

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 # _____

OHIO EPA - DSW
2013 FEB - 8 AM 11: 07

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

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

3. Name and address of applicant: ARTHUR R. & CAROL S. SHAMAKIAN, CO-TRUSTEES OF THE PHYNANCIAL PHYSICIANS TRUST 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO 44077
Telephone number during business hours: (440) 867-2974 (Residence) (440) 251-6712 (Office)

3a. Signature of Applicant: *[Signature]* TTEE Date: 12-30-12

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: *[Signature]* TTEE Date: 12-30-12

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:
1664 NORTH SHORE DRIVE
Street, Road, Route, and Coordinates, or other descriptive location

LAKE ERIE	LAKE		PAINESVILLE	OHIO	44077
Watershed	County	Township	City	State	Zip Code

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

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.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval	Date of Denial
CORPS OF ENGINEERS	PERMIT		12-26-12		
ODNR	PERMIT & LEASE		12-26-12		

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:
AFTER-THE-FACT PERMIT FOR ONE DETACHED ARMOR STONE BREAKWATER, 60 FT. LONG AND 73 LF OF PRECAST CONCRETE STAIRS. ONE NEW DETACHED ARMOR STONE BREAKWATER, 50 FT. LONG, RELOCATION OF 9 FT. OF EXISTING BREAKWATER TO NEW BREAKWATER AND 408 CY OF SAND PREFILL.

8b. Purpose: Describe the purpose, need and intended use of the activity:

TO CONSTRUCT DETACHED BREAKWATERS TO HELP MAINTAIN A PERMANENT BEACH ALONG THE SHORELINE OF THE PROPERTY. TO CONSTRUCT PRECAST CONCRETE STAIRS FOR LAKE ACCESS.

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

AFTER-THE-FACT:

BREAKWATER (3-5 TON ARMOR STONE) - 60 LF; 195 CY (194 CY BELOW OHW)

PRECAST CONCRETE STAIRS - 21 CY (3 CY BELOW OHW)

NEW PERMIT WORK:

BREAKWATER (3-5 TON ARMOR STONE) - 50 LF; 288 CY (282 CY BELOW OHW) (46 CY RELOCATED)

SAND PREFILL - 408 CY BELOW OHW

AFTER-THE-FACT: BREAKWATER - 1,485 SF, CONCRETE STAIRS - 45 SF

NEW PERMIT WORK: BREAKWATER - 1,400 SF

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.

APPROXIMATELY 1/4 MILE WEST OF THE MOUTH OF MCKINLEY CREEK AND LAKE ERIE

LATITUDE: 41 DEGREES 46'24"

LONGITUDE: 81 DEGREES 12'52"

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)

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

10. A) Preferred Design Alternative: After the Fact permit for one detached armor stone breakwater 60 ft. long and 73 LF of precast concrete stairs. One new detached armor stone breakwater 60 ft. long, relocation of 9 LF of existing breakwater, and 408 CY of sand prefill.

Fill Materials:

AFTER-THE-FACT WORK:

Existing Detached Armor Stone Breakwater (3-5 ton) – 195 CY (194 CY below OHW)(46 CY Relocated below OHW to New Breakwater)

Precast Concrete Stairs – 21 CY (3 CY below OHW)

NEW PERMIT WORK:

New Detached Armor Stone Breakwater (3-5 ton) – 340 CY (332 CY below OHW)

Sand Prefill: 408 CY below OHW

Existing Breakwater – 1,485 SF, New Breakwater – 1,680 SF, Concrete Stairs – 45 SF = 3,210 SF Below OHW Filled

Minimal Degradation Alternative: After the Fact permit for one detached armor stone breakwater 60 ft. long and 73 LF of precast concrete stairs. One new detached armor stone breakwater 50 ft. long, relocation of 9 LF of existing breakwater, and 300 CY of sand prefill.

Fill Materials:

AFTER-THE-FACT WORK:

Existing Detached Armor Stone Breakwater (3-5 ton) – 195 CY (194 CY below OHW) (46 CY Relocated below OHW to New Breakwater)

Precast concrete stairs – 21 CY (3 CY below OHW)

NEW PERMIT WORK:

New Detached Armor Stone Breakwater (3-5 ton) – 288 CY (282 CY below OHW)

Sand Prefill: 408 CY below OHW

Existing Breakwater – 1,485 SF, New Breakwater – 1,400 SF, Concrete Stairs – 45 SF = 2,930 SF Below OHW Filled

Non-Degradation Alternative: The project would not be constructed and the Owner would not have a permanent beach and lake access.

10. B.) There is no known medium or long term lowering of water quality due to the placement of steel and stone in the waters of Lake Erie. There will be a temporary but short lived increase in turbidity levels during construction of the detached breakwaters and sand prefill for the Preferred and Minimal Degradation Alternatives. Fish habitat will be greatly increased with the new breakwaters.

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

The construction of the Preferred Alternative is \$ 50,000 and the Minimal Degradation Alternative is \$42,000. The total OEPA review fee is based on the Preferred Alternative with $(194 + 3 + 46 + 332 + 408) = 983$ CY below OHW. The total fee is $983 \text{ CY} \times \$3.00/\text{CY} + \200 review fee = **\$ 3,149.00** and is enclosed with the application.

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

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

10. E.) There are no known environmental or recreational 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 provide a permanent beach or lake access for the Owner. The project will also increase property taxes for the City of Painesville and submerged land lease fees for ODNR.

10. H.) The Preferred and Minimal Degradation Alternatives will create eight (4) jobs during construction for a period of 2 weeks and provide \$ 500 in local taxes. The submerged land lease will provide additional funds to ODNR to fund other projects and continue regulation of shoreline projects.

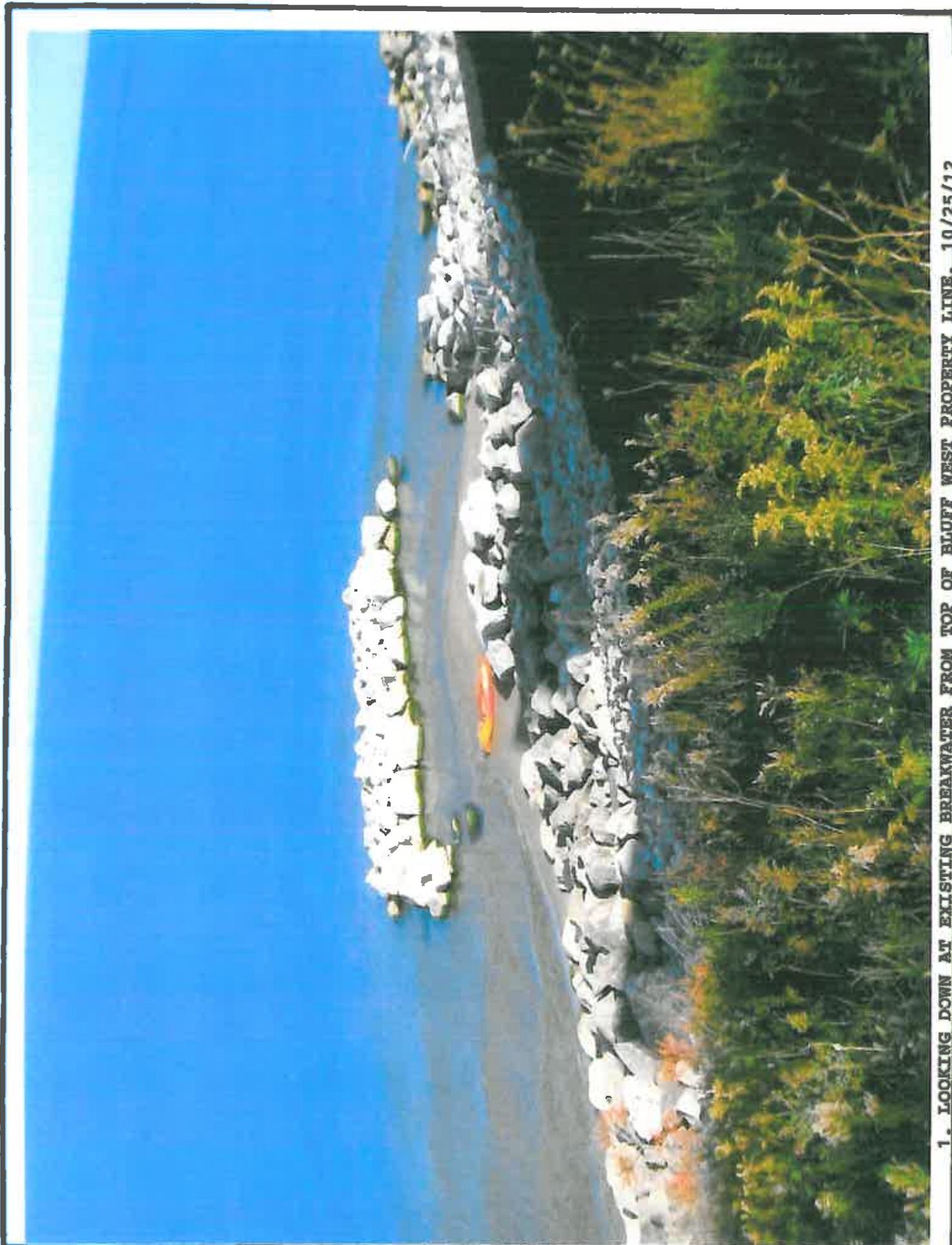
The project will also increase the property value which will provide additional property taxes to the City of Painesville.

