



Public Notice

Applicant:
Khalid M. Ataya

Date:
Published: April 2, 2004
Expires: May 1, 2004

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

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 96-473-9(2) 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. Khalid M. Ataya, 25120 Lake Road, Bay Village, Cuyahoga County, Ohio has requested a Department of the Army (DA) Permit to construct four new timber crib docks, rebuild a portion of the existing bulkhead, construct two bin-type retaining walls, install armor stone, construct a seawall cap, and construct a concrete block retaining wall. The proposed project is located at 25120 Lake Road, Bay Village, Cuyahoga County, Ohio.

Department of the Army authorization is requested for the discharge below the Ordinary High Water elevation (OHW) of Lake Erie (573.4 feet International Great Lakes Datum, 1985 (IGLD)) of 230 cubic yards of stone for the construction of four timber crib docks, the discharge of 120 cubic yards of stone for the construction of two concrete beam bin-type retaining walls, the placement of approximately 65 cubic yards of concrete blocks for the partial replacement of an existing bulkhead, the installation of approximately 45 cubic yards of armor stone for bank stabilization, the placement of approximately 50 cubic yards of filter stone and 50 cubic yards of concrete for the construction of a seawall cap, the regrading of the fill slope, the placement of approximately 42 cubic yards of precast concrete blocks for the installation of a concrete block retaining wall, and the backfill of approximately 55 cubic yards of stone or concrete rubble behind the retaining wall.

Previous Department of the Army authorization was granted in August, 1996 for the construction of a 140-foot bulkhead approximately 40 to 45 feet waterward of the existing bluff and for the backfill behind the bulkhead at a 1.5:1 to 2:1 slope to the approximate center of the bluff face. In August, 1998, authorization was granted for the construction of a 25.5-foot long by 12-foot wide timber crib dock extending into Lake Erie.

The project consists of the following:

a) Construction of three, new timber crib docks extending off the existing dock to form an L-shaped enclosure. In addition, a single, straight timber crib pier is proposed to be constructed along the western property line from the northwestern corner of the rebuilt

concrete block bulkhead. The timber crib extending from the existing dock will be 12 feet wide and 24 feet long. The two cribs forming the L-shape will be 12 feet wide and will extend to the west for a total of 36 feet. The single crib at the northwestern corner of the property will be 10 feet wide and 32 feet long. In total, approximately 230 cubic yards will be placed below the OHW of Lake Erie for this portion of the project.

b) Construction of two, stone-filled concrete bin-type retaining walls. One bin will be 16 feet wide, the other 11 feet wide; the combined length of the two bins will be 27 feet. The bins will be constructed using 3-foot and 4-foot high tongue-in-groove pre-cast concrete blocks at the base of the bin wall perimeter. The base will be placed on clean, hard, shale bottom, approximately 7.4 feet below the OHW and extending to an approximate elevation of 610 feet, IGLD 1985. The crib openings will be 10 inches; the bin walls will be filled with 12- to 18-inch stone. In total, approximately 120 cubic yards of stone will be placed below the OHW.

c) Removal of the existing concrete block bulkhead from within the property line of the western neighbor. The wall will be rebuilt within the applicant's western property line using identical concrete blocks arranged, angled, and anchored similarly to that of the existing bulkhead. The newly constructed wall will run at an angle to the property so as to leave approximately 8 feet of distance between the wall and the property line at the bluff face.

d) Installation of 2- to 5-ton armor stone on the west side of the property, in front of the rebuilt bulkhead and the bin-type retaining walls. Approximately 45 cubic yards of stone will be placed below the OHW to deflect wave action.

e) The regrading of the fill slope and the construction of a concrete bulkhead cap between the existing bulkhead and regraded fill. The bulkhead cap will be approximately 125 feet long and 15 to 20 feet wide. Approximately 50 cubic yards of filter stone will be placed and covered with approximately 50 cubic yards of concrete cap, all within the previously authorized fill area.

f) The construction of a concrete block retaining wall at the northeastern corner of the proposed bin-wall system. The retaining wall will require approximately 42 cubic yards of precast concrete blocks and 55 cubic yards of stone or concrete rubble for backfill within the previously authorized fill area.

The purpose of the project is to create a sheltered lake access for watercraft.

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 properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 3 of 8. 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, 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 Cuyahoga County where the Piping Plover (*Charadrius melodus*) is found, and involves the enclosure of existing rock rip-rap by a concrete bulkhead cap.

