Ohio Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

September 21, 2015

Notice of Issuance of a Limited Environmental Review and Final Finding of No Significant Impact to All Interested Citizens, Organizations and Government Agencies

Northeast Ohio Regional Sewer District (NEORSD) and Western Reserve Land Conservancy
Twinsburg Bog II
Water Resource Restoration Sponsor Program (WRRSP)
WPCLF Loan Number: WR391499-0009

The purpose of this notice is to advise the public that Ohio EPA has reviewed the above-referenced project and finds that neither an Environmental Assessment (EA) nor a Supplemental Study (SS) is required to complete the environmental review of the project. Instead, this project meets the criteria for a Limited Environmental Review (LER). These criteria are summarized below in this document and in the attached LER.

The proposed WRRSP project involves the fee simple acquisition of a 43-acre parcel including high quality wetlands and a portion of Tinker's Creek. This project will protect property that is at risk of being developed in an area where residential development is common. The project will help to ensure that the existing aquatic resources remain undisturbed in perpetuity.

The LER was completed for this project as it will not individually, cumulatively over time, or in conjunction with other Federal, State, local, or private actions have a significant adverse effect on the quality of the human environment. Consequently, a Finding of No Significant Impact can be issued now for this project.

The Water Pollution Control Loan Fund (WPCLF) program requires the inclusion of environmental factors in the decision-making process for project approval. Ohio EPA has done this by incorporating a detailed analysis of the environmental effects of the proposed action in its review and approval process. Environmental information was developed as part of the facilities planning process. A subsequent review by this Agency has found that the proposed action does not require the preparation of an EA or an SS.

Our environmental review concluded that because the proposed project is limited in scope and meets all applicable criteria, a Limited Environmental Review is warranted. Specifically, the project will provide for the protection of 43 acres of aquatic resources and the surrounding habitat. Furthermore, the proposed project:

- has no significant environmental effect;
- does not require extensive specific impact mitigation;
- has no effect on high value environmental resources;

- is cost effective;
- is not a controversial action;
- does not create a new, or relocate an existing discharge to surface or ground waters;
- will not result in substantial increases in the volume of discharge or the loading of pollutants from an existing source or from new facilities to receiving waters; and
- will not provide capacity to serve a population substantially greater than the existing population.

A map depicting the location of the project is included as part of the LER. The LER presents information on the proposed project, its costs, and the basis for our decision. Further information can be obtained by calling or writing the contact person listed on the back of the LER.

Upon issuance of this determination, a loan award may proceed without being subject to further environmental review or public comment, unless information is provided which determines that environmental conditions for the proposed project have changed significantly.

Sincerely,

Jerry Rouch

Jerry Rouch, Assistant Chief
Division of Environmental and
Financial Assistance

Attachment

LIMITED ENVIRONMENTAL REVIEW

A. Project Identification

Name:	Twinsburg Bog II
Sponsor:	Northeast Ohio Regional Sewer District 3900 Euclid Avenue Cleveland, Ohio 44115
Implementer:	Western Reserve Land Conservancy 3850 Chagrin River Road Moreland Hills, Ohio 44022
WPCLF Loan #:	CS391430-0123
WRRSP Loan #:	WR391499-0009

