Public Notice

U S Army Corps of Engineers
Huntington District

In reply refer to Public Notice No. 2006-2375-WAL

Issuance Date: February 20, 2007

Stream: UN Trib to Camel Creek

Closing Date: March 23, 2007

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Huntington District
ATTN: CELRH-OR-F Public Notice No. (*reference above*)
502 Eighth Street
Huntington, West Virginia 25701-2070 Phone: (304) 399-5710

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency (OEPA) to act on Section 401 Water Quality Certification for the following application:

APPLICANT: Medina County Sanitary Engineering Department
791 West Smith Rd
Medina, OH 44256

LOCATION: The proposed project is located approximately 3 miles southeast of Lodi and 2 miles southwest of Westfield Center in Westfield Township, Medina County, Ohio.

DESCRIPTION OF THE PROPOSED WORK: The applicant's project would consist of the construction of the Westfield Water Treatment Plant with associated access drives to the plant

and existing gas wells. The project would result in impacts to approximately 0.8 acre of wetland. The access drive would be approximately 2,000 feet in length and 17 feet wide, and consist of geo-textile or geo-grid along with 24 inches of #1 and #2 stone topped with 8" of #304 stone. A total of approximately 750 feet of the access drive has been partially installed, impacting 0.29 acre of wetland. Approximately 0.2 acre of wetland would be impacted by the construction of the water treatment plant. The installation of the remaining access drives would impact an additional 0.3 acre of wetland.

In total, approximately 0.8 acre of jurisdictional wetland would be permanently impacted by the proposed project.

ALTERNATIVE ANALYSIS: This project is not considered to be water dependent; therefore, the applicant will be required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the applicant's goal. The applicant has indicated the purpose of the project is to construct a water treatment plant for the local area.

MITIGATION PLAN: The applicant has not proposed compensatory mitigation at this time for permanent impacts to waters of the United States regulated by the United States Army Corps of Engineers.

Plans of the proposed work are attached to this notice.

A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain the certification from the OEPA.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are no properties listed on the Register in the area affected by the project. A copy of this public notice will be furnished to the Ohio State Historic Preservation Office for their review. Comments concerning archeological sensitivity of the project area should be based upon collected data.

ENDANGERED/THREATENED SPECIES REVIEW: The project is located within the known or historic range of the following threatened, endangered or candidate species:

Indiana bat
Eastern massasauga rattlesnake

The Huntington District has consulted the most recently available information and based on this information, the proposed project may affect the Indiana bat and the eastern massasauga rattlesnake or their habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit 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 benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: 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. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections.

Comments and requests for additional information should be submitted to:

Mr. Jim Spence
North Regulatory Section, CELRH-OR-FN
U. S. Army Corps of Engineers Huntington District
502 Eighth Street
Huntington, West Virginia 25701-2070.

Please note names and addresses of those who submit comments in response to this public notice may be made publicly available. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Mr. Jim Spence of the North Regulatory Section at 304-399-5210.