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: . 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,

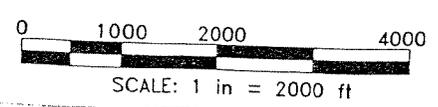
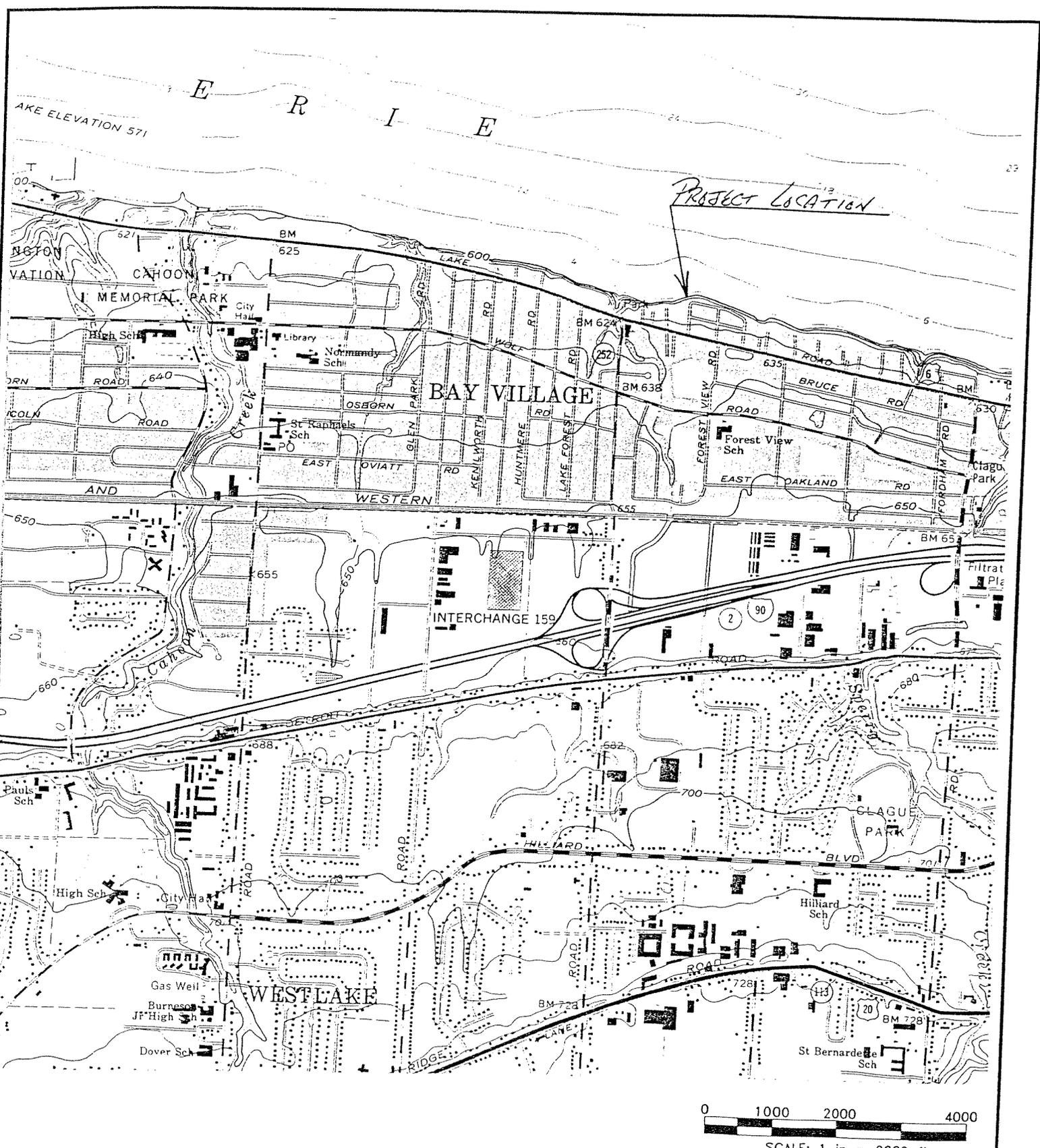
land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

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.

SIGNED

Philip D. Frapwell
Acting Chief, Regulatory Branch

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



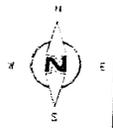
PREPARED BY:
Andrassy Engineering, Ltd.
 ADJACENT PROPERTY OWNERS:
 Laszlo and R. Prisko
 5110 Lake Road, Bay Village OH 44140
 Candace A. Rich
 100 Kenmore Drive, Bay Village OH 44140

LOCATATION MAP
 CONCRETE BLOCK SEAWALL and PIE
 BAY VILLAGE, OHIO

APPLICANT:
 KHALID M. ATAYA
 25120 LAKE ROAD
 BAY VILLAGE, OH 44140

ATAYA, KHALID
 D/A Processing No. 96-473-9(2)
 Cuyahoga County, Ohio Quad: NORTH
 OLMSTED
 Sheet 1 of 8

