



Public Notice

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

Applicant:
Jeffrey Stewart

Published: MAY 4, 2012
Expires: JUNE 1, 2012

Application No: 2012-00357
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 applicant, Mr. Jeffery Stewart, 9220 Maxwell Way, Dublin, Ohio, 43017, has applied for a Department of the Army Permit to place fill in a water of the U.S. in order to provide lake access for small watercraft and provide additional shoreline protection. The proposed activity is located at 114 Chapman Road, Put-In-Bay Township, South Bass Island, Ottawa County, Ohio.

Specifically, the applicant proposes to construct a new armor stone revetment, two steel cribs, two connecting bridges, and install fish habitat stone.

The new 29 linear foot (LF) armor stone revetment construction entails the placement of 2 cubic yards (CY) of 1-2 ton armor stone below the ordinary high water (OHW) of Lake Erie of 573.4 feet (International Great Lake Datum, 1985) and 30 CY of 1-2 ton armor stone above OHW at the northeast end of the existing concrete seawall. The proposed armor stone revetment will be placed water ward of the existing concrete seawall.

A 20 foot long by 10-foot wide steel crib and a 43 foot long by 10 foot wide angled- steel crib will be constructed on the northeastern side of the existing concrete ramp. The two new steel cribs will be filled with 201 CY of ODOT Type "B" stone (82 CY below OHW) over 0.014 acre and topped with a concrete slab.

A 40-foot long by 5-foot wide connecting bridge and a 25-foot long by 5-foot wide connecting bridge will be constructed to connect the proposed steel cribs structures to the shoreline. The most water ward crib terminus is approximately 86 LF from the current Lake Erie shoreline.

As mitigation, a 25 foot long by 10 foot wide fish habitat area will be constructed under the southernmost bridge resulting in the placement of approximately 12 CY of ODOT Type "B" stone below OHW over 250 square feet.

The proposed activity will result in the placement of 96 cubic yards below OHW over 0.02 acre of Lake Erie.

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, several Ohio Historic Inventory Historic Structures, likely to be eligible for inclusion in the National Register of Historic Places, are located greater than 200 feet from the project area. Perry's Victory and International Peace Memorial (Perry's National Monument), a property listed in the National Register of Historic Places, is located approximately 1,000 feet southwest of the project area. The permit area is shown on Sheet 4 of 7. The proposal is consistent with existing structures along the shoreline. Due to the nature and location of the proposed work, no adverse affects to historic properties are expected. 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 (*Setophaga 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.

