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# Public Notice

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U.S. Army Corps  
of Engineers  
Buffalo District  
CELRB-TD-R

Applicant: Mr. Robert Jablonski  
Published: May 6, 2016  
Expires: June 6, 2016

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Application No: 2005-00865  
Section: OH

All written comments should reference the above Application No. and be addressed to:  
**US Army Corps of Engineers, Buffalo District**  
**Regulatory Branch (Attn:) Brian Swartz**  
**240 Lake Street, Unit D**  
**Oak Harbor, Ohio 43449**

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**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.**

**Application for Permit under Authority of**  
**Section 10 of the Rivers and Harbors Act of 1899 and**

APPLICANT: Mr. Robert Jablonski, 3906 E. Baycliffs Dr., Lakeside-Marblehead, Ohio 43440

WATERWAY & LOCATION: Approximately 0.10 acre of the Johnson Island Quarry, a Section 10 Water, 3906 E. Baycliffs Dr., Lakeside-Marblehead, Ohio 43440 (Sheets 1 to 3 of 6).

LATITUDE & LONGITUDE: Latitude North: 41.4932  
Longitude West: -82.7335

**EXISTING CONDITIONS:**

Description of delineation of waters of the US, if applicable: The project area consists of an approximate 0.10 acre portion of the Johnson Island Quarry located south of a residential home located at 3906 E. Baycliffs Dr., Lakeside-Marblehead, Ohio 43440. The waters of Johnson Island Quarry are open to Lake Erie and is consider a Section 10 navigable water per a December 19, 2007 jurisdictional determination.

PROPOSED WORK: To install a permanent floating dock and three jet ski docks onto an existing floating dock in Johns Island Quarry, Marblehead, Ottawa County, Ohio (Sheets 1 to 6 of 6). A six foot wide by 18 foot long floating dock is proposed to be installed on the southeast side of an existing floating dock. Two 5 foot long by 4 foot wide jet ski docks are proposed to be

installed on the south side of the new floating dock. A third 5 foot long by 4 foot wide jet ski dock is proposed to be installed on the northeast side of the existing dock. All of the new docks are to be connected to existing 7 inch diameter dock posts.

#### PROJECT PURPOSE

Basic: Create additional docking space. Overall: To install additional floating and jet ski docks.

Water Dependency Determination (*describe only if project affecting Special Aquatic Site*): N/A. Impacts to special aquatic sites are not proposed.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant has not provided information regarding onsite alternatives that would result in avoidance and minimization of impacts to the waters of Johnson Island Quarry that are part of a Section 10 navigable water. The applicant has indicated that there are no design alternatives that will enable them to still complete their project purpose.

PROPOSED MITIGATION: Mitigation will not be required due to no loss of waters.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Brian Swartz, who can be contacted at the above address, by calling (419) 898-3491, or by e-mail at: [brian.p.swartz@usace.army.mil](mailto:brian.p.swartz@usace.army.mil) A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. On April 8, 2016 the Ohio Department of Natural Resources concurred with the applicants Federal Consistency Certification. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. John Kessler  
Ohio Department of Natural Resources  
Office of Real Estate  
2045 Morse Rd.  
Columbus, OH 43229-6605  
phone: 614-265-6621  
email: [john.kessler@dnr.state.oh.us](mailto:john.kessler@dnr.state.oh.us)

The following authorization is required for this project:

On February 17, 2016 Ohio Historic Connection (OHC) concurred under Section 106 of the National Historic Preservation Act that the proposed project would have no adverse effects on the Johnson Island Civil War Prison and Fort Site.

Based on preliminary findings, there does not appear to be any suitable or critical habitat for the

following species and therefore there will no effect on the following species: Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Kirtland's warbler (*Dendroica kirtlandii*), piping plover (*Charadrius melodus*), eastern prairie fringed orchid (*Platanthera leucophaea*), lakeside daisy (*Tetraneuris herbacea*), rufa red knot (*Calidris canutus rufa*), eastern massasauga (*Sistrurus catenatus*). This notice constitutes initiation of consultation with the United States Fish and Wildlife Service (USFWS) pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531). Additional information concerning endangered species should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the USFWS for their review.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request 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 benefits which reasonably may be expected to accrue from the proposal 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 these 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