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

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 land lease fees will not occur, thereby reducing the availability of these funds to the various Governmental Agencies for all the alternatives.

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

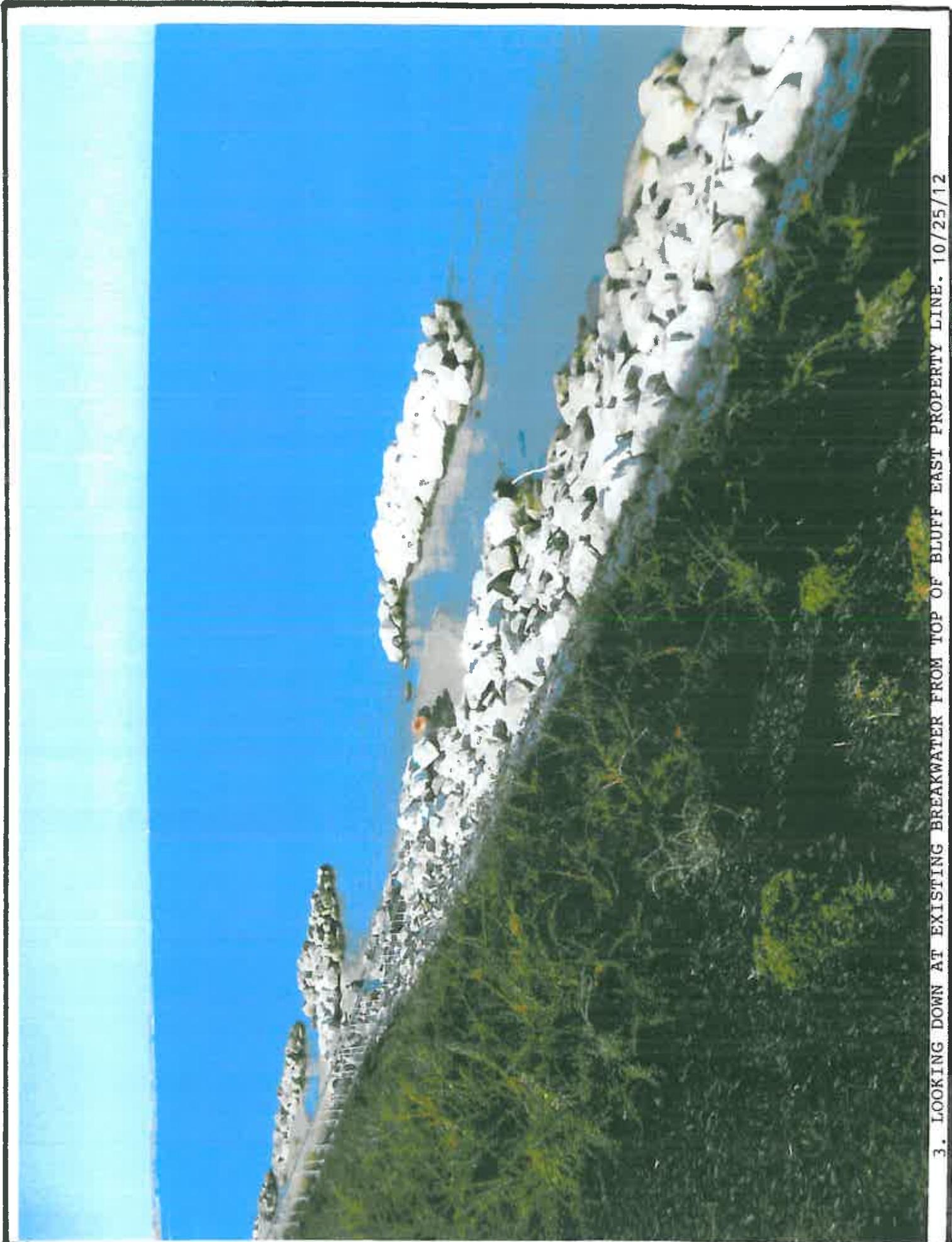
10. K.) The Preferred and Minimal Degradation Alternatives will provide a Native Ohio Vegetation Area which is 84' long by 10' wide or 840 SF from elevation 587.0 to 592.0 above the ODOT "B" stone.