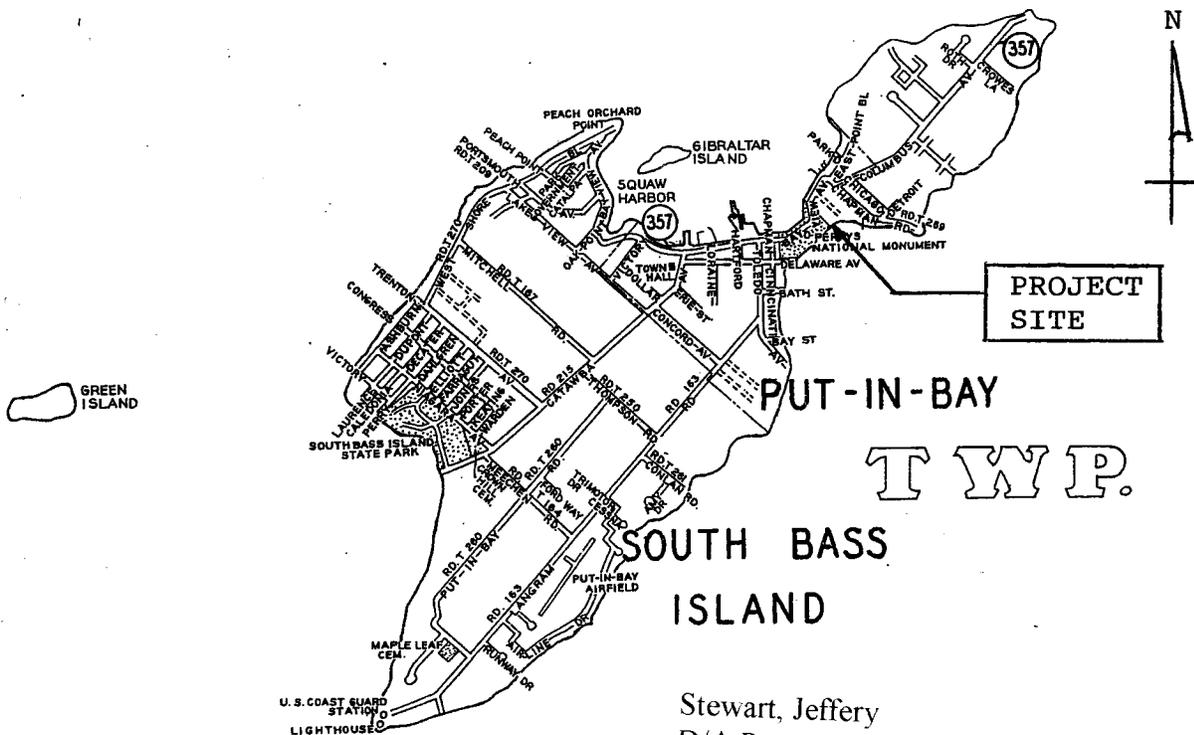
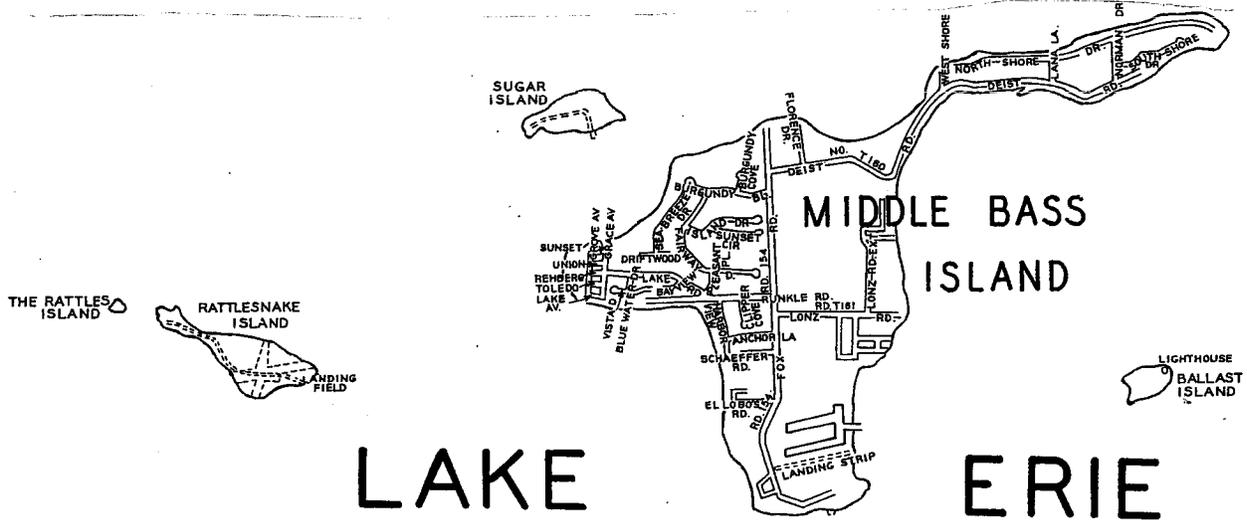
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits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