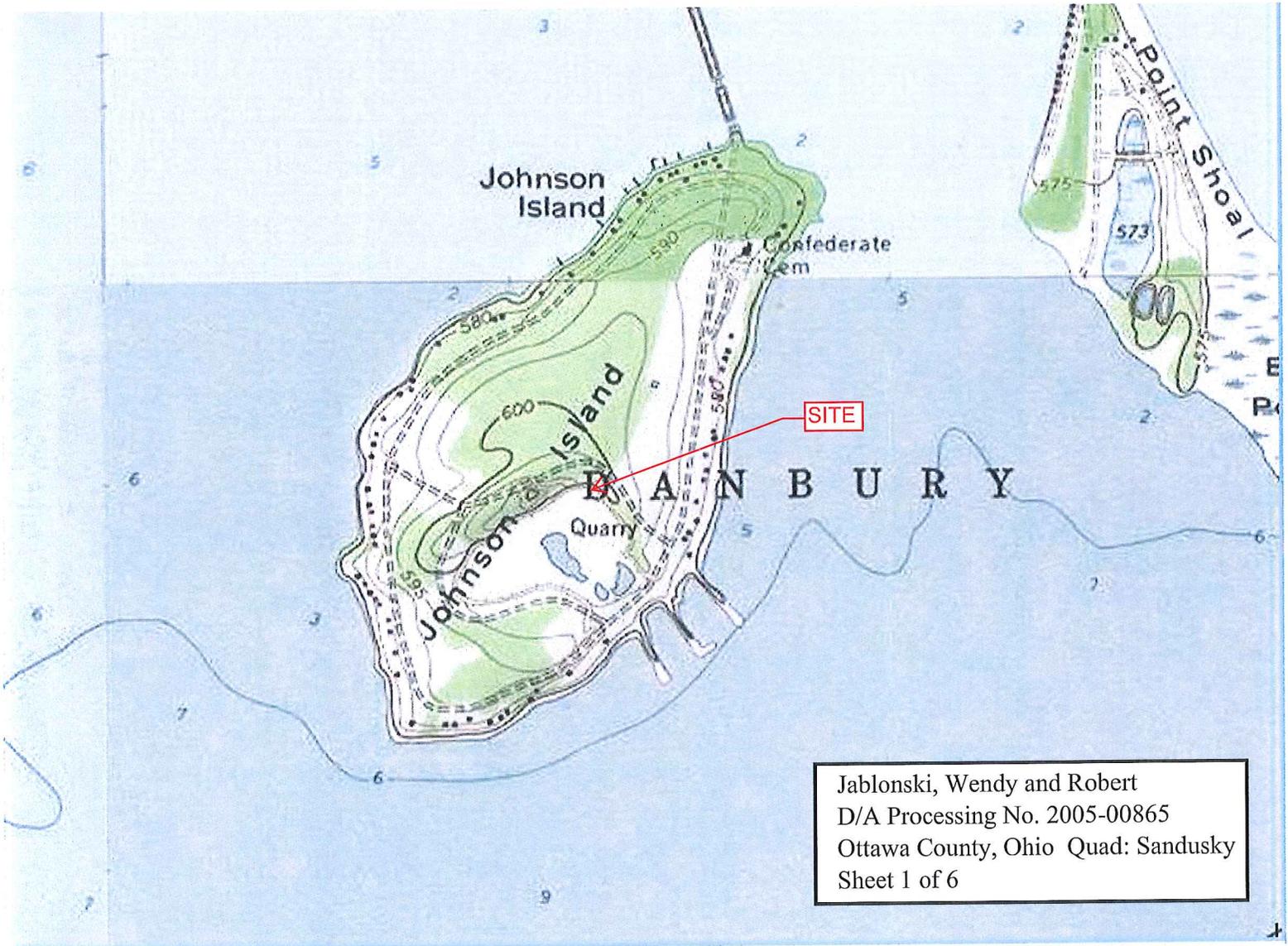
needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

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 need for a public hearing and to determine the overall public interest of the proposed activity.