LAKE ERIE



CONCRETE SLAB
(ELEV = 579.7'+)

CONCRETE BLOCK
SEAWALL (ELEV=586'+)

CONCRETE
PLATFORM
(ELEV=587.6')

TOE OF
BLUFF

TOP OF
BLUFF

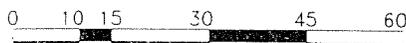
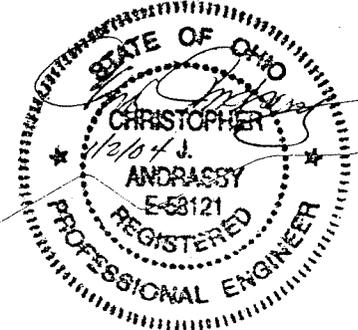
Laszlo and R. Prisko
25110 Lake Road
Bay Village, OH 44140

PROPERTY LINE

Khalid M. Ataya and
Aifida Ramahi-Atcya
25120 Lake Road
Bay Village, OH 44140

PROPERTY LINE

Candace A. Rich
300 Kenmore Drive
Bay Village, OH 44140



SCALE: 1 in = 30 ft

DATUM: 0.0 L.W.D. = 569.2 FT (IGLD '85)
SURVEY CONDUCTED 4 NOV 98

PREPARED BY:
Andrassy Engineering, Ltd.

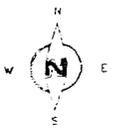
EXISTING SITE PLAN

APPLICANT:
KHALID M. ATAYA
25120 LAKE ROAD
BAY VILLAGE, OH 44140

ADJACENT PROPERTY OWNERS:
Laszlo and R. Prisko
25110 Lake Road, Bay Village OH 44140
Candace A. Rich
300 Kenmore Drive, Bay Village OH 44140

CONCRETE BLOCK SEAWALL and
BAY VILLAGE, OHIO

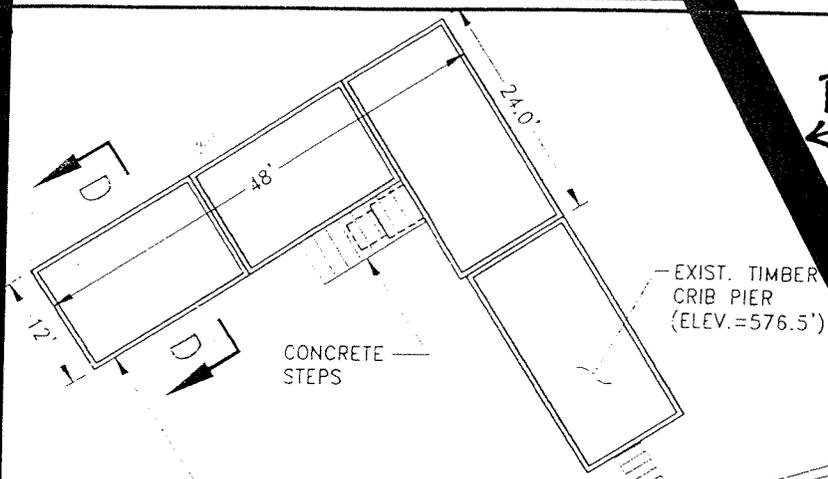
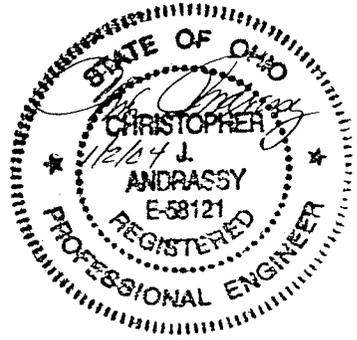
ATAYA, KHALID
D/A Processing No. 96-473-9(2)
Cuyahoga County, Ohio Quad: NORTH
OLMSTED
Sheet 2 of 8



Permit
← Area

LAKE ERIE

EXTENDED
PROPERTY LINE



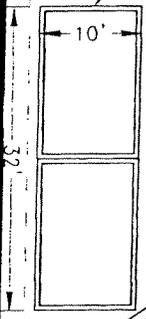
NEW TIMBER CRIB
PIERS (ELEV.=576.5')

EXIST. TIMBER
CRIB PIER
(ELEV.=576.5')

CONCRETE
STEPS

EXISTING CNC. BLOCK
SEAWALL (ELEV.=586.±)

EXISTING
CONCRETE
PLATFORM
(ELEV.=587.6')



R/C SEAWALL CAP
(ELEV.=586.7'±)

EXISTING CNC. BLOCK SEAWALL
TO BE REMOVED FROM WITHIN
PRISKO BOUNDARIES AND
REBUILT ALONG LINE AS SHOWN

2-5 TON
ARMOR
STONE

PRE-CAST CNC.
BLK. RET. WALL
(ELEV.=598.0'±)



STONE
BACKFILL

TOP OF BLUFF
(ELEV.=622'±)

STONE-FILLED CNC. BIN-TYPE
RET. WALLS (ELEV.=610'±)



SCALE: 1 in = 20 ft
DATUM: 0.0 L.W.D.= 569.2 FT (IGLD '85)

PREPARED BY:
Andrassy Engineering, Ltd.

