUNTY, OHIO

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 Creative Engineers. Intelligent Solutions.
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 Phone • 440.439.1997 Fax • 440.439.1969 www.cveinltd.com



DISTURBANCE DATA TABLE

STREAMS	
STREAM 12 - EPHEMERAL STREAM - 206' IN LENGTH	
1:1 WETLANDS	
DISTURBANCE AREA	= 69,948 SF
35% MOSAIC WETLANDS	
DISTURBANCE AREA	= 507,815 SF
35% DISTURBANCE AREA	= 177,736 SF
TOTAL WETLAND DISTURBANCE AREA	= 247,664 SF
	= 5.69 ACRES

** REFER TO WETLAND IMPACT BREAKDOWN FOR DETAILS

WETLAND LEGEND

	= CATEGORY 2 WETLAND (1:1)
	= CATEGORY 2 WETLAND (35% MOSAIC)
	= CATEGORY 3 WETLAND - TO REMAIN UNDISTURBED
	= WETLAND TO BE DISTURBED AS PART OF THIS PROJECT

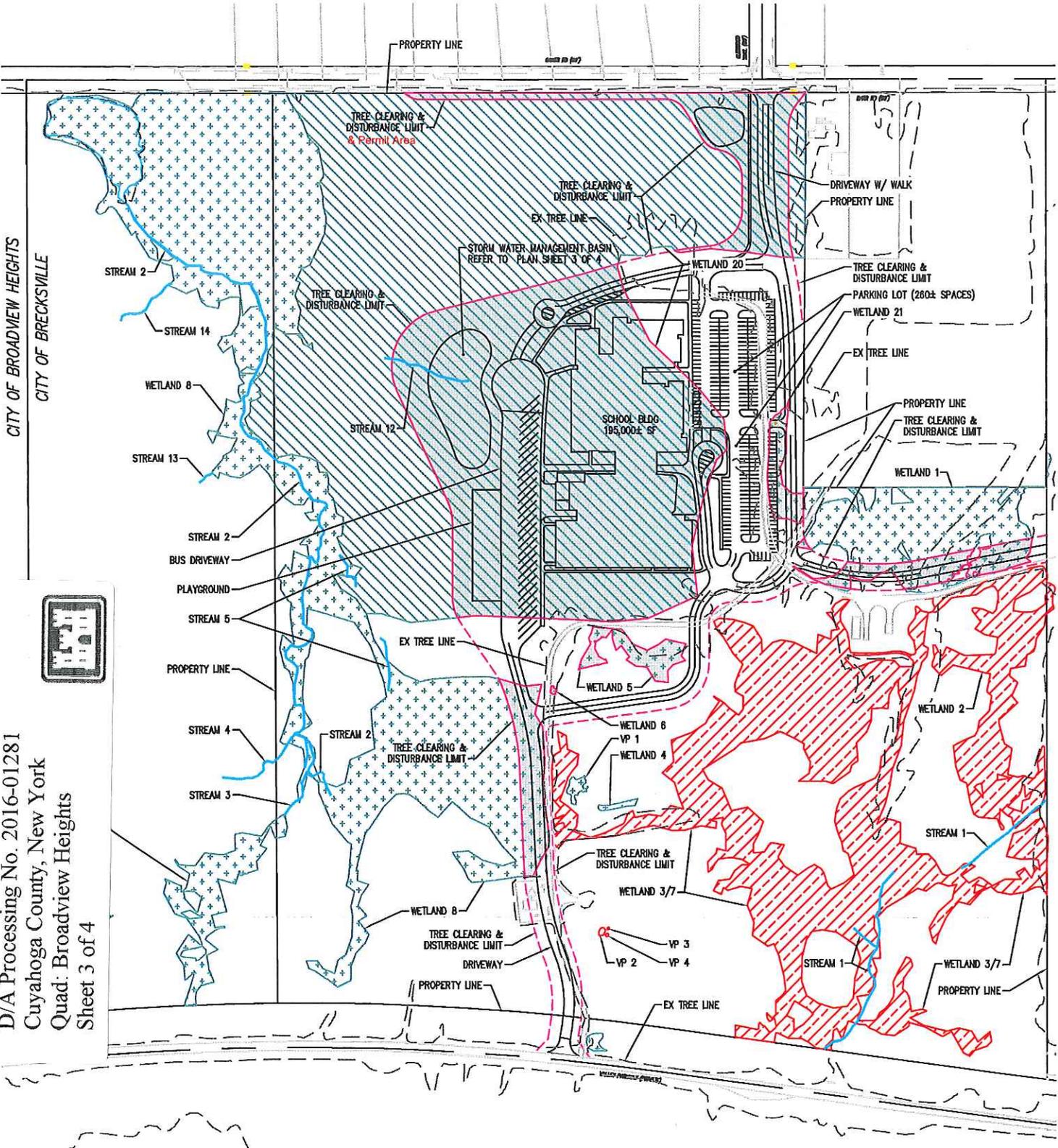
**BRECKSVILLE-BROADVIEW HEIGHTS
 NEW ELEMENTARY SCHOOL
 BRECKSVILLE, OH**

MARCH 27, 2019

PLAN SHEET 1 OF 4
 TREE CLEARING & DISTURBANCE LIMITS

0 300'
 SCALE: 1"=300'

