



Public Notice

Applicant:
**Janet and Sigmund
Nachman**

Published: JANUARY 9, 2012
Expires: FEBRUARY 7, 2012

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

Application No: **1997-4790006**
Section: Ohio

All written comments should reference the above Application No. and be addressed to:
Buffalo District U.S. Army Corps of Engineers
Regulatory Branch (Attn: Audrey Richter)
1776 Niagara Street
Buffalo, New York 14207-3199

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
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

The applicants, Mr. Sigmund Nachman and Mrs. Janet Nachman, 3755 South Memorial Shoreway Drive, Johnson's Island, Ottawa County, Ohio, have applied for a Department of the Army Permit to place fill in Lake Erie for the reconfiguration of the existing breakwater into a "L" shaped 110 linear foot (LF) long by 28 LF wide breakwater. The proposed L shaped breakwater will have a steel crib face on the north and east faces and an ODOT Type "B" stone revetment at a 1.5:1 slope on the south and west faces. The applicants are also seeking after-the fact- authorization for 47 LF of existing steel crib bulkhead.

The existing stone breakwater is 130 LF long and varies in width from 20 LF at the shoreline to 45 LF near the most lakeward end of the structure. Construction of the proposed 110 LF long by 28 LF wide breakwater will require the removal of approximately 230 cubic yards (CY) of stone from the existing breakwater below the ordinary high water (OHW) of Lake Erie (573.4 ft International Great Lakes Datum (IGLD) 1985). The proposed project will include the discharge of approximately 87 CY of stone, obtained from the existing breakwater, and 125 CY of ODOT Type B stone below the OHW of Lake Erie. Construction of the existing 47 LF steel crib bulkhead included the placement of approximately 43 CY of stone fill discharged below the OHW of Lake Erie over approximately 940 square feet. The proposed project is located within Lake Erie at 3755 South Memorial Shoreway, on Johnson's Island, Ottawa County, Ohio.

The overall purpose of the proposed project is to reconstruct the breakwater to provide the resident with lake access for recreation.

No mitigation is proposed for the project

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 Audrey Richter, who can be contacted at the above address, by calling (716) 879-4447, or by e-mail at: Audrey.M.Richter@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. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. Glen Cobb
Ohio Department of Natural Resources
Environmental Policy Coordinator
Office of Legislative Services
2045 Morse Road, Building D-3
Columbus, Ohio 43229
Phone: (614)265-6888
FAX: (614) 267-4764
glen.cobb@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, it appears the proposed project is located on Johnson's Island, a site listed as a National Historic Landmark in the National Register of Historic Places. The area of potential effect includes the footprint of the construction area as shown on the attached drawings (Sheet 4 of 8). The Corps of Engineers has determined that this project will have no adverse effect on Johnson's Island, a National Historic Landmark, as the proposed activity will not alter the characteristics of the property that qualified the property for inclusion in the National Register of Historic Places as other similar structures exist within the island. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

In addition, this office has determined the project is within the range of the Indiana bat (*Myotis sodalis*), Kirtland's warbler (*Dendroica kirtlandii*), piping plover (*Charadrius melodus*), rayed bean mussel (*Villosa fabalis*), Lakeside daisy (*Hymenoxys herbacea*), eastern prairie fringed orchid (*Plantanthera leucophaea*), and the eastern massasauga rattlesnake (*Sistrurus catenatus catenatus*). Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to the above listed species to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

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.

