

APPLICATION FOR OHIO EPA SECTION 401 WATER QUALITY CERTIFICATION

Effective October 1, 1996
Revised August, 1998

This application must be completed whenever a proposed activity requires an individual Clean Water Act Section 401 Water Quality Certification (Section 401 certification) from Ohio EPA. A Section 401 certification from the State is required to obtain a federal Clean Water Act Section 404 permit from the U.S. Army Corps Engineers, or any other federal permits or licenses for projects that will result in a discharge of dredged or fill material to any waters of the State. To determine whether you need to submit this application to Ohio EPA, contact the U.S. Army Corps of Engineers District Office with jurisdiction over your project, or other federal agencies reviewing your application for a federal permit to discharge dredged or fill material to waters of the State, or an Ohio EPA Section 401 Coordinator at (614) 644-2001.

The Ohio EPA Section 401 Water Quality Certification Program is authorized by Section 401 of the Clean Water Act (33 U.S.C. 1251) and the Ohio Revised Code Section 6111.03(P). Ohio Administrative Code (OAC) Chapter 3745-32 outlines the application process and criteria for decision by the Director of Ohio EPA. In order for Ohio EPA to issue a Section 401 certification, the project must comply with Ohio's Water Quality Standards (OAC 3745-1) and not potentially result in an adverse long-term or short-term impact on water quality. Included in the Water Quality Standards is the Antidegradation Rule (OAC Rule 3745-1-05), effective October 1, 1996, revised October, 1997 and May, 1998. The Rule includes additional application requirements and public participation procedures. **Because there is a lowering of water quality associated with every project being reviewed for Section 401 certification, every Section 401 certification applicant must provide the information required in Part 10 (pages 3 and 4) of this application.** In addition, applications for projects that will result in discharges of dredged or fill material to wetlands must include a wetland delineation report approved by the Corps of Engineers, a wetland assessment with a proposed assignment of wetland category (ies), official documentation on evaluation of the wetland for threatened or endangered species, and appropriate avoidance, minimization, and mitigation as prescribed in OAC 3745-1-50 to 3745-1-54. Ohio EPA will evaluate the applicant's proposed wetland category assignment and make the final assignment.

Information provided with the application will be used to evaluate the project for certification and is a matter of public record. If the Director determines that the application lacks information necessary to determine whether the applicant has demonstrated the criteria set forth in OAC Rule 3745-32-05(A) and OAC Chapter 3745-1, Ohio EPA will inform the applicant in writing of the additional information that must be submitted. The application will not be accepted until the application is considered complete by the Section 401 Coordinator. An Ohio EPA Section 401 Coordinator will inform you in writing when your application is determined to be complete.

Please submit the following to "Section 401 Supervisor, Ohio EPA/DSW, P.O. Box 1049, Columbus, Ohio 43216-1049:

- Four (4) sets of the completed application form, including the location of the project (preferably on a USGS quadrangle) and 8-1/2 x 11" scaled plan drawings and sections.
- One (1) set of original scaled plan drawings and cross-sections (or good reproducible copies).

(See Application Primer for detailed instructions)

1. The federal permitting agency has determined this project: (check appropriate box and fill in blanks)

- a. requires an individual 404 permit/401 certification- Public Notice # (if known) _____
- b. _____ requires a Section 401 certification to be authorized by Nationwide Permit # _____
- c. _____ requires a modified 404 permit/401 certification for original Public Notice # _____
- d. _____ requires a federal permit under _____ jurisdiction identified by # _____
- e. _____ requires a modified federal permit under _____ jurisdiction identified by # _____

2011 JUN -8 AM 9:44
OHIO EPA - DSW

Click to clear all entered information (on all 4 pages of this form) CLEAR

2. Application number (to be assigned by Ohio EPA): 113775

3. Name and address of applicant: JOHN & LORI R. HUGHES
102 MANSFIELD AVENUE
HURON, OHIO 44839

Telephone number during business hours:
(419) 565-4068 (Residence)
() (Office)

3a. Signature of Applicant: X John Hughes
X Lori Hughes Date: 6-1-11

4. Name, address and title of authorized agent: MATRIX ENGINEERING INC.
12815 DETROIT AVENUE
LAKEWOOD, OHIO 44107

Telephone number during business hours:
() (Residence)
(216) 226-6520 (Office)

4a. Statement of Authorization: I hereby designate and authorize the above-named agent to act in my behalf in the processing of this permit application, and to furnish, upon request, supplemental information in support of the application.

Signature of Applicant: X John Hughes
X Lori Hughes Date: 6-1-11

5. Location on land where activity exists or is proposed. Indicate coordinates of a fixed reference point at the impact site (if known) and the coordinate system and datum used.

Address: 102 MANSFIELD AVENUE
Street, Road, Route, and Coordinates, or other descriptive location

LAKE ERIE ERIE HURON OHIO 44839
Watershed County Township City State Zip Code

41° 24' 36.73" N Lat
- 82° 34' 50.21" W Long.

6. Is any portion of the activity for which authorization is sought complete? Yes X No
If answer is "yes," give reasons, month and year activity was completed. Indicate the existing work on the drawings.

7. List all approvals or certifications and denials received from other federal, interstate, state or local agencies for any structures, construction, discharge or other activities described in this application.

<u>Issuing Agency</u>	<u>Type of Approval</u>	<u>Identification No.</u>	<u>Date of Application</u>	<u>Date of Approval</u>	<u>Date of Denial</u>
CORPS OF ENGINEERS	PERMIT		05-31-10		
ODNR	PERMIT & LEASE		05-31-10		

8. **DESCRIPTION OF THE ACTIVITY (fill in information in the following four blocks - 8a, 8b, 8c & 9)**

8a. Activity: Describe the Overall Activity:
MINIMAL DEGRADATION ALTERNATIVE:
TO CONSTRUCT A NEW "L" PIER 50' LONG WITH A 20' HOOK AT THE END AND 50' ACCESS RAMP. REMOVE 20 LF OF EXISTING DETERIORATED CONCRETE MODULES. OWNER PREFERS A CONCRETE PIER IN LIEU OF AN OPEN CRIB. STRUCTURE SHOULD HAVE A MINIMAL EFFECT ON LITTORAL TRANSPORT IN THE AREA.

8b. Purpose: Describe the purpose, need and intended use of the activity:
TO PROVIDE A PIER FOR LAKE ACCESS WITH JET SKIS.

8c. Discharge of dredged or fill material: Describe type, quantity of dredged material (in cubic yards), and quantity of fill material (in cubic yards). (OAC 3745-1-05(B)(2)(a))

MINIMAL DEGRADATION ALTERNATIVE:
CONCRETE - 259 CY (192 CY BELOW OHW) → 202
ODOT "C" STONE - 10 CY BELOW OHW
CONCRETE REMOVAL - 22 CY (16 CY BELOW OHW)

9. Waterbody and location of waterbody or upland where activity exists or is proposed, or location in relation to a stream, lake, wetland, wellhead or water intake (if known). Indicate the distance to, and the name of any receiving stream, if appropriate.
ALONG THE LAKE ERIE SHORELINE 1.0 MILE WEST OF THE MOUTH OF THE HURON RIVER.

10. To address the requirements of the Antidegradation Rule, your application must include a report evaluating the:

- Preferred Design (your project) and Mitigative Techniques
- Minimal Degradation Alternative(s) (scaled-down version(s) of your project) and Mitigative Techniques
- Non-Degradation Alternative(s) (project resulting in avoidance of all waters of the state)

At a minimum, item a) below must be completed for the Preferred Design, the Minimal Degradation Alternative(s), and the Non-Degradation Alternative(s), followed by completion of item b) for each alternative, and so on, until all items have been discussed for each alternative (see Primer for specific instructions). (Application and review requirements appear at OAC 3745-1-05(B)(2), OAC 3745-1-05(C)(6), OAC 3745-1-05(C)(1) and OAC 3745-1-54).

- 10a) Provide a detailed description of any construction work, fill or other structures to occur or to be placed in or near the surface water. Identify all substances to be discharged, including the cubic yardage of dredged or fill material to be discharged to the surface water. (OAC 3745-1-05(B)(2)(b))
- 10b) Describe the magnitude of the proposed lowering of water quality. Include the anticipated impact of the proposed lowering of water quality on aquatic life and wildlife, including threatened and endangered species (include written comments from Ohio Department of Natural Resources and U.S. Fish and Wildlife Service), important commercial or recreational sport fish species, other individual species, and the overall aquatic community structure and function. Include a Corps of Engineers approved wetland delineation. (OAC 3745-1-05(C)(6)(a, b) and OAC 3745-1-54)

- 10c) Include a discussion of the technical feasibility, cost effectiveness, and availability. In addition, the reliability of each alternative shall be addressed (including potential recurring operational and maintenance difficulties that could lead to increased surface water degradation.) (OAC 3745-1-05(C)(6)(h, j-k) and OAC 3745-1-54)
- 10d) For regional sewage collection and treatment facilities, include a discussion of the technical feasibility, cost effectiveness and availability, and long-range plans outlined in state or local water quality management planning documents and applicable facility planning documents. (OAC 3745-1-05(C)(6)(i))
- 10e) To the extent that information is available, list and describe any government and/or privately sponsored conservation projects that exist or may have been formed to specifically target improvement of water quality or enhancement of recreational opportunities on the affected water resource. (OAC 3745-1-05(B)(2)(g))
- 10f) Provide an outline of the costs of water pollution controls associated with the proposed activity. This may include the cost of best management practices to be used during construction and operation of the project. (OAC 3745-01-05(C)(6)(g))
- 10g) Describe any impacts on human health and the overall quality and value of the water resource. (OAC 3745-1-05(C)(6)(c) and OAC 3745-1-54)
- 10h) Describe and provide an estimate of the important social and economic benefits to be realized through this project. Include the number and types of jobs created and tax revenues generated and a brief discussion on the condition of the local economy. (OAC 3745-1-5(B)(2)(e), and OAC 3745-1-05(C)(6)(i))
- 10i) Describe and provide an estimate of the important social and economic benefits that may be lost as a result of this project. Include the effect on commercial and recreational use of the water resource, including effects of lower water quality on recreation, tourism, aesthetics, or other use and enjoyment by humans. (OAC 3745-1-05(B)(2)(e,f), and OAC 3745-1-05(C)(6)(e))
- 10j) Describe environmental benefits, including water quality, lost and gained as a result of this project. Include the effects on the aquatic life, wildlife, threatened or endangered species. (OAC 3745-1-05 (B)(2)(e,f), OAC 3745-1-05 (C)(6)(b) and OAC 3745-1-54)
- 10k) Describe mitigation techniques proposed (except for the Non-Degradation Alternative):
 - o Describe proposed Wetland Mitigation (see OAC 3745-1-54 and Primer)
 - o Describe proposed Stream, Lake, Pond Mitigation (see Primer)

11. Application is hereby made for a Section 401 Water Quality Certification. I certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or I am acting as the duly authorized agent of the applicant.

