



# Public Notice

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

Applicant: Stanbery  
Homes Inc.

Published: September 17, 2019  
Expires: October 17, 2019

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Application No: 1998-3480063  
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: Stanbery Homes Inc.

WATERWAY & LOCATION: Wetlands located within a 22.7-acre parcel at Sylvan Ridge Drive, City of Toledo, Lucas County, Ohio

LATITUDE & LONGITUDE: Latitude North: 41.7228  
Longitude West: -83.6469

EXISTING CONDITIONS: The project site is 22.7 acres in size and contains areas of successional woods, a total of 7.886 acres of Category 2 forested/emergent wetland, and 3.055 acres of Category 3 forested wetland

Description of delineation of waters of the US, if applicable: A water resources delineation of the project site was completed by Davey Resource Group, Inc., on April 21, 2017. USACE verified the delineation and issued the preliminary jurisdictional determination letter on January 17, 2018

PROPOSED WORK: The proposed project includes the discharge of fill within 1.018 acres of wetlands in association with the construction of a residential subdivision. The proposed

development will include 26 single-family homes. Construction of the project will require additional on-site development, including the construction of interior roads, a stormwater basin, and utilities.

#### PROJECT PURPOSE

Basic: Residential Development

Overall: Construction of a residential development within northwest Toledo or surrounding municipalities

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 proposed design used the siting and orientation of the residential lots, drives, and stormwater basin to avoid and minimize impacts to 91% of wetlands, with 100% of Category 3 wetland and 87% of Category 2 wetland being avoided. The applicant states that further reduction in impacts to water resources was not practicable as additional elimination of lots would not support an economically viable development and therefore not meet the project purpose.

PROPOSED MITIGATION: Compensatory wetland mitigation to offset unavoidable impacts arising from Sylvan Ridge project is proposed to be completed through a combination of the purchase of 1.1 wetland credits from the Pearson Metropark Wetland Mitigation Bank operated by Stream + Wetlands Foundation and through the preservation of 3.055 acre of Category 3 mature forested wetland on the project site.

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 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.

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*), rayed bean (*Villosa fabalis*), northern long-eared bat (*Myotis septentrionalis*), eastern massasauga (*Sistrurus catenatus*), Karner blue butterfly (*Lycaeides melissa samuelis*), eastern prairie fringed orchid (*Platanthera leucophaea*), 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.