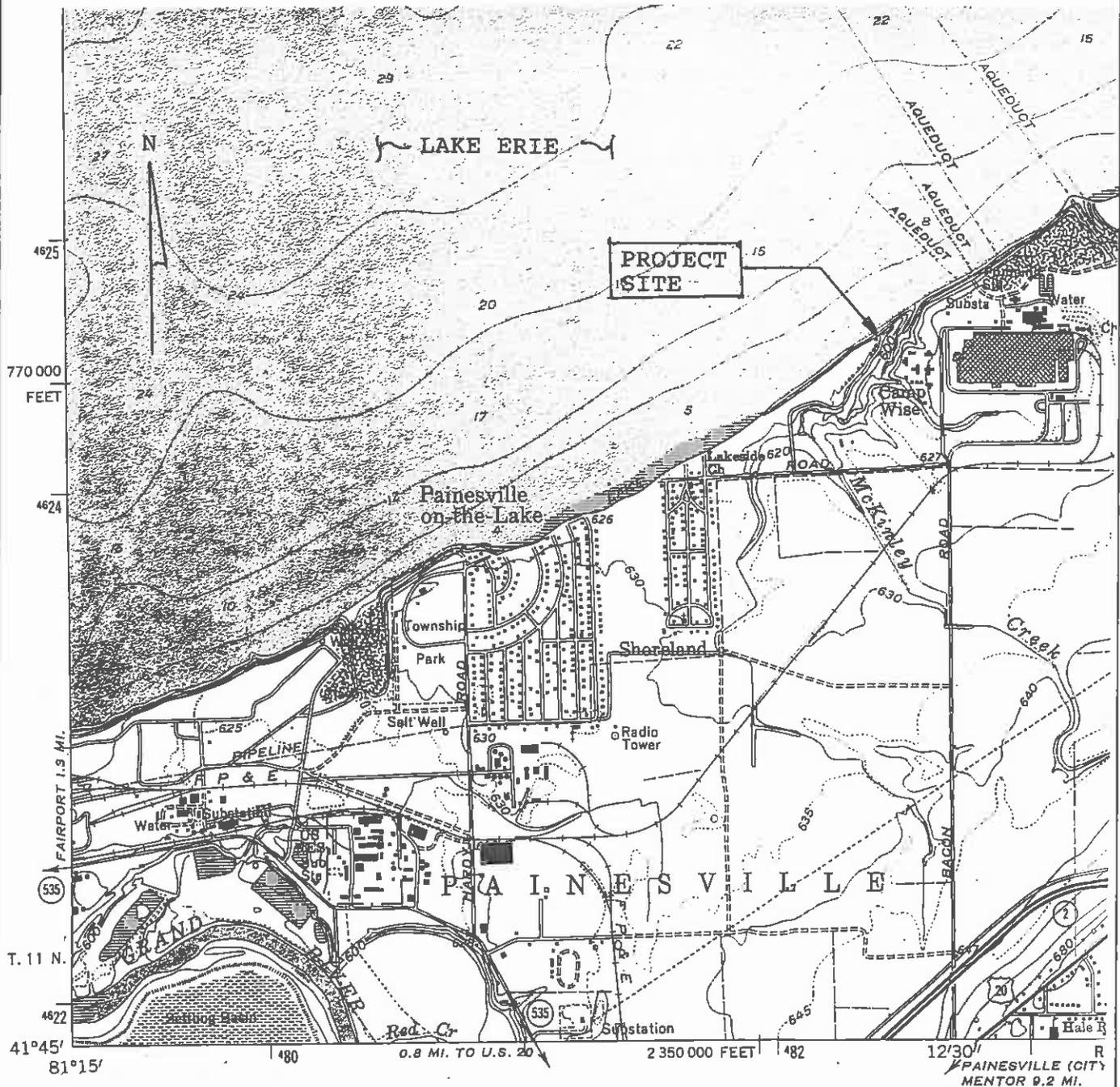
1. LOOKING DOWN AT EXISTING BREAKWATER FROM TOP OF BLUFF WEST PROPERTY LINE. 10/25/12



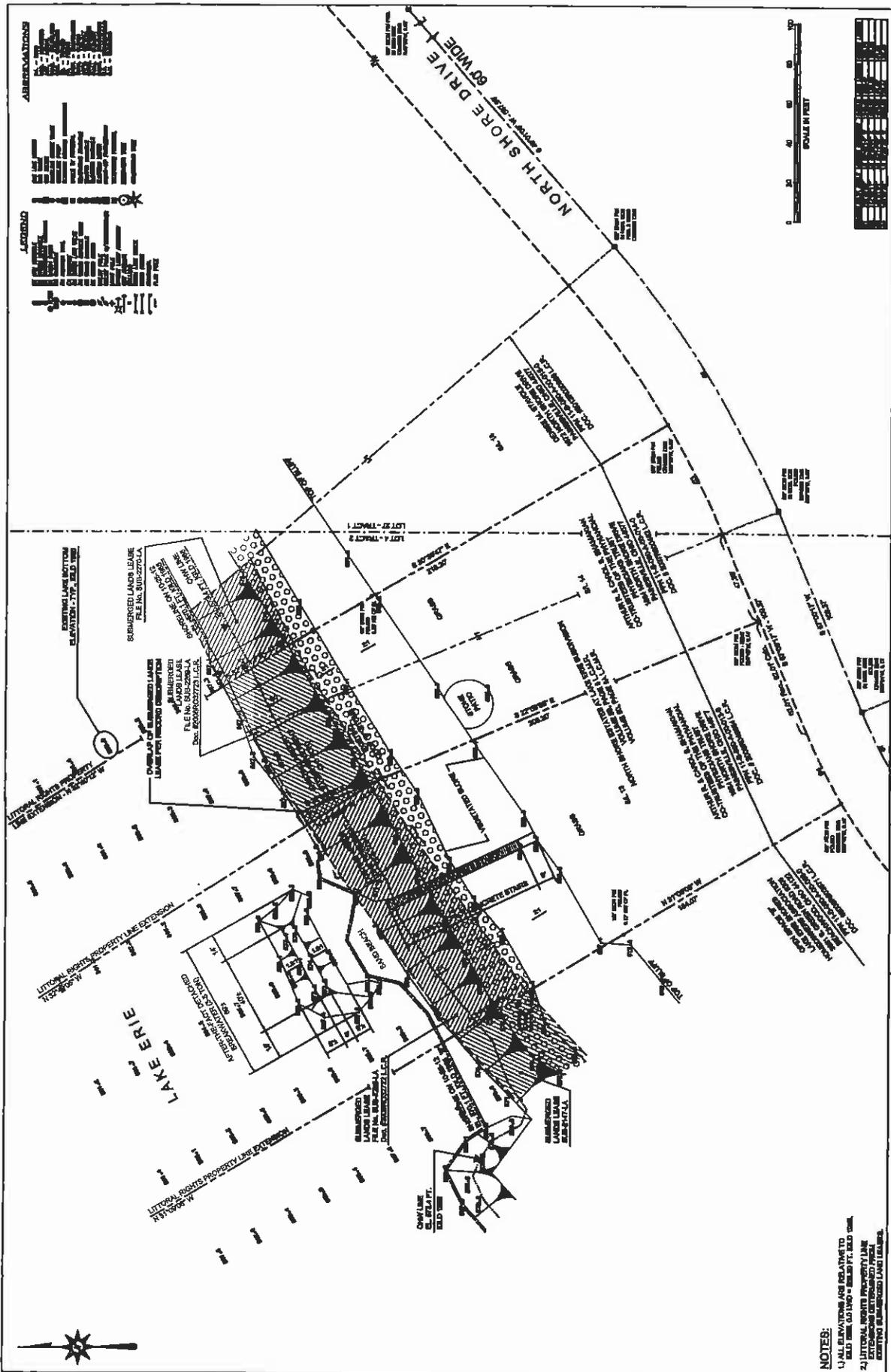
2. LOOKING DOWN STAIRS FROM TOP OF BLUFF AT EXISTING BREAKWATER. 10/25/12



3. LOOKING DOWN AT EXISTING BREAKWATER FROM TOP OF BLUFF EAST PROPERTY LINE. 10/25/12



<p>DATUM: 0.0 L.W.D. = 569.2 1GLD 1985</p>	<p>VICINITY MAP</p>	<p>PREPARED BY MATRIX ENGINEERING, INC.</p>
<p>ALABAMA PROPERTY RECORDS 1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION 2.) DENISE M. STAVOLE</p>	<p>ARTHUR R. & CAROL S. SHAMAKIAN CO-TRUSTEES OF THE PHYNANCIAL PHYSICIANS TRUST 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO 44077</p>	<p>SHORELINE IMPROVEMENTS AT 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO</p> <p>SHEET 1 OF 7 12-18-12</p>



NOTES:
 1) ALL DIMENSIONS ARE RELATIVE TO
 2) LITTONAL RIGHTS PROPERTY LINE
 EXTENSION DETERMINED FROM
 SURVEYED SUBMERGED LAND TITLES.

