

Public Notice

**U S Army Corps
of Engineers**
Huntington District

In reply refer to Public Notice No.

200401095

Issuance Date:

March 25, 2005

Stream:

Un Trib of the Tuscarawas River Closing Date: April 25, 2005

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) 399-5210

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:

APPLICANTS: Alpha Land Company
6100 Ronald Avenue, N.W.
Canton, Ohio 44718

LOCATION: The 65 acre proposed project site is located south of Woodmont Street and east of Geib Avenue near Hartville, Stark County, Ohio.

DESCRIPTION OF THE PROPOSED WORK: The applicant is proposing to construct a residential development, The Woods at Autumn Park, with 17 single family properties. Of the 1.9 acres of jurisdictional wetlands identified on the site, approximately 1.7 acres will be filled to facilitate development. The wetlands to be filled are classified as Category I and II wetlands under the Ohio

Rapid Assessment Method. In addition to the wetland impacts associated with the project, approximately 510 linear feet of two of the three perennial streams on the site will be impacted by the construction of three road crossings and two detention basins. Approximately 6,500 cubic yards of clean, fill material from on-site will be used to fill the wetlands and streams. An additional 60 cubic yards of pipe bedding shall be added below the ordinary high water mark within the riverine areas to support the road crossings.

MITIGATION PLAN: To offset wetland impacts associated with the project, the applicant proposes to purchase between 2.0 and 4.0 mitigation credits at an approved wetland mitigation bank. To offset stream impacts associated with the project, the applicant is proposing to improve an equal amount of streams on the site through buffer establishment/enhancement and the enhancement of other factors to improve the streams QHEI score.

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 Ohio Environmental Protection Agency.

ALTERNATIVE ANALYSIS: This project is not considered to be water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. The applicant has submitted an alternatives analysis, which is currently under review. No permit will be issued until our review of the alternatives analysis clearly shows that upland alternatives are not available to achieve the applicant's goal.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are no listed properties eligible for 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 candidate, threatened, or endangered species:

Indiana Bat (E)
Bald Eagle (T)
Eastern Massasauga (C)

The Huntington District has consulted the most recently available information. With the implementation of avoidance and minimization measures, the project is not likely to adversely affect the Indiana Bat. Because the only Bald Eagle nest within the county is not located within ½ mile of the project, the project will have no effect on this species or designated Critical Habitat. Available evidence indicates the project may affect the Eastern Massasauga, a Federally listed candidate species, and/or suitable habitat for this species. 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.

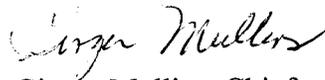
SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative 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.

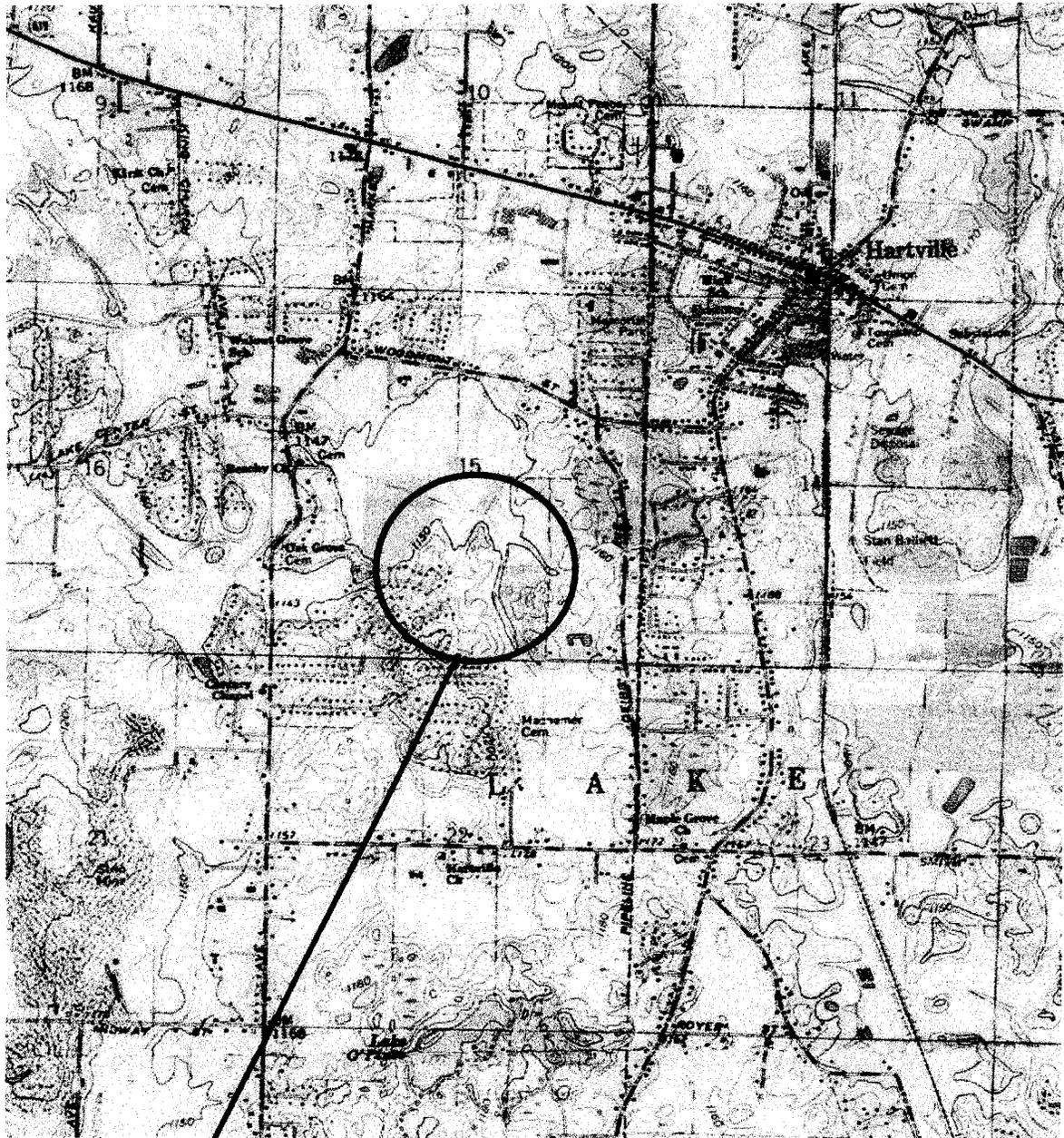
Comments and requests for additional information should be submitted to:

