



FOR IMMEDIATE RELEASE – Yesterday, a Federal court issued an order that will protect the vital one-of-a-kind Mosquito Creek Wetlands located in Howland Township. The decision, issued by the Honorable Bonita Y. Pearson on September 9, 2020, vacates the Army Corps of Engineers’ approval of the Enterprise Park Project, a sprawling mixed-use development planned by North Eastwood LLC, a subsidiary of the Cafaro Company. The decision marks a successful end to a multi-year effort by Friends of the Mahoning River challenging the development in court. We commend Judge Pearson’s thoughtful decision that the Army Corps’ use of information that the Corps itself acknowledged was flawed necessitated not allowing the project to go forward.

The Court’s decision notes that the Army Corps’ decision was based on flawed population and demographic data, and that North Eastwood’s desire to profit from the development was irrelevant to the Army Corps’ duty to consider whether the project truly serves the public interest. The decision also expressed concerns that the failure to use accurate data in its decision-making led the Army Corps to inappropriately reject viable alternative sites. The court’s full opinion is provided below.

“The Mosquito Creek Wetlands are one of the few remaining pristine urban wetlands in Ohio, and indeed anywhere in the Country,” Friends of the Mahoning Chair Tom Smith said on Thursday. “These wetlands serve many vital functions, from flood control, to safeguarding water quality, to preserving the biodiversity of our region. The court’s decision vindicates what we have been saying for years: because of surrounding socioeconomic factors and because of the critical ecological value of the wetlands that would be destroyed, this is simply an inappropriate site for this type of development, no matter which healthcare company might have occupied the site.”

Inquiries about the court’s decision may be directed to Friends of the Mahoning’s legal counsel, Andrew Karas of Fair Shake Environmental Legal Services, at (234) 255-5455 or akaras@fairshake-els.org.