X John & Lori R. Hughes

X John & Lori R. Hughes

6-1-11
Date

John S. Matricardi
Signature of Agent

Signature of Applicant
John & Lori R. Hughes

Signature of Agent
John S. Matricardi, P.E.
Matrix Engineering Inc.

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in Block 3 has been filled out and signed.

May 26, 2011

RESPONSE TO QUESTION 10 FOR APPLICATION FOR OHIO EPA
SECTION 401 WATER QUALITY CERTIFICATION

- 10 A.) Preferred Design Alternative: To construct a new "L" pier, 12' wide, 50' long with a 20' hook at the end and a 50' access ramp and remove 20 LF of existing deteriorated concrete modules.

"Fill Materials": Concrete 310 CY (230 CY below OHW), ODOT "C" Stone: 10 CY below OHW, and Concrete Removal: 22 CY (16 CY below OHW. 840 SF of lake bottom below OHW will be filled for the pier and SF of lake bottom will be filled for the fish habitat stone.

Minimal Degradation Alternative: Construct a new "L" pier, 10' wide, 50' long with a 20' hook at the end and a 50' access ramp and remove 20 LF of existing deteriorated concrete modules.

Fill Materials: Concrete: 259 CY (192 CY below OHW), ODOT "C" stone: 10 CY below OHW, and Concrete Removal: 22 CY (16 CY below OHW). 700 SF of lake bottom below OHW will be filled to construct the new pier and 250 SF of lake bottom will be filled below OHW for the fish habitat stone.

NON-DEGRADATION ALTERNATIVE: The project would not be constructed and the property owners will not be able to have jet ski and small boat access to Lake Erie.

- 10 B.) There is no known medium or long term lowering of water quality due to the placement of concrete and stone in the waters of Lake Erie. There will be a temporary but short lived increase in turbidity levels during construction of the pier for the Preferred and the Minimal Degradation Alternatives.

There is no degradation for the non-degradation alternative since there is no work completed and the property owners will not be able to have small boat and jet ski access to Lake Erie.

- 10 C.) Preferred & Minimal Degradation Alternatives: These alternatives are technically feasible and materials are readily available. It is the most cost effective method to gain small boat access to Lake Erie. This alternative is estimated to have a project lifetime of thirty (30) years before significant maintenance repairs will be required.

The construction cost of the Preferred Alternative is approx. \$60,000 and the Minimal Degradation Alternative is \$50,000. The total OEPA review fee is based on the Preferred Alternative with 256 CY below OHW X \$3.00/CY + \$200 application fee = \$ 968.00 which is enclosed with this application.

Non-Degradation Alternative: The elimination of the project is technically feasible and no materials are required but the improved fish habitat area and increase in property taxes and submerged land lease fees will not be created.

10 D.) Question does not apply to the proposed project.

10 E.) There are no known environmental or recreation projects planned for the local region.

10 F.) No water pollution controls are planned for either the Preferred or Minimal Degradation Alternatives since the relevant fill materials do not pollute the water resource. The Non-Degradation Alternative will be no change.

10 G.) The Preferred and Minimal Degradation Alternatives do not impact human health or the medium or long term quality of the Lake Erie water resource. The Non-Degradation Alternative will not increase fish habitat. The project will also increase property taxes for the City of Huron and submerged land lease fees for ODNR.

10 H.) The Preferred and Minimal Degradation Alternative will create approximately four (4) jobs during construction for a period of 1 month and provide approximately \$100 in local taxes. The Submerged land lease will provide additional funds to ODNR to fund other projects and continue regulation of shoreline projects.

The project will also increase the property value of the property which will provide additional property taxes to the City of Huron.

The Non-Degradation Alternative will create nothing. The local economy is in a recession.

10 I.) There are no anticipated social benefits to be lost as a result of either the Preferred or the Minimal-Degradation Alternatives. The increase in property values, property taxes, and submerged lands lease fees will not occur, thereby reducing the availability of these funds to the various Governmental Agencies for all of the Alternatives.

?
- silt fence
- steady if disturbed area on shore

10 J.) There are no known medium or long term negative affects to water quality, aquatic life, wildlife, threatened or endangered species due to either the Preferred or Minimal Degradation Alternatives and fish habitat area will be greatly increased with either of the two alternatives.

The Non-Degradation Alternative will not increase fish habitat.

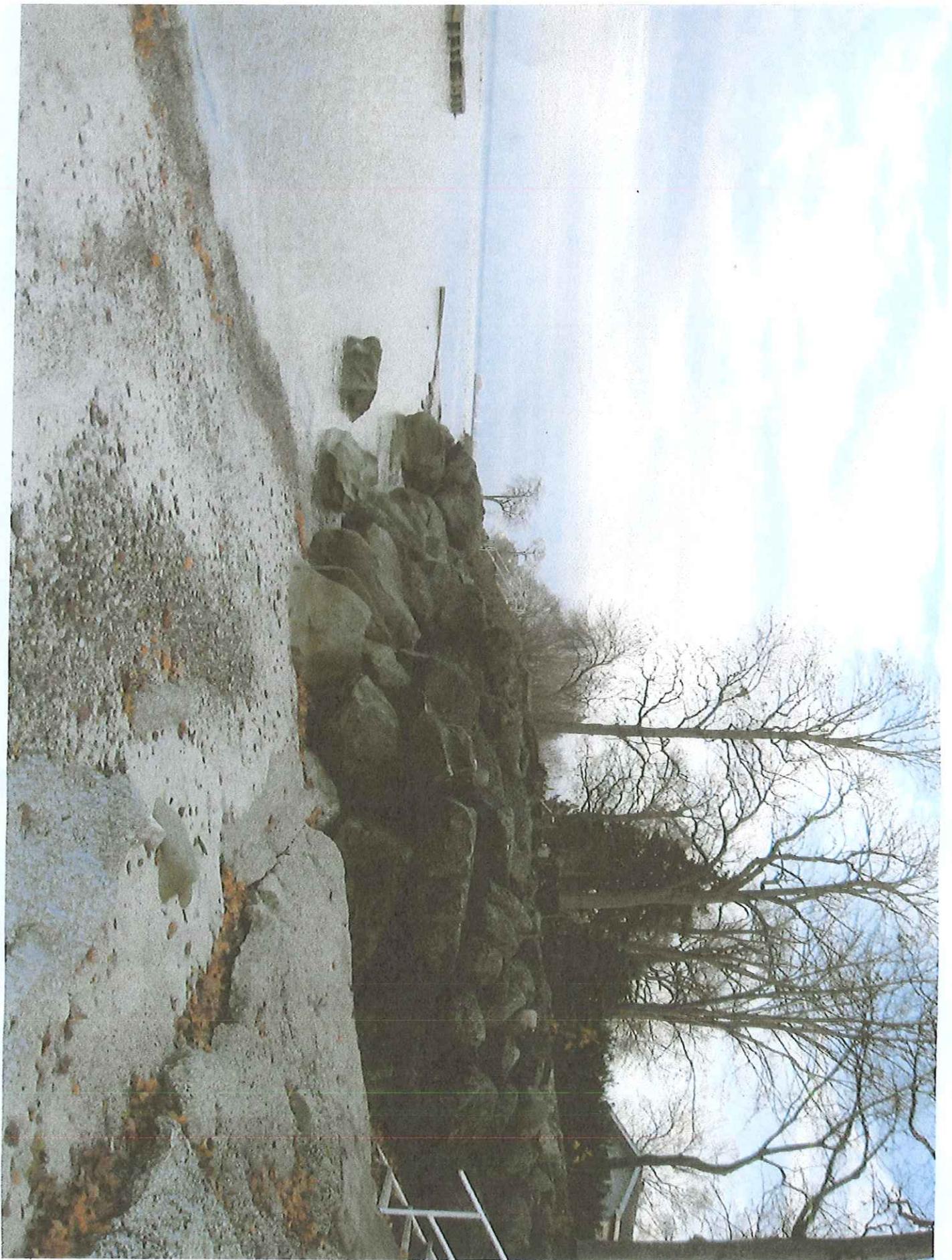
10 K.) The preferred and minimal degradation alternative will provide mitigation with greatly increased fish habitat with the ODOT "C" stone for fish habitat on the west side of the pier in an area 5' wide by 50' long by 1' thick for 250 SF of new fish habitat area. Two existing concrete modules will also be removed to restore 20'X6' = 120SF of new lake bottom area below OHW.