Ms. Jean B. Siedel, Regulatory Project Manager
North Regulatory Permit 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 Ms. Jean B. Siedel of the North Regulatory Section, Dover Regulatory Field Office at (330)364-6177.


Ginger Mullins, Chief
Regulatory Branch

(O)



SUBJECT PROPERTY
SITE LOCATION MAP—VICINITY

USGS TOPOGRAPHIC MAP - HARTVILLE QUADRANGLE



VADOSE RESEARCH, INC.
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com

VADOSE Job#: 2004061.1
 Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 1, 2005
 Map Scale: 1"= 2600' Sheet 1 of 12





Site Location Map-Detailed

USGS TOPOGRAPHIC MAP - HARTVILLE QUADRANGLE



VADOSE RESEARCH, INC.

1435 MARKET AVENUE, NORTH
CANTON, OHIO 44714

888-454-6706

www.vadose.com



VRI Job#: 2004061.1

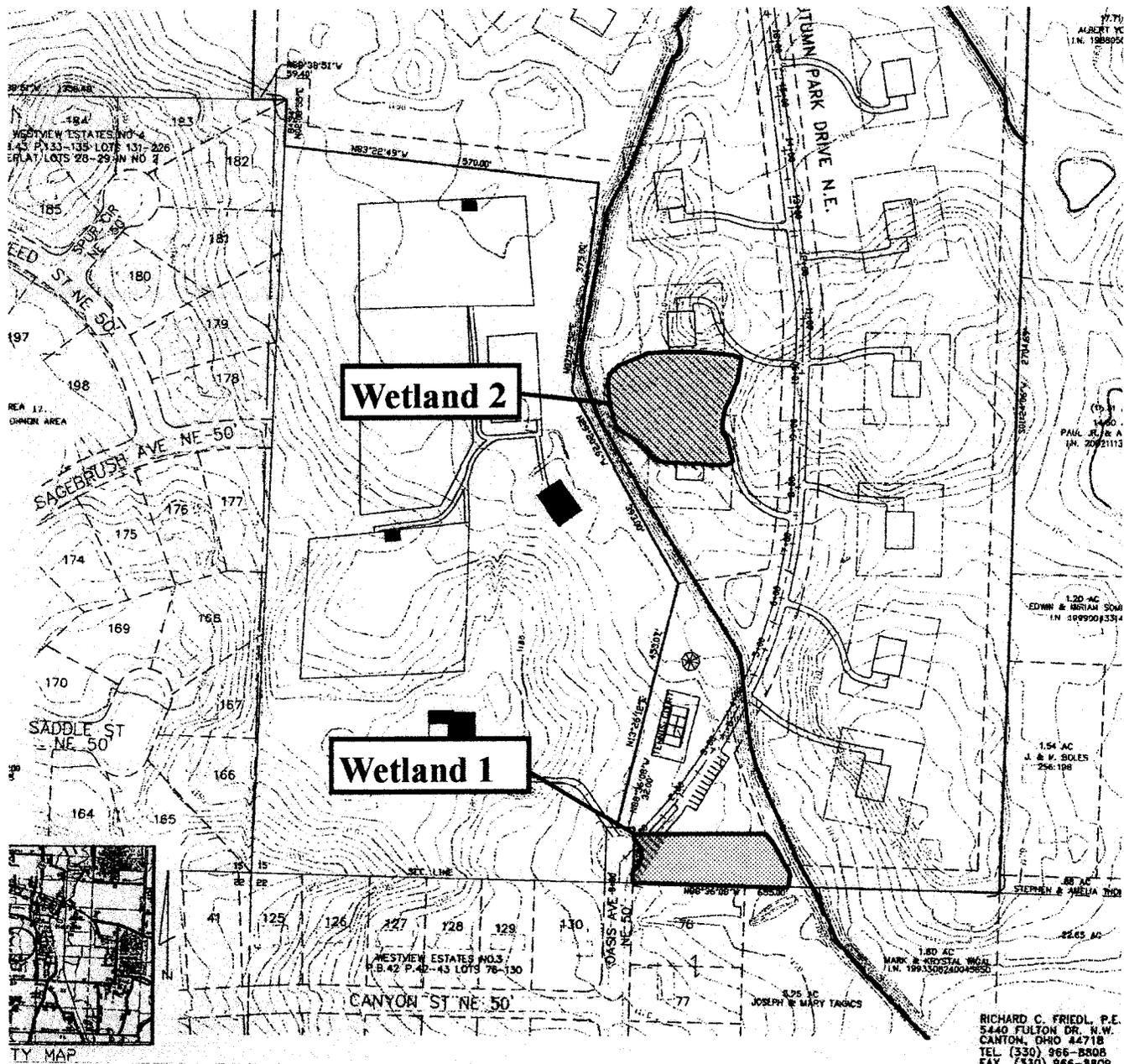
Applicant: Alpha Land Company

Project: The Woods at Autumn Park
Lake Township, Section 15 SE

Stark County, Ohio March 1, 2005

Map Scale: 1" = 1320'

