

Public Notice

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

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. LRP-2015-1049 Date: December 18, 2017

Notice No. 17-05 Revision 1-proposed mitigation change Closing Date: January 3, 2018

1. TO ALL 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.
2. APPLICANT: Shepherd of the Valley Lutheran Retirement Services, Inc.
5525 Silica Road.
Austintown, Ohio 44515
3. AGENT: Copperhead Environmental Consulting, Inc.
931 Royal Court
Canonsburg, Pennsylvania 15317
4. LOCATION: Wetlands abutting an unnamed tributary to Squaw Creek located south of Tibbets Wick Road, east of Keefer Road and north of Naylor-Lloyd Road in Liberty Township, Trumbull County, Ohio. Approximate center location of project is at 41.18185N, -80.67555W.
5. PURPOSE AND DESCRIPTION OF WORK: The Liberty Retirement Center project entails the construction of a proposed retirement center. Facilities include both independent and assisted living buildings, including the main building complex (skilled workers, assisted living and common area) and independent 6-plex living, independent apartment living, and independent row housing. Public and private parking for 456 spaces. Several storm water basins will also be constructed as well as access roadways. Fill and encroachment activities for the main complex building, road access, and independent living apartment will require the fill of approximately 5.53 acres of Category II non-forested wetlands. The applicant originally proposed to purchase In-Lieu fee credits of 5.52 acres of wetland mitigation credits and the enhancement of 13.8 acres of existing wetlands on the site to offset the impact. The applicant has revised the proposed mitigation for the project to purchase In-Lieu fee credits of 6 acres of wetland mitigation credits and the enhancement of 10.12 acres of existing wetlands on the site to offset the impact. The Location Map, Proposed Site Plan Minimal Degradation Alternative, Mitigation map and Proposed Wetland Impacts and Mitigation tables may be found at the following website by clicking on Public Notice number 17-05 Revision 1.

<http://www.lrp.usace.army.mil/Missions/Regulatory/Public-Notices/>

6. WATER QUALITY CERTIFICATION: A Permit will not be granted until Water Quality Certification is received or waived from:

Ohio Environmental Protection Agency (Ohio EPA)
Section 401 Coordinator
PO Box 1049
Columbus, Ohio 43266-0149
Telephone Number: 614-644-2001

7. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. The U.S. Fish and Wildlife Service issued TAILS# 03E15000-2016-TA-1190 dated June 20, 2016 in which they stated that 'Due to project, type, size, and location, we do not anticipate adverse effects to federally endangered, threatened, proposed, or candidate 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).

8. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515). The applicant conducted an investigation of the site as per comments received from the Ohio History Connection and a clearance letter dated July 5, 2017 was received.

9. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

10. EVALUATION: 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 which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the