Ginger Mullins, Chief
Regulatory Branch

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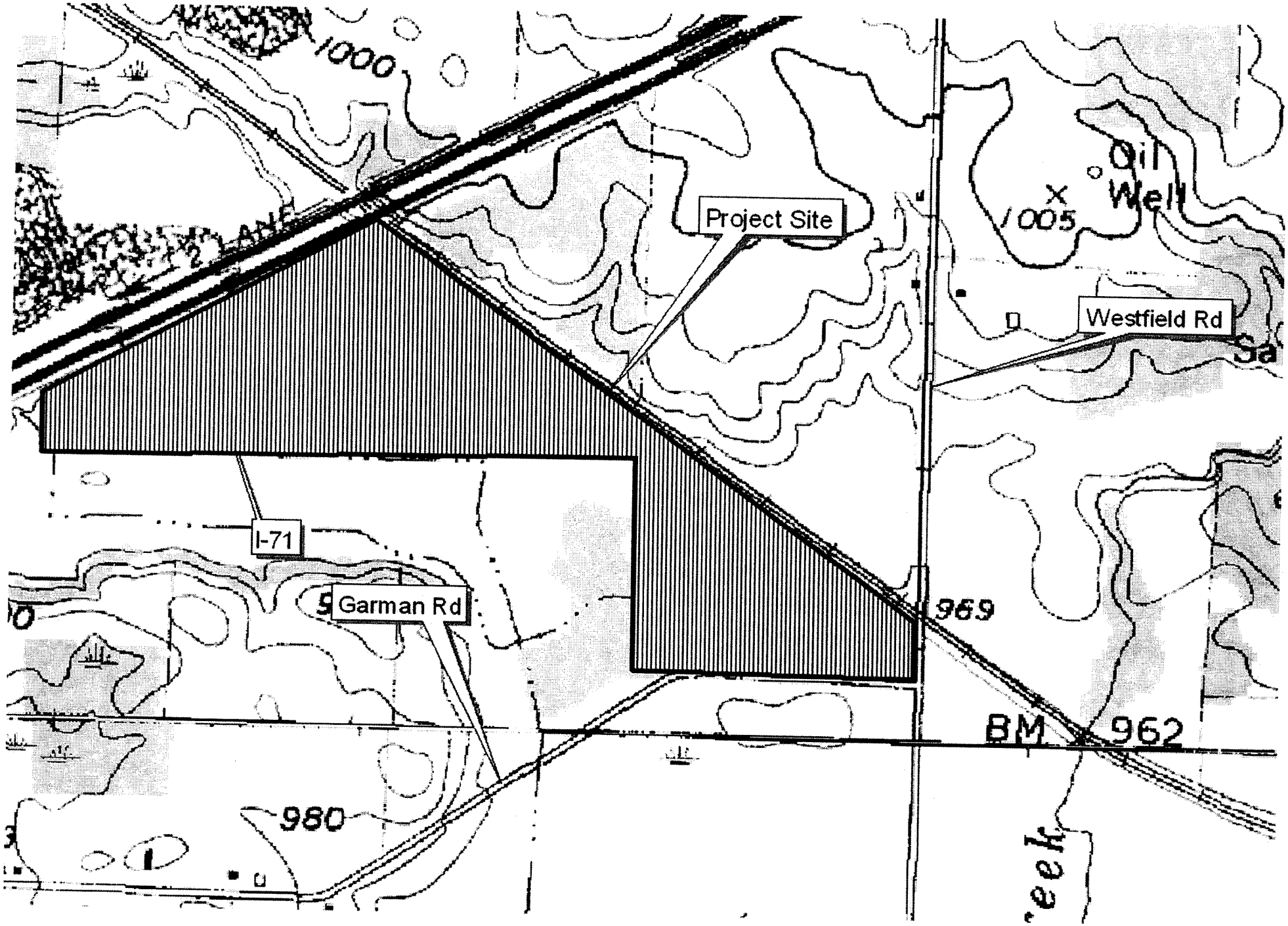
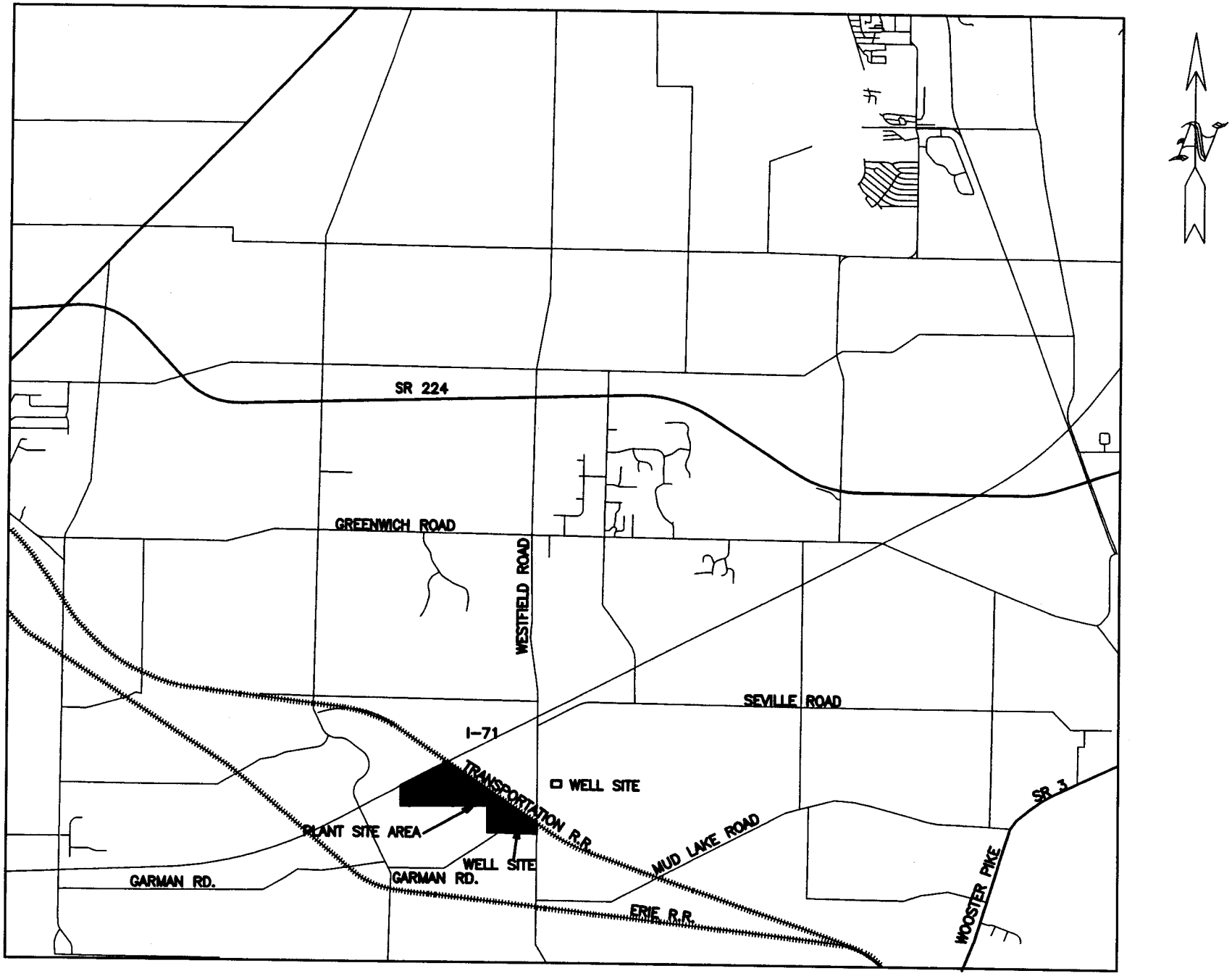