Sheet 2 of 11



Wetland Delineation Map - Wetland Areas 1 & 2

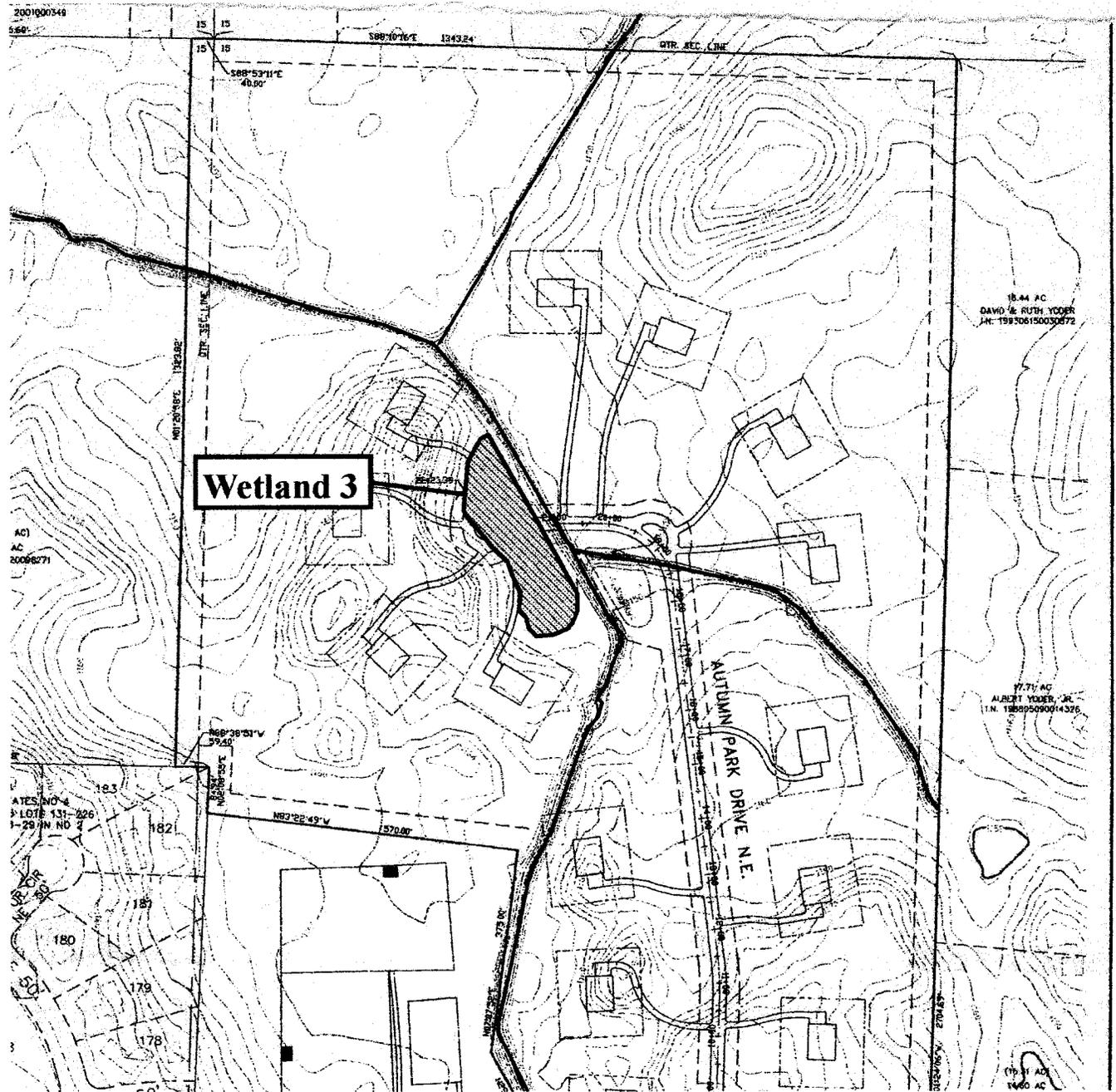
 = Wetland Area
  = Fill Area



VADOSE RESEARCH, INC.
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com



VRI Job#: 2004061.1
 Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 1, 2005
 Map Scale: 1" = 285' Sheet 4 of 11