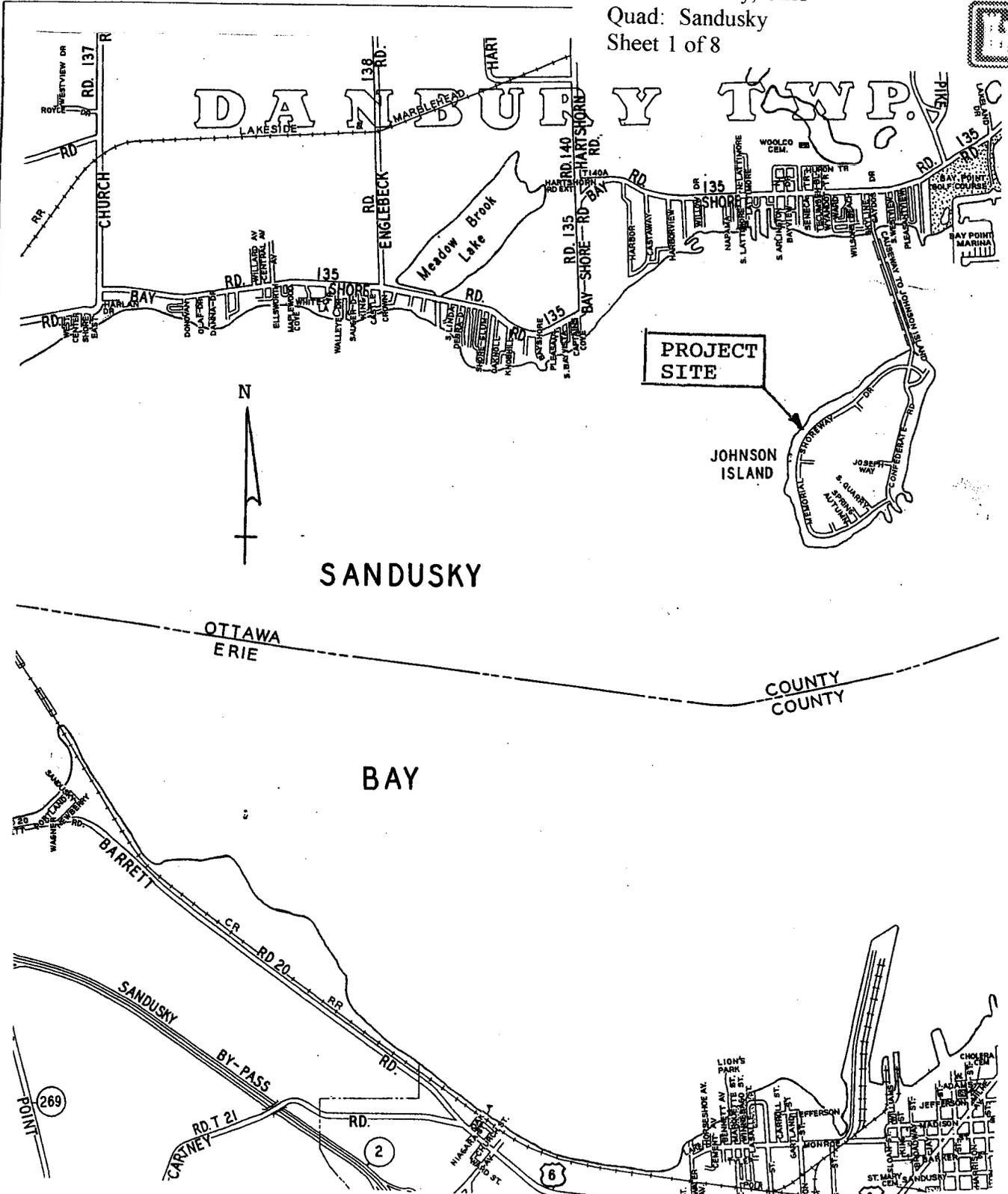
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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

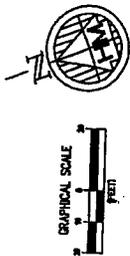
Diane C. Kozlowski
Chief, Regulatory Branch