DATUM: 0.0 L.W.D. = 580.2 (GLD 1885)

1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION
 2.) DENISE M. STAVOLE

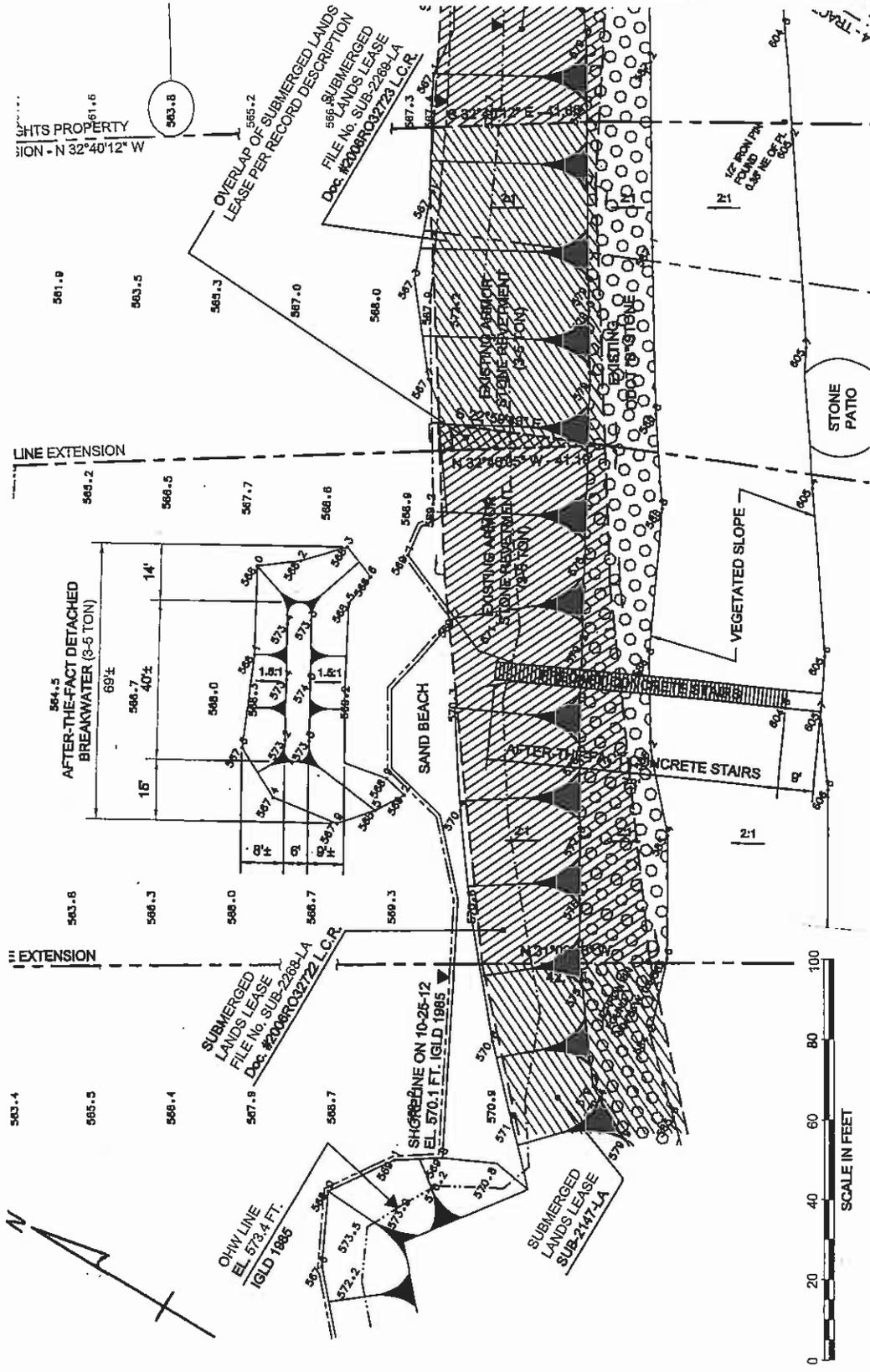
EXISTING SITE PLAN

ARTHUR R. & CAROL S. SHAMAKIAN
 CO-TRUSTEES OF THE PHYFNANCIAL
 PHYSICIANS TRUST
 1684 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

MATRIX ENGINEERING INC.

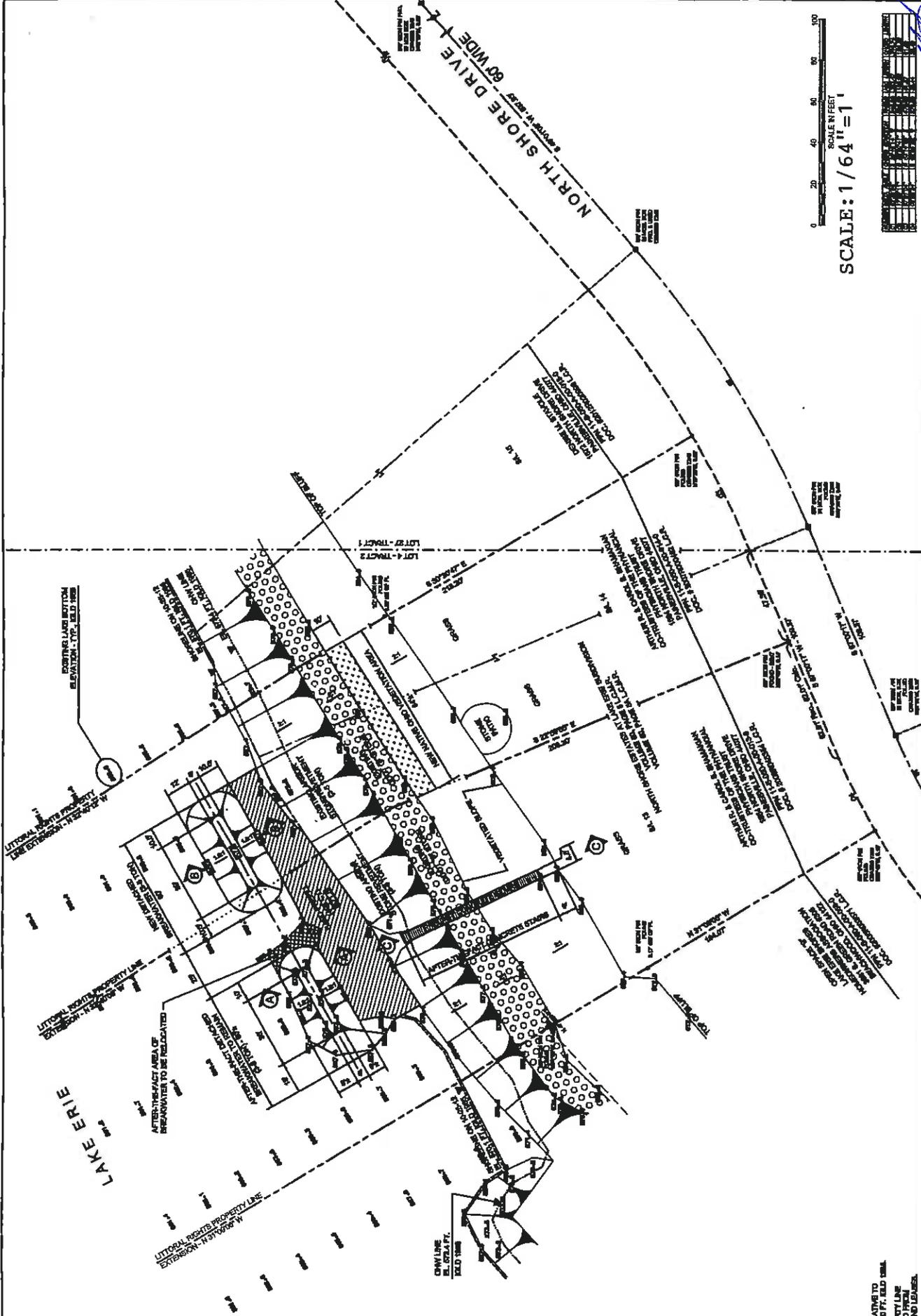
SHORELINE IMPROVEMENTS AT
 1684 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