Wetland Delineation Map - Wetland Area 3

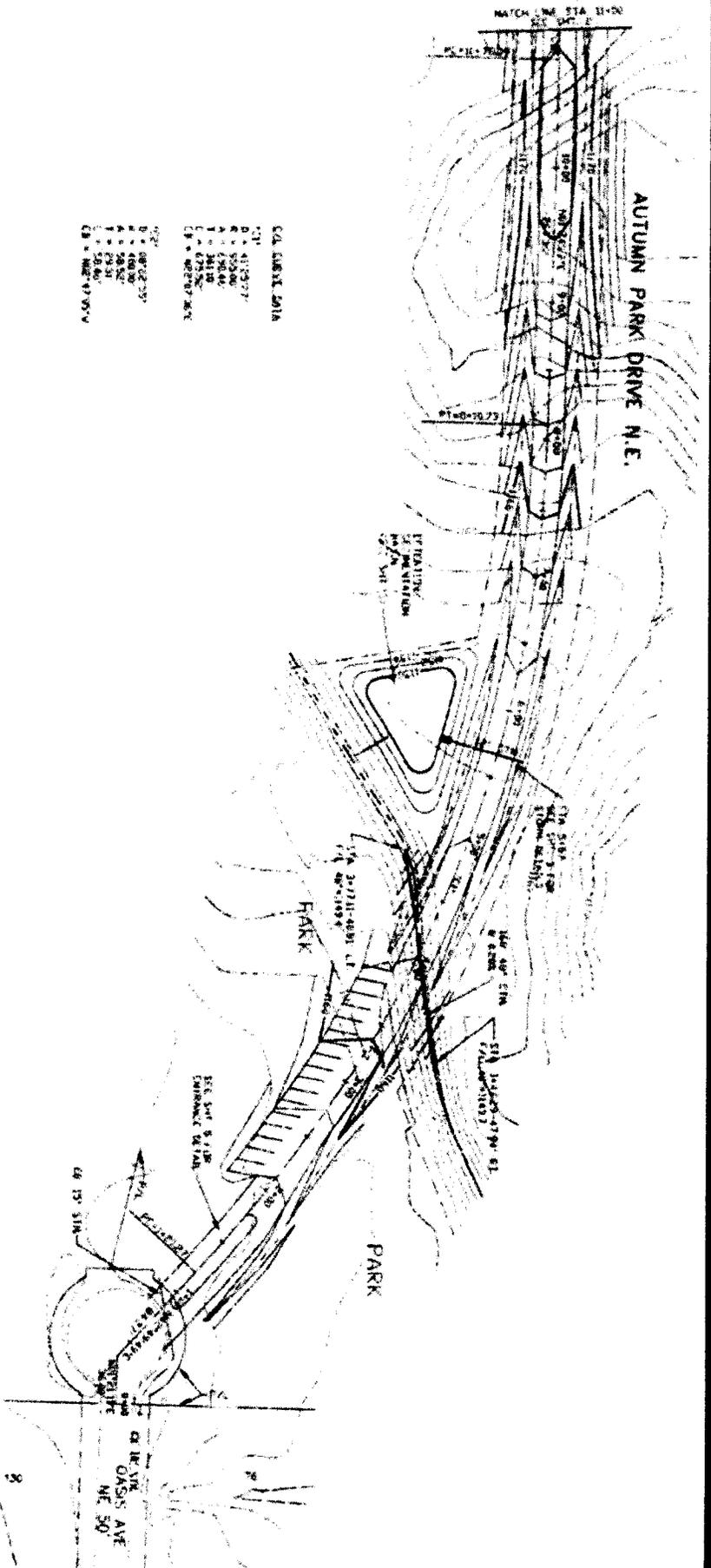
= Wetland Area
 = Fill Area



VADOSE RESEARCH, INC.
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com



VRI Job#: 2004061.1
 Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 1 2005
 Map Scale: 1" = 285' Sheet 5 of 11



CO. SURV. 2014

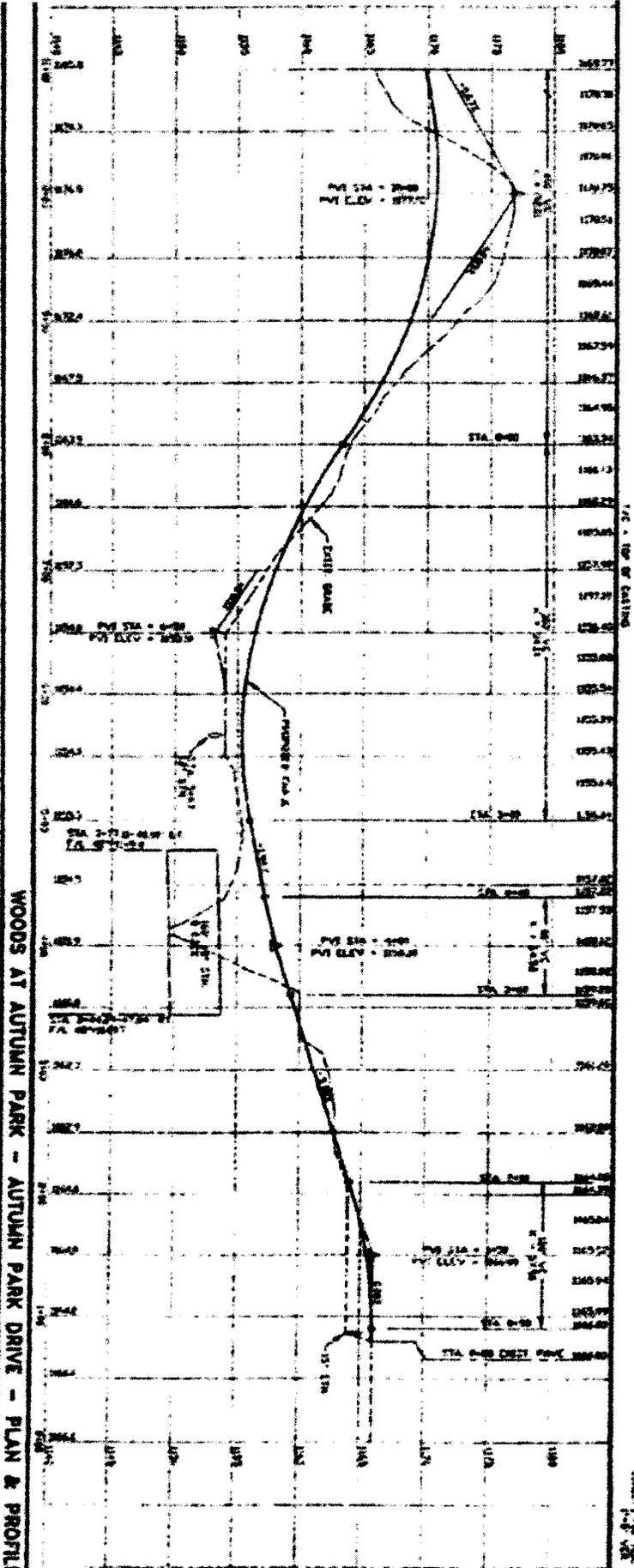
171
P. = 417377
R. = 50500
A. = 15044
L. = 3410
C. = 40277.87