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

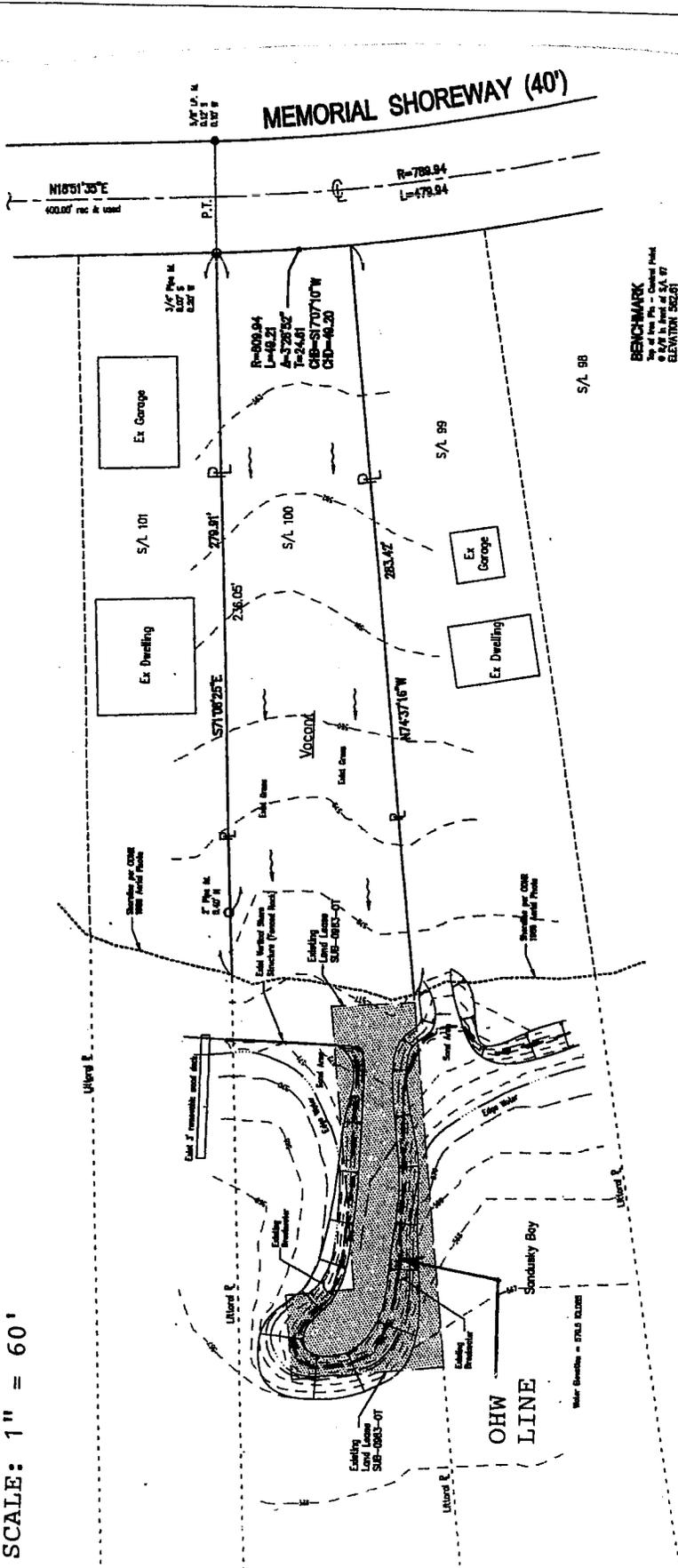


DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	VICINITY MAP	PREPARED BY: MATRIX ENGINEERING, INC.
ADJACENT PROPERTY OWNERS: 1.) CHARLES J. FARRELL, TRUSTEE 2.) KAREN M. METZKER	JANET M. & SIGMUND NACHMAN, TRUSTEES 3755 S. MEMORIAL SHOREWAY MARBLEHEAD, OHIO 43440	SHORELINE IMPROVEMENTS FOR SIGMUND NACHMAN SHEET 1 OF 6 12-13-11

Nachman, Sigmund and Janet
 D/A Processing No. 1997-4790006
 Ottawa County, Ohio
 Quad: Sandusky
 Sheet 2 of 8



SCALE: 1" = 60'



NOTES:

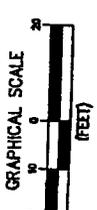
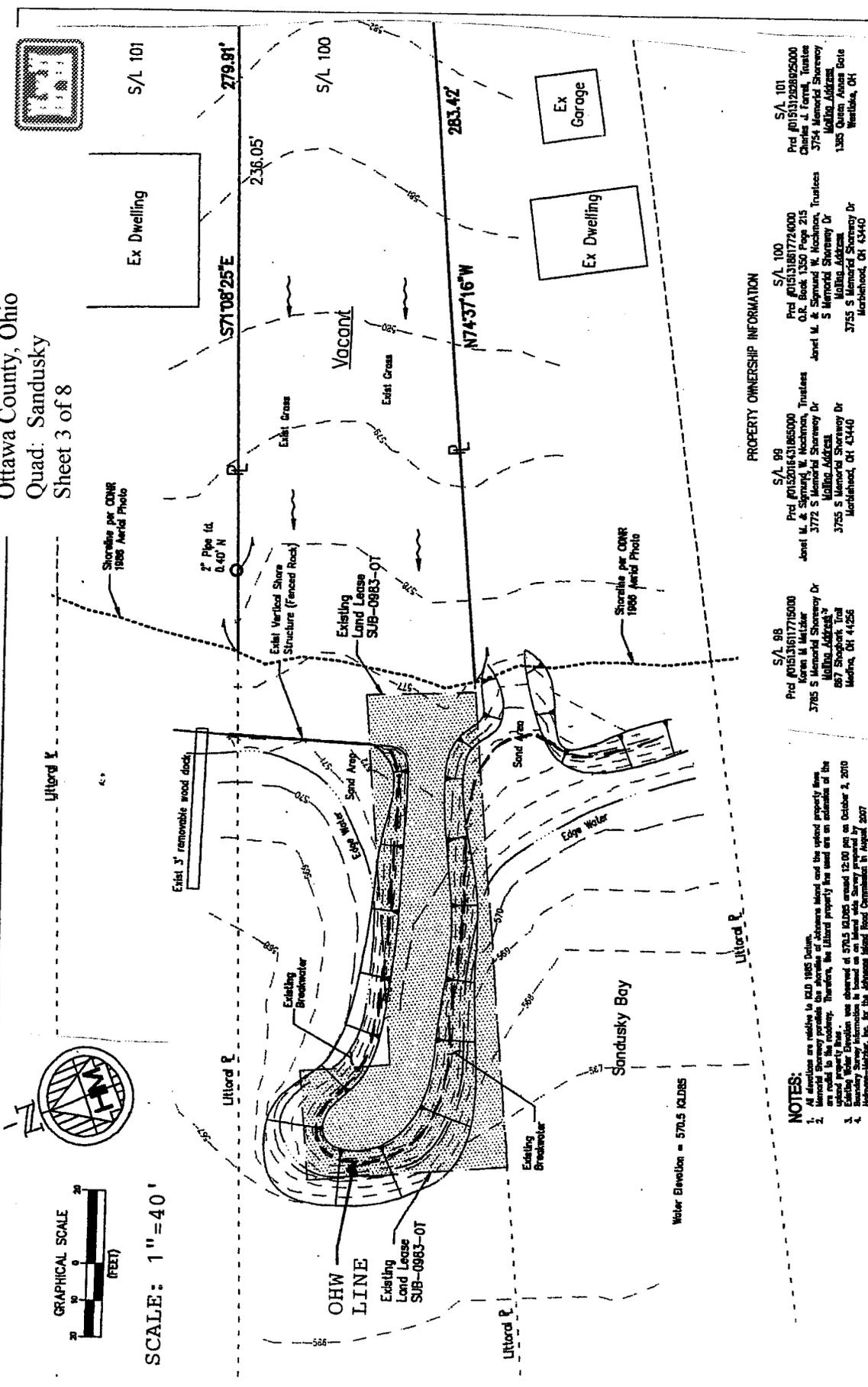
1. All elevations are relative to IGLD 1985 Datum.
2. Memorial Shoreway parallels the shoreline of Johnsons Island and the updated property lines are noted to the roadway. Therefore, the Utilard property line used are an extension of the Memorial Shoreway.
3. Existing water features are shown as observed at 5703.00000 around 12:00 pm on October 2, 2010.
4. Secondary Survey information is based on an island wide survey prepared by Helmsman-Metzker, Inc. for the Johnsons Island Road Construction in August, 2007.