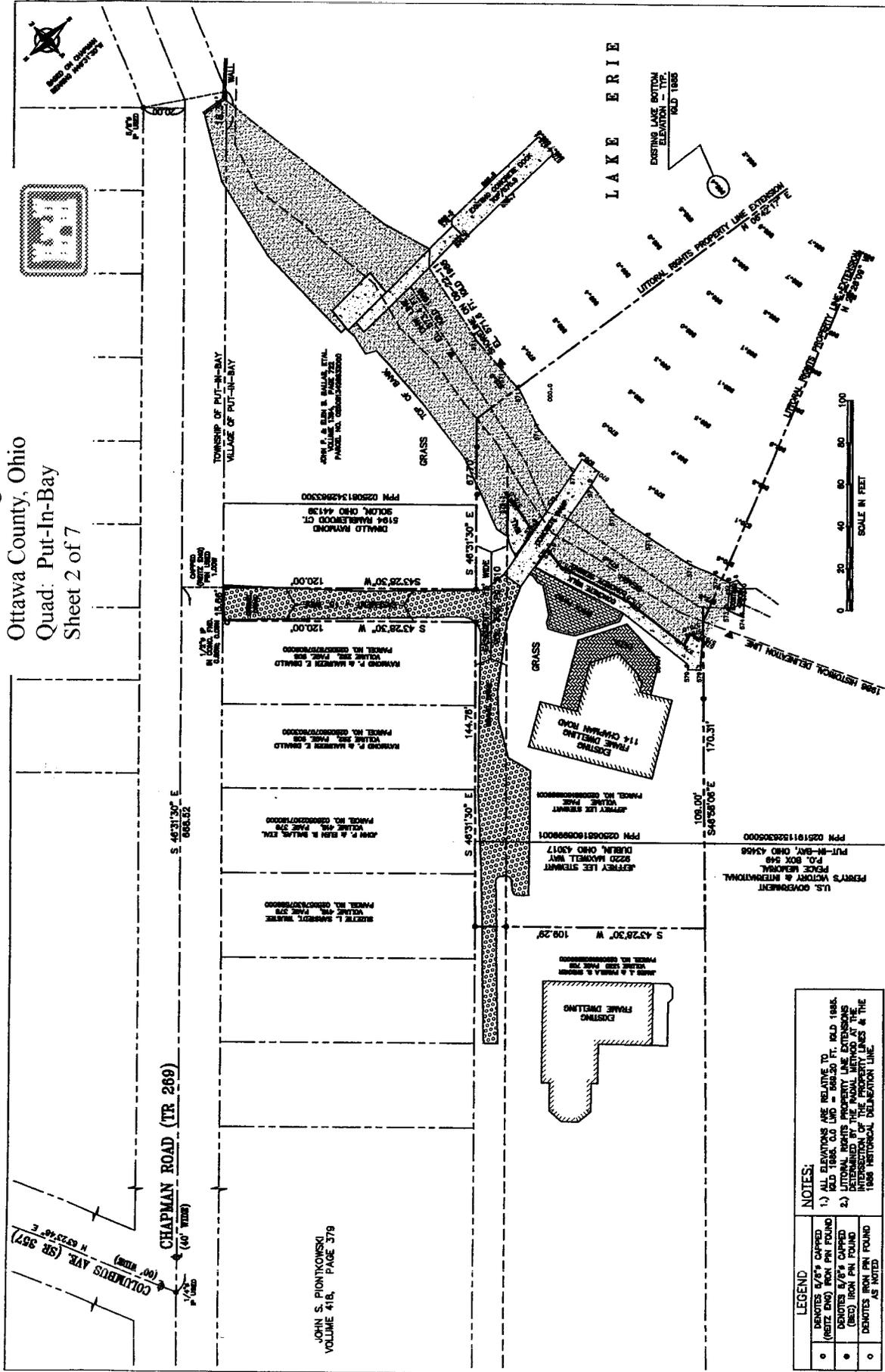


Stewart, Jeffery
 D/A Processing No. 2012-00357
 Ottawa County, Ohio
 Quad: Put-In-Bay
 Sheet 1 of 7



DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	VICINITY MAP	PREPARED BY: MATRIX ENGINEERING, INC.
ADJACENT PROPERTY OWNERS: 1.) U.S. GOVERNMENT 2.) JOHN P. & ELEN B. BELLAS, ETAL	JEFFREY LEE STEWART 9220 MAXWELL WAY DUBLIN, OHIO 43017	NEW STEEL CRIB PIER AT 114 CHAPMAN ROAD SOUTH BASS ISLAND PUT-IN-BAY, OHIO SHEET 1 OF 5 03-14-12