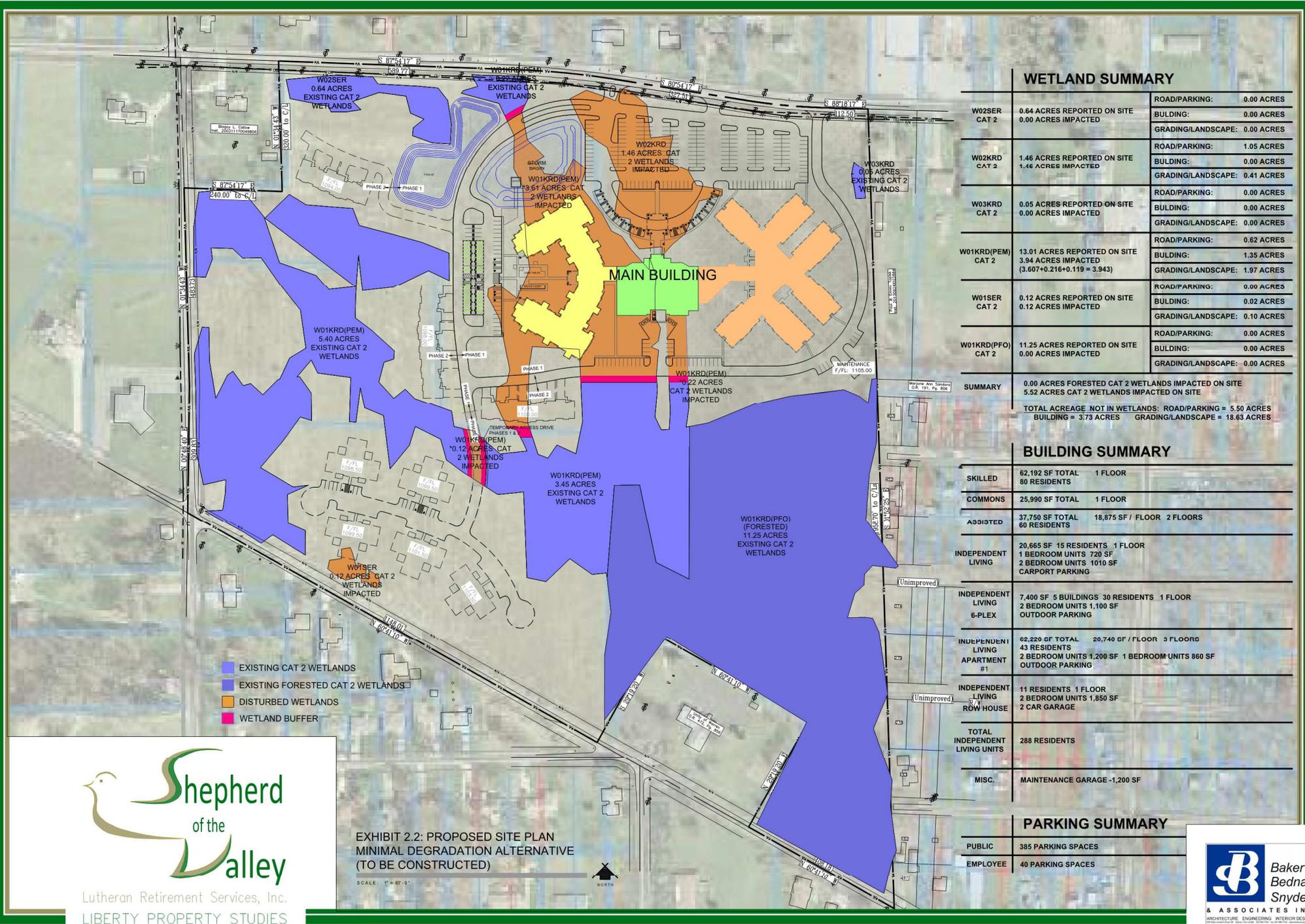
proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, 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 overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

11. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Matthew Mason at the above address, by telephoning (412) 395-7129, or by e-mail at Matthew.R.Mason@usace.army.mil. Please refer to CELRP-OP-F 2015-1049 in all responses.

FOR THE DISTRICT ENGINEER:

// Signed //

Nancy Mullen
Acting Chief, Regulatory Branch



WETLAND SUMMARY

W02SER CAT 2	0.64 ACRES REPORTED ON SITE 0.00 ACRES IMPACTED	ROAD/PARKING: 0.00 ACRES BUILDING: 0.00 ACRES GRADING/LANDSCAPE: 0.00 ACRES
W02KRD CAT 2	1.46 ACRES REPORTED ON SITE 1.46 ACRES IMPACTED	ROAD/PARKING: 1.05 ACRES BUILDING: 0.00 ACRES GRADING/LANDSCAPE: 0.41 ACRES
W03KRD CAT 2	0.05 ACRES REPORTED ON SITE 0.00 ACRES IMPACTED	ROAD/PARKING: 0.00 ACRES BUILDING: 0.00 ACRES GRADING/LANDSCAPE: 0.00 ACRES
W01KRD(PEM) CAT 2	13.01 ACRES REPORTED ON SITE 3.94 ACRES IMPACTED (3.607+0.216+0.119 = 3.943)	ROAD/PARKING: 0.62 ACRES BUILDING: 1.35 ACRES GRADING/LANDSCAPE: 1.97 ACRES
W01SER CAT 2	0.12 ACRES REPORTED ON SITE 0.12 ACRES IMPACTED	ROAD/PARKING: 0.00 ACRES BUILDING: 0.02 ACRES GRADING/LANDSCAPE: 0.10 ACRES
W01KRD(PFO) CAT 2	11.25 ACRES REPORTED ON SITE 0.00 ACRES IMPACTED	ROAD/PARKING: 0.00 ACRES BUILDING: 0.00 ACRES GRADING/LANDSCAPE: 0.00 ACRES
SUMMARY	0.00 ACRES FORESTED CAT 2 WETLANDS IMPACTED ON SITE 5.52 ACRES CAT 2 WETLANDS IMPACTED ON SITE	
TOTAL ACREAGE NOT IN WETLANDS: ROAD/PARKING = 5.50 ACRES BUILDING = 3.73 ACRES GRADING/LANDSCAPE = 18.63 ACRES		

BUILDING SUMMARY

SKILLED	62,192 SF TOTAL 80 RESIDENTS	1 FLOOR
COMMONS	25,990 SF TOTAL	1 FLOOR
ASSISTED	37,750 SF TOTAL 60 RESIDENTS	18,875 SF / FLOOR 2 FLOORS
INDEPENDENT LIVING	20,665 SF 15 RESIDENTS	1 FLOOR 1 BEDROOM UNITS 720 SF 2 BEDROOM UNITS 1010 SF CARPORT PARKING
INDEPENDENT LIVING 6-PLEX	7,400 SF 5 BUILDINGS 30 RESIDENTS	1 FLOOR 2 BEDROOM UNITS 1,100 SF OUTDOOR PARKING
INDEPENDENT LIVING APARTMENT #1	62,220 SF TOTAL 43 RESIDENTS	20,740 SF / FLOOR 3 FLOORS 2 BEDROOM UNITS 1,200 SF 1 BEDROOM UNITS 860 SF OUTDOOR PARKING
INDEPENDENT LIVING ROW HOUSE	11 RESIDENTS	1 FLOOR 2 BEDROOM UNITS 1,850 SF 2 CAR GARAGE
TOTAL INDEPENDENT LIVING UNITS	288 RESIDENTS	
MISC.	MAINTENANCE GARAGE-1,200 SF	