PROPERTY OWNERSHIP INFORMATION

- S/A 98**
 Prof. #0263161715000
 Karen M Metzker
 3765 S Memorial Shoreway Dr
 Marblehead, OH 43426
- S/A 99**
 Prof. #02627043185000
 Janet M. & Sigmund W. Nachman, Trustees
 3772 S Memorial Shoreway Dr
 Marblehead, OH 43426
- S/A 100**
 Prof. #0151181774000
 C/O. Janet M. & Sigmund W. Nachman, Trustees
 Janet M. & Sigmund W. Nachman, Trustees
 3755 S Memorial Shoreway Dr
 Marblehead, OH 43440
- S/A 101**
 Prof. #015119292925000
 Charles J. Farrell, Trustee
 3754 Memorial Shoreway
 Marblehead, OH 43426

<p>DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985</p>	<p>EXISTING SITE PLAN</p>	<p>PREPARED BY MATRIX ENGINEERING INC.</p>
<p>CLIENT PROPERTY OWNERS 1.) CHARLES J. FARRELL, TRUSTEE 2.) KAREN M. METZKER</p>	<p>JANET M. & SIGMUND NACHMAN, TRUSTEES 3755 S. MEMORIAL SHOREWAY MARBLEHEAD, OHIO 43440</p>	<p>SHORELINE IMPROVEMENTS FOR SIGMUND NACHMAN</p>
<p>SHEET 2 OF 6</p>		<p>DATE: 12-13-11</p>

Nachman, Sigmund and Janet
 D/A Processing No. 1997-4790006
 Ottawa County, Ohio
 Quad: Sandusky
 Sheet 3 of 8



SCALE: 1" = 40'

PROPERTY OWNERSHIP INFORMATION

S/L 98
 Pred #015131617715000
 Karen M. Metzker
 3755 S. Memorial Shoreway Dr
 Marblehead, OH 43425

S/L 99
 Pred #0151316185000
 Janet M. & Sigmund M. Nachman, Trustees
 3772 S. Memorial Shoreway Dr
 Marblehead, OH 43428

S/L 100
 Pred #01513161774000
 O.L. Book 1350 Page 215
 Janet M. & Sigmund M. Nachman, Trustees
 3755 S. Memorial Shoreway Dr
 Marblehead, OH 43440

S/L 101
 Pred #015131628925000
 Charles J. Farrell, Trustee
 3754 Memorial Shoreway
 Marblehead, OH 43428

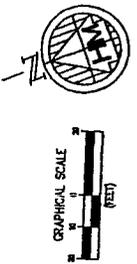
1385 Queen Anne Drive
 Marblehead, OH

NOTES:

- All elevations are relative to IGLD 1985 Datum.
- Memorial Survey provides the shoreline of Johnnies Island and the rippled property line are relative to the roadway. Therefore, the Littoral property line used are an extension of the rippled property line.
- Existing water elevations were observed at 574.5 (2.00) and 574.00 (0) on October 2, 2010.
- Surveying Survey Information is based on an aerial photo survey prepared by Helms-Metzker, Inc. for the Johnnies Island Road Commission in August 2007.