SHEET 2 OF 7 12-18-12



DATUM: 0.0 L.W.D. = 569.2 IGLD 1985 1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION 2.) DENISE M. STAVOLE	EXISTING SITE PLAN	MATRIX ENGINEERING INC.
	ARTHUR R. & CAROL S. SHAMAKIAN CO-TRUSTEES OF THE PHYMANCIAL PHYSICIANS TRUST 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO	SHORELINE IMPROVEMENTS AT 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO
		SHEET 2A OF 7

SCALE: 1" = 40'



SCALE: 1/64" = 1'

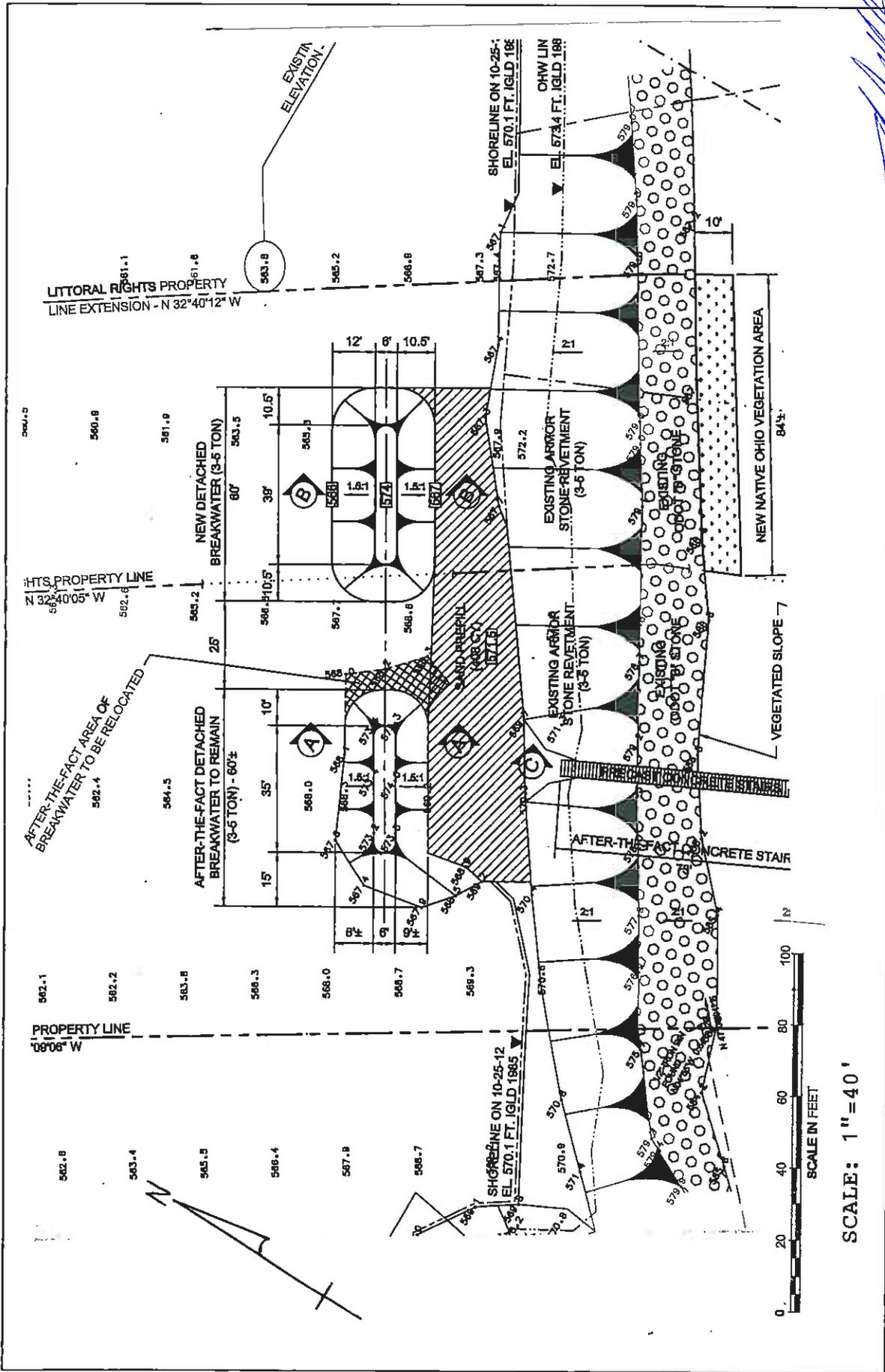


MATRIX ENGINEERING INC.
 SHORELINE IMPROVEMENTS AT
 1664 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

PREFERRED ALTERNATIVE SITE PLAN
 ARTHUR R. & CAROL S. SHAMAKIAN
 CO-TRUSTEES OF THE PHYNCIAL
 PHYSICIANS TRUST
 1664 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

DATUM: 0.0 L.W.D. = 569.2 IGLD 1985
 1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION
 2.) DENISE M. STAVOLE

NOTES:
 1.) ALL ELEVATIONS ARE RELATIVE TO
 FIELD 1985 D.A. 1100 = 569.3 FT. M.S.L. 1985
 2.) LITTORAL RIGHTS PROPERTY LINE
 EXTENSION IS DETERMINED FROM
 EXISTING SUBMERGED LAND LEASES.



SCALE: 1" = 40'