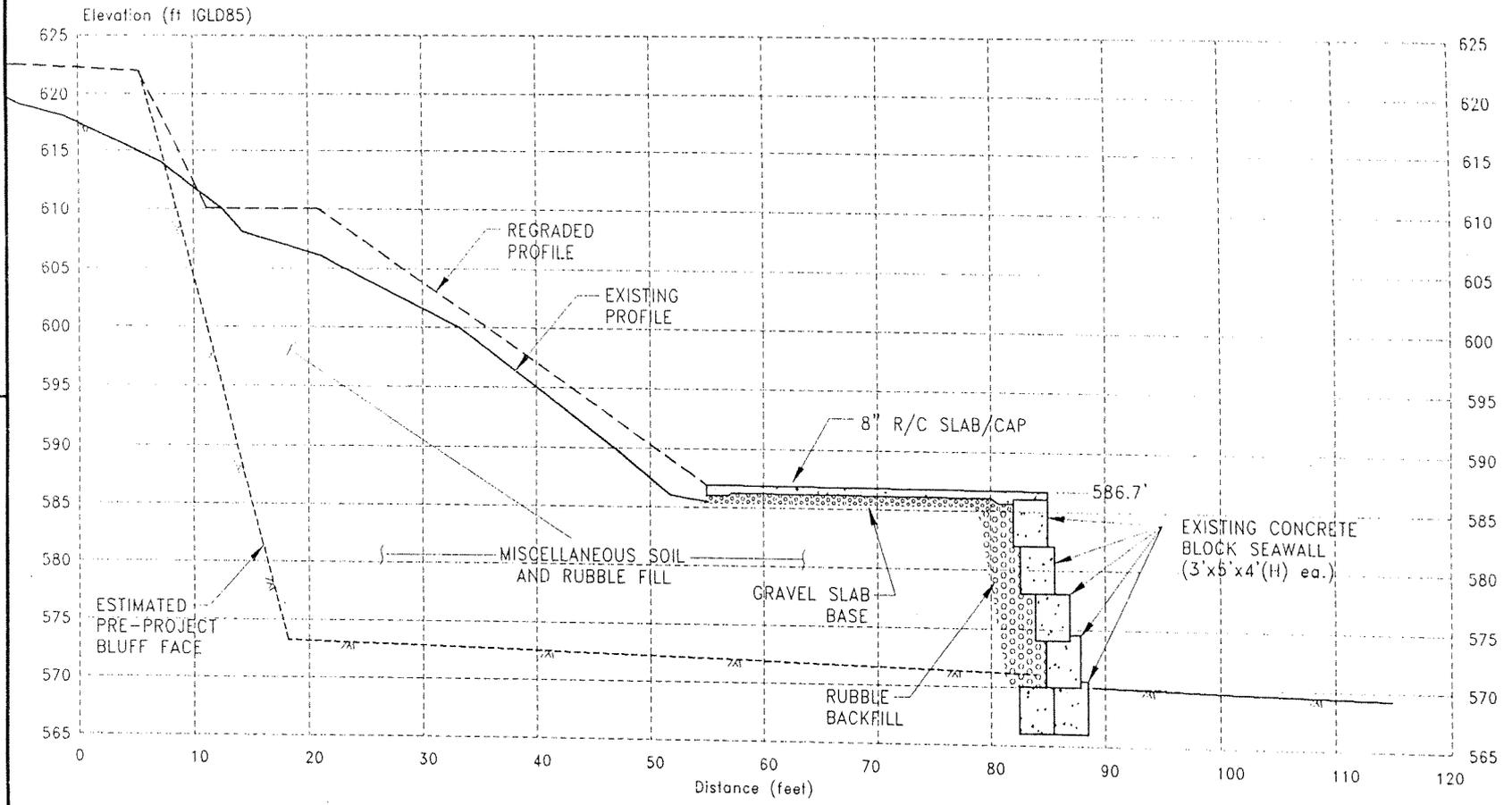
PROPOSED SITE PLAN

APPLICANT:
KHALID M. ATAYA
25120 LAKE ROAD
BAY VILLAGE, OH 44140

ADJACENT PROPERTY OWNERS:
Laszlo and R. Prisko
25110 Lake Road, Bay Village OH 44140
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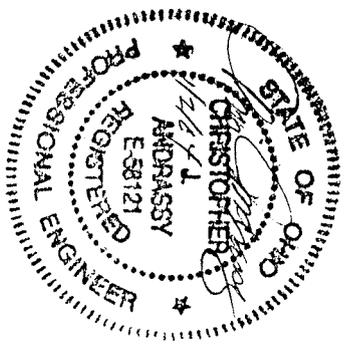
CONCRETE BLOCK SEAWALL and
BAY VILLAGE, OHIO