B. Project Summary

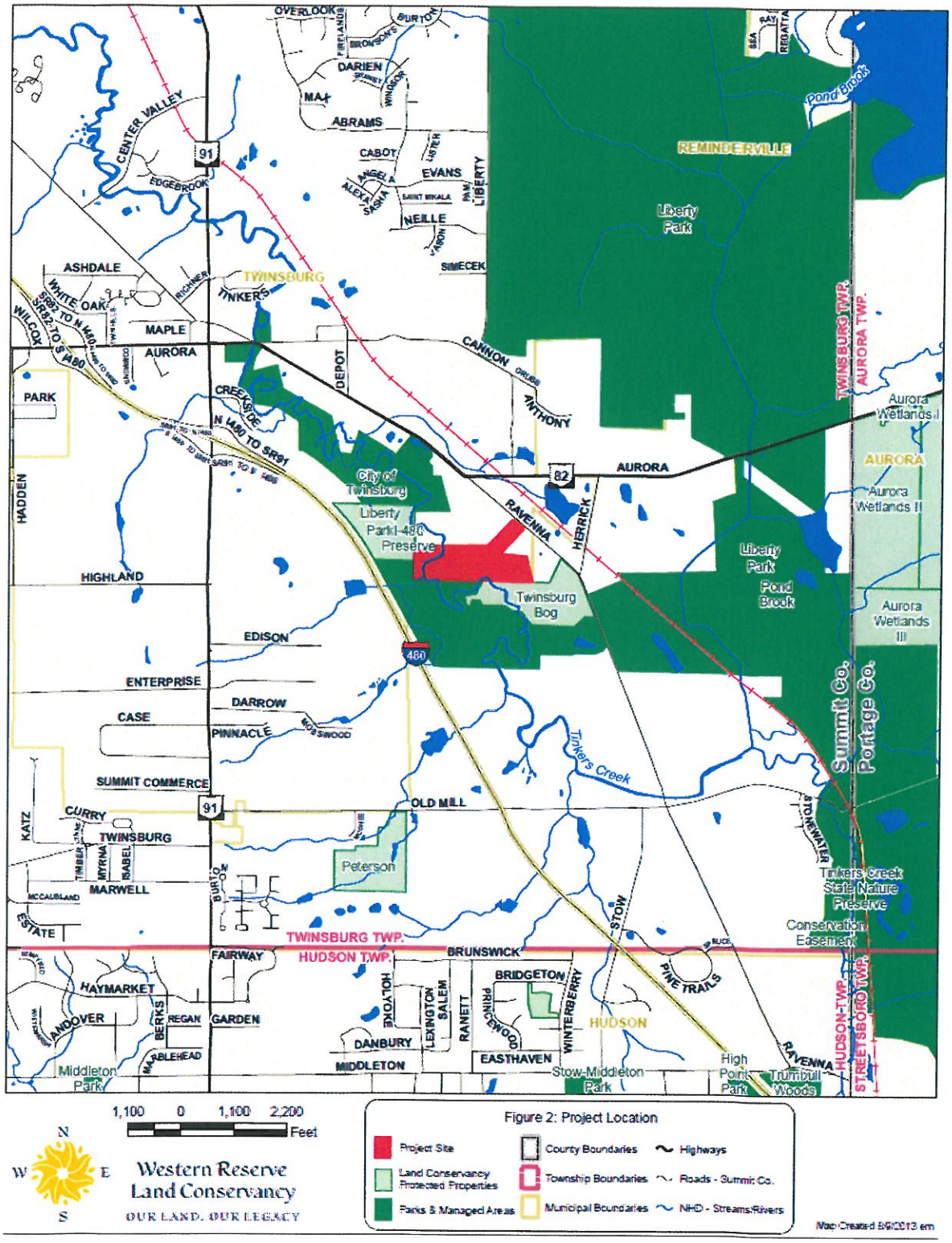
The Northeast Ohio Regional Sewer District (NEORSD) has applied to the Ohio Water Pollution Control Loan Fund (WPCLF) for an estimated $10,500,000 low interest loan for the Mary Street Pump Station Upgrade project. In conjunction with this loan, NEORSD also intends to sponsor a Water Resource Restoration Sponsor Program (WRRSP) project. NEORSD will provide up to $680,800 in WRRSP funds to Western Reserve Land Conservancy for the purchase of a 43 acre parcel preserving streams and wetlands in Summit County[1]. Acquiring the property for the purpose of perpetual protection is the goal of the Twinsburg Bog II project. Implementation of the WRRSP project will be completed by Western Reserve Land Conservancy, while the long-term oversight and ownership of the property is expected to be transferred to Summit Metro Parks. NEORSD anticipates construction for its WPCLF-funded Mary Street Pump Station Upgrade project to begin in late 2015, and be completed in by October 2017. This environmental review covers only the Twinsburg Bog II project. NEORSD's Mary Street Pump Station Upgrade project is covered in a separate environmental review document.