1/4" = 100' OF DISTANCE

S. Autumn Park Drive Plan View

R VADOSE RESEARCH, INC.
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com

VRI Job#: 2004061.1
 Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 1, 2005
 Map Scale: 1" = 125' Sheet 6 of 11



Cross Section

South Autumn Park Drive

Map Scale
 Hor: 1" = 133'
 Vert: 1" = 13.3'

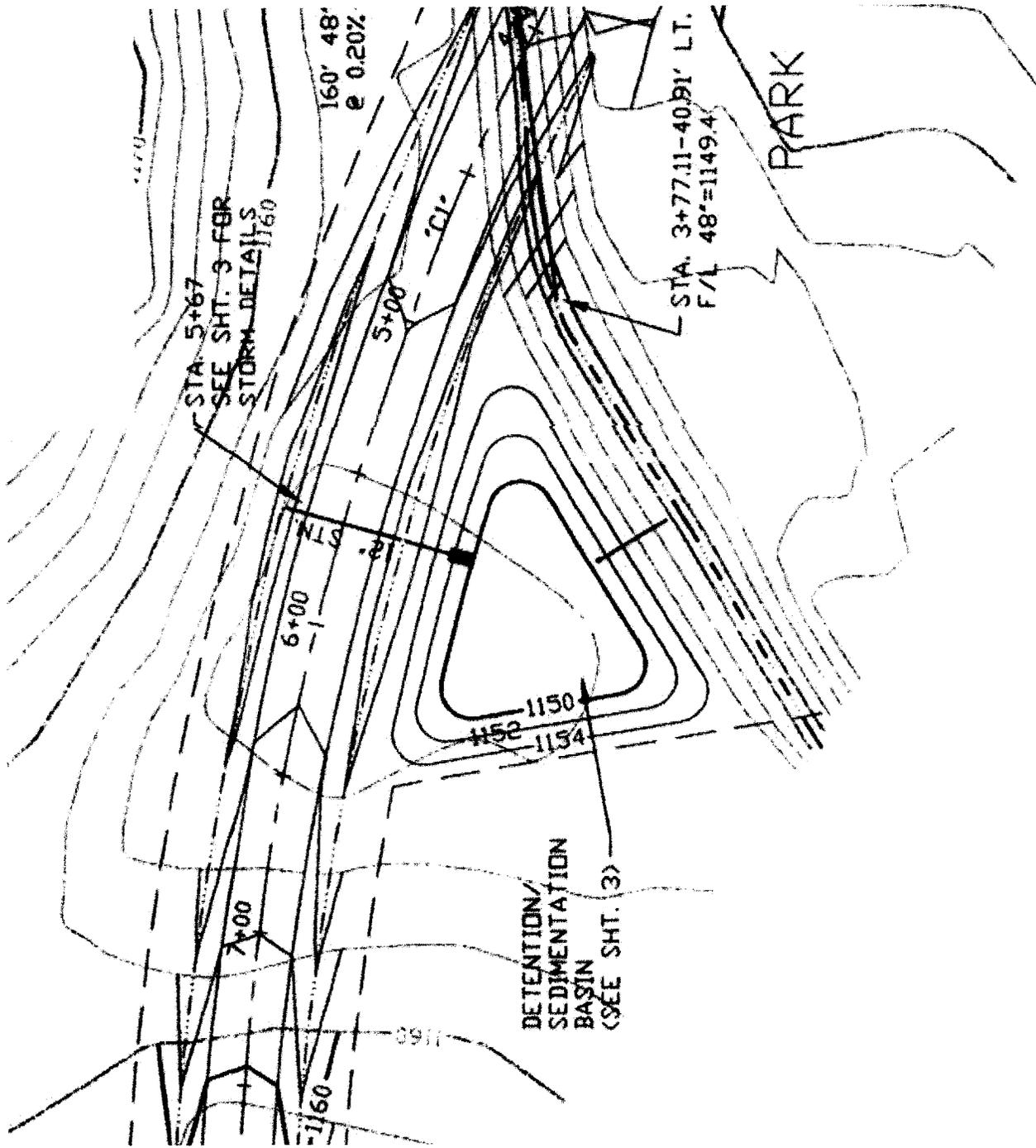
WOODS AT AUTUMN PARK - AUTUMN PARK DRIVE - PLAN & PROFILE



VADOSE RESEARCH, INC.
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com



VRI Job#: 2004061.1
 Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 1, 2005



South Detention Basin Plan



VADOSE RESEARCH, INC.