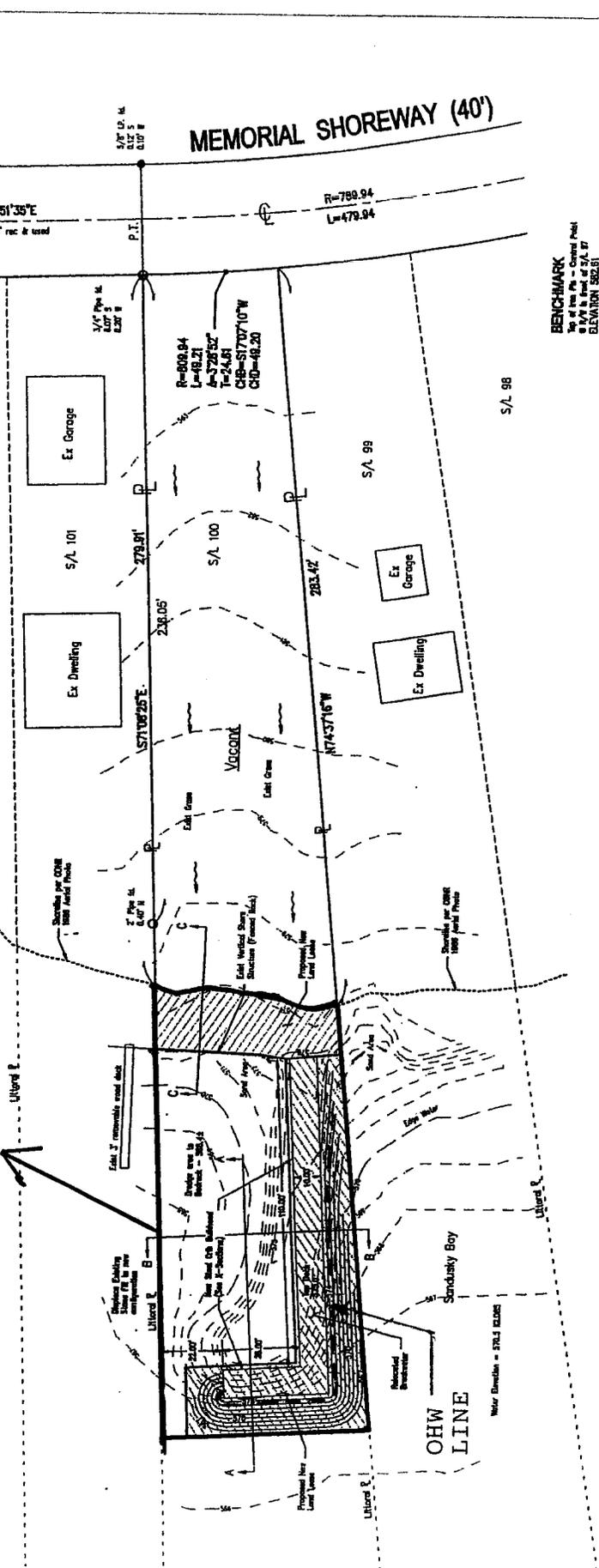
DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985 ALABAMA PROPERTY OWNERS 1.) CHARLES J. FARRELL, TRUSTEE 2.) KAREN M. METZKER	EXISTING SITE PLAN	PREPARED BY MATRIX ENGINEERING INC.
	JANET M. & SIGMUND NACHMAN, TRUSTEES 3755 S. MEMORIAL SHOREWAY MARBLEHEAD, OHIO 43440	SHORELINE IMPROVEMENTS FOR SIGMUND NACHMAN

Nachman, Sigmund and Janet
 D/A Processing No. 1997-4790006
 Ottawa County, Ohio
 Quad: Sandusky
 Sheet 4 of 8



SCALE: 1" = 60'

Permit Area



BENCHMARK
 Top of Iron Pin - Control Point
 at S/A 98 of S/L 97
 ELEVATION 282.51

PROPERTY OWNERSHIP INFORMATION

S/A 98
 Prod #0151291775000
 John M. Metzger
 3785 S. Memorial Shoreway Dr
 Marblehead, OH 43436

S/A 99
 Prod #015201843185000
 Janet M. & Sigmund N. Nachman, Trustees
 3775 S. Memorial Shoreway Dr
 Marblehead, OH 43440

S/A 100
 Prod #01512928925000
 Charles J. Farrell, Trustee
 3754 S. Memorial Shoreway Dr
 Marblehead, OH 43440

S/A 101
 Prod #01512928925000
 Charles J. Farrell, Trustee
 3754 S. Memorial Shoreway Dr
 Marblehead, OH 43440

NOTES:

- All elevations are relative to GLD 1985 Datum.
- The shorelines of Johnsons Island and the updated property lines are used for the shorelines. Therefore, the future property line used on an extension of the updated property lines.
- Existing Water Elevation was observed at 270.5 RL063 around 12:00 pm on October 2, 2010.
- Existing Survey information is based on an Island Wide Survey prepared by Johnson-Nachman, Inc. for the Johnsons Island Flood Commission in August, 2007.

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985

- CHARLES J. FARRELL, TRUSTEE
- KAREN M. METZKER

SITE PLAN

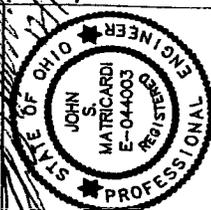
JANET M. &
 SIGMUND NACHMAN, TRUSTEES
 3755 S. MEMORIAL SHOREWAY
 MARBLEHEAD, OHIO 43440