1. LOOKING WEST AT THE SHORELINE FROM THE EAST PROPERTY LINE AT TOP OF BLUFF. 12/09/10



2. LOOKING EAST ALONG TOP OF BLUFF FROM WEST PROPERTY LINE. 12/09/10



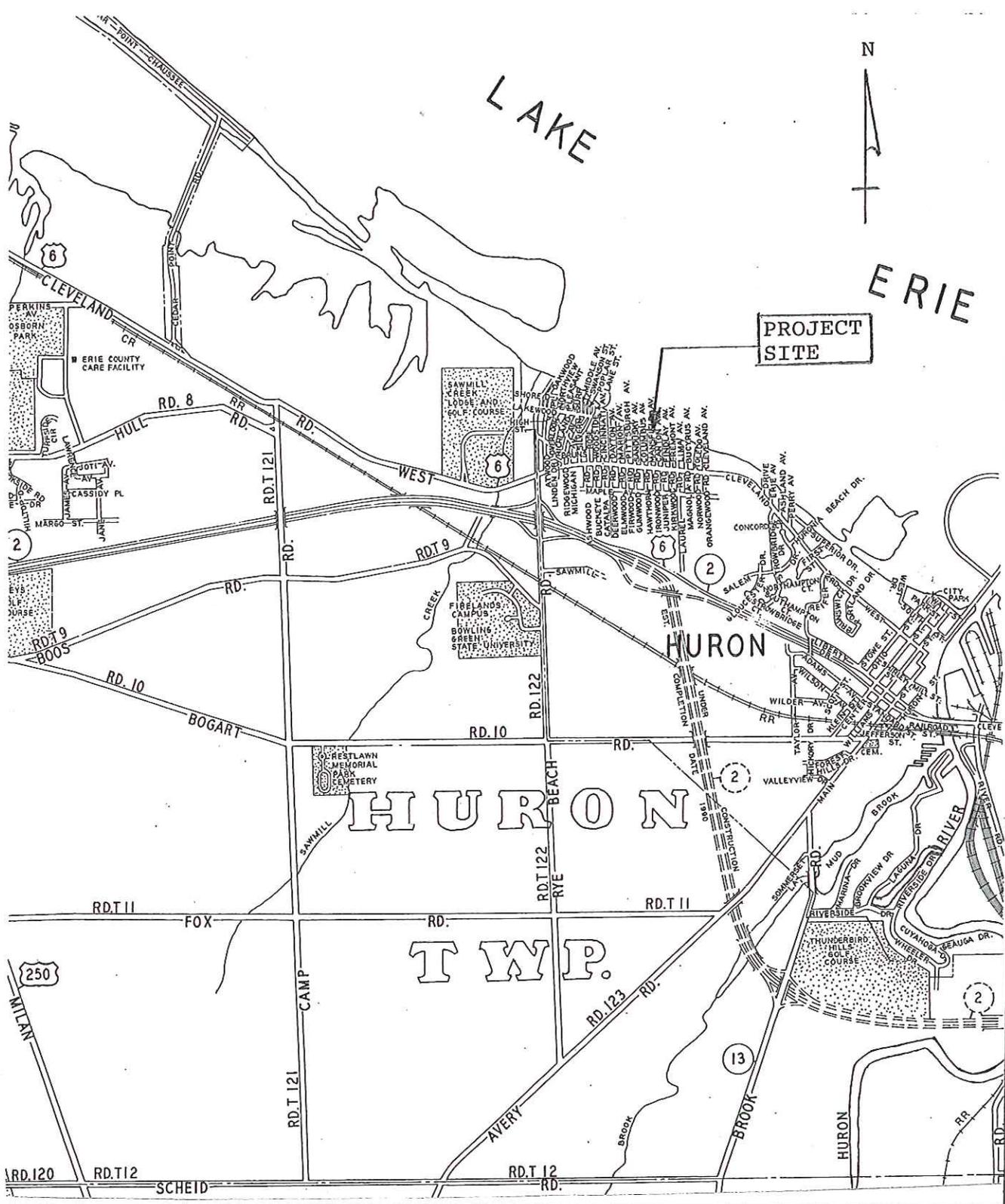
3. LOOKING EAST ALONG THE SHORELINE FROM THE WEST PROPERTY LINE. 12/09/10



LAKE

ERIE

PROJECT SITE



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

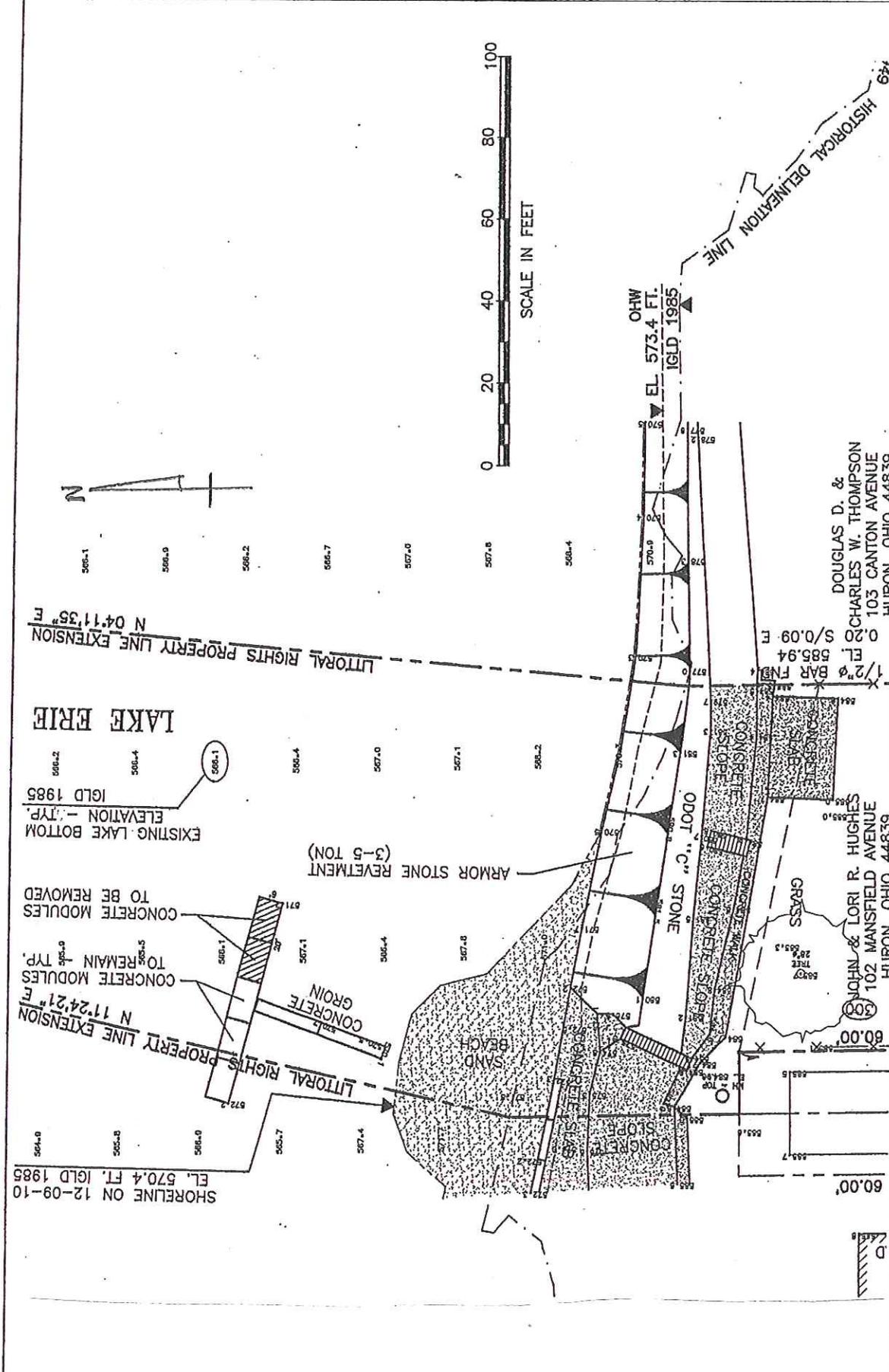
VICINITY MAP

PREPARED BY
MATRIX ENGINEERING, INC.