1435 MARKET AVENUE, NORTH

CANTON, OHIO 44714

888-454-6706

www.vadose.com



VRI Job#: 2004061.1

Applicant: Alpha Land Company

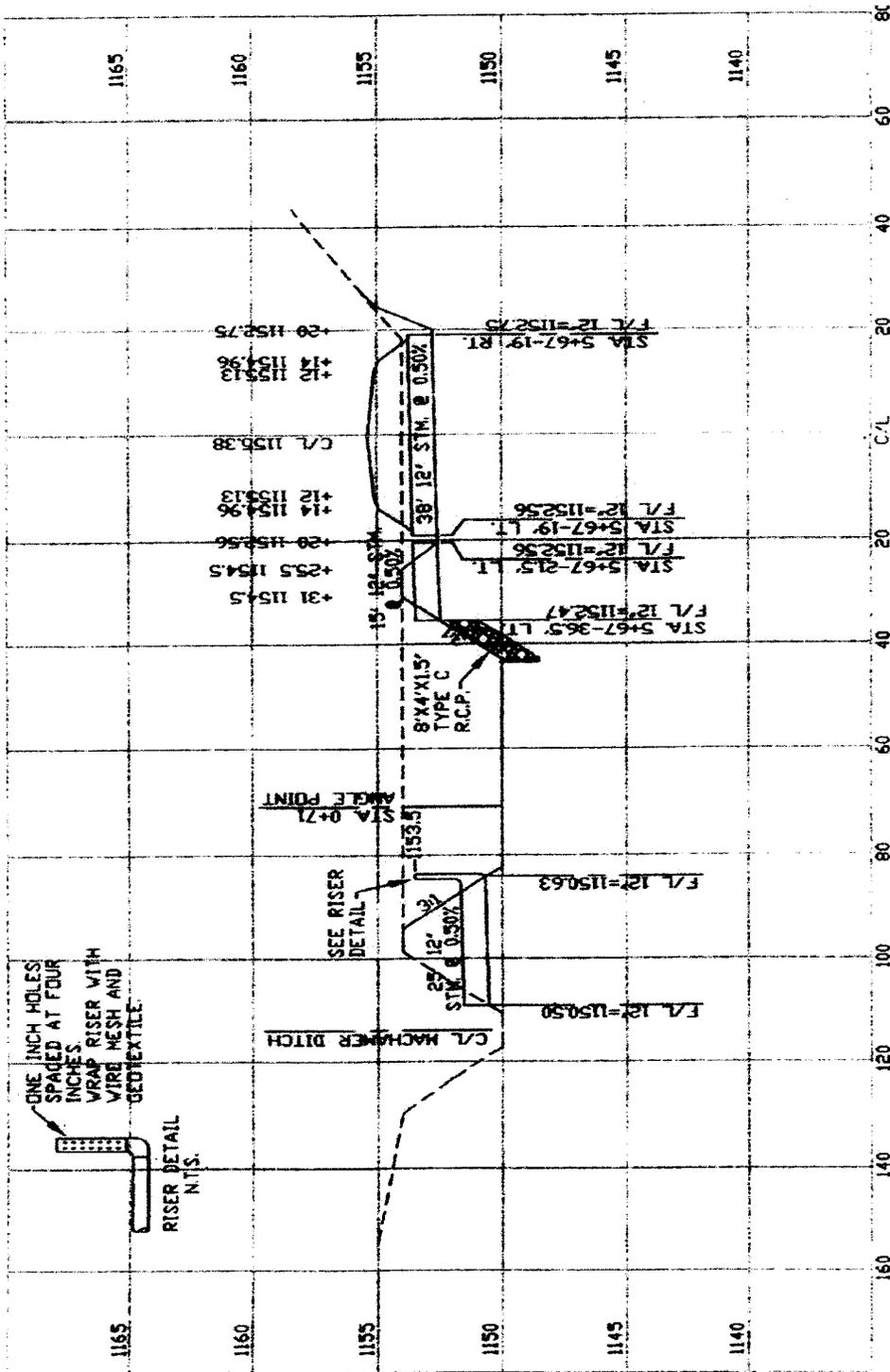
Project: The Woods at Autumn Park

Lake Township, Section 15 SE

Stark County, Ohio March 2, 2005

Map Scale: 1" = 30"

Sheet 8 of 11



CROSS SECTION STA. 5+67
DETENTION/SEDIMENTATION BASIN

South Detention Basin Cross-Section



VADOSE RESEARCH, INC.