PREPARED BY: **MATRIX ENGINEERING INC.**

SHORELINE IMPROVEMENTS FOR
 SIGMUND NACHMAN

SHEET 3 OF 6

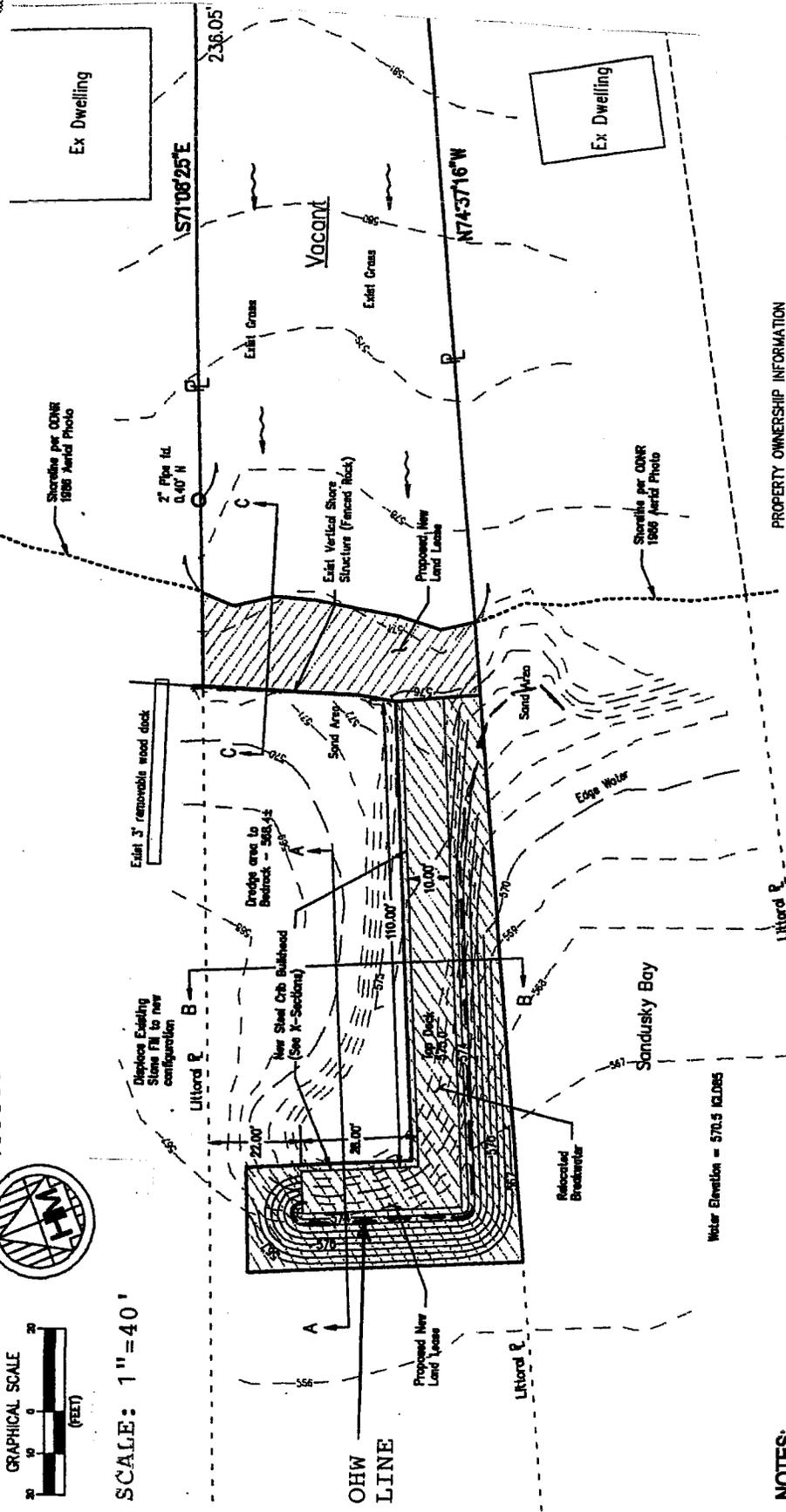
DATE: 12-13-11





SCALE: 1" = 40'

Utah Rd



NOTES:

- All elevations are relative to IGLD 1985 Datum.
- Memorial Shoreway parallels the shoreline of Johnsons Island and the updated property lines are noted to the roadway. Therefore, the Utah property line used are an extension of the updated property lines.
- Earliest Water Elevation was observed at 570.5 IGLD85 around 12:00 pm on October 2, 2010
- Boundary Survey Information is based on an island side Survey prepared by Heilmann-Metzker, Inc. for the Johnsons Island Road Commission in August, 2007

PROPERTY OWNERSHIP INFORMATION

- | | | |
|---|--|---|
| <p>S/A 98
 Prof #015131811715000
 Karen M Metzker
 3785 S Memorial Shoreway Dr
 Marblehead, OH 44226</p> | <p>S/A 99
 Prof #0152018451855000
 Janet M. & Sigmund W. Nachman, Trustees
 3772 S Memorial Shoreway Dr
 Marblehead, OH 43440</p> | <p>S/A 101
 Prof #015132328925000
 Charles J. Farrell, Trustee
 3754 Memorial Shoreway
 Marblehead, OH 43440</p> |
|---|--|---|