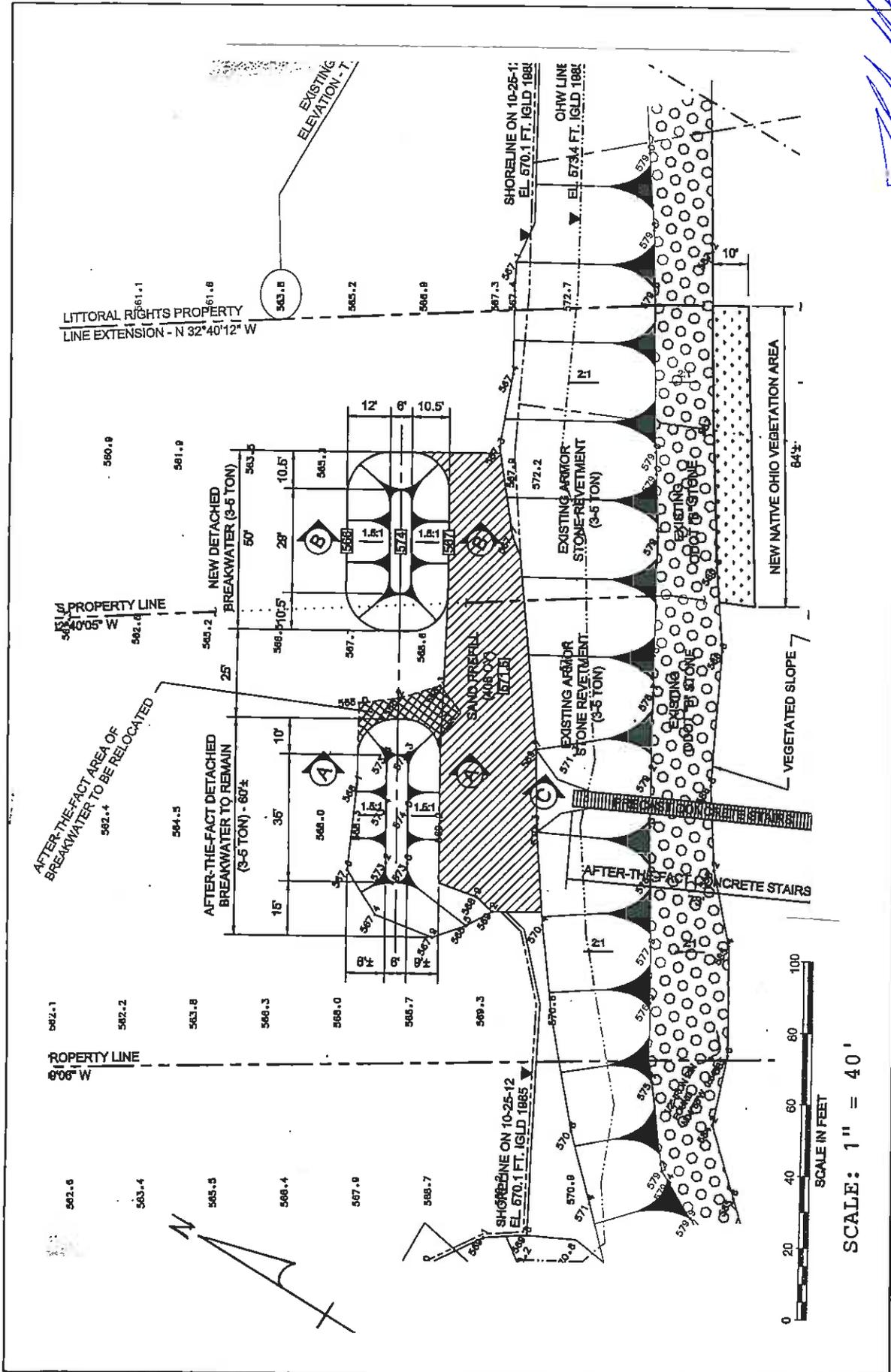
MATRIX ENGINEERING INC.
 SHORELINE IMPROVEMENTS AT
 1664 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

PREFERRED ALTERNATIVE SITE PLAN
 ARTHUR R. & CAROL S. SHAMAKIAN
 CO-TRUSTEES OF THE PHYNANCIAL
 PHYSICIANS TRUST
 1664 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

DATUM: 0.0 L.W.D. = 569.2 IGLD 1985
 1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION
 2.) DENISE M. STAVOLE

SHEET 3A OF 7

12-18-12



MATRIX ENGINEERING INC.
 SHORELINE IMPROVEMENTS AT
 1664 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

MINIMAL DEGRADATION SITE PLAN
 ARTHUR R. & CAROL S. SHAMAKIAN
 CO-TRUSTEES OF THE PHYNANCIAL
 PHYSICIANS TRUST
 1664 NORTH SHORE DRIVE
 PAINESVILLE, OHIO

DATUM: 0.0 L.W.D. = 568.2 IGLD 1985
 1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION
 2.) DENISE M. STAVOLE

SHEET 4A OF 7
 12-18-12

AFTER-THE-FACT DETACHED BREAKWATER TO REMAIN
(3-5 TON) - 23'±

8'±

6'

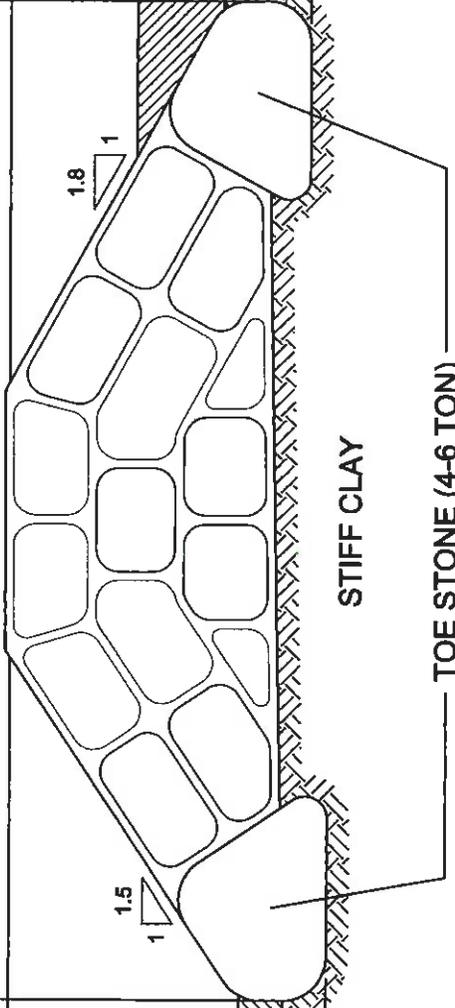
9'±

OHW
EL. 573.4 FT.
IGLD 1985

EL. 573.5±

EXISTING
LAKE BOTTOM
EL. 568.1
SAND
EL. 566.0

SAND PREFILL
SAND
EL. 571.5
EL. 567.5



STIFF CLAY

TOE STONE (4-6 TON)

0 1 2 3 4 5 10



SCALE IN FEET

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 IGLD 1985

SECTION A-A

1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION
2.) DENISE M. STAYDLE

ARTHUR R. & CAROL S. SHAMAKIAN
CO-TRUSTEES OF THE PHYNANCIAL
PHYSICIANS TRUST
1664 NORTH SHORE DRIVE
PAINESVILLE, OHIO

DESIGNED BY
MATRIX ENGINEERING INC.

