



Public Notice

Applicant:

James T. Hildebrandt

Date:

Published: January 23, 2004

Expires: February 21, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 2004-00460(0) Section: OH 10 and 404

**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).**

Mr. James T. Hildebrandt, 17 Country Road, Darien, Connecticut 06820, has requested a Department of the Army (DA) Permit to construct a cobblestone beach and armor stone breakwater. The proposed project is located at 983 West Shore Road, in the Township of Put-In-Bay, Ottawa County, Ohio 43456.

Department of the Army authorization is requested for the discharge of 257 cubic yards of armor stone below the Ordinary High Water elevation (OHW) of Lake Erie (573.4 feet International Great Lakes Datum, 1985 (IGLD 85)) for an off-shore breakwater, the placement of 85 cubic yards of gravel below OHW for the construction of a beach area, and an additional 9 cubic yards of fill below OHW for the construction of two stairways.

The project consists of the following:

- a) Construction of a breakwater 60 feet long by 22 feet wide. The breakwater will require 257 cubic yards of 4 to 10 ton armor stone, all of which will be placed below the OHW elevation for Lake Erie. The breakwater will be constructed with a basal width of 27 feet, a top width of 6 feet, and side slopes of 1.5:1. Some existing armor stone on the site will be used for this project.
- b) Construction of a beach area 60 feet long by 22 feet wide. Approximately 85 cubic yards of gravel will be discharged along the shoreline of the property, all below the OHW elevation.
- c) Construction of two concrete stairways 10 feet in length, 5 and 8 feet in width. The fill associated with these two structures will total approximately 9 cubic yards below OHW.

The purpose of this project is to create an improved beach area, provide new access stairways to the shoreline, and provide erosion control to retain the gravel beach created along the shoreline of the property.

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

Questions pertaining to the work described in this notice should be directed to Megan C. Oberst, who can be contacted by calling (716) 879-4308, or by e-mail at: megan.c.oberst@usace.army.mil

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:

Ms. Mindy Bankey
Ohio Department of Natural Resources
Consistency Coordinator
Office of Legislative Services
1930 Belcher Drive, Bldg D-3
Columbus, Ohio 43224-1387
Telephone (614) 265-6836
FAX (614) 261-9601
e-mail: mindy.bankey@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, there does not appear to be any currently National Register eligible or previously recorded prehistoric or historic properties within the permit area or the project's area of potential effects as shown on Sheet 3 of 5. 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 cultural resource information pertaining to this proposed project, if any, has been enclosed for SHPO. Should additional information be required for SHPO review, please request this in writing within the comment period of this notice.

In addition, available evidence indicates that the work proposed may affect one species proposed or designated by the U.S. Department of the Interior as threatened or endangered, and it may affect the critical habitat of any such species. The project is located within the Lake Erie Water Snake Critical Habitat Area and involves the removal of stone along the existing shoreline as well as the placement of armor stone and other construction along the shoreline and below the OHW of Lake Erie.

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 should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Megan C. Oberst, or by e-mail at: megan.c.oberst@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

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.

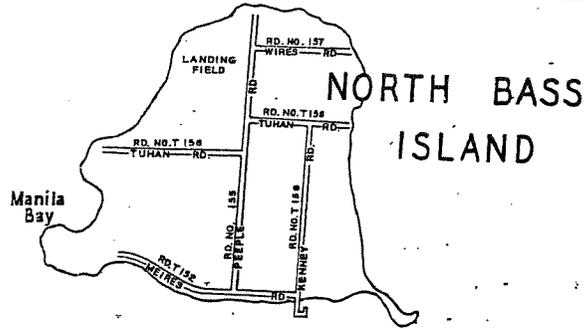
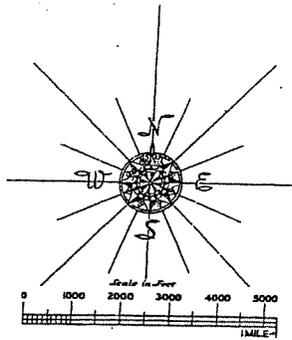
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits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

