



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
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October 17, 2012

Davey Resource Group
Attn: Greg Snowden
P.O. Box 5193
Kent Ohio 44240-5193

TAILS: 03E15000-2013-TA-0088

Re: Proposed Crowland Commercial Development
Brecksville, Cuyahoga County, Ohio.

Dear Mr. Snowden:

This is in response to your October 3, 2012 letter requesting information regarding federally listed threatened and endangered species in the area of the above referenced project. The project involves the construction of a commercial development on 38.3 acres of an 85.6-acre property. The site is currently comprised of successional forest, approximately 13 acres of wetlands and 5,100 linear feet of ephemeral and permanent stream. The project as proposed would impact 4.922 acres of wetland and all streams will be avoided.

There are no Federal wildlife refuges, wilderness areas, or Critical Habitat within the vicinity of this site.

We recommend that proposed developments avoid and minimize water quality impacts and impacts to high quality fish and wildlife habitat, such as forests, streams, and wetlands. Best construction techniques should be used to minimize erosion, particularly on slopes. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. In addition, we support and recommend mitigation activities that reduce the likelihood of invasive plant spread and encourage native plant colonization. Prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats. All disturbed areas in the project vicinity should be mulched and revegetated with native plant species. Staging areas should be kept well away from streams and wetlands, and construction areas should be quickly replanted with native vegetation following construction.

BALD EAGLE COMMENTS: The project lies within the range of the **bald eagle** (*Haliaeetus leucocephalus*), a species protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) and the Migratory Bird Treaty Act (16 U.S.C. 703-712). Due to the project type, location, and onsite habitat, this species would not be expected within the project area, and no impact to this species is expected. Relative to this species, this precludes the need for further action on this project as required by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

ENDANGERED SPECIES COMMENTS: The proposed project lies within the range of the **Indiana bat** (*Myotis sodalis*), a federally listed endangered species. A summer mist-net survey was conducted for the proposed project area from May 20-23, 2012. No Indiana bats were captured. This documents likely absence of the species in the vicinity of the project. The survey report was reviewed by this office, and concurrence with the results was sent on June 14, 2012. The results of this survey are valid for two years. No further avoidance or minimization measures to avoid impacts to Indiana bats are necessary.

The project lies within the range of the **piping plover** and **Kirtland's warbler**, both federally listed endangered species. Due to the project type, location, and onsite habitat, these species would not be expected within the project area, and no impacts to these two species are expected.

Should additional information on listed or proposed species or their critical habitat become available or if new information reveals effects of the action that were not previously considered, our comments and recommendations may be reconsidered. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (ESA), as amended, and are consistent with the intent of the National Environmental Policy Act of 1969 and the U. S. Fish and Wildlife Service's Mitigation Policy. If you have questions, or if we may be of further assistance in this matter, please contact David Henry at extension 27 in this office.

Sincerely,


for Mary Knapp, Ph.D.
Field Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH

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