1000
Project Site
Oil Well
1005
Westfield Rd
I-71
Garman Rd
969
BM 962
980

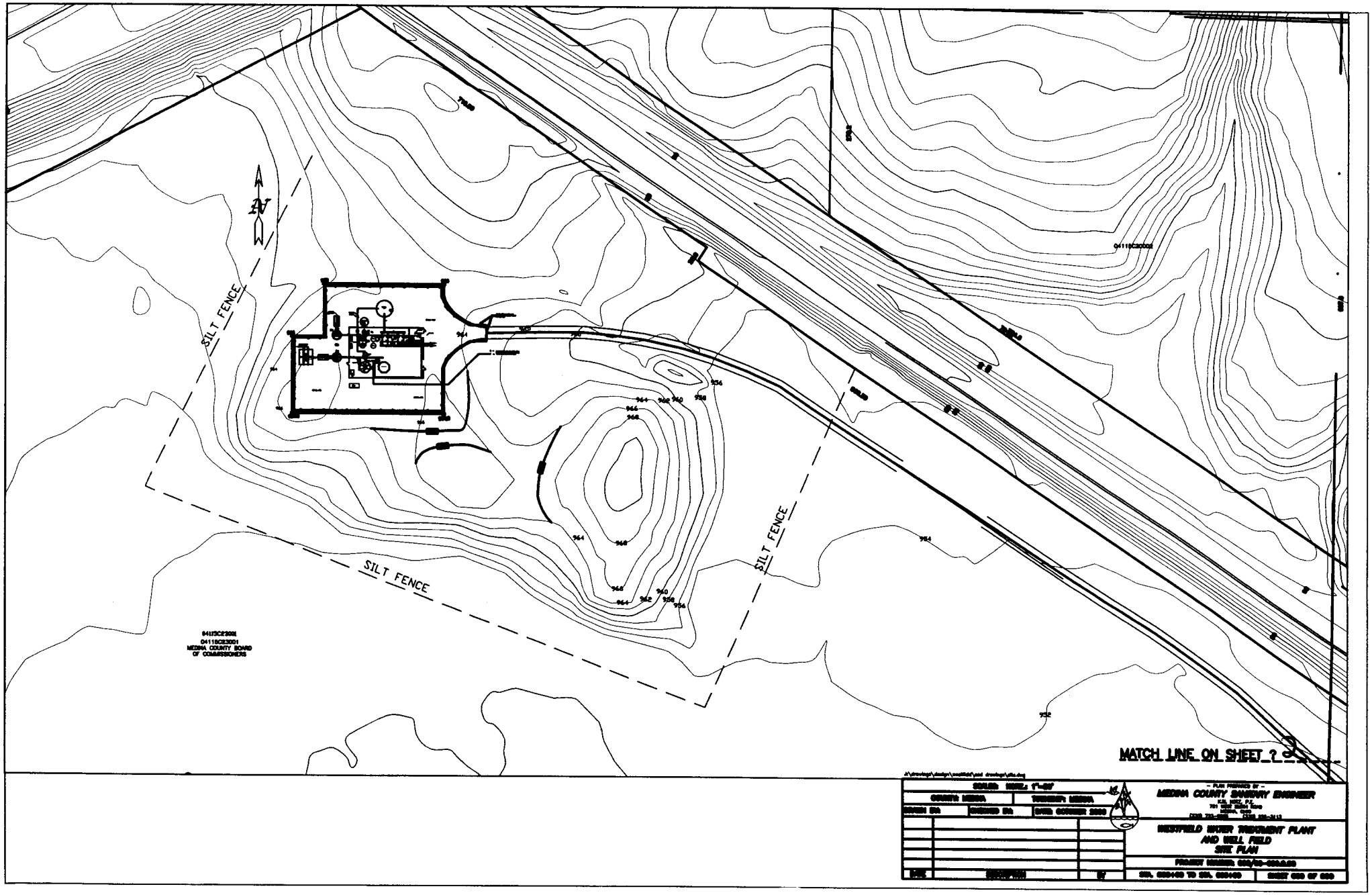