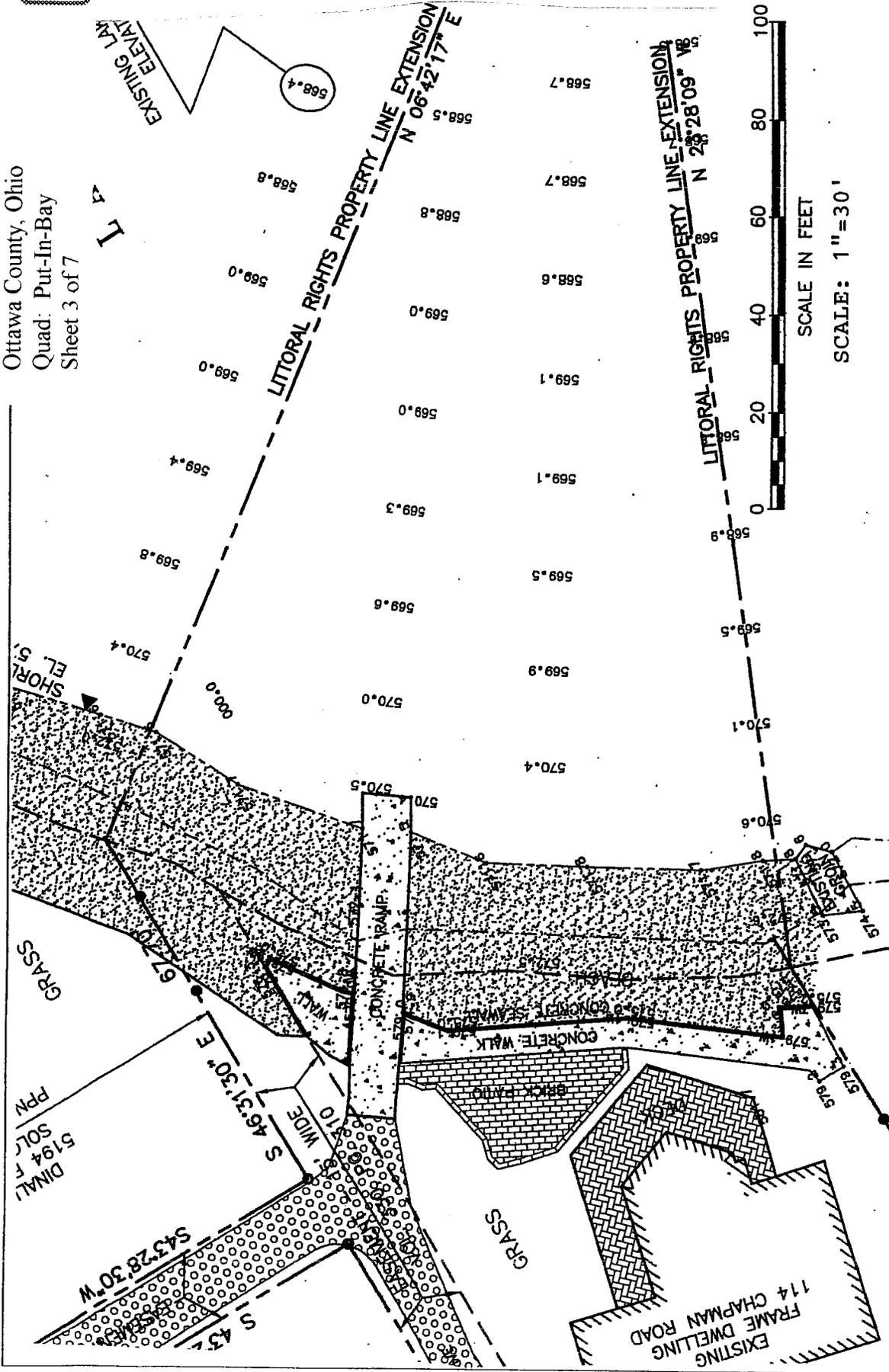
Stewart, Jeffrey
 D/A Processing No. 2012-00357
 Ottawa County, Ohio
 Quad: Put-In-Bay
 Sheet 2 of 7



LEGEND	NOTES:
○ DENOTES 5/8" CAPPED (REITZ ENG) IRON PIN FOUND	1.) ALL ELEVATIONS ARE RELATIVE TO OLD 1984 O.G. L.M.D. = 580.50 FT. M.D. 1984.
● DENOTES 5/8" CAPPED (REITZ ENG) IRON PIN FOUND	2.) LITTORAL RIGHTS PROPERTY LINE EXTENSIONS DETERMINED BY THE MANUAL METHOD AT THE INTERSECTION OF THE PROPERTY LINES & THE 1984 HISTORICAL DELINEATION LINE.
○ DENOTES IRON PIN FOUND AS NOTED	