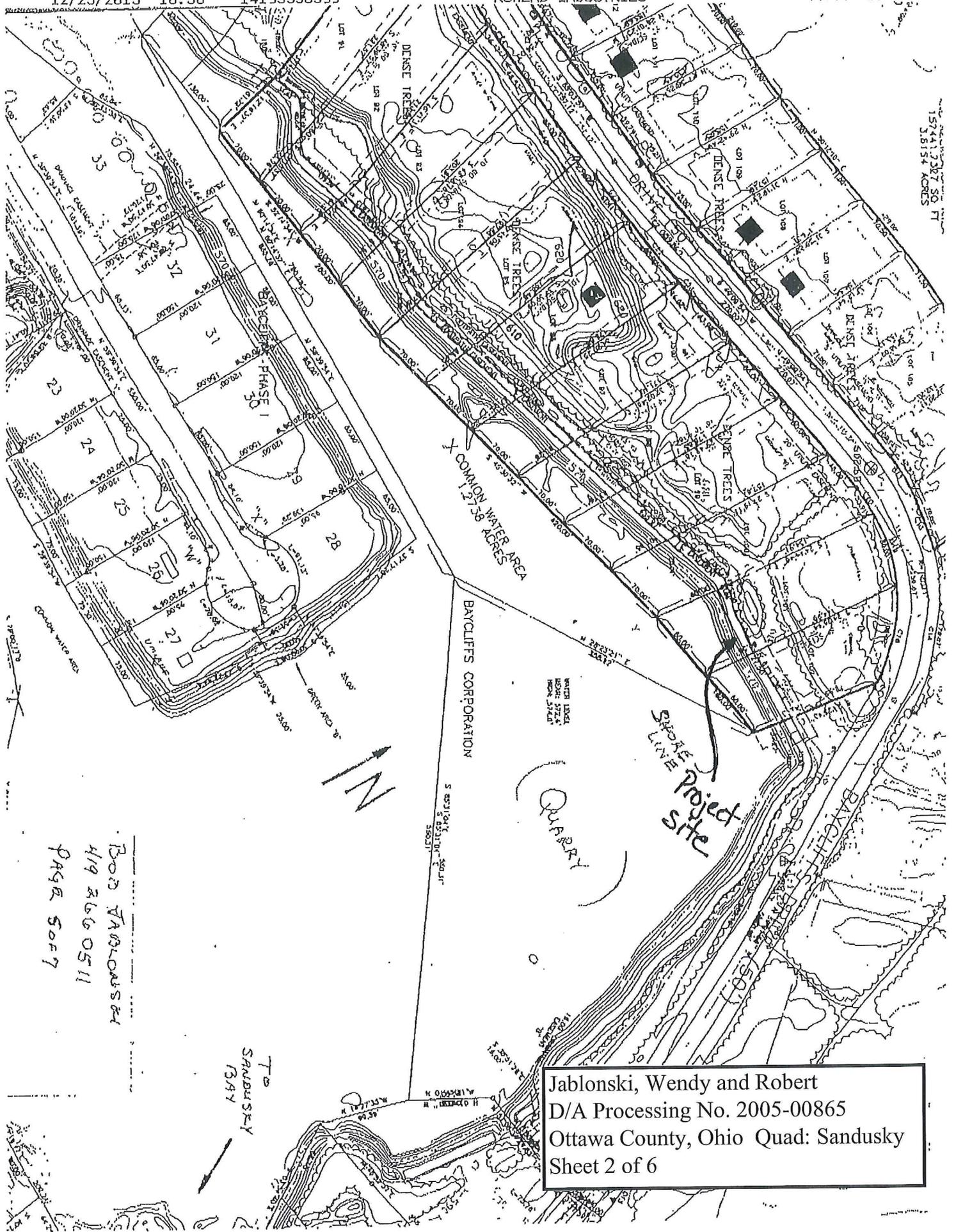
**SIGNED**

Diane C. Kozlowski  
Chief, Regulatory Branch

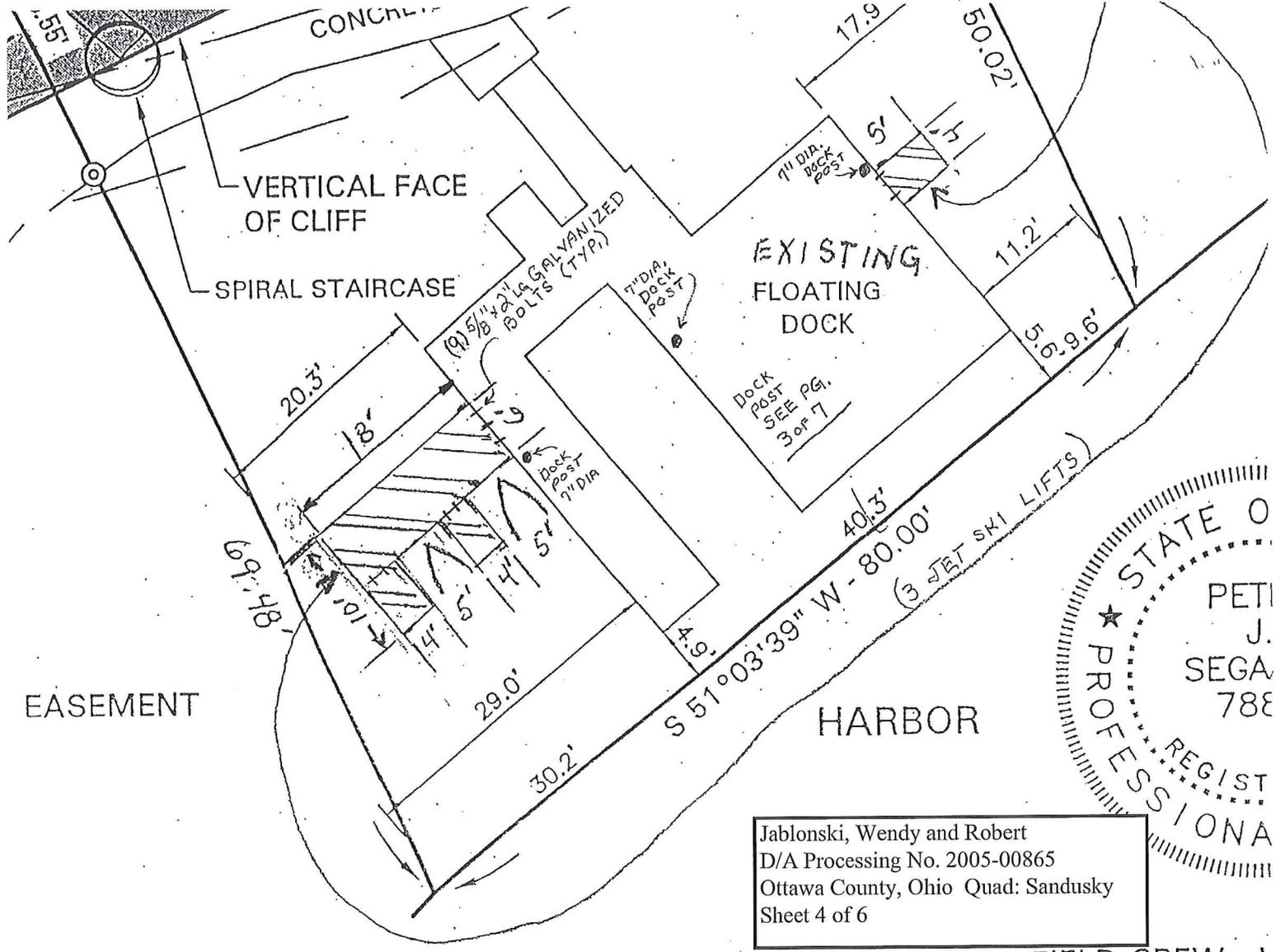
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



Jablonski, Wendy and Robert  
D/A Processing No. 2005-00865  
Ottawa County, Ohio Quad: Sandusky  
Sheet 1 of 6