Figure 1 of 6



SCALE: NONE

Figure 2 of 6

Westfield Water Treatment Plant
Medina County Sanitary Engineer
Vicinity Map



Sheet 1

Figure 3 of 6

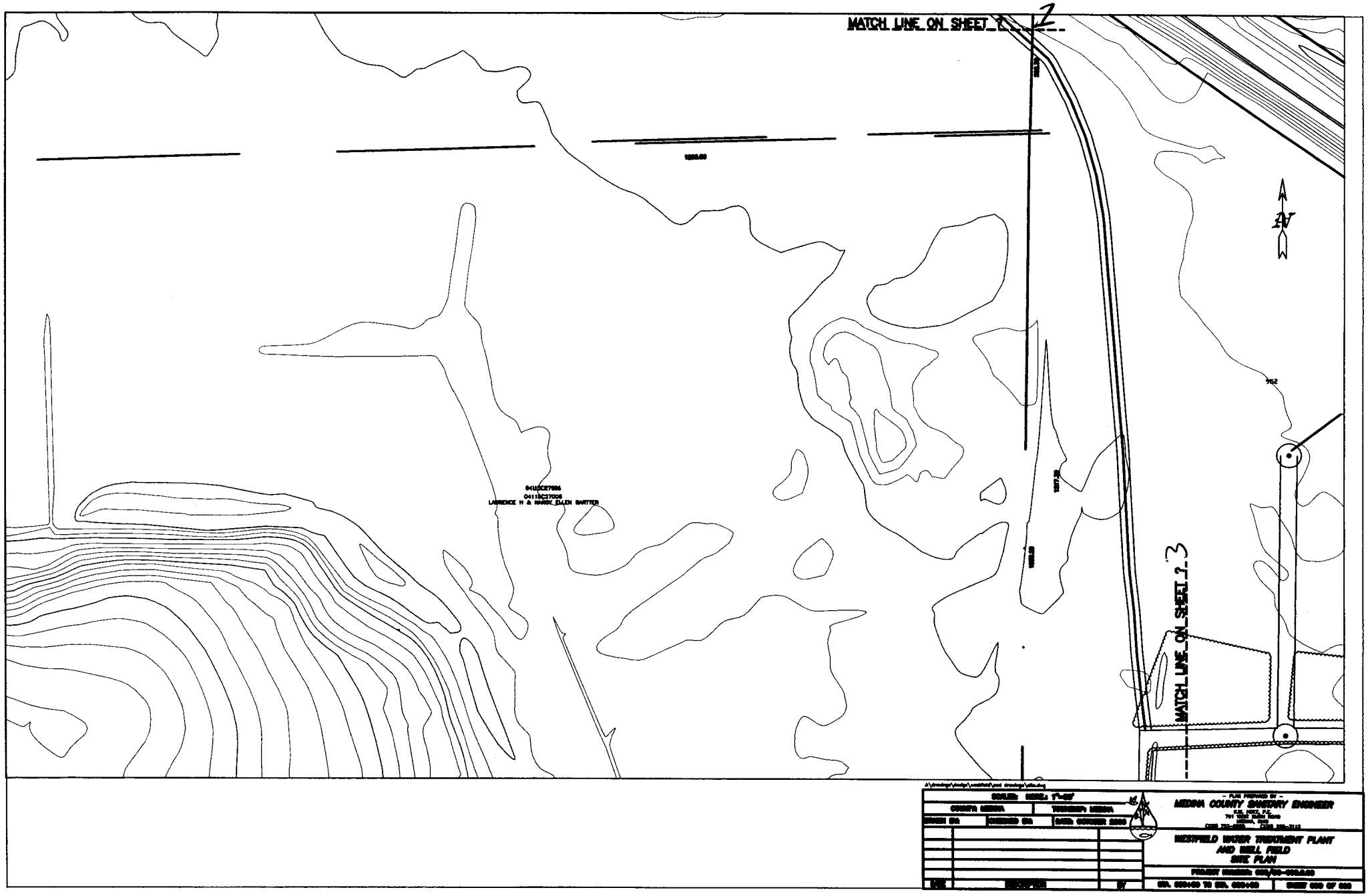
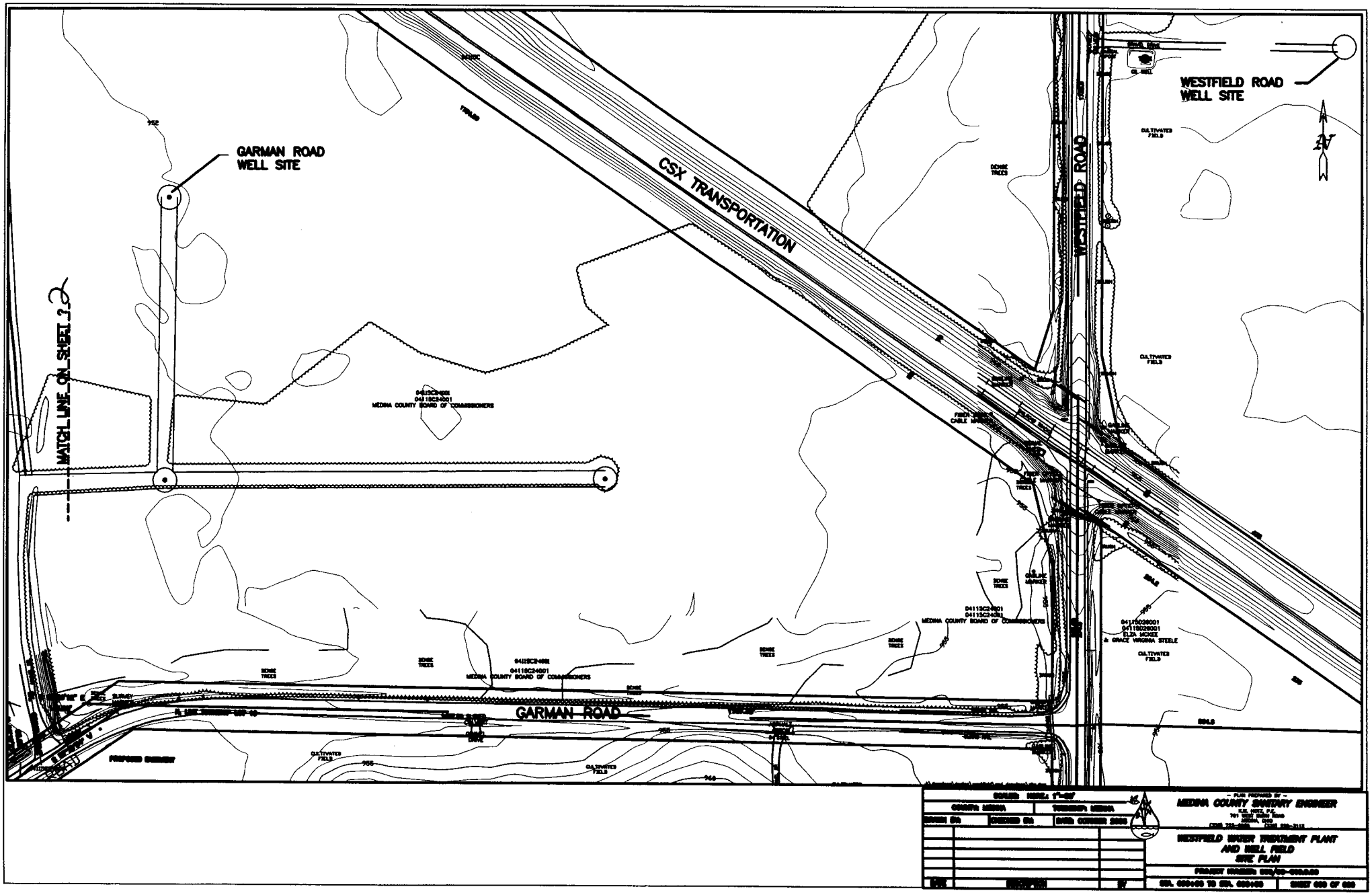