- ADJACENT PROPERTY OWNERS:
- 1.) DOUGLAS D. & CHARLES W. THOMPSON
 - 2.) WILMA DAUGHTERTY

JOHN & LORI R. HUGHES
102 MANSFIELD AVENUE
HURON, OHIO 44839

SHORELINE IMPROVEMENTS AT
102 MANSFIELD AVENUE
HURON, OHIO



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

EXISTING SITE PLAN

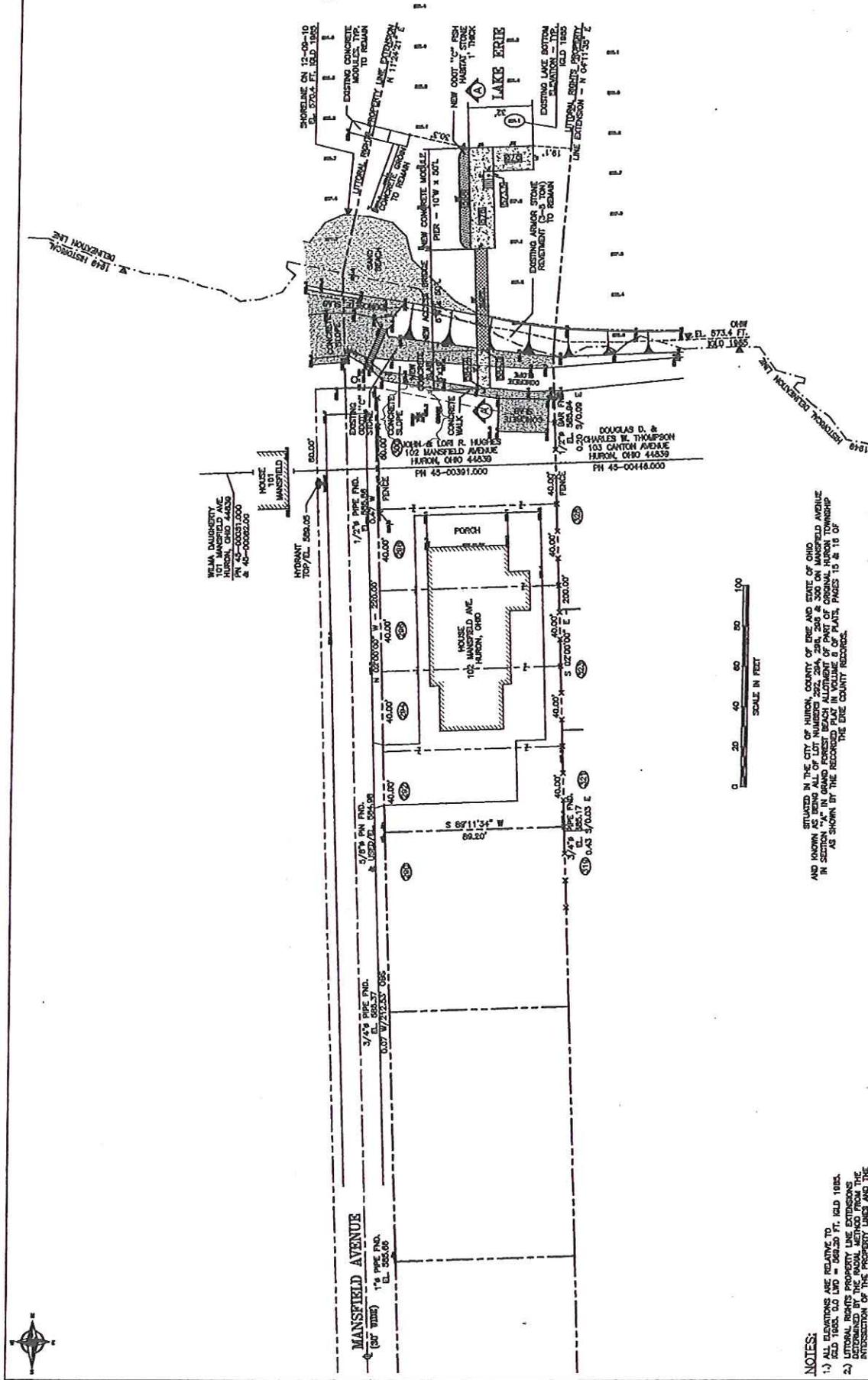
PROVIDED BY MATRIX ENGINEERING INC.

1.) DOUGLAS D. & CHARLES W. THOMPSON
2.) WILMA DAUGHTERTY

JOHN & LORI R. HUGHES
102 MANFIELD AVENUE
HURON, OHIO 44839

SHORELINE IMPROVEMENTS AT
102 MANFIELD AVENUE
HURON, OHIO

SHEET 2A OF 5 05-26-11



NOTES:
 1.) ALL ELEVATIONS ARE RELATIVE TO
 2.) LITORAL RIGHTS PROPERTY LINE EXTENSIONS
 3.) 1949 HISTORICAL DELINEATION LINE
 AND ARE USED TO DETERMINE ARISED GRANT.

SITUATED IN THE CITY OF HURON, COUNTY OF ERIE AND STATE OF OHIO
 AND KNOWN AS BEING ALL OF LOT NUMBERED 222, 204, 205, 206 & 207 ON MANFIELD AVENUE
 IN SECTION 14, IN GRAND FOREST BEACH ALLOTMENT OF PART OF ORIGINAL HURON TOWNSHIP
 AS SHOWN BY THE RECORDED PLAT IN VOLUME 2 OF PLATS, PAGES 15 & 16 OF
 THE ERIE COUNTY RECORDS.

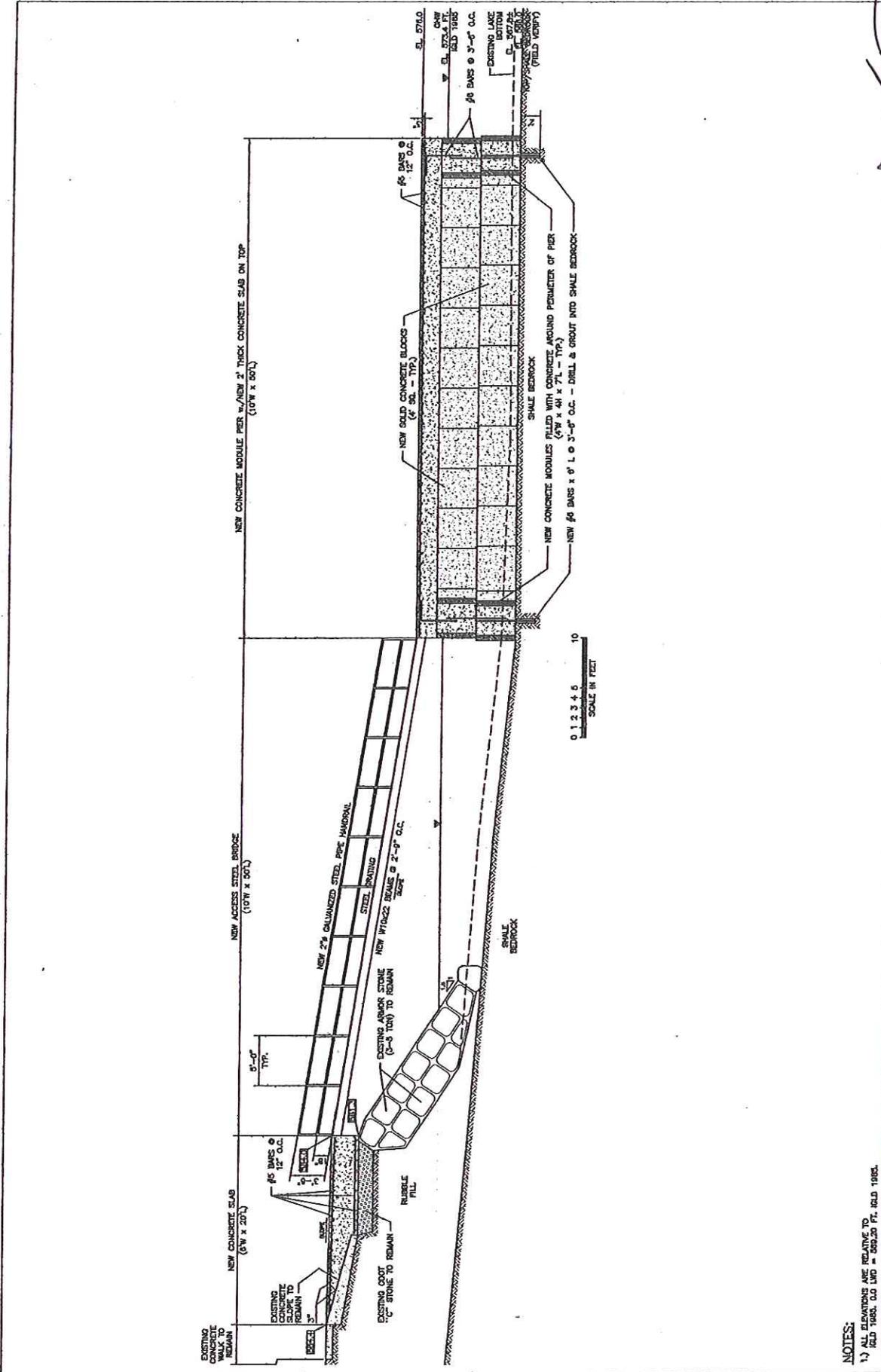


PREPARED BY
MATRIX ENGINEERING INC.
 SHORELINE IMPROVEMENTS AT
 102 MANFIELD AVENUE
 HURON, OHIO

PREFERRED ALTERNATIVE SITE PLAN

DATUM: 0.0 L.W.D. = 569.2 FT. I.GLD 1985
 OWNER PROPERTY OWNERS
 1.) DOUGLAS D. & CHARLES W. THOMPSON
 2.) WILMA DAUGHTERTY