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985

SITE PLAN

PREPARED BY: **MATRIX ENGINEERING INC.**

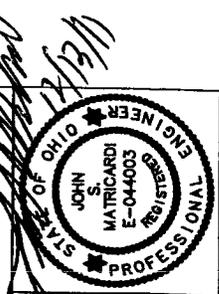
- CHARLES J. FARRELL, TRUSTEE
- KAREN M. METZKER

JANET M. &
 SIGMUND NACHMAN, TRUSTEES
 3755 S. MEMORIAL SHOREWAY
 MARBLEHEAD, OHIO 43440

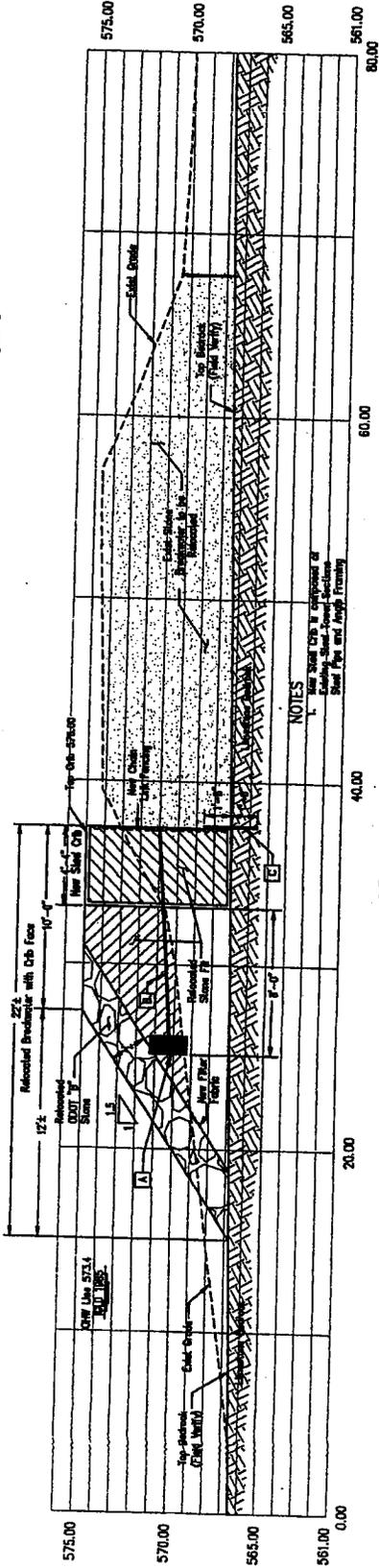
SHORELINE IMPROVEMENTS FOR
 SIGMUND NACHMAN

SHEET 3A OF 6

DATE: 12-13-11



Nachman, Sigmund and Janet
 D/A Processing No. 1997-4790006
 Ottawa County, Ohio
 Quad: Sandusky
 Sheet 6 of 8



CROSS SECTION A-A
 SCALE: 1" = 10'

KEYNOTES

- (A) New Concrete Deck
 @ 8"-@ O.C. (2"x8")
- (B) New 3/4" Dia. Steel Cables
 @ each Tower Section
- (C) New 1" Dia. Steel Pile, D/B
 @ each Tower Section

NOTES:

1. All elevations are relative to IGLD 1985 Datum.
2. Memorial Survey records the opening of Johnson Island and the upland property lines are noted in the records. Therefore, the Upland property line used are an extension of the upland property line.
3. Existing Water Elevation was observed at 570.5 (GLD85) around 12:00 pm on October 2, 2010
4. Boundary Survey Information is based on an Island Wide Survey prepared by Hofmann-Metzger, Inc. for the Johnson Island Board Commission in August, 2007

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985

PLANNED PROPERTY OWNERS

- 1.) CHARLES J. FARRELL, TRUSTEE
- 2.) KAREN M. METZKER

SECTION A-A

JANET M. &
 SIGMUND NACHMAN, TRUSTEES
 3755 S. MEMORIAL SHOREWAY
 MARBLEHEAD, OHIO 43440

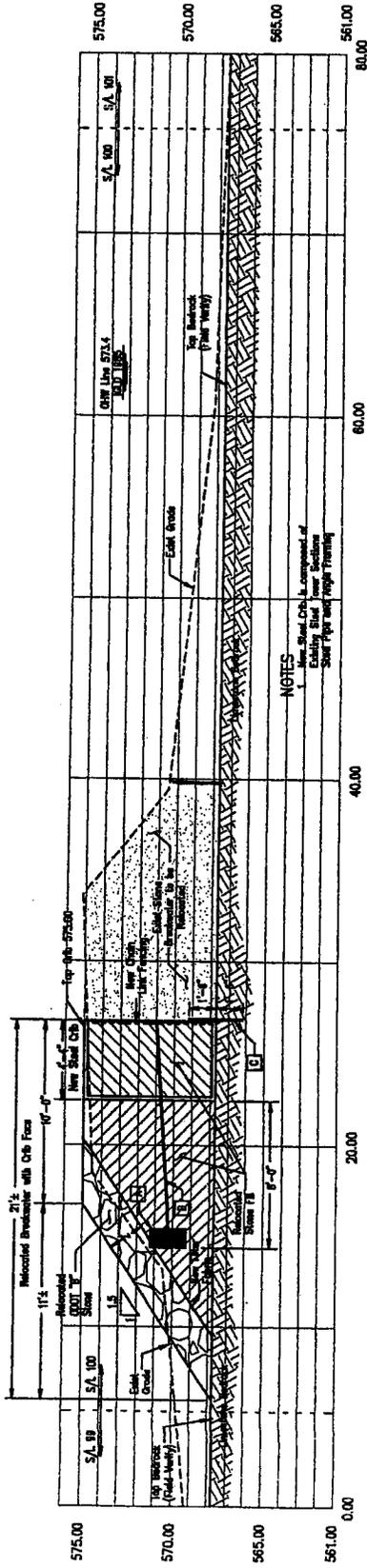
PREPARED BY
 MATRIX ENGINEERING INC.