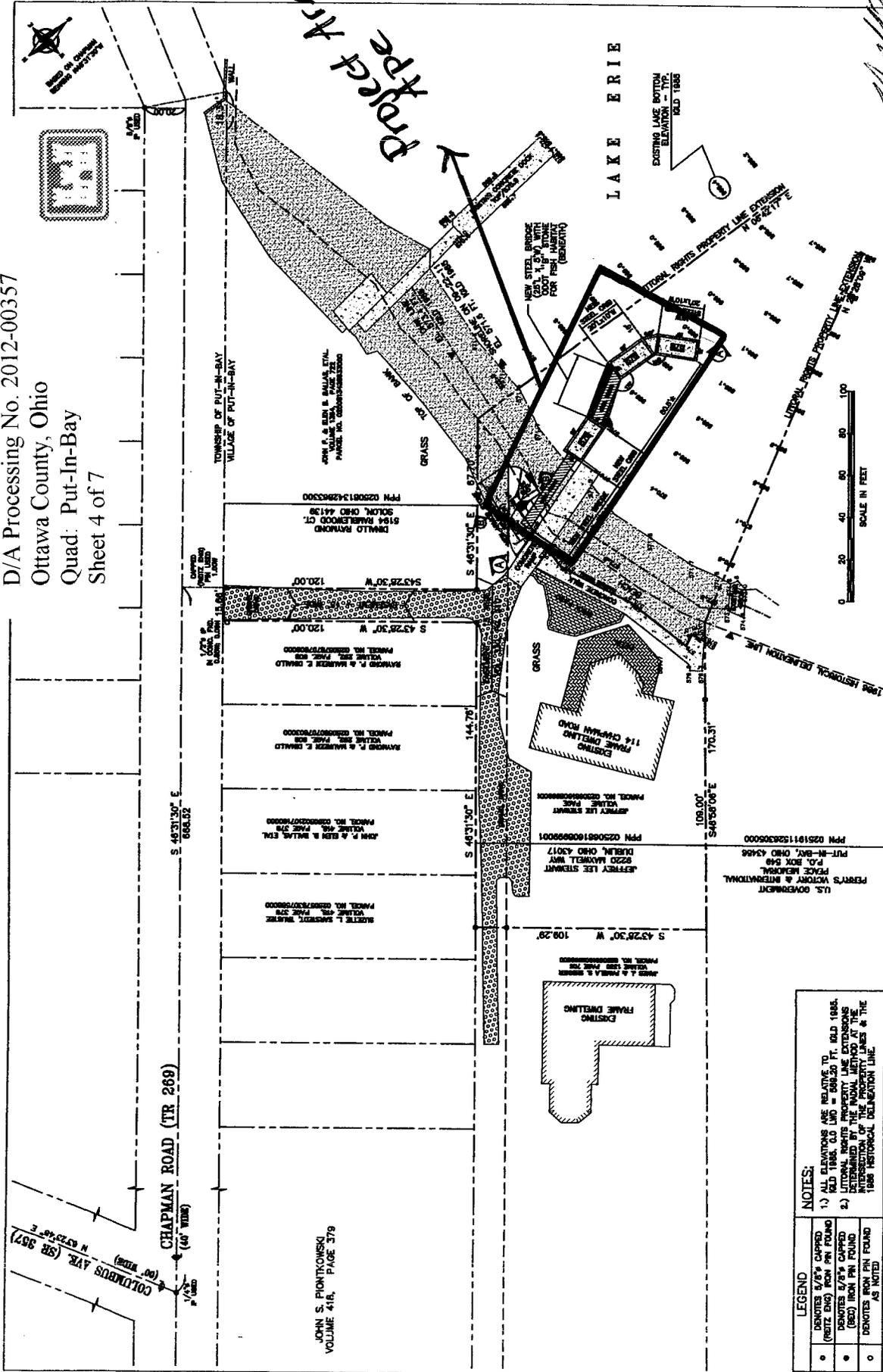
DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985 <small>ADJACENT PROPERTY OWNERS</small>		EXISTING SITE PLAN		PREPARED BY: MATRIX ENGINEERING INC.	
1.) U.S. GOVERNMENT 2.) JOHN P. & ELEN B. BELLAS, ETAL		JEFFREY LEE STEWART 9220 MAXWELL WAY DUBLIN, OHIO 43017		NEW STEEL CRIB PIER AT 114 CHAPMAN ROAD SOUTH BASS ISLAND PUT-IN-BAY, OHIO	
				SHEET 2 OF 5 PROJECT 03-14-12	

Stewart, Jeffery
 D/A Processing No. 2012-00357
 Ottawa County, Ohio
 Quad: Put-In-Bay
 Sheet 3 of 7



<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>1.) U.S. GOVERNMENT 2.) JOHN P. & ELEN B. BELLAS, ETAL</p>	<p>JEFFREY LEE STEWART 9220 MAXWELL WAY DUBLIN, OHIO 43017</p>	<p>NEW STEEL CRIB PIER AT 114 CHAPMAN ROAD SOUTH BASS ISLAND PUT-IN-BAY, OHIO</p>
<p>SHEET 2A OF 5</p>	<p>DATE: 03-14-12</p>	<p>PROJECT NO: 03-14-12</p>

Stewart, Jeffery
 D/A Processing No. 2012-00357
 Ottawa County, Ohio
 Quad: Put-In-Bay
 Sheet 4 of 7



LEGEND	NOTES:
• DIMENSIONS 1/4\"/>	1.) ALL ELEVATIONS ARE RELATIVE TO (G.D.M. 1985) C.O. L.W.D. = 569.2 FT. OLD 1985.
• EXISTING FRAME DWELLING FOUND (RED) FOUND IN PLACE	2.) UTILITY RIGHTS PROPERTY LINE EXTENSIONS ARE SHOWN IN RED AT THE INTERSECTION OF THE PROPERTY LINES & THE 1985 HISTORICAL DELINEATION LINE.
○ DIMENSIONS NOT FOUND AS NOTED	

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

- ALMOST PROPERTY OWNERS
- 1.) U.S. GOVERNMENT
 - 2.) JOHN P. & ELEN B. BELLAS, ETAL

SITE PLAN

JEFFREY LEE STEWART
 9220 MAXWELL WAY
 DUBLIN, OHIO 43017

PREPARED BY
 MATRIX ENGINEERING INC.