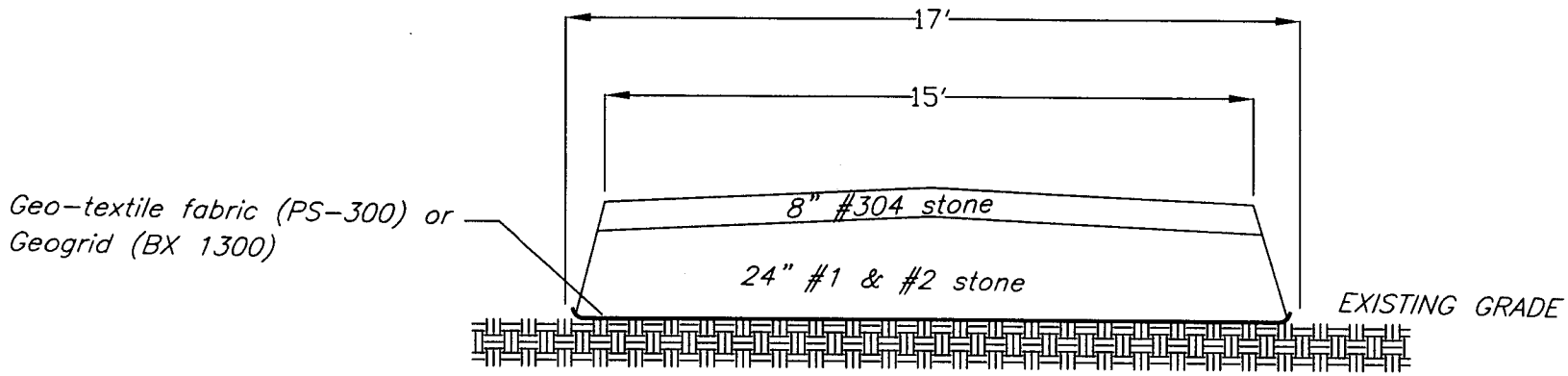
Figure 4 of 6

Sheet 2



Sheet 3

Figure 5 of 6



SCALE: NONE			- PLAN PREPARED BY - MEDINA COUNTY SANITARY ENGINEER
COUNTY: MEDINA		TOWNSHIP: WESTFIELD	
DRAWN BY:	CHECKED BY:	DATE: NOV. 2008	PROPOSED DRIVE DETAIL FOR THE WESTFIELD WATER TREATMENT PLANT
DATE	DESCRIPTION	BY	PROJECT NUMBER:
			SHEET 1 OF 1

Figure 6 of 6