SHEET 3 OF 5
 05-26-11



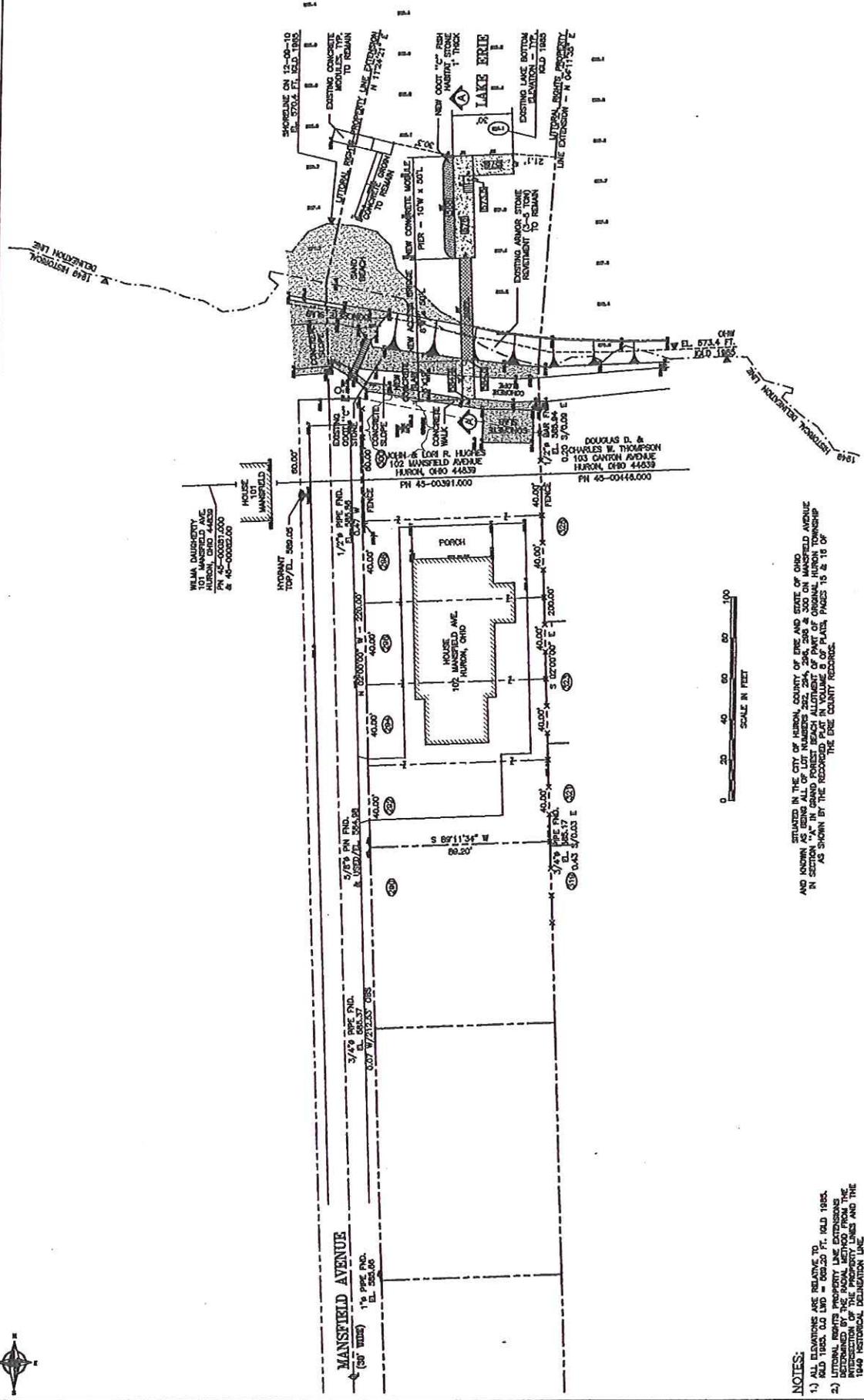
NOTES:
 1.) ALL ELEVATIONS ARE RELATIVE TO
 IGLD 1985. O.G. L.W.D. = 569.20 FT. IGLD 1985.

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985
 SURVEY PROPERTY OWNERS
 1.) DOUGLAS D. & CHARLES W. THOMPSON
 2.) WILMA DAUGHTERTY

SECTION A-A
 JOHN & LORI R. HUGHES
 102 MANFIELD AVENUE
 HURON, OHIO 44839

PROVIDED BY
 MATRIX ENGINEERING INC.
 SHORELINE IMPROVEMENTS AT
 102 MANFIELD AVENUE
 HURON, OHIO
 SHEET 4 OF 5
 05-26-11





NOTES:
 1.) ALL ELEVATIONS ARE RELATIVE TO 640.20 FT. IGLD 1985.
 2.) LITONAL RIGHTS PROPERTY LINE EXTENSIONS DETERMINED BY THE RADIAL METHOD FROM THE 1949 HISTORICAL DELINEATION LINE.
 3.) BEARINGS ARE BASED TO AN ASSUMED MERIDIAN AND ARE USED TO DEDUCE ANGLES ONLY.

SITUATED IN THE CITY OF HURON, COUNTY OF ERIE AND STATE OF OHIO AND LINGING TO ALL OF LOT NUMBERS 252, 254, 256, 258 & 300 ON MANSFIELD AVENUE IN SECTION 10, TOWNSHIP 10 N, RANGE 15 E, PLATS 15 & 16 OF THE ERIE COUNTY RECORDS.



PREPARED BY
MATRIX ENGINEERING INC.
 SHORELINE IMPROVEMENTS AT
 102 MANSFIELD AVENUE
 HURON, OHIO

MINIMAL DEGRADATION SITE PLAN

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

ADVISE PROPERTY OWNER:
 1.) DOUGLAS D. & CHARLES W. THOMPSON
 2.) WILMA DAUGHTERY

REVEGETMENT & PIER DESIGN

A. DESIGN WATER LEVEL

30 YR DESIGN WATER LEVEL = 575.8 FT IGLD (1985)
REF: REVISED REPORT ON GREAT LAKES OPEN
COAST FLOODING, USACE, 1988.

B. DESIGN WATER HEIGHT - PIER

CONSERVATIVE CASE IF TOE OF STRUCTURE
IS SCOURED.

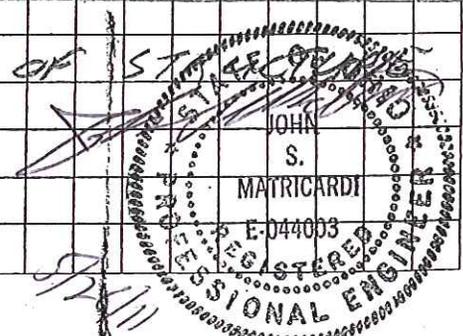
TOE OF PIER = 566.0 FT IGLD (1985)
STRUCTURE DEPTH = 9.8 FT
BREAKING WAVE HEIGHT = $H_B = 0.78(9.8^2) = 7.6$ FT
REF: COASTAL ENGINEERING MANUAL
USACE, 2006, PG. 11-4-3.

TOP OF IS AT 576.0, THEREFORE AT
THE DESIGN WATER HEIGHT THE PIER WILL
BE OVERTOPPED EASILY AND IT IS DESIGNED
TO BE OVERTOPPED IN STORMS.

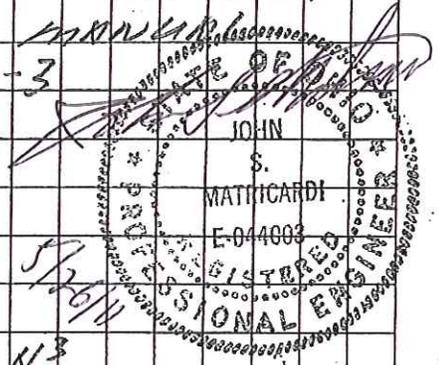
THE PIER IS SOLID CONCRETE WHICH IS
ANCHORED TO THE SHALE BEDROCK WITH
GROUTED REBAR. NO CHANCE OF THE
CONCRETE PIER MASS MOVING DUE TO
WAVE OR ICE FORCES.

C. DESIGN WATER HEIGHT - EXISTING REVEGETMENT

CONSERVATIVE CASE IF TOE OF STRUCTURE
IS SCOURED.



TOE OF REVETMENT = 569.0 FT 1GLD (1985)
 STRUCTURE DEPTH = 6.8 FT
 BREAKING WAVE HEIGHT = $H_b = 0.78(6.8) = 5.3$ FT
 REF: "CONST. ENGINEERING MANUAL"
 USACE, 2006, PG. 11-4-3



D. ARMOR STONE SIZE

USE HUDSON'S EQ.

$$\text{MEDIAN ARMOR STONE} = W_{50} = \frac{W_r N^3}{K_d (S_r - 1)^3 \cot \theta}$$

$$W_r = 165 \text{ LB/FT}^3$$

ASSUME $H = \text{BREAKING WAVE HEIGHT} = H_b$

$K_d = 2.0$ FOR ROUGH ANGULAR QUARRY STONE

$$\cot \theta = 1.5$$

$$S_r = \frac{W_r}{W_b} = \frac{165 \text{ LB/FT}^3}{62.4 \text{ LB/FT}^3} = 2.64$$

$$W_{50} = \frac{(165 \text{ LB/FT}^3)(5.3)^3}{2.0(2.64 - 1.0)^3(1.5)} = 1,856 \text{ LB} = 0.93 \text{ TONS.}$$

EXISTING STONE IS 3-5 TON STONE O.K.
 AND HAS A SAFETY FACTOR OF AT LEAST 3.0.

WAVE RUNUP

$$R = H \frac{a E}{1 + b E} \quad E = \tan \theta = 0.667$$

$$a = 0.775$$

$$b = 0.361$$

$$\sqrt{\frac{2 \pi H}{g T^2}} = \sqrt{\frac{2 \pi (5.3)}{32.2 (8.0)^2}} = 5.3$$

$$R = \frac{5.3 \text{ FT} (0.775) (5.3)}{1 + 0.361 (5.3)} = 7.5 \text{ FT.}$$

RUNUP ELEV. = 575.8 + 7.5 = 583.3 FT 1GLD.

TOP OF REVETMENT IS 584.0 FT. O.K.

NO TITLE EXAM PERFORMED BY PREPARER. LEGAL DESCRIPTION & PARTIES NAMES PROVIDED BY PARTIES.