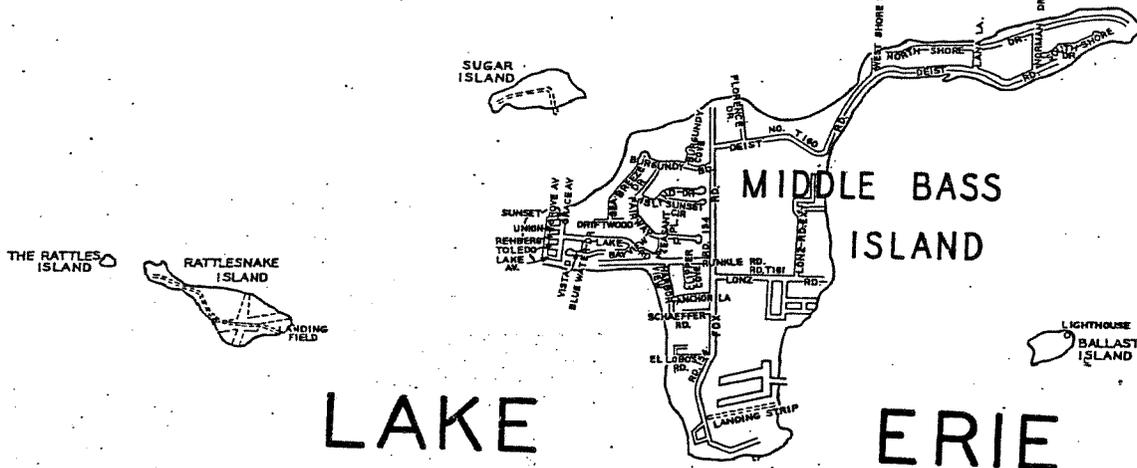


For Philip D. Frapwell
Acting Chief, Regulatory Branch

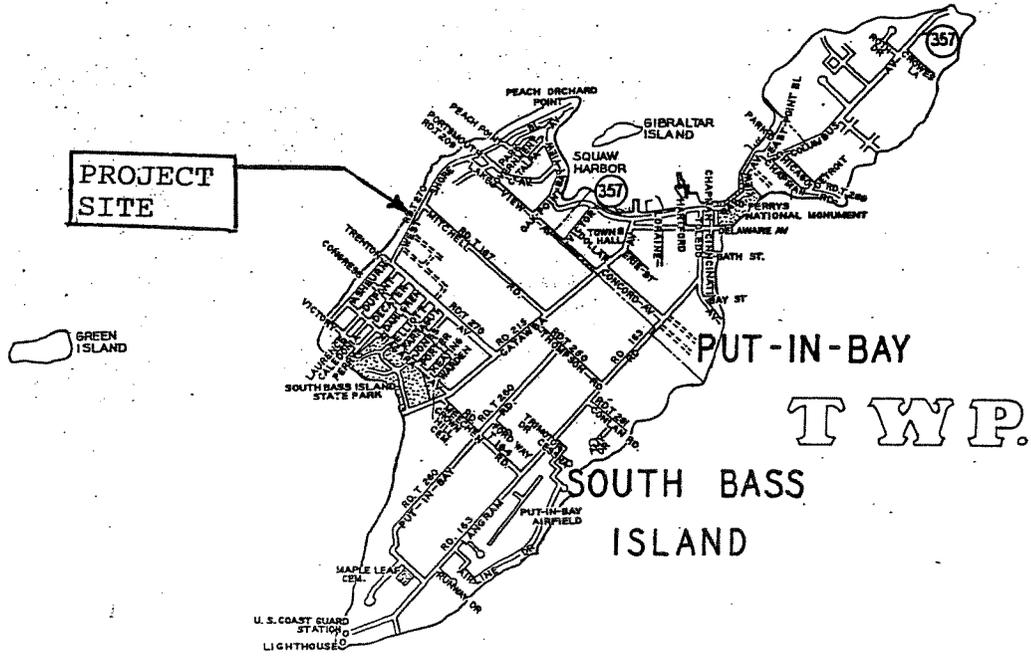
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



PUT IN BAY



LAKE ERIE



VICINITY MAP

PREPARED BY: MATRIX ENGINEERING, INC.