SHORELINE IMPROVEMENTS FOR
 SIGMUND NACHMAN

SHEET 4 OF 6
 12-13-11



Nachman, Sigmund and Janet
 D/A Processing No. 1997-4790006
 Ottawa County, Ohio
 Quad: Sandusky
 Sheet 7 of 8



CROSS SECTION B-B
 SCALE: 1" = 10'

KEYNOTES

- A) New Concrete Drainage
- B) New 3/4" Dia. Steel Cables
- C) New 1" Dia. Steel Pile, 24" Dia. & 24" Dia. Backrock, 1' Per Tower Section

NOTES:

1. All elevations are relative to IGLD 1985 datum.
2. Memorial Shoreway parallels the shoreline of Johnsons Island and the upland property lines are shown to the roadway. Therefore, the latter property line used are an extension of the existing property line.
3. Existing Right-of-Way was observed at 570.5 ELDOS around 12:00 pm on October 2, 2010
4. Boundary Survey Information is based on an island side Survey prepared by Holmann-Halsbier, Inc. for the Johnsons Island Road Commission in August 2007

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985

- 1.) CHARLES J. FARRELL, TRUSTEE
- 2.) KAREN M. METZKER

PREPARED BY: MATRIX ENGINEERING INC.

SHORELINE IMPROVEMENTS FOR
 SIGMUND NACHMAN

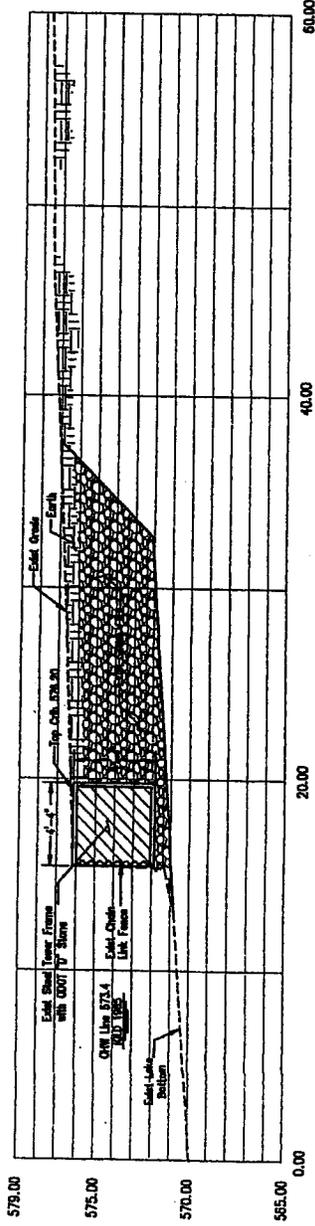
SHEET 5 OF 6



JANET M. &
 SIGMUND NACHMAN, TRUSTEES
 3755 S. MEMORIAL SHOREWAY
 MARBLEHEAD, OHIO 43440

DATE: 12-13-11

Nachman, Sigmund and Janet
 D/A Processing No. 1997-4790006
 Ottawa County, Ohio
 Quad: Sandusky
 Sheet 8 of 8



CROSS SECTION C-C
 SCALE: 1" = 10'

NOTES:

1. All elevations are relative to IGLD 1985 Datum.
2. Memorial Shoreway parallels the shoreline of Johnsons Island and the upland property line are noted to the roadway. Therefore, the Utilard property line used are an extension of the Upland Property line.
3. Existing Water Elevation was observed at 570.5 IGLD85 around 12:00 am on October 2, 2010
4. Elevation Survey information is based on an Island wide Survey prepared by Hornum-Melcher, Inc. for the Johnsons Island Flood Commission in August 2007

[Handwritten signature]
 12/16/11



PREPARED BY MATRIX ENGINEERING INC.	
PROJECT PROPERTY OWNER JANET M. & SIGMUND NACHMAN, TRUSTEES 3755 S. MEMORIAL SHOREWAY MARBLEHEAD, OHIO 43440	
DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	SHEET 6 OF 6
1.) CHARLES J. FARRELL, TRUSTEE 2.) KAREN M. METZKER	12-13-11