THIS INSTRUMENT PREPARED BY:
THOMAS L. CANARY, JR.
MAPOTHEK & MAPOTHEK
1014 VINE STREET, SUITE 2220
CINCINNATI, OH 45202

RECORD AND RETURN TO:
LORI R. HUGHES
JOHN HUGHES
102 MANSFIELD
HURON, OH 44839

GENERAL WARRANTY DEED

LORI R. HUGHES, A MARRIED WOMAN, of Erie County, Ohio, Grantor, for valuable consideration paid, receipt of which is acknowledged, grant and convey with general warranty covenant to LORI R. HUGHES AND JOHN HUGHES, WIFE AND HUSBAND, as joint tenants with the remainder to the survivor of them, of Erie County, Ohio, Grantees, whose tax mailing address is 102 MANSFIELD, HURON, OH 44839 the following REAL PROPERTY:

SITUATED IN THE CITY OF HURON, COUNTY OF ERIE AND STATE OF OHIO:

AND KNOWN AS LOTS NUMBERS TWO HUNDRED NINETY-TWO (292), TWO HUNDRED NINETY-FOUR (294), TWO HUNDRED NINETY-SIX (296), TWO HUNDRED NINETY-EIGHT (298) AND THREE HUNDRED (300) ON MANSFIELD AVENUE IN SECTION "A" IN GRAND FOREST BEACH ALLOTMENT AS SHOWN BY THE RECORDED PLAT IN VOLUME 8 OF PLATS, PAGES 15 AND 16 OF THE RECORDS OF ERIE COUNTY, OHIO TOGETHER WITH THAT PART OF THE "GRASS BANK" AND THE "SAND BANK" AS SHOWN ON THE AFORESAID PLAT LYING BETWEEN THE FOLLOWING LINES, "THE CENTERLINE OF MANSFIELD AVENUE PROJECTED IN A NORTHERLY DIRECTION TO THE LOW WATER MARK OF LAKE ERIE AND THE EASTERLY LINE OF LOT NUMBER 300 PROJECTED IN A NORTHERLY DIRECTION TO THE LOW WATER MARK OF LAKE ERIE."

PARCEL NO. 45-00391-000
CURRENTLY SET FORTH IN DOCUMENT NO. 200210548, RECORDED 6-20-02.
COMMONLY KNOWN AS: 102 MANSFIELD, HURON, OHIO 44839.

TO HAVE AND TO HOLD the same, with all the rights, immunities, privileges, and appurtenances thereto belonging, unto the said grantees and unto its heirs and assigns forever; so that neither the grantor nor their heirs nor any other person or persons, for them or in their name or behalf, shall or will hereinafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

EXCEPTIONS TO THE WARRANTIES: Except as hereinbefore provided, except all easements, leases, Conditions and restrictions of record, if any, and except real estate taxes and assessments, for which taxes and adjustment has been made between the parties and which, therefore, the grantees herein assume and agree to pay.

Signed, Sealed and acknowledged in our presence:

Sharon Matthews
Witness Signature

Sandy Czerwinski
Witness Signature

Lori R. Hughes
LORI R. HUGHES

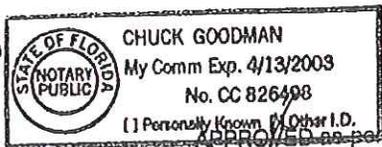
STATE OF OHIO
COUNTY OF

ON THIS 3rd day of MARCH, 2003, before me, a Notary Public in and for said County and State, personally appeared LORI R. HUGHES, A MARRIED WOMAN, Who Acknowledged the signing hereof to be a voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Chuck Goodman
Notary Public

Quart T. Hammond
ERIE COUNTY AUDITOR
3.00
BH



APPROVED as per Erie County Requirements
And Sections 4733-37 thru 4733-37-07 of the
Ohio Administrative Code only. No Field



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

Applicant:
John & Lori Hughes

Published: July 14, 2011
Expires: August 15, 2011

Application No: **2010-00989**
Section: OH

All written comments should reference the above Application No. and be addressed to:
Buffalo District U.S. Army Corps of Engineers
Regulatory Branch (Attn: Keith C. Sendziak)
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).**

John and Lori Hughes, 102 Mansfield Avenue, Huron, Ohio 44839, have applied for a Department of the Army Permit to remove the eastern two deteriorated concrete modules that are approximately 20 linear feet (LF) long by 5 LF wide from an existing structure located near the western property boundary (Sheets 2 and 3 of 7), and construct a new 50 LF long by 10 LF wide concrete crib with an L-shaped concrete crib hook 20 LF long by 10 LF wide near the approximate center of the project area (Sheets 3-7 of 7). A new 50 LF long by approximately 5 LF wide steel access ramp will connect the new crib pier to the shoreline (Sheets 3-7 of 7). The project is located within Lake Erie at 102 Mansfield Avenue, City of Huron, Erie County, Ohio (Sheet 1 of 7).

The overall project purpose is to provide Lake access for jet skis.

Removal of the approximately 20 LF long by 5 LF wide deteriorated concrete modules will result in the removal of approximately 16 cubic yards (CY) of concrete from below Ordinary High Water (OHW) of Lake Erie, 573.4 feet International Great Lakes Datum 1985. Construction of the 50 LF long by 10 LF wide concrete crib with a 20 LF long by 10 LF wide L-shaped hook will result in the discharge of approximately 192 CY of clean concrete below OHW.

As mitigation, approximately 10 CY of ODOT Type "C" stone will be placed below OHW at the western base of the new concrete crib to create an approximately 50 LF long by 5 LF wide fish habitat (Sheets 3, 6, and 7 of 7). Additionally, the concrete steel crib will be constructed to have an approximately 35 LF long opening from shore to prevent a disruption of sediment transport (Sheet 5 of 7).

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Keith C. Sendziak, who can be contacted at the above address, by calling (716) 879-4339, or by e-mail at: keith.c.sendziak@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. Tony Celebrezze
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
tony.celebrezze@dnr.state.oh.us

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

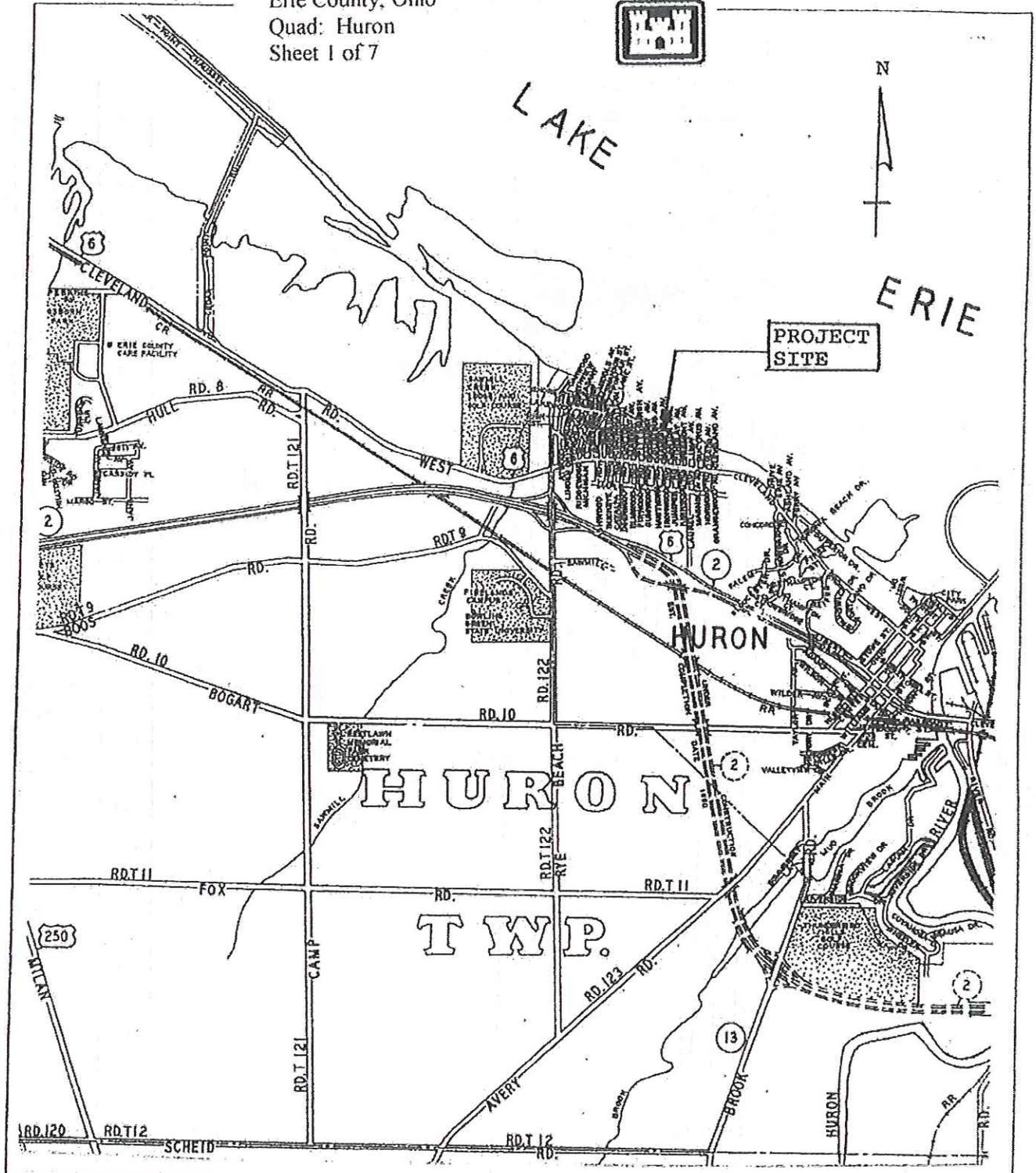
Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

Based on preliminary findings, there are no properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 7 of 7. Based on a description of the proposed undertaking, and the absence of historic properties within the permit area, the Corps has determined that this project, if authorized, will have no effect on any property listed in, or eligible for listing in, the National Register of Historic Places. 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*), piping plover (*Charadrius melodus*), lakeside daisy (*Hymenoxys herbacea*), eastern massasauga rattlesnake (*Sistrurus catenatus*), Kirtland's warbler (*Dendroica kirtlandii*), and the Lake Erie watersnake (*Nerodia sipedon insularum*). Available evidence indicates that the proposed work will not affect the Indiana bat, piping plover, lakeside daisy, eastern massasauga rattlesnake, piping plover or the Kirtland's warbler as designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