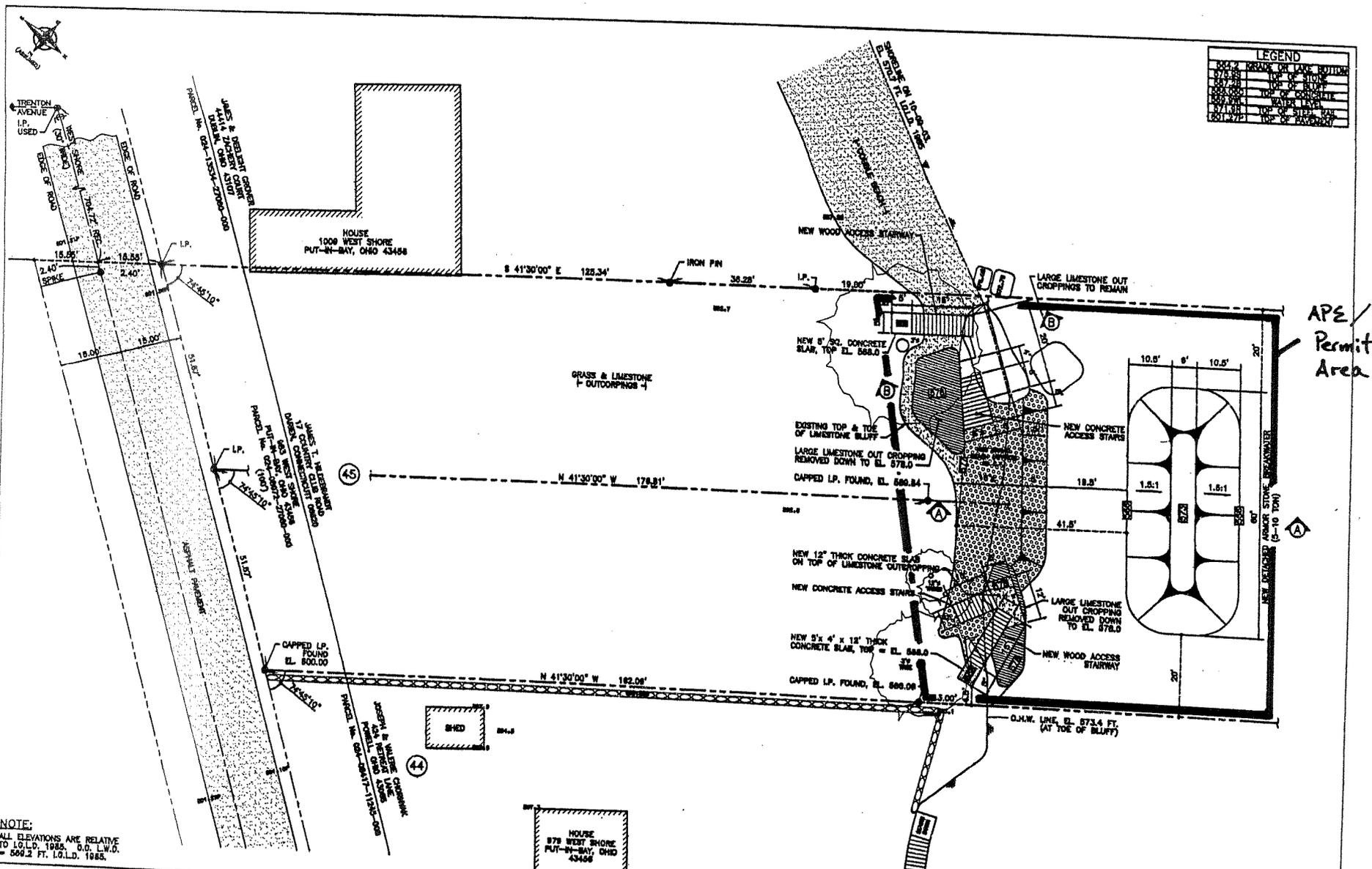
DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985

- SOURCES PROPERTY OWNERS:
- 1.) JOSEPH & VALERIE CHORNYAK
 - 2.) JAMES & DEELIGHT GROVER

JAMES T. HILDEBRANDT
17 COUNTRY CLUB ROAD
DARIEN, CONNECTICUT 0682

HILDEBRANDT, JAMES T.
D/A Processing No. 2004-00460(0)
Ottawa County, Ohio Quad: PUT-IN-BAY
Sheet 1 of 5

LEGEND	
[Symbol]	TOP OF GRADE OR LIME BLUFF
[Symbol]	TOP OF STONE
[Symbol]	TOP OF LIME BLUFF
[Symbol]	TOP OF LIME BLUFF
[Symbol]	TOP OF STONE
[Symbol]	TOP OF STONE



APE/
Permit
Area

NOTE:
ALL ELEVATIONS ARE RELATIVE
TO I.G.L.D. 1985. O.G. L.W.D.
= 569.2 FT. I.G.L.D. 1985.

DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985

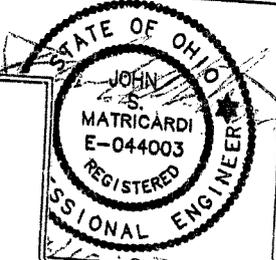
SITE PLAN

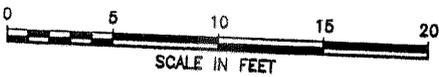
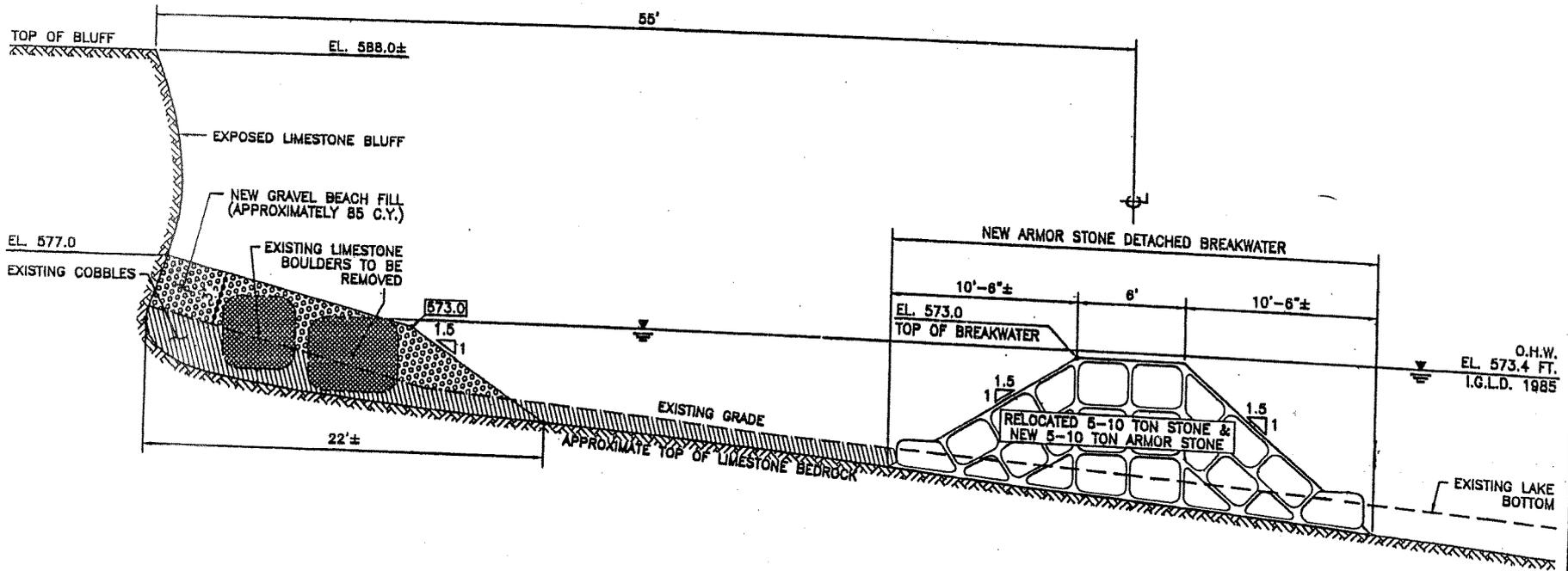
MATRIX ENGINEERING, INC.

ADJACENT PROPERTY OWNERS:
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Sheet 3 of 5





DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985		SECTION A-A		PREPARED BY MATRIX ENGINEERING, INC.	
ADJACENT PROPERTY OWNERS: 1.) JOSEPH & VALERIE CHORNYAK 2.) JAMES & DEELIGHT GROVER		JAMES T. HILDEBRANDT 17 COUNTRY CLUB ROAD DARIEN, CONNECTICUTT 06820		HILDEBRANDT, JAMES T. D/A Processing No. 2004-00460(0) Ottawa County, Ohio Quad: PUT-IN-BAY Sheet 4 of 5	



EL. 588.0±
TOP OF BLUFF

EL. 586.0

LIMESTONE TO
BE REMOVED
& RELOCATED

4'±
STAIRS

6'
SLAB

NEW 12" THICK CONCRETE SLAB
w./#5 BARS @ 12" O.C.

EL. 578.0

O.H.W.
EL. 573.4 FT.
I.G.L.D. 1985

LIMESTONE
OUT CROPPING

2'
TYP.

LIMESTONE
OUT CROPPING

NEW #5 DOWEL @
2' O.C., DRILL AND
GROUT INTO BEDROCK
(30"x 12" TYP.)

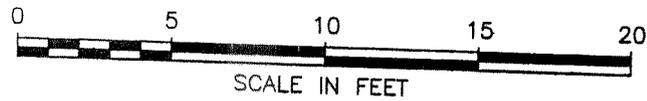
NEW CONCRETE FILL
FOR ACCESS STAIRS

1.5' 4'±
TYP.

O.H.W.
EL. 573.4 FT.
I.G.L.D. 1985

EXISTING LAKE
BOTTOM

COBBLES



DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D. 1985

SECTION B-B

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MATRIX ENGINEERING, INC.

- ADJACENT PROPERTY OWNERS:
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 - 2.) JAMES & DEELIGHT GROVER

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