1435 MARKET AVENUE, NORTH
CANTON, OHIO 44714

888-454-6706

www.vadose.com

VRI Job#: 2004061.1

Applicant: Alpha Land Company

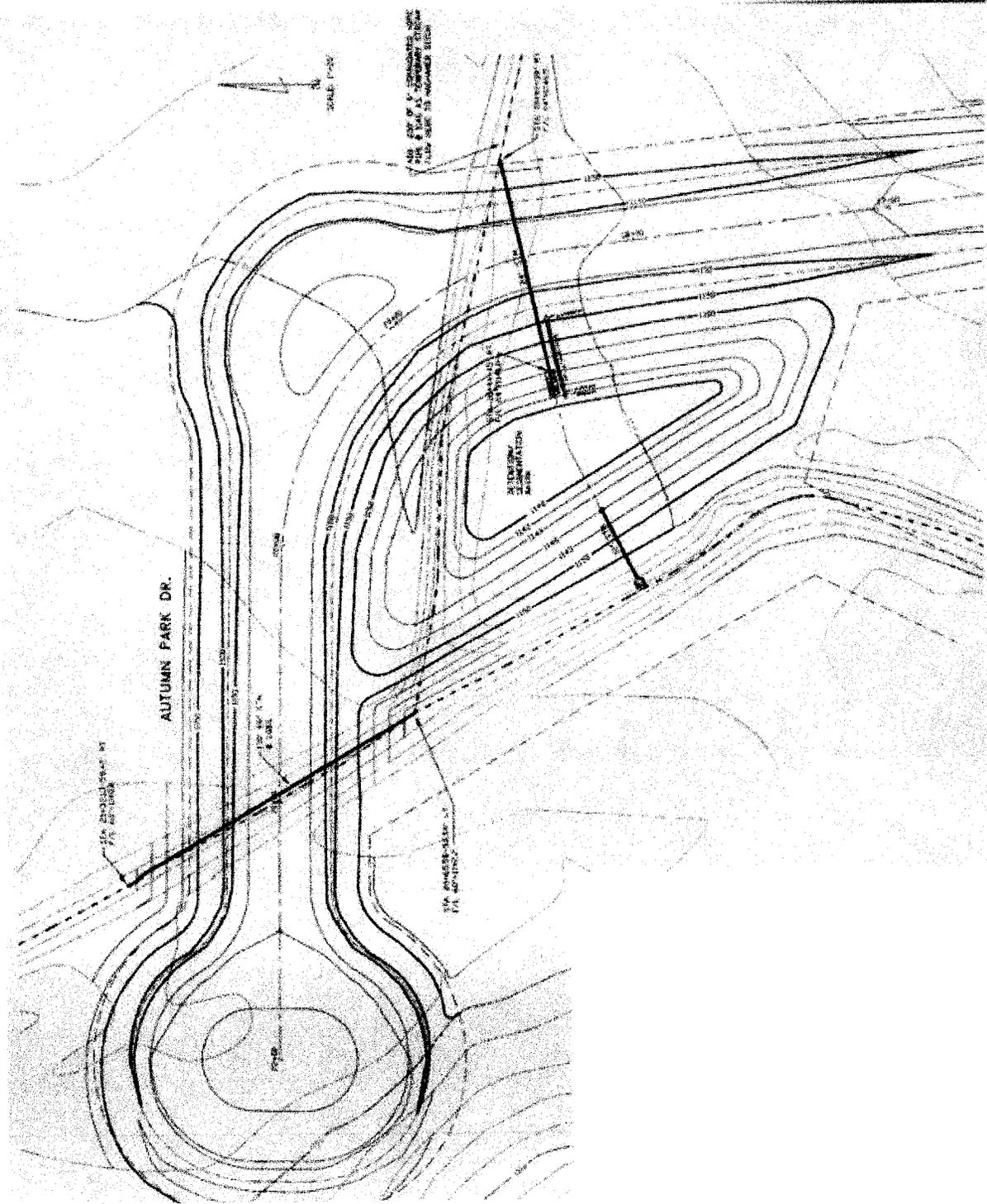
Project: The Woods at Autumn Park

Lake Township, Section 15 SE

Stark County, Ohio March 2, 2005

Map Scale: H- 1" = 35'