The Water Resource Restoration Sponsor Program is an Ohio EPA initiative that provides funds, through WPCLF loans for publicly-owned treatment works, to counter the loss of ecological function and biological diversity that jeopardizes the health of Ohio's water resources. Funds for WRRSP projects are made available by advancing a portion of the estimated amount of interest to be repaid by the sponsor over the life of the loan, and are based upon the initial principal amount (less the project contingency), the term of the loan and the interest rate. WRRSP projects address the protection or restoration of high quality aquatic habitat in Ohio streams, rivers, or wetlands. The sponsoring community benefits from sponsoring a WRRSP project by receiving a 0.1 percent reduction in its already below-market WPCLF interest rate.

Purchase of this 43-acre parcel for the Twinsburg Bog II project will permanently protect the streams and wetlands on this site, whose quality is threatened by residential development in the

[1] See Section F "Estimated Project Costs" for more information.

area. The water quality benefits and environmental benefits will be realized not only on site, but in the downstream waters including Tinker's Creek and the Cuyahoga River. Please see the figure below for the general location of the proposed project.



C. Introduction and Existing Condition

Tinker's Creek is designated as a warmwater habitat (WWH) and is the largest tributary to the Outstanding State Water-designated Cuyahoga River. This project includes a portion of Tinker's Creek as well as 24.5 acres of a larger Category 3 wetland that extends off the site. Category 3 wetlands are the highest of a three category system used in Ohio, and are defined by supporting superior habitat, hydrological, or recreational functions and are typified by high levels of diversity, high proportions of natives species, or high functional values. The wetlands on the project site were evaluated by the Ohio Rapid Assessment Method and verified to be of the highest quality. The site is contained within the Town of Twinsburg-Tinkers Creek (041100020504) 12-digit HUC watershed, which drains into the Cuyahoga River. The water resource totals for this site include 24.5 acres of Category 3 wetlands and 1,430 LF of Tinker's Creek.

The project site is characterized by forest land, including floodplain, stream corridor, and wetlands. Based on the age of the trees and successional growth it appears a few of the forested areas were logged between 20 and 30 years ago. Historically, the site was used for agriculture and residential purposes, but it appears the area was never developed extensively.

The project site is located at the south of Ravenna Road on the southeast side of Twinsburg in Summit County. This part of the city is primarily single family residential lots. The land use surrounding this parcel consists of residential and protected tracts. The tracts to the west and south are owned by the City of Twinsburg and Summit County Metroparks. The acquisition of this site and the implementation of the Twinsburg Bog II management plan will protect important high quality wetlands and an important section of the upper Tinker's Creek watershed. Three state threatened species (Showy Lady's-slipper, Bearded Wheat Grass, and Tuberous Grasspink) have been documented on this site, as well as several other rare plant species such as Hoary Willow, Autumn Willow, Swamp-oats, and Green Cotton-grass. These state-listed species will all receive protection as a result of the project.

D. Project Description

As noted above, 24.5 acres of wetland and 1,430 linear feet of Tinker's Creek have been identified on the 43 acre subject property. Western Reserve Land Conservancy proposes to preserve this property by exercising its purchase agreement and managing the property for its biodiversity values. Western Reserve Land Conservancy (WRLC) has negotiated to transfer ownership of the property after its purchase to Summit Metro Parks, but will retain an interest in the property as the holder of a conservation easement. The property will be protected in perpetuity by an Environmental Covenant between the Summit Metro Parks and Ohio EPA, as well as the conservation easement held by WRLC. This action will protect the water quality and the natural resources, and preclude the property from being developed, residentially or otherwise. Permanent protection is an extremely effective means of protecting water resources.