ATAYA, KHALID
D/A Processing No. 96-473-9(2)
Cuyahoga County, Ohio Quad: NORTH
OLMSTED
Sheet 3 of 8



Notes:

Seawall section details shown in Section A-A and B-B drawings, including anchorage requirements, for portion of wall to be rebuilt along Ataya's extended property line, shall be the same as for the existing wall sections, whichever they may be. Any changes proposed by the Contractor must be approved by the Engineer.



PREPARED BY:
ANDRASSY ENGINEERING, INC.

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 Candace A. Rich
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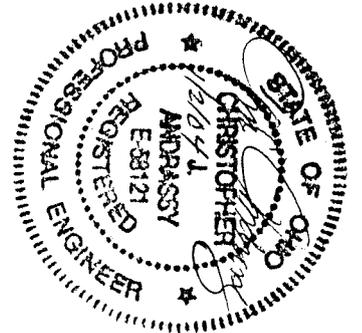
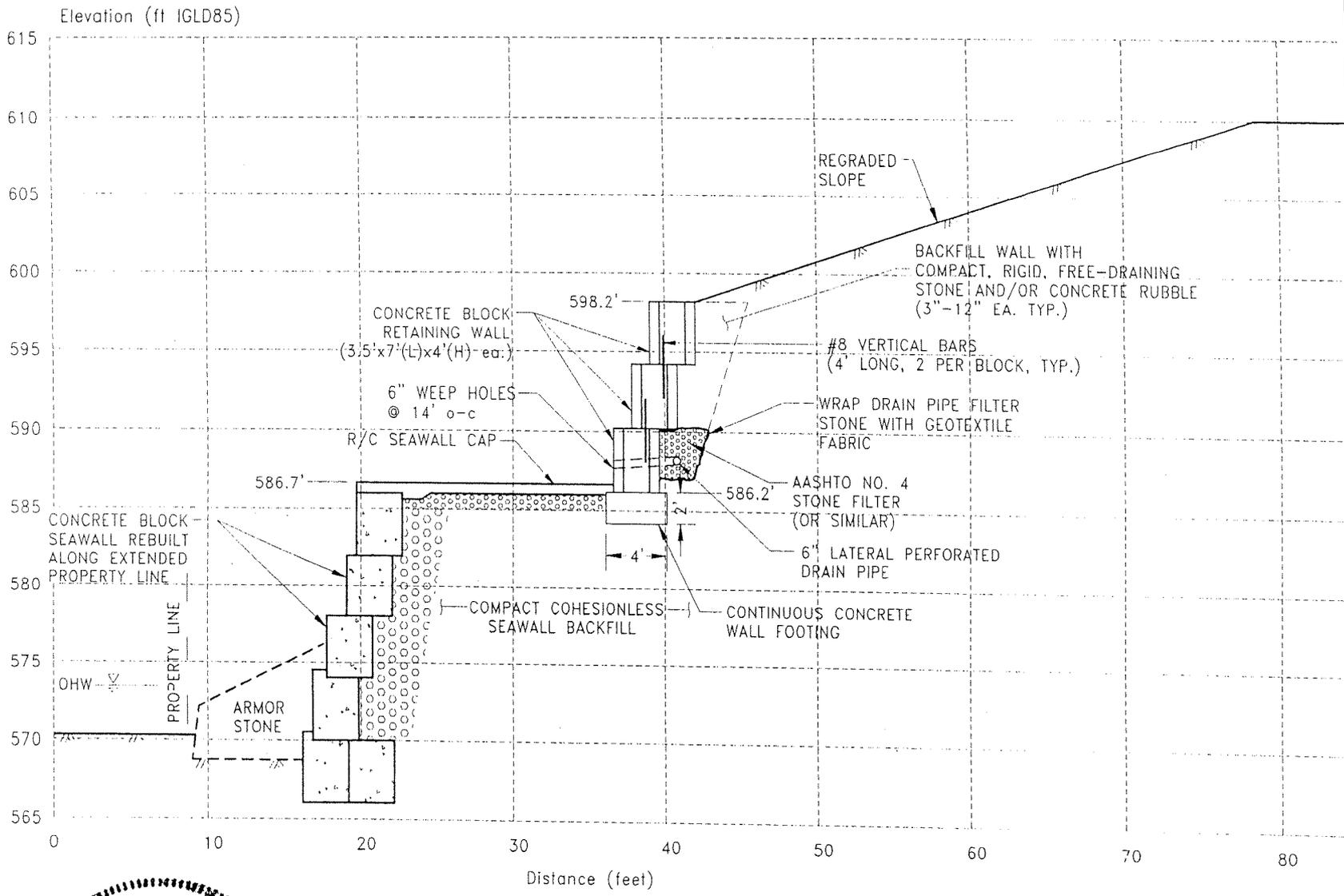
SECTION A-A
 SCALE: 1" = 15'