V- 1" = 7.5' Sheet 9 of 12



North Detention Basin Plan

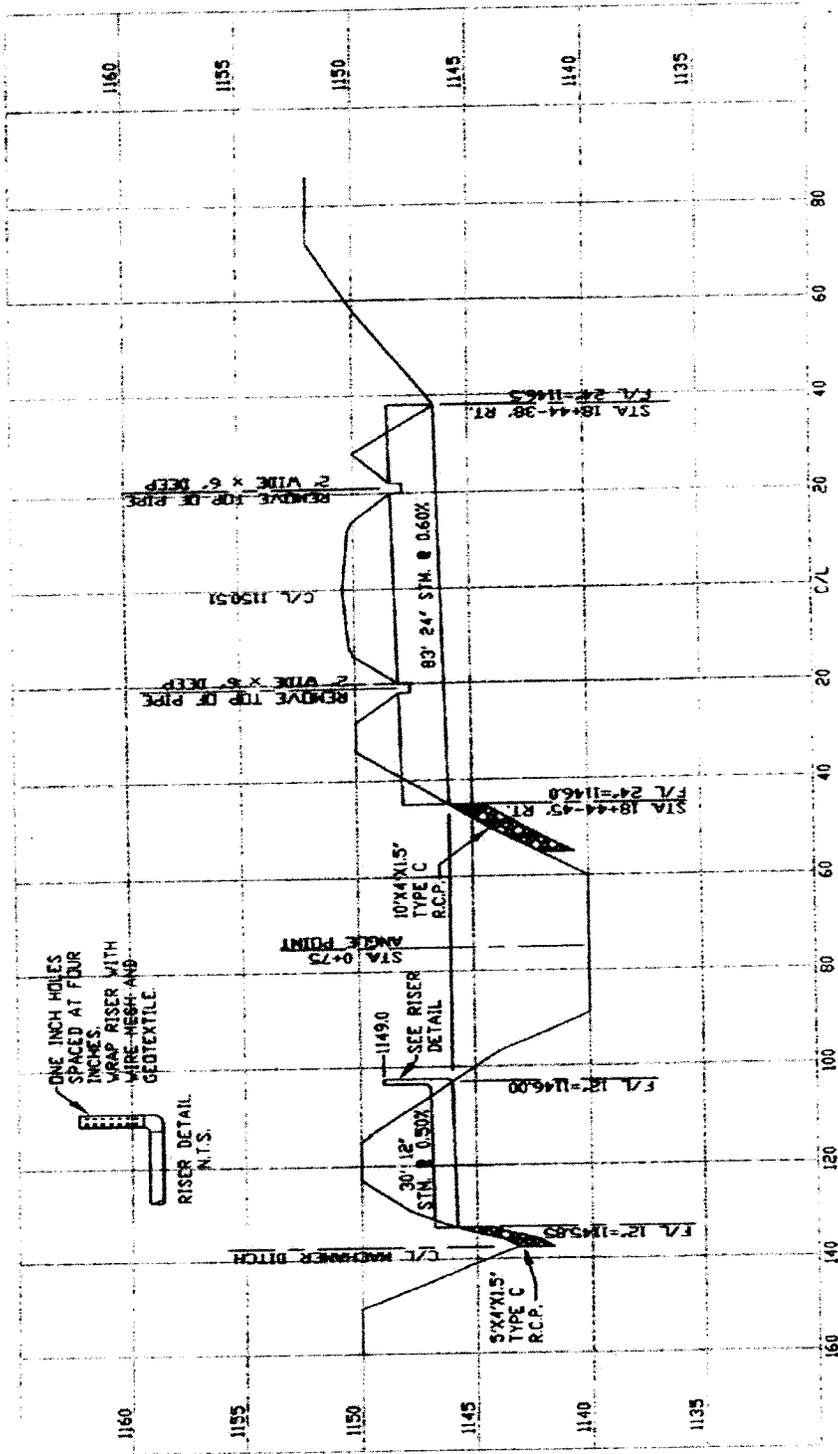


VADOSE RESEARCH, INC.
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com

VRI Job#: 2004061.1

Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 2, 2005

Map Scale: 1" = 65' Sheet 10 of 14

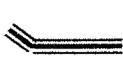
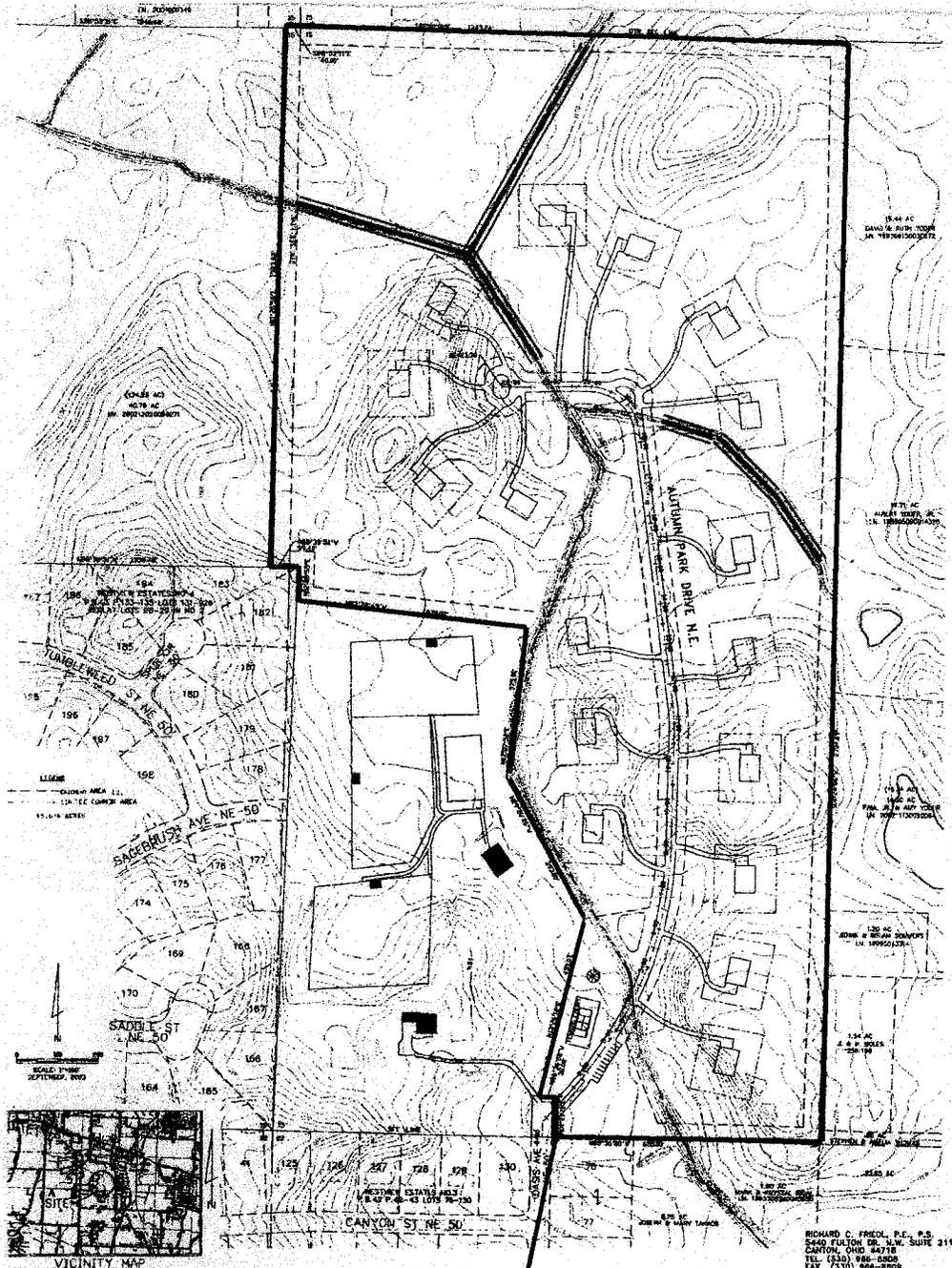


CROSS SECTION STA. 18+44
DETENTION/SEDIMENTATION BASIN

North Detention Basin Cross-Section

R **VADOSE RESEARCH, INC.**
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706
 www.vadose.com

VRI Job#: 2004061.1
 Applicant: Alpha Land Company
 Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio March 2, 2005
 Map Scale: H- 1" = 40' Sheet 11 of 12
 V- 1" = 8.3'



**POTENTIAL STREAM
MITIGATION AREAS**

SUBJECT PROPERTY

POTENTIAL STREAM MITIGATION AREAS MAP

VADOSE ENVIRONMENTAL CONSULTANTS
 1435 MARKET AVENUE, NORTH
 CANTON, OHIO 44714
 888-454-6706 www.vadose.com



VRI Job#: 2004061.2
Applicant: Alpha Land Company
Project: The Woods at Autumn Park
 Lake Township, Section 15 SE
 Stark County, Ohio **March 1, 2005**

Map Scale: 1" = 450' **March 11, 2005**

12 of 12