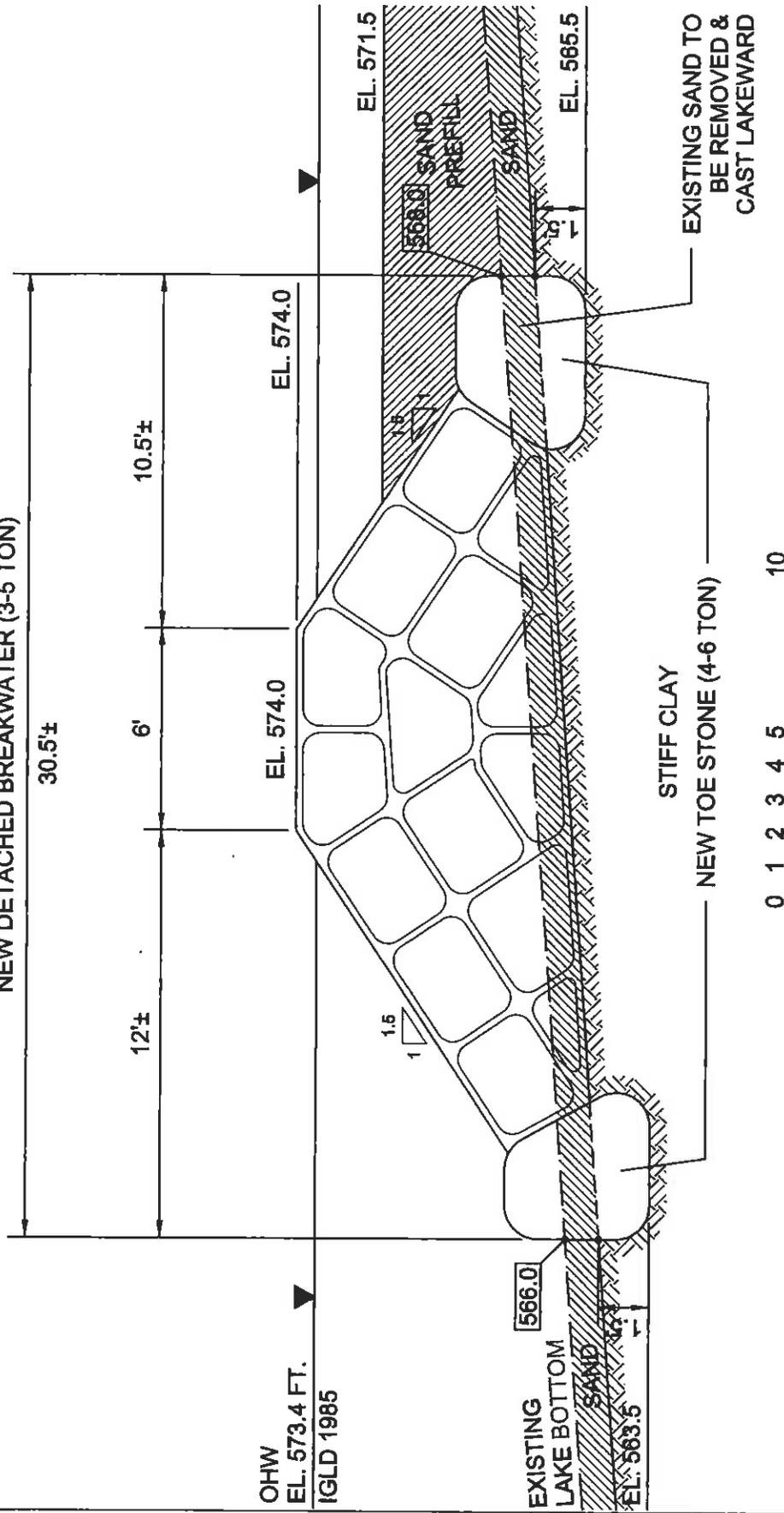
SHORELINE IMPROVEMENTS AT
1664 NORTH SHORE DRIVE
PAINESVILLE, OHIO

SHEET 5 OF 7

DATE 12-18-12



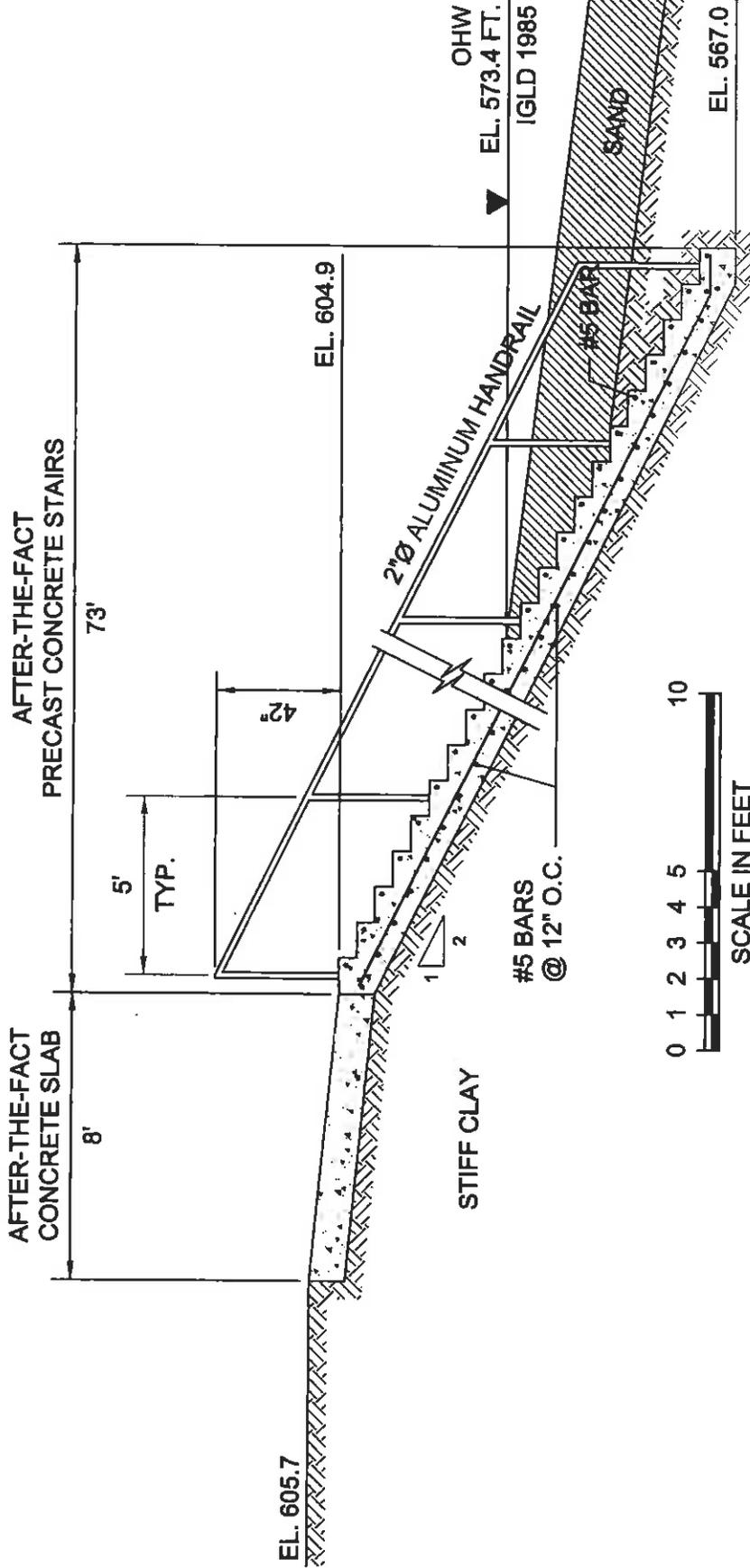
NEW DETACHED BREAKWATER (3-5 TON)



NOTES:

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

<p>DATUM: 0.0 L.W.D. = 569.2 IGLD 1985</p> <p>1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION 2.) DENISE M. STAVOLE</p>	<p>SECTION B-B</p> <p>ARTHUR R. & CAROL S. SHAMAKIAN CO-TRUSTEES OF THE PHYFNANCIAL PHYSICIANS TRUST 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO</p>	<p>MATRIX ENGINEERING INC.</p> <p>SHORELINE IMPROVEMENTS AT 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO</p> <p>SHEET 6 OF 7</p> <p>12-16-12</p>	<p>STATE OF OHIO REGISTERED PROFESSIONAL ENGINEER JOHN S. MATRICARDI E-044003</p>
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STIFF CLAY



NOTES:

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

<p>DATUM: 0.0 L.W.D. = 569.2 IGLD 1985</p>	<p>SECTION C-C</p>	<p>MATRIX ENGINEERING INC.</p>	<p>STATE OF OHIO PROFESSIONAL ENGINEER JOHN S. MATRICARDI E-044003 REGISTERED</p>
<p>1.) LAKE ERIE SHORES HOMEOWNERS ASSOCIATION 2.) DENISE M. STAVOLE</p>	<p>ARTHUR R. & CAROL S. SHAMAKIAN CO-TRUSTEES OF THE PHYNANCIAL PHYSICIANS TRUST 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO</p>	<p>SHORELINE IMPROVEMENTS AT 1664 NORTH SHORE DRIVE PAINESVILLE, OHIO</p>	<p>12/18/12</p>
<p>SHEET 7 OF 7</p>		<p>12-18-12</p>	