CONCRETE BLOCK SEAWALL and
 BAY VILLAGE, OHIO

APPLICANT:

KHALID M. ATAYA
 25120 LAKE ROAD
 BAY VILLAGE, OH 44140

ATAYA, KHALID
 D/A Processing No. 96-473-9(2)
 Cuyahoga County, Ohio Quad: NORTH
 OLMSTED
 Sheet 4 of 8



PREPARED BY:
Andrassy Engineering, Inc.

ADJACENT PROPERTY OWNERS:

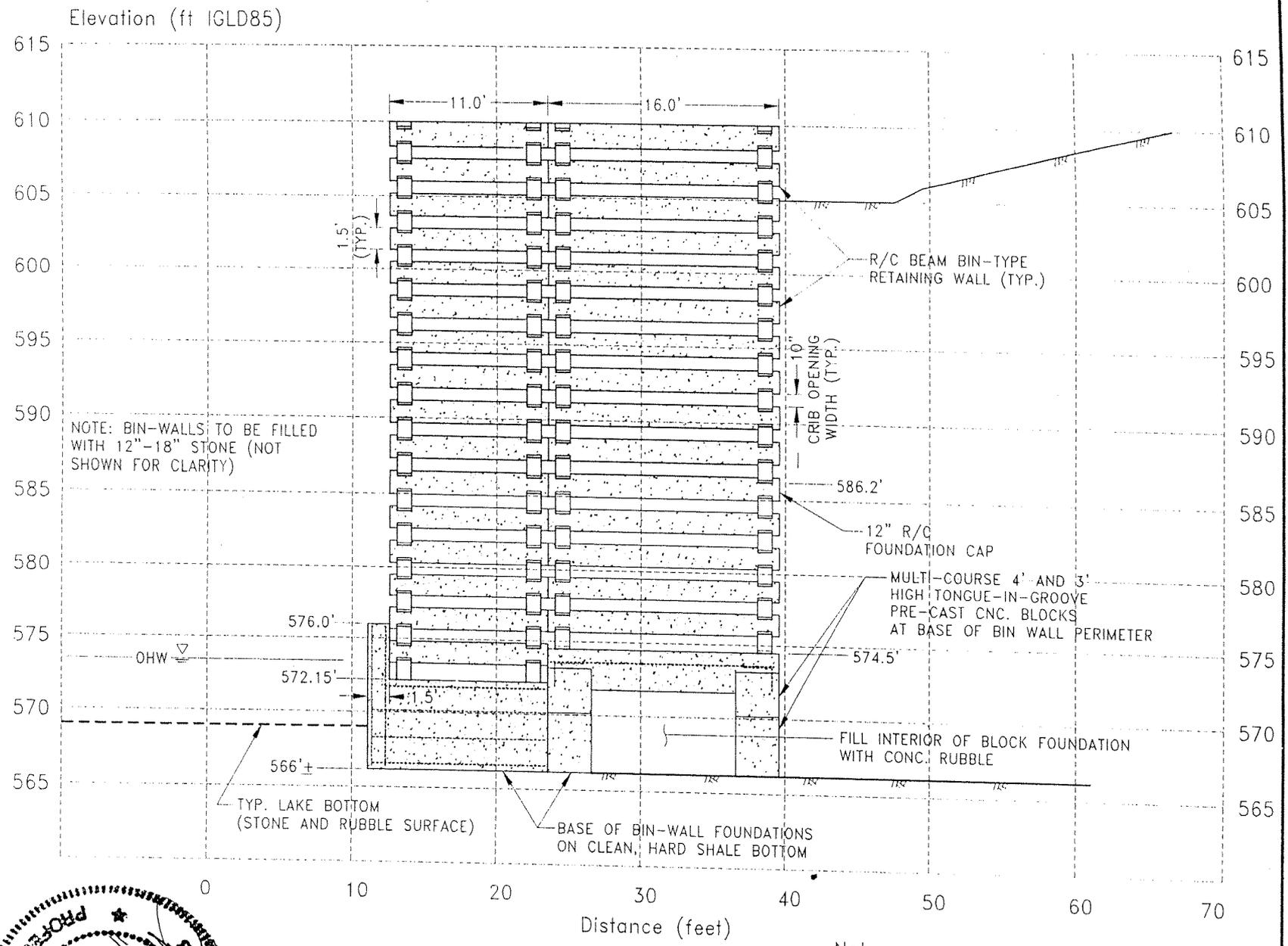
Laszlo and R. Prisko
 25110 Lake Road, Bay Village OH 44140
 Candace A. Rich
 300 Kenmore Drive, Bay Village OH 44140