PARKING SUMMARY

PUBLIC	385 PARKING SPACES
EMPLOYEE	40 PARKING SPACES

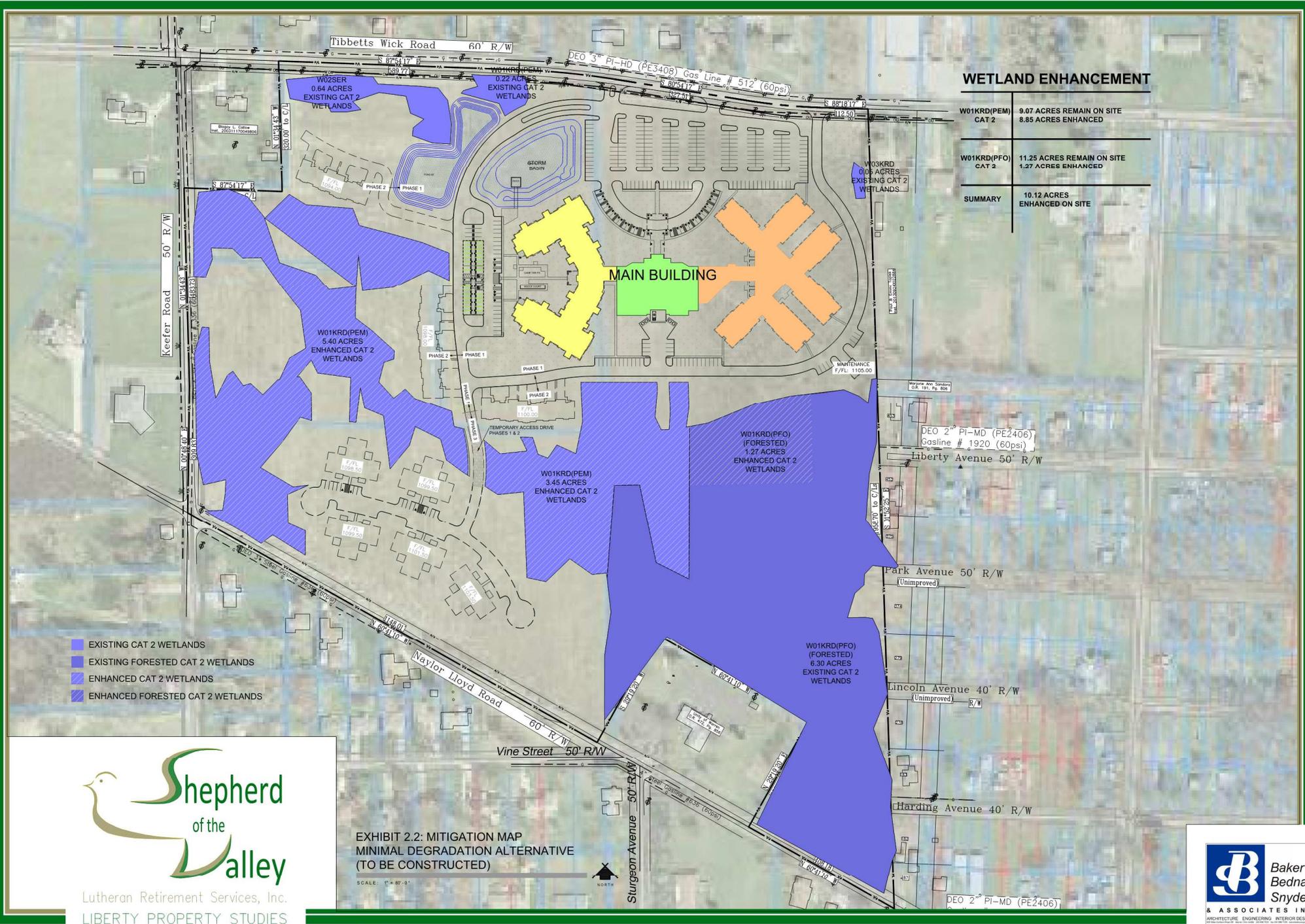


Lutheran Retirement Services, Inc.
LIBERTY PROPERTY STUDIES

EXHIBIT 2.2: PROPOSED SITE PLAN
MINIMAL DEGRADATION ALTERNATIVE
(TO BE CONSTRUCTED)

SCALE: 1" = 80'-0"





- EXISTING CAT 2 WETLANDS
- EXISTING FORESTED CAT 2 WETLANDS
- ENHANCED CAT 2 WETLANDS
- ENHANCED FORESTED CAT 2 WETLANDS



Lutheran Retirement Services, Inc.
LIBERTY PROPERTY STUDIES

EXHIBIT 2.2: MITIGATION MAP
MINIMAL DEGRADATION ALTERNATIVE
(TO BE CONSTRUCTED)

SCALE: 1" = 80'-0"





Application for Section 401 Water Quality Certification — Proposed Wetland Impacts and Mitigation

Division of Surface Water 401 Water Quality Certification and Isolated Wetland Permitting Unit

