



Ohio Chapter Sierra Club
131 N. High Street, Ste. 605
Columbus, OH 43215

December 10, 2018

To: Ohio Environmental Protection Agency Division of Surface Water Permits Processing
Attention: Division Chief Kavalec and Director Butler

First and foremost, a seven day comment period surrounding a project projected to fill 16.34 acres of wetlands, all of which are Category 2 and 94.5% of those are forested, seems a barrier to public involvement. Additional comments are detailed below.

- a. Sierra Club requests that the OEPA re-evaluate the wetland category based on wetlands relative functions, especially dealing with water storage (section B. b. iv) of the wetland antidegradation OAC 3745-1-540. Described on page 19 (4.3) of the application it is stated that “This resource is located partially on the western periphery of the Project Area and abuts Mosquito Creek. The Project will not involve work within the 100 year floodplain of Mosquito Creek so this resource will not be impacted by the Project.” However, it is clear that part of the development is going to impact the 100 year floodplain. It is also clear that existing infrastructure is located on the 100 year floodplain, furthering the potential impacts of filling these wetlands. Given consideration to changes in FEMA funding and subsidies for flood insurance, it is unclear how much taxpayers would ultimately be responsible for flooding expenses. Additionally, this proposed development area is widely known to be prone to flooding.
- b. Sierra Club requests that the Howland Township Comprehensive Community Plan be taken into consideration. The Howland Township Comprehensive Community Plan was adopted by Township Trustees in 2010 after an 18-month planning process lead by township residents, business owners, and community leaders. Priority was deliberately placed on natural resource preservation. Since its adoption the Township has passed Riparian and Wetland setback regulations, modernized its parking regulations to cap the number of parking spaces while incorporating green infrastructure requirements, purchased or have partnered with others to protect hundreds of acres of critical

environmental resources, most of which is along the Mosquito Creek Corridor. The project site is situated in the Mosquito Creek Corridor in between and adjacent to protected conservation areas, according to the Trumbull County Auditor: 141 acres directly to the west and owned by the Trumbull County Metro parks and 84 acres directly to the north and owned by Howland Township, both were purchased with Clean Ohio funds. Howland Township prepared a Clean Ohio grant application to purchase the 82 acres of the project site but was outbid at the last minute by the current owner, North Eastwood LLC. The Clean Ohio process requires Township approval via the passage of a resolution of support. The resolution is on file and demonstrates the community's intent to proactively protect this corridor. They have followed through on this intent in the form of the following land preserved:

- Purchased 13 acres on Mosquito Creek – Clean Ohio Fund 2011
 - Purchased 84 acres on Mosquito Creek - Clean Ohio Fund 2010
 - Purchased 142 acres on Mosquito Creek - Clean Ohio Fund 2008/2009
 - Facilitated acquisition of 65.98-acres behind Super Wal-Mart in Bazetta , 2007 (Located within the Mosquito Creek Corridor)
 - Purchased 136 acres - Mahoning River in Weathersfield - Clean Ohio Fund 2006/07
 - Purchased 71.55-acres on the Mahoning River - Clean Ohio Fund 2006/07
 - Purchase of 12.5-acres on the Mahoning River in Braceville - Clean Ohio Fund 2005
 - Purchase of 100.5-acres on Mosquito Creek - Clean Ohio Fund 2004
 - Purchase of 135.43-acres on Mosquito Creek - Clean Ohio Fund 2003
 - Assisted application to purchase 119.6-acres in the Howland Wildlife Preserve in the Mosquito Creek Corridor - Clean Ohio Fund 2002
 - Prior to the passage of the Clean Ohio program by voters, Howland Township acquired approximately 200 acres in the Mosquito Creek Corridor.
- c. Sierra Club requests it be evaluated to determine if the applicant violates either the PCA or the PDA governing this area? If so, it must be justified. The Trumbull Co. Planning Commission (TCPC) identified areas of the Lower Mosquito Watershed that were suitable for economic development; Priority Development Area (PDA) and areas that should be conserved for their environmental value, Priority Conservation Area (PCA). The PDA considered at least nine factors important to land development. The criteria considered for the PCA included: surface water, special flood hazard areas, wetlands, hydric soils, soils prone to flooding, steep slopes, preserved lands, riparian setbacks (120 ft. from Mosquito Creek), and areas targeted for protection or restoration. All of the Enterprise Park lies outside areas designated by the Trumbull County Planning Commission as Priority Areas for Development. The proposed Enterprise Park has ignored the work of the local planning commission. In fact, the work of the TCPC is not even referenced in the Enterprise Park application. At least part of the Enterprise Park is on land designated by the TCPC as Priority Conservation Area. This is land that the

TCPC believes has sufficient long term environmental value, and that it should be conserved.

- d. Sierra Club requests that the need for developing this property is considered, and that alternatives be thoroughly examined. The one seemingly committed end user, Mercy Health, has a legacy of building new and abandoning old property. In reading the application for this project, it appears that St Joseph's Hospital on Eastland Ave in Warren intends to relocate to the proposed site in the very near future. This leaves yet another empty developed site, and does not support the notion of sufficient economic development through job creation. On pages 25-26 of the application, the developer lists several alternatives. Notable is the sufficient parcel size of 29 acres for alternative #4 (6101 Parkman road in Champion Township) and 34 acres for alternative #10 (Enterprise drive already in the City of Warren). If 29 acres is the sufficient parcel size, it is expected that there are other locations that are suitable. Trumbull County has over 5000 acres of brownfield and countless other properties that have been left abandoned, resulting in decreased property values and increased crime, as well as tax payers liability.

- e. Sierra Club requests an expert inventory of the entire area to assure there are no endangered species in the area. If additional information regarding state/federal threatened endangered species or migratory songbird/waterfowl habitat or usage are obtained during the application review process, then the ORAM score may be altered, based on those findings. Endangered Species have been found in the immediate area and properly documented, including the blue spotted salamander on the endangered species list. Thus, an abeyance on deciding on the application, based on this issue but also on other issues, needs to be granted until such time as this and other serious matters can be fully known and acted upon.

Sincerely, Elissa Yoder Mann

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