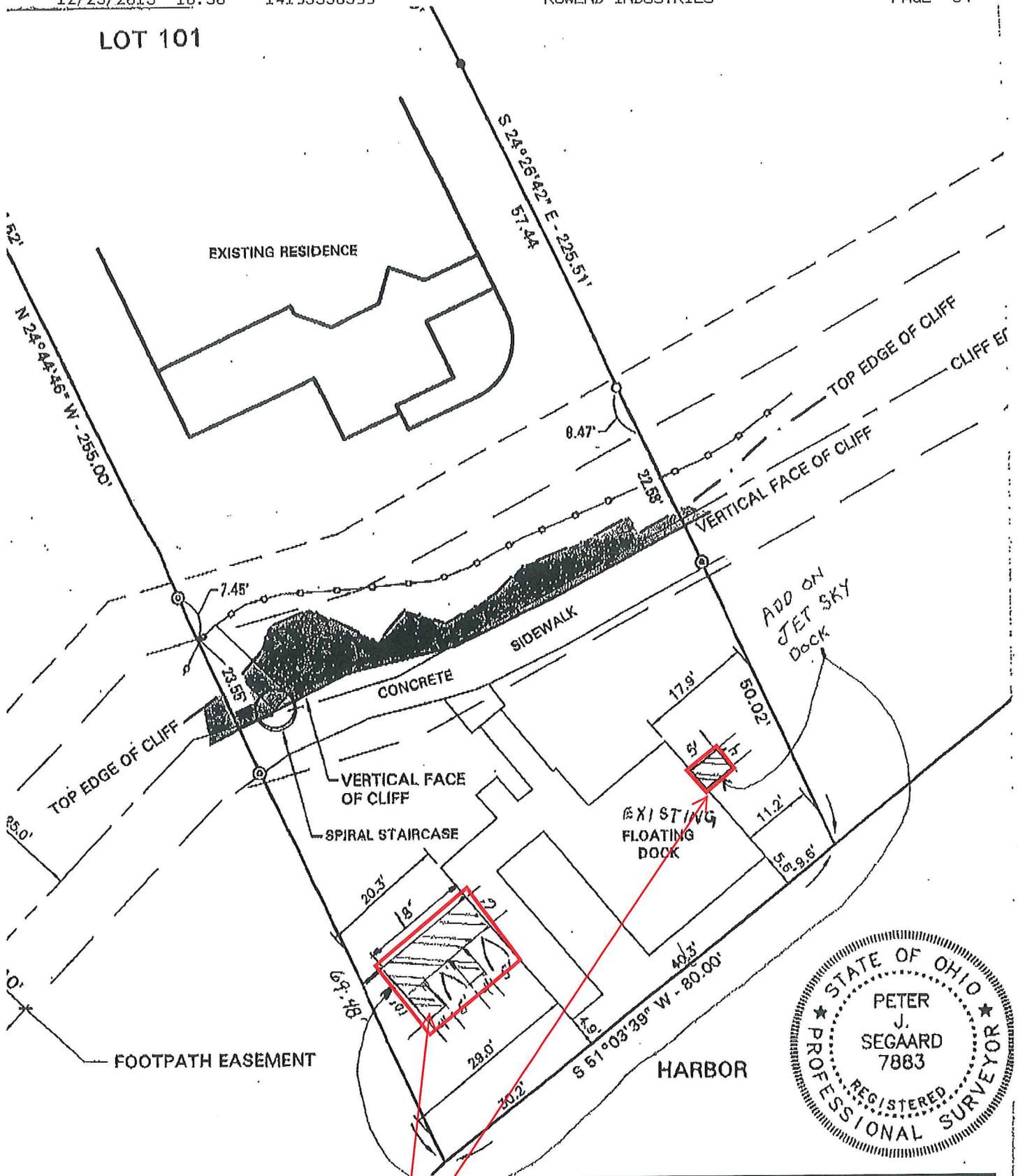




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 Sheet 4 of 6

STATE OF OHIO  
 PETE J. SEGAL  
 788  
 PROFESSIONAL REGISTERED

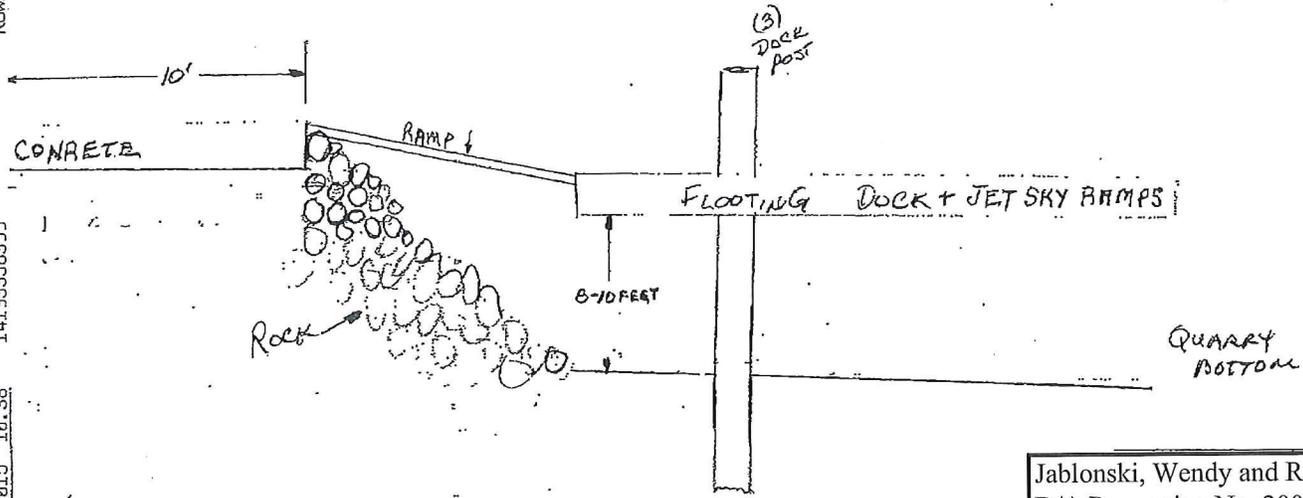
# LOT 101



Permit Area

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