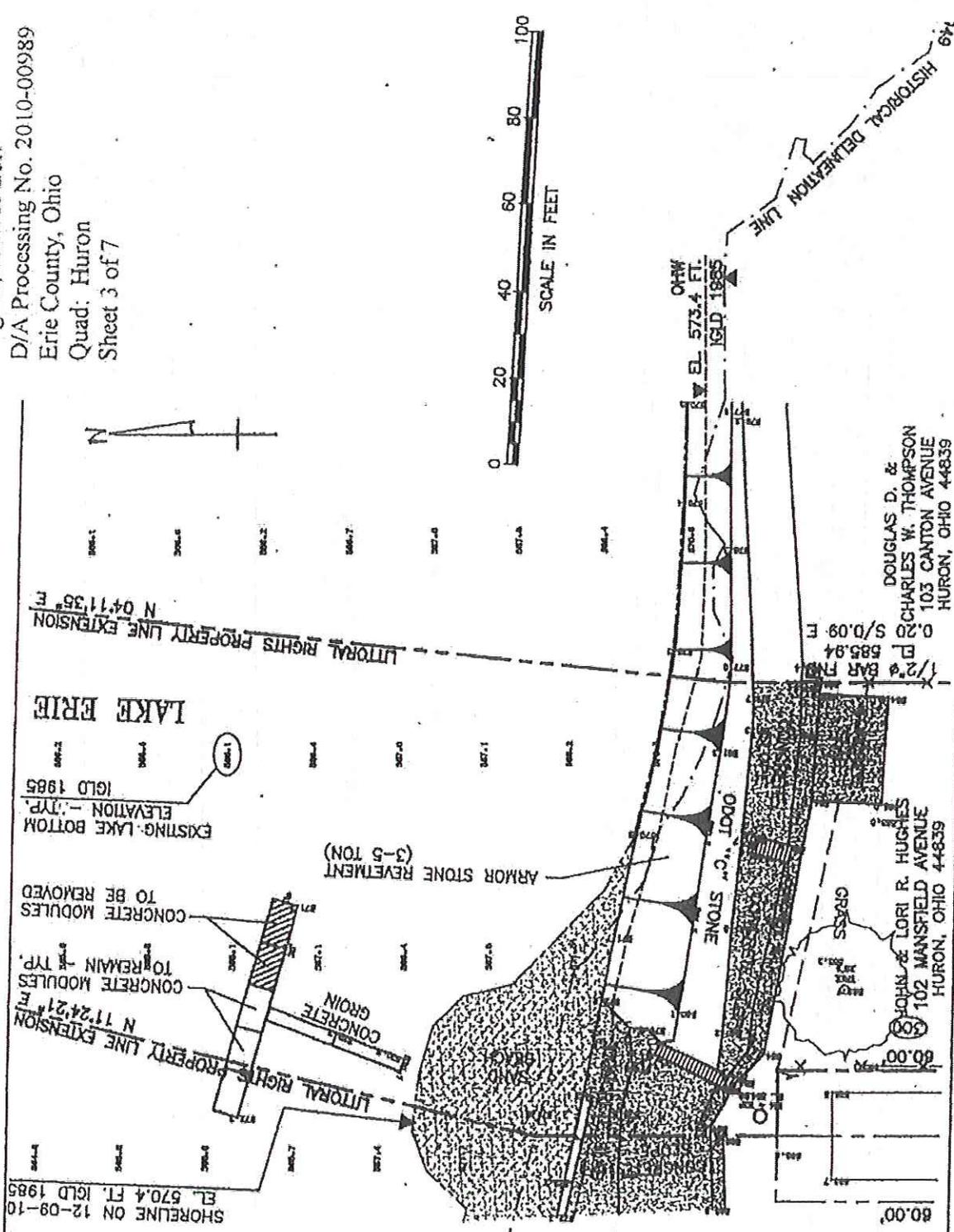
This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this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

Hughes, John & Lori
 D/A Processing No. 2010-00989
 Erie County, Ohio
 Quad: Huron
 Sheet 1 of 7



DATUM: O.D L.W.D. = 569.2 FT. IGLD 1985	VICINITY MAP	PREPARED BY MATRIX ENGINEERING, INC.
<small>Project survey points:</small> 1.) DOUGLAS D. & CHARLES W. THOMPSON 2.) WILMA DAUGHTERTY	JOHN & LORI R. HUGHES 102 MANSFIELD AVENUE HURON, OHIO 44839	SHORELINE IMPROVEMENTS AT 102 MANSFIELD AVENUE HURON, OHIO
SHEET 1 OF 4		05-26-11

Hughes, John & Lori
 D/A Processing No. 2010-00989
 Erie County, Ohio
 Quad: Huron
 Sheet 3 of 7



DOUGLAS D. &
 CHARLES W. THOMPSON
 103 CANTON AVENUE
 HURON, OHIO 44839

JOHN & LORI R. HUGHES
 102 MANSFIELD AVENUE
 HURON, OHIO 44839

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

EXISTING SITE PLAN

MATRIX ENGINEERING INC.

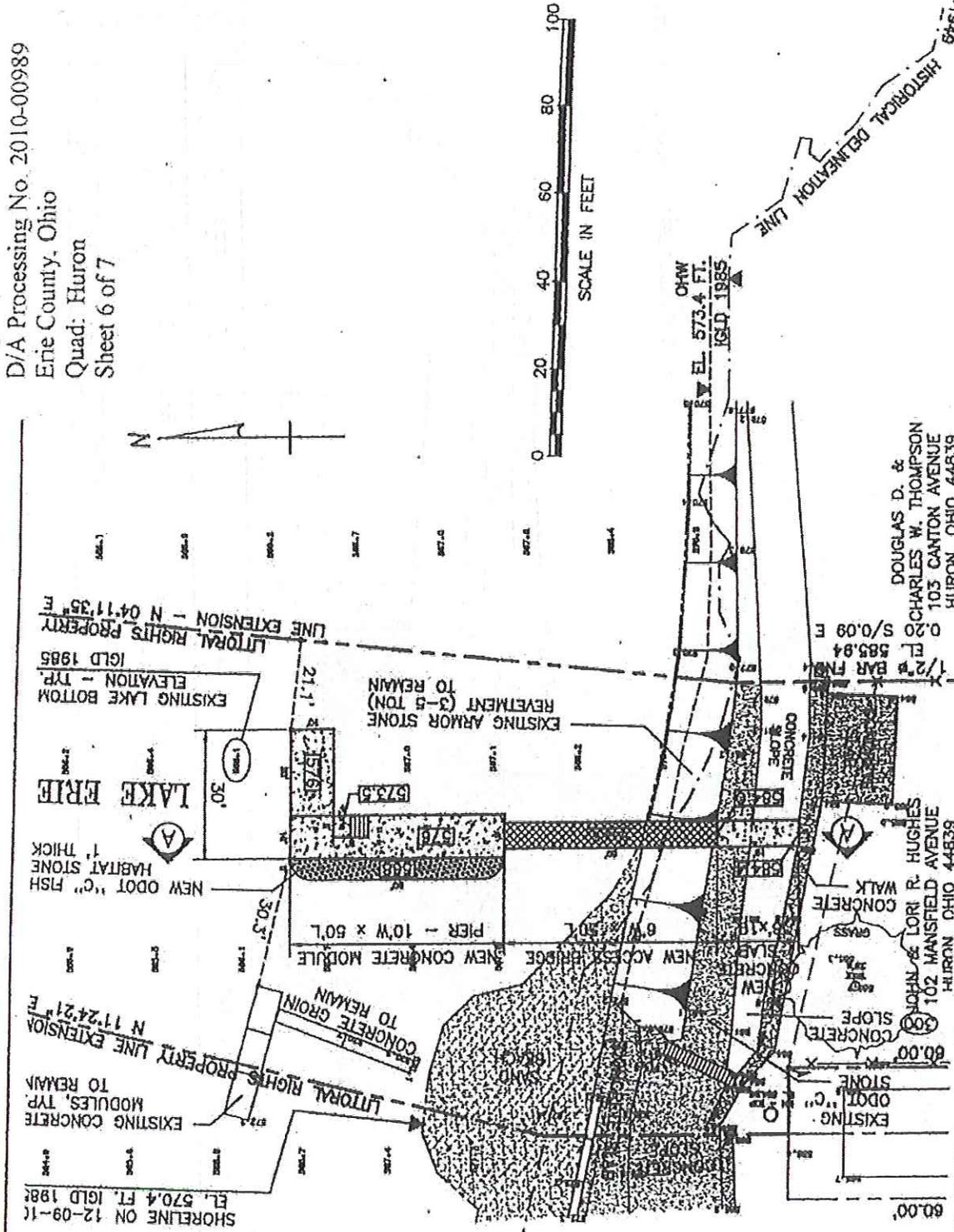
1.) DOUGLAS D. & CHARLES W. THOMPSON
 2.) WILMA DAUGHTERTY

JOHN & LORI R. HUGHES
 102 MANSFIELD AVENUE
 HURON, OHIO 44839

SHORELINE IMPROVEMENTS AT
 102 MANSFIELD AVENUE
 HURON, OHIO

SHEET 2A OF 4 05-26-11

Hughes, John & Lori
 D/A Processing No. 2010-00989
 Erie County, Ohio
 Quad: Huron
 Sheet 6 of 7