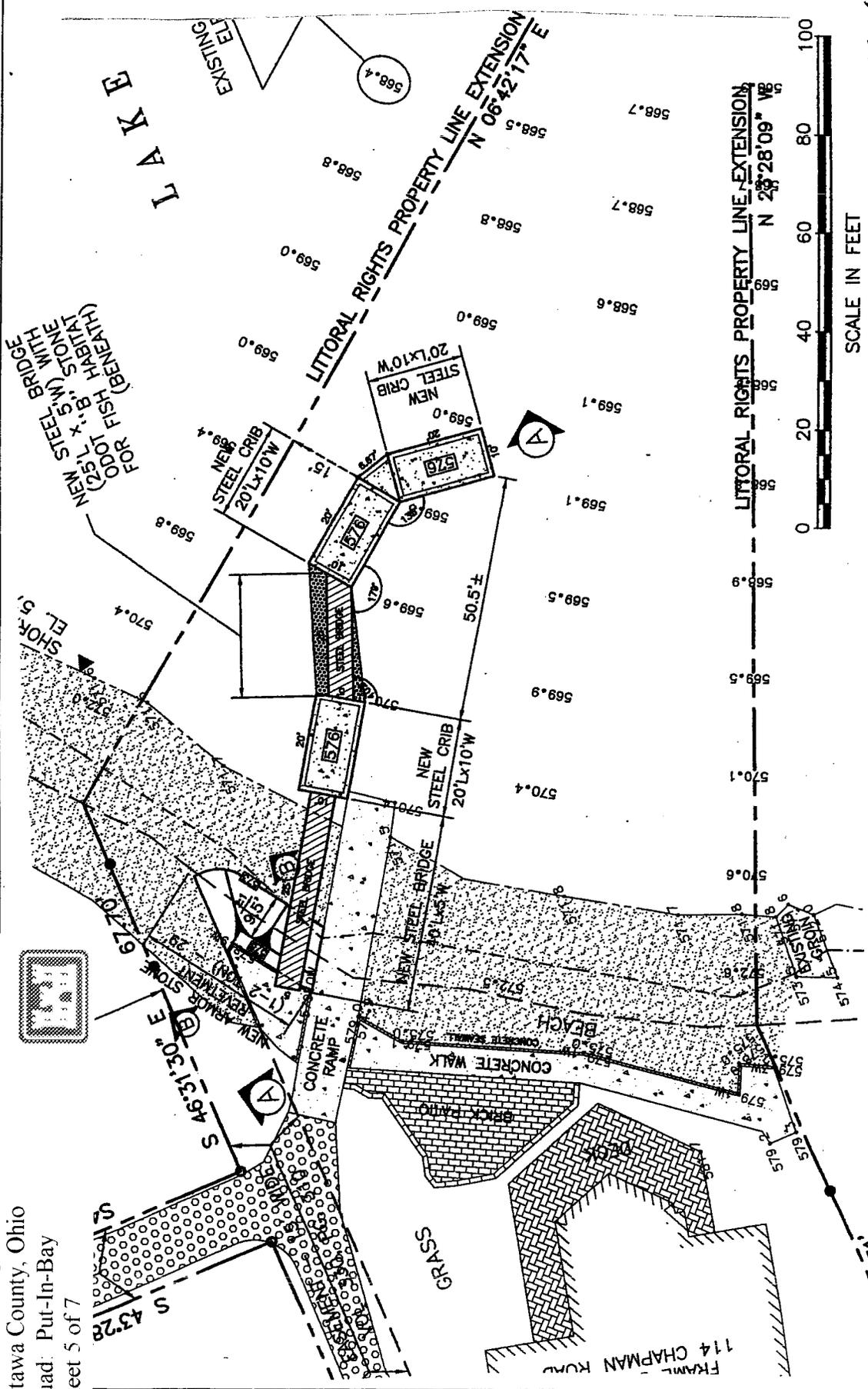
NEW STEEL CRIB PIER AT
 114 CHAPMAN ROAD
 SOUTH BASS ISLAND
 PUT-IN-BAY, OHIO

SHEET 3 OF 5



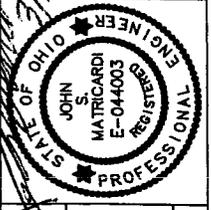
Project Area

Stewart, Jeffery
 D/A Processing No. 2012-00357
 Ottawa County, Ohio
 Quad: Put-In-Bay
 Sheet 5 of 7