In addition to the permanent protection, the properties will be managed in a fashion that is consistent with the approved Twinsburg Bog II Management Plan by Summit Metro Parks and Western Reserve Land Conservancy staff. This management plan includes provisions for the control of invasive species; deer population controls; stream and wetland monitoring; and various other natural resource management activities[2].

---

[2] Invasive species are plants or animals non-native (or alien) to the ecosystem under consideration, and whose introduction causes or is likely to cause economic or environmental harm, or harm to human health.

The Twinsburg Bog II Protection project site will be protected in perpetuity through property use restrictions. These use restrictions are specifically spelled out in the Environmental Covenant, which will be attached to the deed. Above any other competing management objectives, the protection and preservation of the water resources, as specified in the Environmental Covenant, shall take priority in the management of the WRRSP acquired properties/easements. These restrictions will be similar to the following:

- There shall be no agricultural, industrial, commercial, or residential activity undertaken or allowed on the Property.

- The Property may not be divided, partitioned, subdivided or conveyed except in its current configuration.

- No buildings, or other structures including, but not limited to, billboards or advertising of any kind, camping accommodations, and mobile homes shall be erected or placed on the Property.

- There shall be no mining, drilling, exploring for or removal of minerals, oil or gas from the Subject Property.

- Except as may be necessary for reasonable preservation, management and restoration purposes, there shall be no ditching; draining; diking; filling; excavating, or removal of topsoil, sand, gravel, rock or other materials.

- There shall be no manipulation or alteration of wetlands, creeks, streams, surface or subsurface springs or other bodies of water. Reasonable alterations to surface water bodies and their associated riparian zones within the Subject Property may be permitted for the purpose of protecting or improving water quality or aquatic habitat, upon the condition that prior to any such alterations, a plan for such activities shall be proposed in writing by the Owner or any Transferee and shall be approved by Ohio EPA, or shall be approved as an amendment to the Plan.

- There shall be no open dumping.

- There shall be no building of new roads or other rights-of-way. Existing roads may be maintained, but shall not be widened or improved.

- There shall be no operation of automobiles, trucks, snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other motorized recreational vehicles.

- In order to maintain the ecological balance of the Property or to protect human health and safety, hunting and trapping may be permitted only in accordance with State regulations and as authorized by the Owner, and in a manner that will not adversely affect the natural resources or water quality values of the site.

- Except in areas already identified in the Plan as being disturbed, and as may be

necessary for reasonable preservation, management or restoration purposes, to protect human health and safety, or to maintain a diversity of naturally-occurring habitat types and control of exotic, non-native species of plants, there shall be no removal, destruction, cutting, trimming or mowing of any trees or other vegetation. No non-native species shall be introduced to the Property.

- Except as may be necessary for reasonable preservation, management, or restoration purposes, to protect human health and safety, or to prevent the spread of non-native species, there shall be no use of fertilizers, insecticides, fungicides, or rodenticides. Herbicides may be used for the control of state designated noxious weeds and for the control of other invasive exotic plant species consistent with best management practices.

E. Management, Restoration and Maintenance

Restoration activities are not proposed for the Twinsburg Bog II Protection project. However, if restoration projects are planned in the future they would require approval by Ohio EPA under the conditions of the Environmental Covenant. Although Western Reserve Land Conservancy will have a yearly obligation to visit and monitor the property, Summit Metro Parks will have the lead responsibility for implementing the approved protection and management plan, including the control of invasive species, deer populations, and the monitoring of water resources. Summit Metro Parks owns and manages thousands of acres of parks and conservation areas, has community support and trained full and part-time staff. As such, Summit Metro Parks is well qualified to manage and maintain the Twinsburg Bog II Protection project.

F. Estimated Project Costs

Western Reserve Land Conservancy has a purchase agreement with the current land owner to purchase the 43 acre property for $650,000. The WRRSP award is expected to contribute the funds for the purchase price, with additional funding provided for the proposed restoration activities. The final WRRSP amount will be based upon the actual acquisition costs incurred, but will not exceed the $680,800 amount that is expected to be awarded for the WRRSP project at the time of the WPCLF loan award to the sponsoring NEORSD project.