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

1.) DOUGLAS D. & CHARLES W. THOMPSON
 2.) WILMA DAUGHTERTY

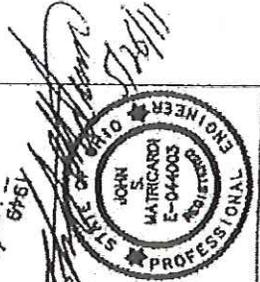
SITE PLAN

JOHN & LORI R. HUGHES
 102 MANFIELD AVENUE
 HURON, OHIO 44839

MATRIX ENGINEERING INC

SHORELINE IMPROVEMENTS AT
 102 MANFIELD AVENUE
 HURON, OHIO

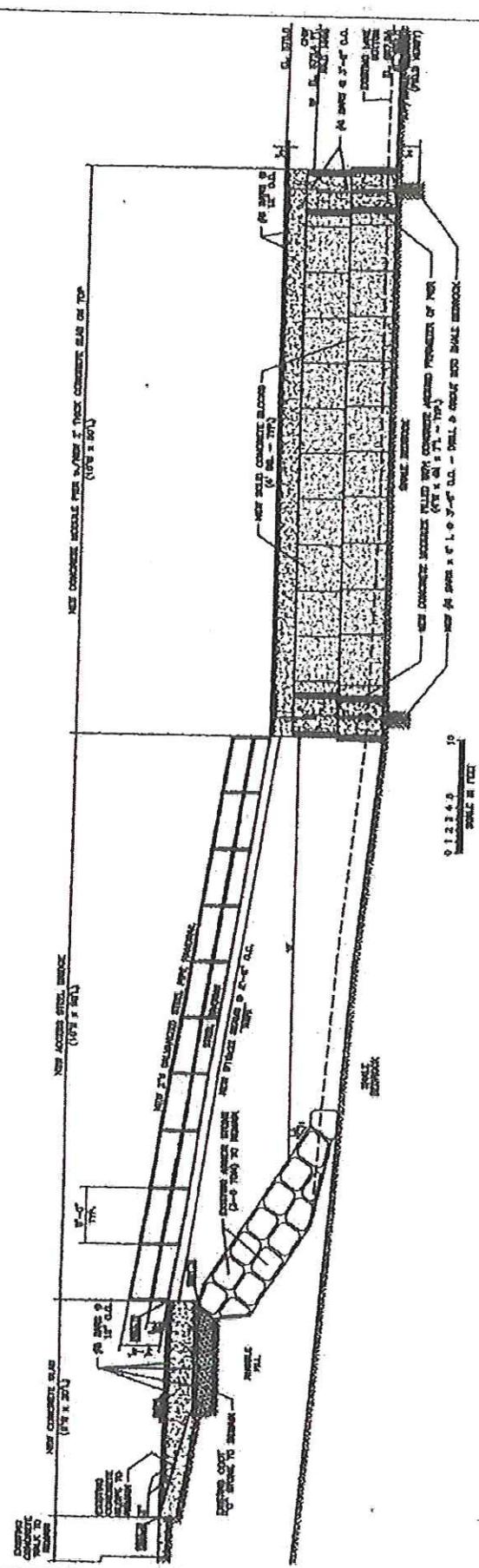
SHEET 3A OF 4 05-26-11



DOUGLAS D. &
 CHARLES W. THOMPSON
 103 CANTON AVENUE
 HURON, OHIO 44839

JOHN & LORI R. HUGHES
 102 MANFIELD AVENUE
 HURON, OHIO 44839

Hughes, John & Lori
 D/A Processing No. 2010-00989
 Erie County, Ohio
 Quad: Huron
 Sheet 5 of 7



0 1 2 3 4 5
 FEET
 SCALE IN FEET

NOTES:
 1.) DIMENSIONS ARE MEASURED TO FACE UNLESS OTHERWISE NOTED.
 2.) ALL DIMENSIONS ARE IN FEET AND INCHES.

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

1.) DOUGLAS D. & CHARLES W. THOMPSON
 2.) WILMA DAUGHTERTY

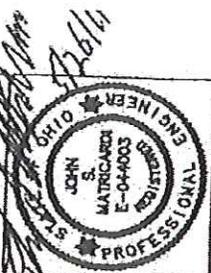
SECTION A-A

JOHN & LORI R. HUGHES
 102 MANFIELD AVENUE
 HURON, OHIO 44839

MATRIX ENGINEERING INC

SHORELINE IMPROVEMENTS AT
 102 MANFIELD AVENUE
 HURON, OHIO

SHEET 4 OF 4 05-26-11



MATRIX ENGINEERING, INC.
 12815 DETROIT AVENUE
 LAKEWOOD, OHIO 44107

LETTER OF TRANSMITTAL

(216) 226-6520 FAX (216) 226-1961

TO Huron Port Authority
P.O. Box 468
Huron, OH 44839

DATE	5/31/11	JOB NO.	
ATTENTION	Secretary		
RE:	Resolution for Submerged Land Lease at 102 Manfield Ave, Huron, OH		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
1	5/31/11	1740	ODNR & Corps of Engineers Permit Application

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19____ PRINTS RETURNED AFTER LOAN TO US

REMARKS Please have the Huron Port Authority
issue a resolution for the attached ODNR permit
and Submerged Land Lease. Please send to
ODNR or to me and I will forward it. Please
call with any questions.

COPY TO ODNR

SIGNED: [Signature]

MATRIX ENGINEERING INC.

CONSULTING ENGINEERS

12815 DETROIT AVENUE

LAKEWOOD, OHIO 44107

Phone: (216) 226-6520

FAX: (216) 226-1961

e-mail: matrixlake@aol.com

May 31, 2011

Dr. Mary Knapp/Megan Seymour
U.S. Fish and Wildlife Service
4625 Morse road, Suite 104
Columbus, OH 43230

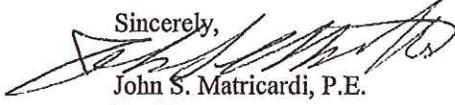
Subject: Request for Review of Endangered Species For 102 Mansfield Ave., Huron, OH

Dear Dr. Knapp/Ms. Seymour:

The OEPA requires that we submit the attached 401 permit application to you for your review of any Threatened or Endangered species in the project area. We have also already applied for a Corps of Engineers and ODNR permit on 5/31/11.

All proposed work is along the shoreline and no trees will be disturbed during construction. Please call if you have any questions during your review.

Sincerely,



John S. Matricardi, P.E.
President
Matrix Engineering inc.

MATRIX ENGINEERING INC.

CONSULTING ENGINEERS
12815 DETROIT AVENUE
LAKEWOOD, OHIO 44107
Phone: (216) 226-6520
FAX: (216) 226-1961
e-mail: matrixlake@aol.com

May 31, 2011

Greg Schneider
Ohio Dept. of Natural Resources
Division of Wildlife
2045 Morse Road, Bldg. G-3
Columbus, OH 43229-6693

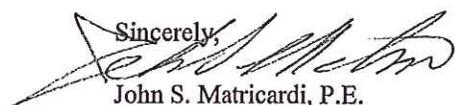
Subject: Request for Review of Endangered Species for 102 Mansfield Ave., Huron, OH

Dear Greg:

The OEPA requires that we submit the attached 401 permit application to you for your review of any Threatened or Endangered species in the project area. We have also already applied for an ODNR Shore Structure permit on 5/31/11 and you will probably be receiving the same request from the ODNR Office of Coastal Management.

All proposed work is along the shoreline and no trees will be disturbed during construction. Please call if you have any questions during your review.

Sincerely,



John S. Matricardi, P.E.
President
Matrix Engineering Inc.

Smith, Ben

From: Matrixlake@aol.com
Sent: Thursday, July 14, 2011 11:24 AM
To: Smith, Ben
Subject: Fwd: 11-0248; John & Lori Hughes, "L" Pier
Attachments: oledata.mso

Ben: Here's the ODNR comments for the John & Lori Hughes for the 401 permit. Still waiting for the corps to put it on Public Notice.

John Matricardi

From: Brian.Mitch@dnr.state.oh.us
To: matrixlake@aol.com
Sent: 6/30/2011 2:06:43 P.M. Eastern Daylight Time
Subj: 11-0248; John & Lori Hughes, "L" Pier



ODNR COMMENTS TO John Matricardi, Matrix Engineering Inc., 12815 Detroit Avenue, Lakewood, Ohio 44107

Project: The project involves the construction of a new 50' long "L" Pier with a 20' hook at the end and 50' access ramp. Additionally, 20' of existing deteriorated concrete modules will be removed.

Location: The project is located at 102 Mansfield Avenue, City of Huron, Erie County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Coastal Management: The ODNR, Office of Coastal Management comments that the proposed project will require a Shore Structure Permit pursuant to Section 1506.40 of the Ohio Revised Code and a Submerged Lands Lease pursuant to Section 1506.11 of the Ohio Revised Code. A Shore Structure Permit application (# 11-ERI-02) was received for the proposed project on June 20, 2011. A Submerged Lands Lease application (# SUB-2367-ER) was received for the proposed project on June 20, 2011. The applications propose the occupation and installation of a new L-shaped pier 50' long with a 20' hook at the end of a 50' access ramp along the shoreline at 102 Mansfield Avenue, Huron, Ohio. Site Plan Drawings submitted to OCM are consistent with Sheet 5 and 5A (Minimal Degradation Site Plan) of the attached project. The applications are under technical review.

Pursuant to the Coastal Zone Management Act of 1972, as amended, and its corresponding federal regulations, if a U.S. Army Corps of Engineers (USACE) permit is applied for, the permit may not be issued until a Federal Consistency concurrence is issued by ODNR. A Federal Consistency review will begin upon receipt of necessary information including an application for the USACE permit(s).

ODNR appreciates the opportunity to provide these comments. Please contact Brian Mitch at (614) 265-6378 if you have questions about these comments or need additional information.

Brian Mitch, Environmental Review Manager

Ohio Department of Natural Resources

Environmental Services Section

2045 Morse Road, Building E-3

Columbus, Ohio 43229-6693

Office: (614) 265-6378

Fax: (614) 262-2197

brian.mitch@dnr.state.oh.us