SECTION B-B
 SCALE: 1" = 10'

CONCRETE BLOCK SEAWALL and
 BAY VILLAGE, OHIO

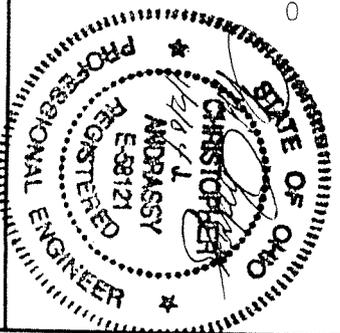
APPLICANT:
 KHALID M. ATAYA
 25120 LAKE ROAD
 BAY VILLAGE, OH 44140

ATAYA, KHALID
 D/A Processing No. 96-473-9(2)
 Cuyahoga County, Ohio Quad: NORTH
 OLMSTED
 Sheet 5 of 8



Notes:

1. Cast-in-place seawall (below west bin-wall): use 4 mats of #5 bars @ 12", both directions; seawall arm: use 2 mats # 5 bars @ 12", both directions.
2. Pre-cast block foundation cap: use #5 bars @ 12" both directions, center of slab.
3. 28-day concrete strength: 4 ksi min. for cast-in-place seawall and foundation; 3.5 ksi min. for pre-cast blocks and pre-cast bin-wall beams.



PREPARED BY:
AMOSSY ENGINEERING, INC.

ADJACENT PROPERTY OWNERS:

Laszlo and R. Priska
 25110 Lake Road, Bay Village OH 44140
 Candace A. Rich
 300 Kenmore Drive, Bay Village OH 44140

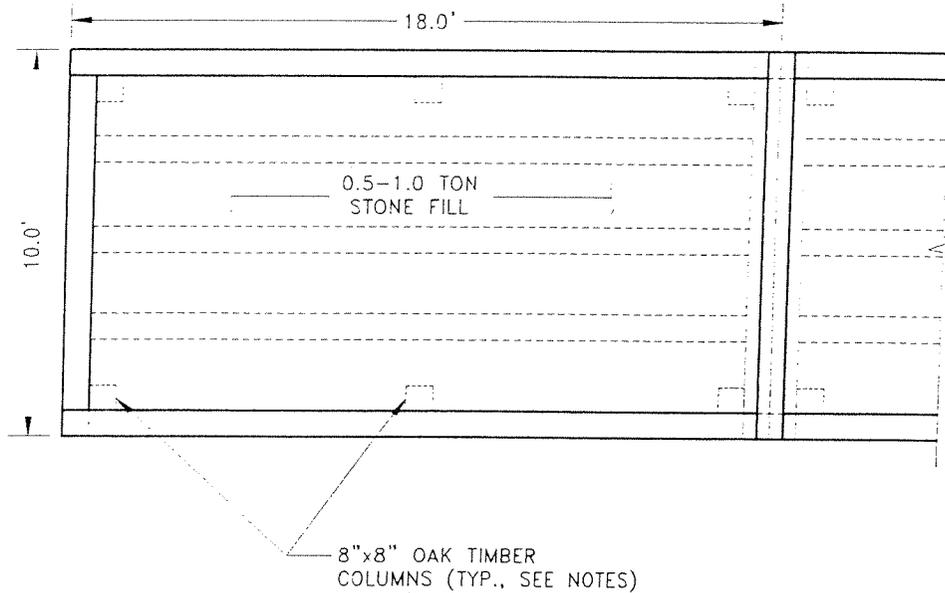
SECTION C-C
 SCALE: 1" = 10'

CONCRETE BLOCK SEAWALL and
 BAY VILLAGE, OHIO

APPLICANT:

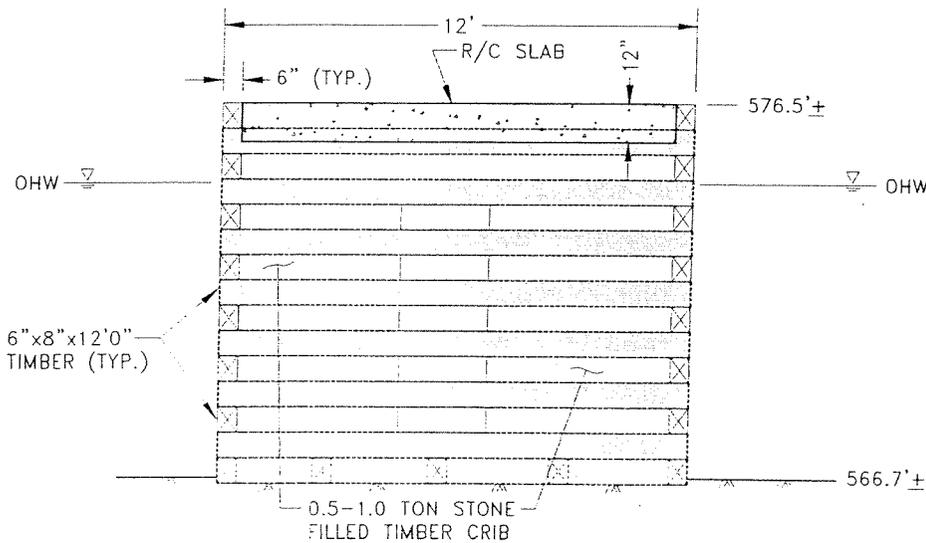
KHALID M. ATAYA
 25120 LAKE ROAD
 BAY VILLAGE, OH 44140

ATAYA, KHALID
 D/A Processing No. 96-473-9(2)
 Cuyahoga County, Ohio Quad: NORTH
 OLMSTED
 Sheet 6 of 8



Construction Notes:

- NOTE: ERECT TIMBER COLUMNS AT CORNERS AND MID-SIDES OF EACH CRIB SECTION; BOLT SIDE MEMBERS THROUGH COLUMNS AT ALL CONNECTIONS W/ HIGH STRENGTH NUT, BOLT, AND WASHERS.



Construction Notes:

- PROVIDE #5 REBARS @ 12" AND 18" SPACING (SHORT, LONG DIRECTIONS, RESPECTIVELY), BOTH TOP AND BOTTOM (50 KSI YIELD STRENGTH STEEL).
- PROVIDE MINIMUM 2" COVER FOR ALL REINFORCING STEEL.
- ALL ELEVATIONS T-HIS SHEET IN FEET GLD 1985.



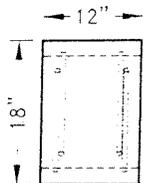
PREPARED BY: Andrassy Engineering, Ltd.	TYPICAL CRIB PLAN DETAIL and SECTION D-D SCALE: 1" = 5'	APPLICANT: KHALID M. ATAYA 25120 LAKE ROAD BAY VILLAGE, OH 44140
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ADJACENT PROPERTY OWNERS:
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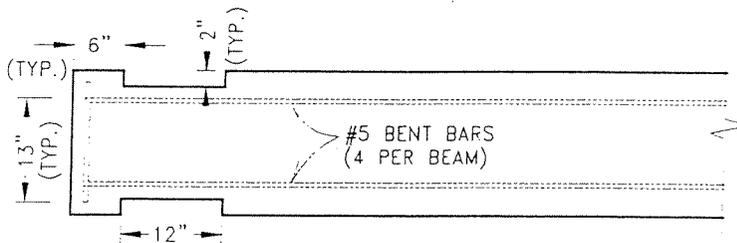
CONCRETE BLOCK SEAWALL and
BAY VILLAGE, OHIO

ATAYA, KHALID
D/A Processing No. 96-473-9(2)
Cuyahoga County, Ohio Quad: NORTH
OLMSTED
Sheet 7 of 8

NOTE: END REINFORCEMENT
SAME, BOTH ENDS OF BEAMS



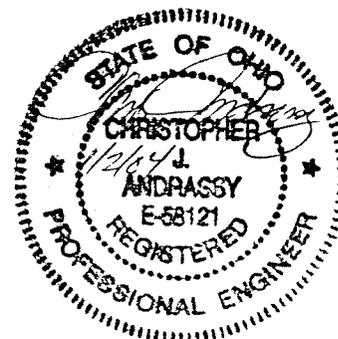
END



SIDE

R/C BIN-WALL BEAM DETAILS

SCALE: 1" = 2'



PREPARED BY:
Andrassy Engineering, Ltd.

DETAILS

APPLICANT:

ADJACENT PROPERTY OWNERS:
Laszlo and R. Prisko
25110 Lake Road, Bay Village OH 44140
Candace A. Rich
300 Kenmore Drive, Bay Village OH 44140

CONCRETE BLOCK SEAWALL and
BAY VILLAGE, OHIO

KHALID M. ATAYA
25120 LAKE ROAD
BAY VILLAGE, OH 44140

ATAYA, KHALID
D/A Processing No. 96-473-9(2)
Cuyahoga County, Ohio Quad: NORTH
OLMSTED
Sheet 8 of 8