G. Project Schedule

A WPCLF loan is anticipated to be awarded to the Northeast Ohio Regional Sewer District on October 29, 2015. The WRRSP dollars associated with this sponsoring loan will be available until one year after the Initiation of Operation for NEORSD's Mary Street Pump Station Upgrade project.

H. Public Notification

The sponsorship of this project has been discussed during NEORSD Board Meetings. The sponsorship of the Twinsburg Bog II Protection project will benefit NEORSD by reducing the interest rate on an approximate $10,500,000 loan, and will benefit people within NEORSD's service area and the citizens of Ohio by helping preserve a high quality water resource. A board resolution will authorize NEORSD to sponsor the Twinsburg Bog II Protection project in conjunction with its Mary Street Pump Station Upgrade Project. NEORSD and Western Reserve

Land Conservancy have entered into a formal sponsorship agreement. Ohio EPA is unaware of any opposition to the Twinsburg Bog II Protection WRRSP project.

Ohio EPA will issue a copy of its Limited Environmental Review (LER) decision and Finding of No Significant Impact to interested parties. Supporting documentation for the LER decision is available for public inspection upon request from the contact person listed at the end of this report.

I. Planning Information

The following agencies have been provided information regarding the proposed project:

Ohio Environmental Protection Agency
Ohio Department of Natural Resources
State Historical Preservation Office

Proposed activities for the purchase and protection of the property in the Twinsburg Bog II Protection project area are detailed in a Protection Plan developed by the Western Reserve Land Conservancy. This Plan has been reviewed by Ohio EPA's Division of Environmental and Financial Assistance. No negative comments regarding the proposed project have been received as of the date of this report.

J. Application of Limited Environmental Review Criteria

Ohio EPA conducts environmental reviews of all projects prior to WPCLF financing. The proposed project meets the general project type criteria for a LER; namely, it is a water quality protection project consisting of non-structural practices. Furthermore, the project meets the other qualifying criteria for a LER; specifically, the proposed project:

- *has no significant adverse environmental effect*, as the planning activities for the project identified no potential adverse impacts on the quality of the human environment or on sensitive resources such as floodplains, wetlands, riparian areas, prime or unique agricultural lands, aquifer recharge zones, archaeological or historically significant sites, or threatened or endangered species. In fact, the proposed project will have beneficial environmental impacts to several of the above-listed features.

- *does not require extensive specific impact mitigation*, as the proposed project involves land (and easement) purchases for the protection of high quality aquatic resources, not land-disturbing activities.

- *has no adverse effect on high value environmental resources*, as it will permanently protect wetlands and streams as well as the associated upland and floodplain habitat, and will not disturb existing resources, as noted above.

- represents a long-term solution to an identified water quality threat (development and urbanization) currently facing the watershed, *the cost of which is reasonable* considering monetary and non-monetary factors. The acquired properties will be permanently protected and maintained by Summit Metro Parks. Preserving high quality environmental areas is less expensive than, and preferable to, trying to restore them.

- *is not a controversial action*, as it will be a voluntary action on the part of the existing landowners and no significant public opposition has been expressed.

- *does not create a new, or relocate an existing, discharge to surface or ground waters*, since the proposed project does not involve wastewater treatment or a point source discharge.

- *will not result in substantial increases in the volume of discharge or loading of pollutants from an existing source or from new facilities to receiving waters*, since the proposed project does not involve wastewater treatment or a point source discharge.

- *will not provide capacity to serve a population substantially greater than the existing population*, since the proposed project is not a publicly-owned wastewater treatment works, designed to serve a designated area. Instead, it is a land purchase/protection project for a high quality aquatic resource.

K. Contact Person

For further information, please contact:

Jeff Boyles, Environmental Specialist
Ohio EPA, Division of Environmental & Financial Assistance
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-3656

E-mail: Jeffrey.Boyles@epa.ohio.gov