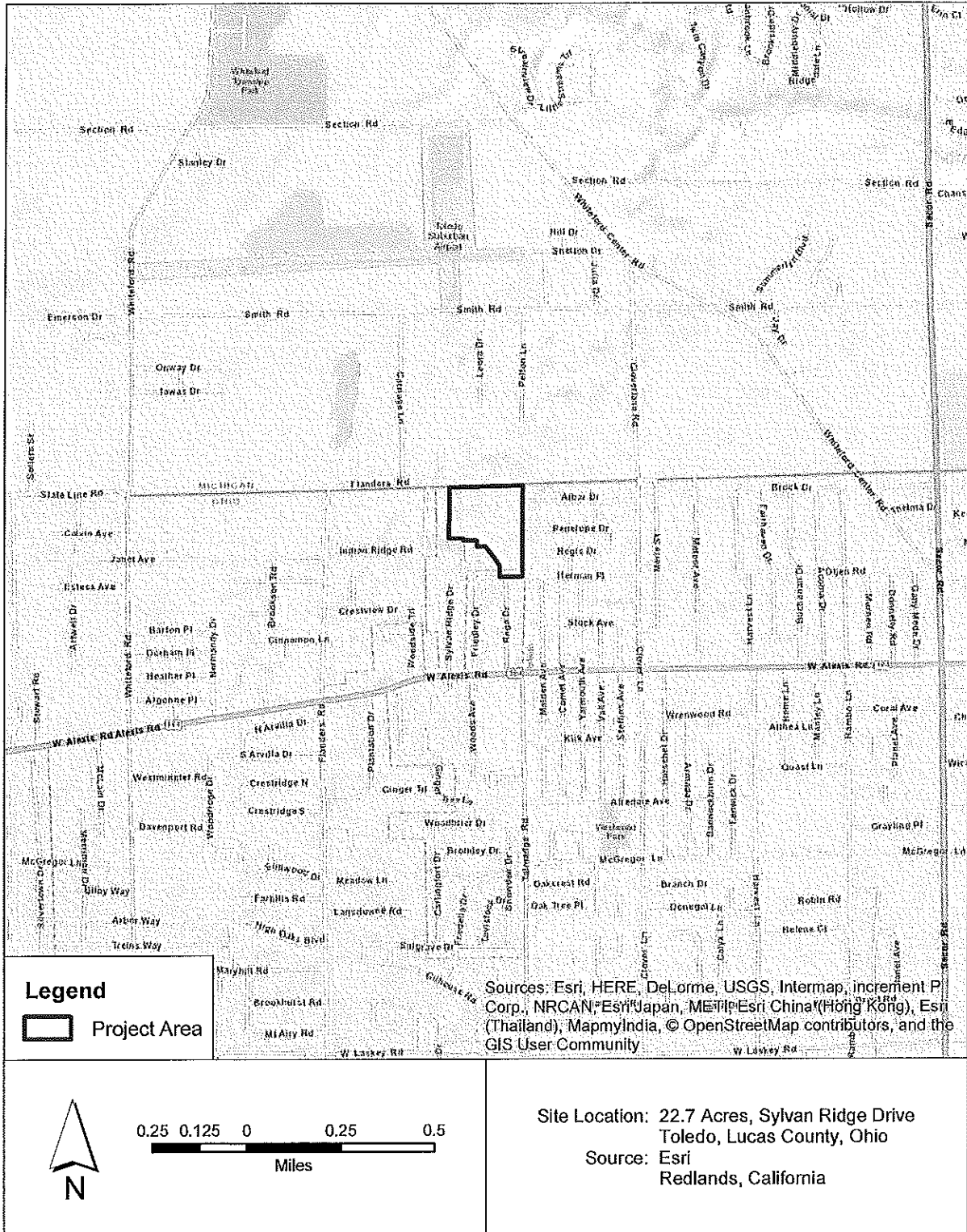
**SIGNED**

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.



**Appendix A, Figure 1**  
**Location of Project Area on Highway Map**





LE PROJECT : 49763  
 CONTRACT : T&M

SCHMATIC WETLAND EXHIBIT FOR:  
**SYLVAN RIDGE PLAT 2**  
 (PROPOSED DESIGN ALTERNATIVE)

**WETLAND SUMMARY**

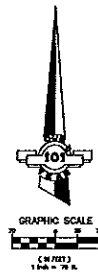
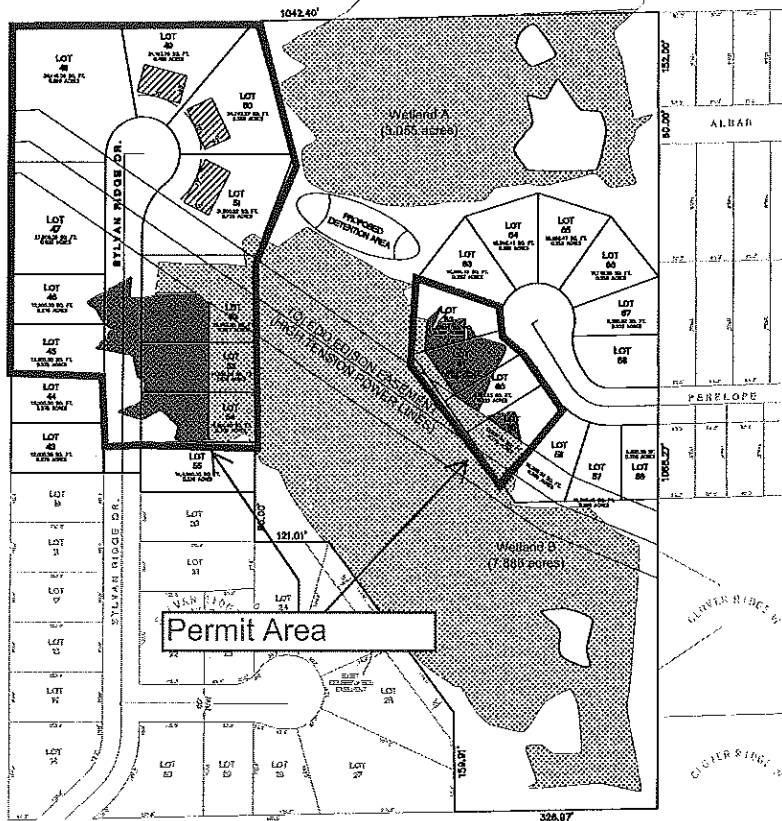
WETLAND A	3.055 ACRES
WETLAND B	7.848 ACRES
TOTAL WETLAND	10.903 ACRES

**LEGEND**

- EXISTING WETLAND
- IMPACTED WETLAND
- PROPOSED WETLAND RESTORATION

**WARNING**

UNDESIGNATED AREAS IN THIS AREA  
 MAY BE SUBJECT TO FEDERAL  
 PROTECTION UNDER THE  
 CLEAN WATER ACT. CONTACT  
 THE U.S. ARMY CORPS OF  
 ENGINEERS AT 1-800-424-2784  
 FOR MORE INFORMATION.