Brecksville, City of
 D/A Processing No. 2016-01281
 Cuyahoga County, New York
 Quad: Broadview Heights
 Sheet 3 of 4



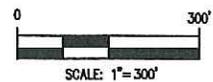
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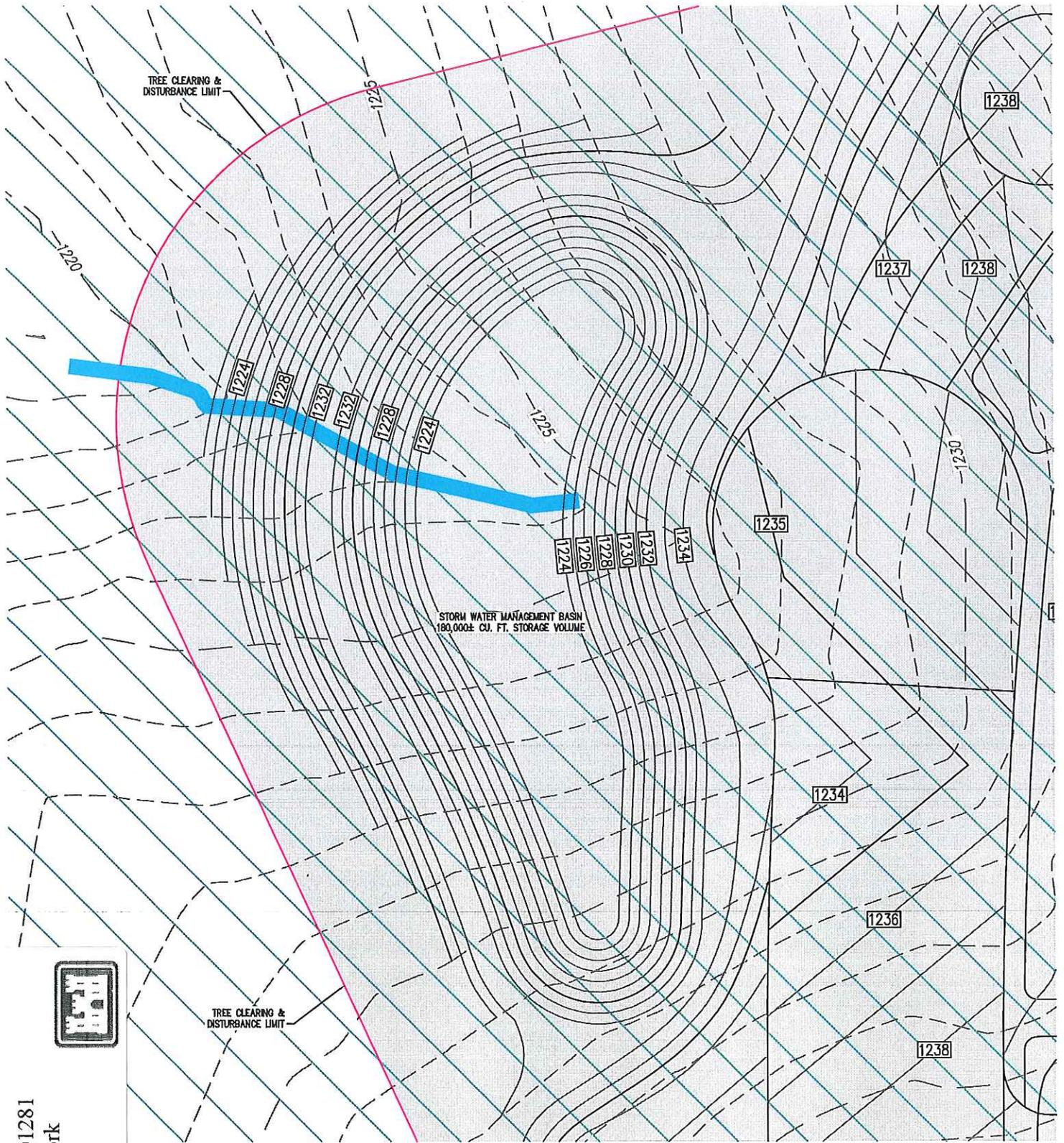
BRECKSVILLE-BROADVIEW HEIGHTS
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PLAN SHEET 2 OF 4
 SITE PLAN



Brecksville, City of
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 Cuyahoga County, New York
 Quad: Broadview Heights
 Sheet 4 of 4



WETLAND LEGEND

- = CATEGORY 2 WETLAND (1:1)
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 NEW ELEMENTARY SCHOOL
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PLAN SHEET 3 OF 4
 STORM WATER MANAGEMENT BASIN GRADING