SCALE IN FEET

SCALE: 1"=30'

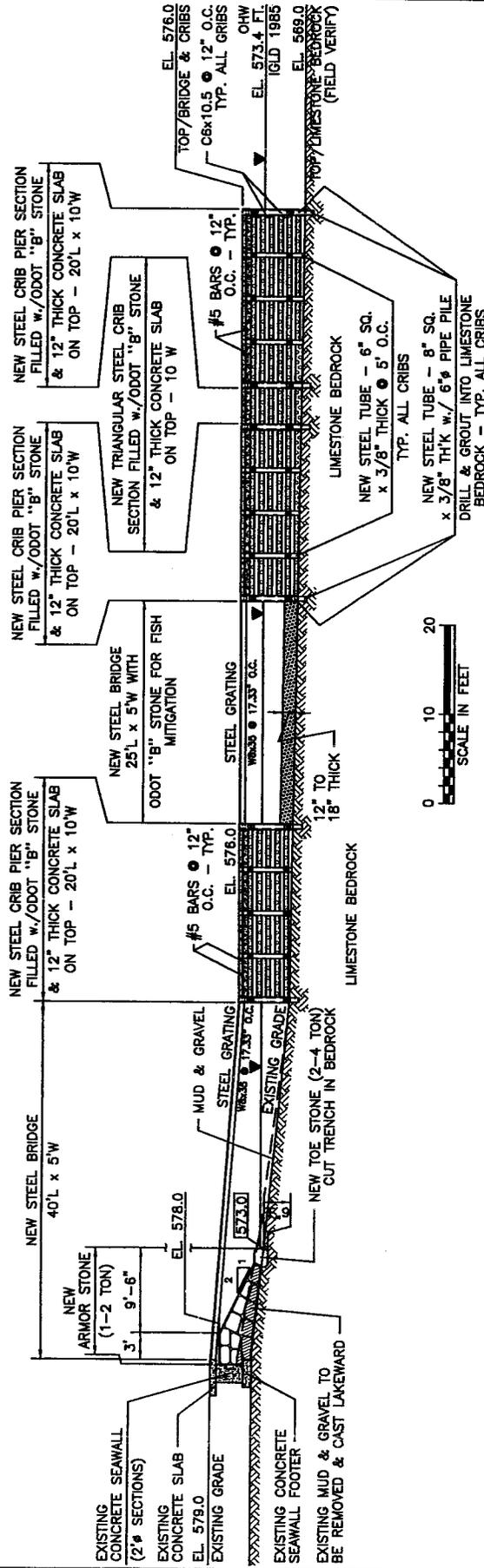


PREPARED BY
MATRIX ENGINEERING INC.
 NEW STEEL CRIB PIER AT
 114 CHAPMAN ROAD
 SOUTH BASS ISLAND
 PUT-IN-BAY, OHIO

SITE PLAN
 JEFFREY LEE STEWART
 9220 MAXWELL WAY
 DUBLIN, OHIO 43017

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985
 1.) U.S. GOVERNMENT
 2.) JOHN P. & ELEN B. BELLAS, ETAL