CIVIL ENGINEERS & SURVEYORS  
 THE CHEF BLDG. 234 N. EDGE ST.  
 TOLEDO, OHIO 43604  
 LEWANDOWSKIENGINEERS.COM  
 OFFICE: 419.235.4111

SCHMATIC WETLAND EXHIBIT FOR:  
**SYLVAN RIDGE PLAT 2**  
 IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 07/09/2019 SCALE: 1"=70'  
 DRAWN BY: TMM TMM & ASSOCIATES-CORP-ALT  
 CHECKED BY: DR # 10143  
 EQUICAD FILE: D:\M\1918\18\_08\_05  
 TPO: RPL DATE: 30 2014  
 DESIGNED BY: GIL ANDREW B.2  
 GPS: NAD 83, GPOD-12A, OPR N. 3401

Stanbery Homes, Inc.  
 D/A Processing No. LRB-1998-3480063  
 Lucas County, Ohio  
 Quad: Sylvania, OH  
 Sheet 3 of 3



LE PROJECT : 49763  
 CONTRACT : T&M

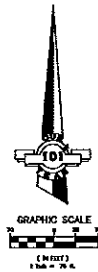
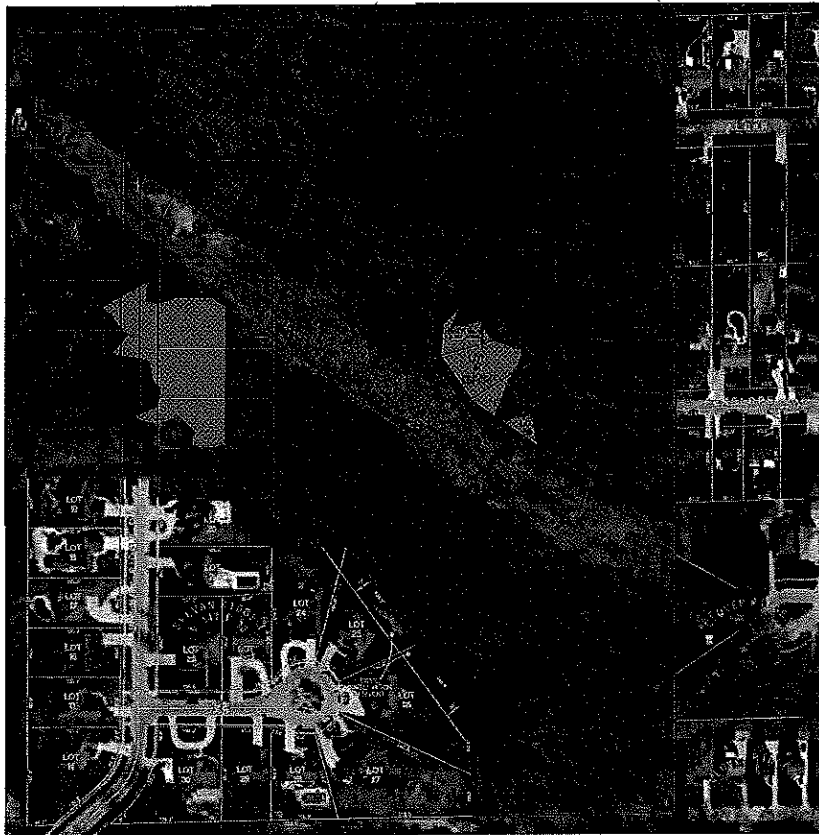
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**WETLAND SUMMARY**

<b>WETLAND A</b>	5,545 ACRES
DETERMINED	5,545 ACRES
IMPACTED	5,545 ACRES
AVOIDED	5,545 ACRES
<b>WETLAND B</b>	2,046 ACRES
DETERMINED	2,046 ACRES
IMPACTED	1,078 ACRES
AVOIDED	968 ACRES
<b>TOTAL WETLAND</b>	7,591 ACRES
DETERMINED	7,591 ACRES
IMPACTED	6,623 ACRES
AVOIDED	898 ACRES

**LEGEND**

- EXISTING WETLAND
- IMPACTED WETLAND
- PROPOSED BUILDING ENVELOPE



**WARNING**

UNDERGROUND CONDITIONS IN AREA  
 COULD BE DIFFERENT FROM  
 PROTECTIVE RECORDS. CLIENTS SHOULD  
 CONDUCT THEIR OWN INVESTIGATION OF  
 SUBSURFACE CONDITIONS. CONTACT  
 ENGINEER FOR MORE INFORMATION AT  
 419-252-4111.

ENGINEER SHALL VERIFY AND  
 ENSURE ALL WETLANDS REMAIN  
 INTACT OR BE RESTORED TO THE  
 SAME STATE.



**LEWANDOWSKI ENGINEERS**  
 CIVIL ENGINEERS & SURVEYORS  
 THE CHIEF BLDG. 2341 HERRIN ST.  
 TOLEDO, OHIO 43604  
 LEWANDOWSKIENGINEERS.COM  
 OFFICE: 419.252.4111

SCHMATIC WETLAND EXHIBIT FOR:  
**SYLVAN RIDGE PLAT 2**  
 IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 07/09/2018 SCALE: 1"=50'  
 DRAWN: TOS DATE: 8/09/18-DHMT-ALT  
 CHECKED: JOL DATE: 8/09/18  
 EROSION: JOL DATE: 8/09/18  
 TOPOG: JOL DATE: 8/09/18  
 UTILITIES: JOL DATE: 8/09/18  
 GPS: NAD 83, GCS: NAD 83, PROJ: NAD 83