Wetlands Onsite and Proposed Impacts											
Wetland ID	ORAM Score	Category	Cat. Verified by Ohio EPA?	Ohio EPA Reviewer who Verified	Acreage Onsite	Preferred Alternative			Minimal Degradation Alternative		
						Impact Acreage		Impact Type	Impact Acreage		Impact Type
						Forested	Non		Forested	Non	
WO1KRD (PEM)	47	2	<input checked="" type="checkbox"/>	Wilk	13.01		5.22	Fill	0	3.95	Fill
WO1KRD (PFO)	50	2	<input checked="" type="checkbox"/>	Wilk	11.25	0.46	0	Fill	0	0	Choose an item.
WO2KRD	39	2	<input checked="" type="checkbox"/>	Wilk	1.46		1.46	Road Crossing	0	1.46	Road Crossing
WO3KRD	32	2	<input checked="" type="checkbox"/>	Wilk	0.05		0	Choose an item.	0	0	Choose an item.
WO1SER	39	2	<input checked="" type="checkbox"/>	Wilk	0.12		0.12	Fill	0	0.12	Fill
WO2SER	39	2	<input checked="" type="checkbox"/>	Wilk	0.64		0	Choose an item.	0	0	Choose an item.
Wetland Acreage Totals					26.53	0.46	6.80		0.00	5.53	
Totals – Category 1 Wetlands					0.00	0.00	0.00		0.00	0.00	
Totals – Category 2 Wetlands					26.53	0.46	6.80		0.00	5.53	
Totals – Category 3 Wetlands					0.00	0.00	0.00		0.00	0.00	

Proposed Wetland Mitigation (Check All That Apply) Preferred Alternative			
<input type="checkbox"/> Wetland Mitigation Bank Mitigation Bank: Choose an item.	Number of Forested Credits: Number of Non-Forested Credits: Number of Buffer Credits:	Type of Credits (if applicable): Choose an item. Type of Credits (if applicable): Choose an item. Type of Credits (if applicable): Choose an item.	Proof of Reservation? <input type="checkbox"/>
<input checked="" type="checkbox"/> In-Lieu Fee Program	ILF Sponsor: Stream + Wetlands Foundation	Number of Wetland Credits: 7.26 Number of Buffer Credits:	
<input checked="" type="checkbox"/> On-Site Permittee-Responsible Mitigation	<input type="checkbox"/> Restoration/Creation Choose an item. <input type="checkbox"/> Preservation Choose an item.	<input checked="" type="checkbox"/> Enhancement 18.2 Acres <input type="checkbox"/> Other Click here to enter text.	
<input type="checkbox"/> Off-Site Permittee-Responsible Mitigation	<input type="checkbox"/> Restoration/Creation Choose an item. Acres <input type="checkbox"/> Preservation Choose an item. Acres	<input type="checkbox"/> Enhancement Choose an item. Acres <input type="checkbox"/> Other Click here to enter text.	
Proposed Wetland Mitigation (Check All That Apply) Minimal Degradation Alternative			
<input type="checkbox"/> Wetland Mitigation Bank Mitigation Bank: Choose an item.	Number of Forested Credits: Number of Non-Forested Credits: Number of Upland Buffer Credits:	Type of Credits (if applicable): Choose an item. Type of Credits (if applicable): Choose an item. Type of Credits (if applicable): Choose an item.	Proof of Reservation? <input type="checkbox"/>
<input checked="" type="checkbox"/> In-Lieu Fee Program	ILF Sponsor: Stream + Wetlands Foundation	Number of Wetland Credits: 6.00 Number of Buffer Credits:	Proof of Reservation? <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> On-Site Permittee-Responsible Mitigation	<input type="checkbox"/> Restoration/Creation Choose an item. <input type="checkbox"/> Preservation Choose an item.	<input checked="" type="checkbox"/> Enhancement 10.12 Acres <input type="checkbox"/> Other Click here to enter text.	
<input type="checkbox"/> Off-Site Permittee-Responsible Mitigation	<input type="checkbox"/> Restoration/Creation Choose an item. Acres <input type="checkbox"/> Preservation Choose an item. Acres	<input type="checkbox"/> Enhancement Acres <input type="checkbox"/> Other Click here to enter text.	