SHEET 3A OF 5 03-14-12

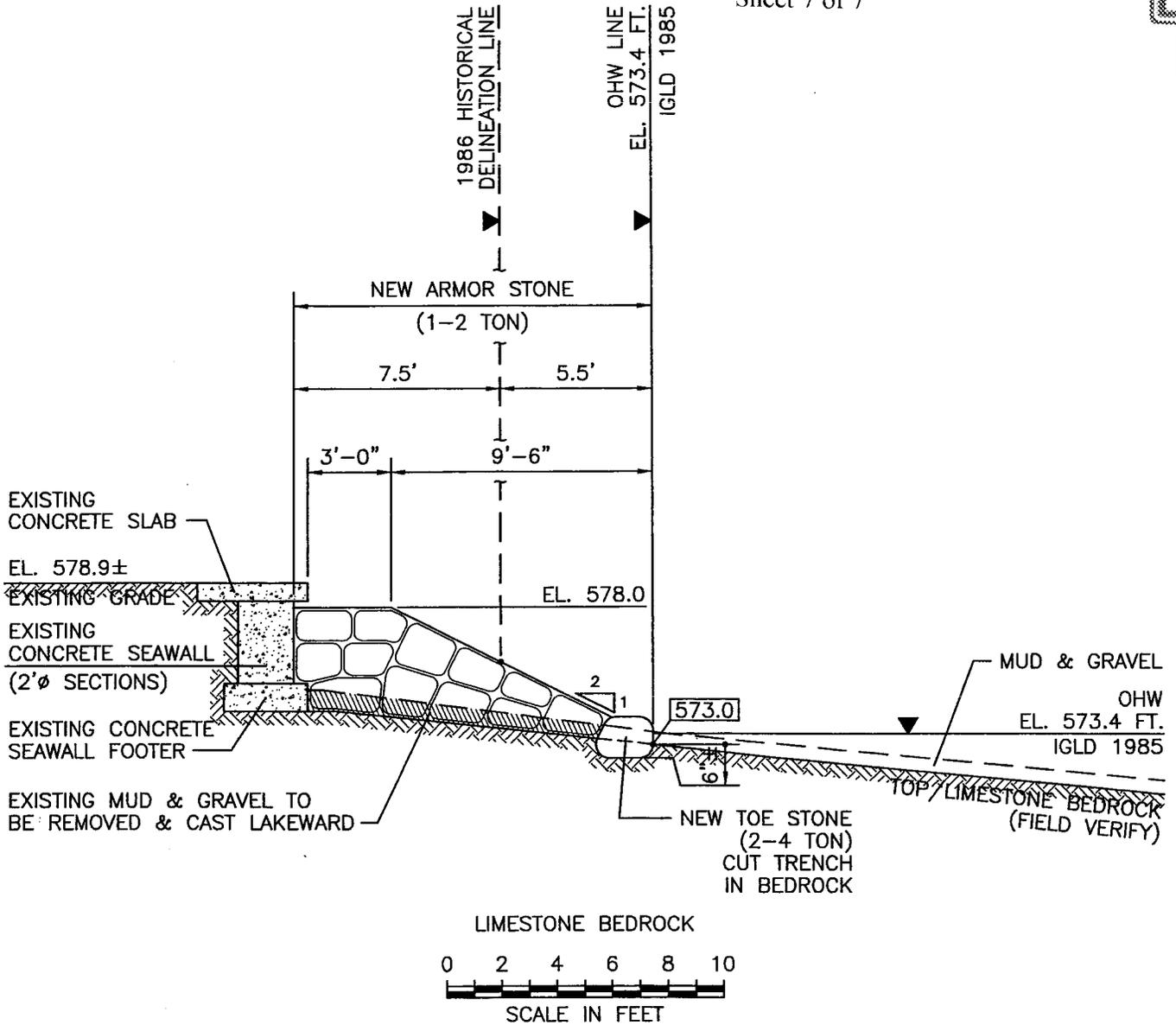


NOTES:

- 1.) ALL ELEVATIONS ARE RELATIVE TO IGLD 1985. 0.0 LWD = 569.20 FT. IGLD 1985.

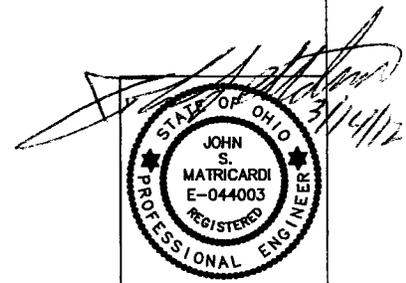
<p>SECTION A-A</p>	<p>SECTION A-A</p>	<p>DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985</p>
<p>PROPOSED BY: MATRIX ENGINEERING INC.</p>	<p>JEFFREY LEE STEWART 9220 MAXWELL WAY DUBLIN, OHIO 43017</p>	<p>1.) U.S. GOVERNMENT 2.) JOHN P. & ELEN B. BELLAS, ETAL</p>
<p>NEW STEEL CRIB PIER AT 114 CHAPMAN ROAD SOUTH BASS ISLAND PUT-IN-BAY, OHIO</p>	<p>SHEET 4 OF 5</p>	<p>DATE: 03-14-12</p>





NOTES:

- 1.) ALL ELEVATIONS ARE RELATIVE TO IGLD 1985. 0.0 LWD = 569.20 FT. IGLD 1985.



DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	SECTION B-B	PREPARED BY: MATRIX ENGINEERING, INC.
<small>ADJACENT PROPERTY OWNERS:</small> 1.) U.S. GOVERNMENT 2.) JOHN P. & ELEN B. BELLAS, ETAL	JEFFREY LEE STEWART 9220 MAXWELL WAY DUBLIN, OHIO 43017	NEW STEEL CRIB PIER AT 114 CHAPMAN ROAD SOUTH BASS ISLAND PUT-IN-BAY, OHIO <hr/> SHEET 5 OF 5 03-14-12