WARRANTY DEED

Know all Men by these Presents, That Lake Erie Shores Development, LLC, a Limited Liability Company, the Grantor, who claim title by or through instrument(s), recorded in Document No. 1999R054998, County Recorder's Office, for the consideration of Ten and Other Consideration Dollars (\$10.00 etc.) Received to its full satisfaction of Arthur R. Shamakian and Carol S. Shamakian, Co-Trustees of the Phynancial Physicians Trust, the Grantee(s), whose TAX dated 9-11-99 MAILING ADDRESS will be 11595 Edgewood Rd., Chardon, OH 44024, do give grant, bargain, sell and convey unto the said Grantees, their heirs and assigns, the following described premises:

SEB EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Permanent Parcel No. 11-B-050-A-00-013-0

REC. FEE: 36.00
PAGES: 3
FRANK A SUPONCIC
LAKE COUNTY RECORDER
11-07-2006 2:18 PM
LAKE COUNTY OHIO
RECORDED ON

2006R045354

ALL TITLE SERVICES, INC.
ORDER NO. A-LL18F

To have and to hold the above granted and bargained premises, with the appurtenances thereunto belonging, unto the said grantee(s), their heirs and assigns forever. And the said grantor does for itself and its successors and assigns covenant with said grantee(s), their heirs and assigns, that at and until the enscaling of these presents it is well seized of the above described premises as a good and indefeasible estate in fee simple, and has good right to bargain and sell the same in manner and form as above written; that the same are free and clear from all encumbrances whatsoever except taxes and assessments, both general and special, for the current half of the taxable year and thereafter; zoning ordinances, conditions and restrictions of record, easements and rights-of-way, if any, and that it will warrant and defend said premises, with the appurtenances thereunto belonging, to the said grantee(s), their heirs and assigns, forever, against all lawful claims and demands whatsoever.

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.
#4908 FEE \$ 1040- 260
11/7/06 EXEMPT- 74
Edward H. Zupancic, County Auditor

TRANSFERRED
50 NOV - 7 2006
Edward H. Zupancic
Auditor, Lake County, Ohio

In Testimony Whereof said company sets its hand and company seal, by Michael DiSanto, Sole Member, this 3 day of NOVEMBER, A.D. 2006.

Lake Erie Shores Development, LLC

Michael DiSanto
by Michael DiSanto, Sole Member

THE STATE OF OHIO)

_____ County) ss.

Before me, a Notary Public in and for said County, personally appeared the above named Lake Erie Shores Development, LLC by Michael DiSanto, Sole Member, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said company and the free act and deed of him personally and as such officer.

In testimony whereof, I have hereunto set my hand and official seal, at Painesville, OH, this 3rd day of November, 2006.

Debra L. Love-Barstow

Notary Public

This instrument prepared by:
JAMES LYONS, Attorney at Law
240 Main Street
Painesville, OH 44077



DEBRA L. LOVE-BARSTOW
Notary Public
In and for the State of Ohio
My Commission Expires Dec. 29, 2009

45354

LEGAL DESCRIPTION

Exhibit "A"

Situated in the Township of Painesville, County of Lake and State of Ohio and known as being Sub Lot No. 13 in North Shore Estates at Lake Erie Shores Subdivision, being a part of Original Painesville Township Lot No. 4, Tract No. 2 and Lot No. 27, Tract No. 1, now in the Township of Painesville, as show by the recorded plat of said Subdivision in Volume 50 of Maps, Page 5 of Lake County Map Records, re-filed in Volume 50 of Maps, Page 5A of Lake County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Together with a Submerged Land Lease File No. SUB-2268-LA, recorded in Lake County Records Document No. 2006R032722 and described as follows:
Situating in the Township of Painesville, County of Lake and State of Ohio and known as being a part of a Lake Erie Submerged Land Lease as recorded in Document No. 2004R050272 Lake County Records.**

Beginning at the northwesterly corner of Sub Lot No. 13 of the North Shore Estates Subdivision as recorded in Volume 50 of Maps, Page 5A of Lake County Map Records:

Thence North 31 degrees 09 minutes 06 seconds West, 42.18 feet;

Thence North 53 degrees 39 minutes 20 seconds East, 97.50 feet;

Thence North 57 degrees 02 minutes 27 seconds East, 43.37 feet;

Thence South 22 degrees 59 minutes 43 seconds East, 41.82 feet;

Thence South 57 degrees 19 minutes 55 seconds West, 35.54 feet;

**Thence South 53 degrees 08 minutes 59 seconds West, 93.90 feet to the place of beginning.
Containing 0.1259 acres of land.**

Permanent Parcel #: 11-B-050-A-13

45354

LAKE COUNTY OHIO
RECORDED ON

01-04-2007 3:48 PM

FRANK A SUPONCIC
LAKE COUNTY RECORDER

WARRANTY DEED

FROM A CORPORATION TO A CORPORATION

REC. FEE: 36.00
PAGES: 3

Know all Men by these Presents, That Lake Erie Shores Development, LLC, an Ohio Limited Liability Company, the Grantor, for the consideration of Ten and Other Consideration Dollars (\$10.00 etc.) received to its full satisfaction of Arthur Robert Shamakian and Carol Sue Shamakian, Co-Trustees of Phynancial Physician Trust dated 9-11-99, ~~a Corporation~~, the Grantee, whose TAX MAILING ADDRESS will be 11595 Edgewood Road, Chardon, OH 44024 does give, /their grant bargain, sell and convey unto the said Grantee, ~~its~~ successors and assigns, the following described premises:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

ALL TITLE SERVICES, INC.
ORDER NO. A-1124E

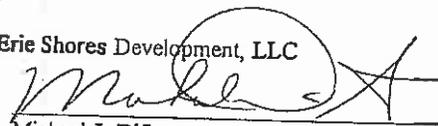
This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.
#41 FEE \$1600.⁰⁰ 250
1-4-07/EXEMPT 24
Edward H. Zupancic, County Auditor

TRANSFERRED
50
JAN - 4 2007
Edward H. Zupancic
Auditor, Lake County, Ohio

To have and to hold the above granted and bargained premises, with the appurtenances /their thereunto belonging, unto the said Grantee, ~~its~~ successors and assigns forever. And Lake Erie Shores Development, LLC, the said Grantor does for itself and its successors and assigns covenant with the said Grantee, /their successors and assigns, that at and until the ensembling of these presents, it is well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and has good right to bargain and sell the same in manner and form as above written, that the same are free and clear from all incumbrances whatsoever except taxes and assessments, both general and special, for the current half of the taxable year and thereafter; zoning ordinances, conditions and restrictions of record, easements and rights-of way, if any and that it will WARRANT AND DEFEND said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever, against all lawful claims and demands whatsoever except as hereinbefore provided.

In Testimony Whereof, said Company hereunto sets its hand and company seal, by
Michael J. DiSanto, its President, this 27th day of December in the year
of our Lord Two Thousand and Six.

Lake Erie Shores Development, LLC


Michael J. DiSanto

President

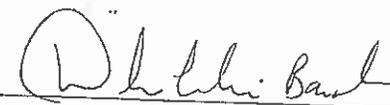
THE STATE OF OHIO,)

Lake COUNTY,) ss.

Before me, a Notary Public in and for said County and State personally appeared the
above named Lake Erie Shores Development, LLC by Michael J. DiSanto, its President, who
acknowledged that he did sign the foregoing instrument, and that the same is the free act and deed
of said Company, and the free act and deed of each of him personally and as such officer.

In Testimony Whereof, I have hereunto set my hand and official seal, at
Parisville, OH, this 27th day of December,

A.D. 20 06.



Notary Public

This instrument prepared by:
EDWARD HEBEN, Attorney at Law
3740 Euclid Avenue
Cleveland, OH 44115



DEBRA L. LOVE-BARSTOW
Notary Public
In and for the State of Ohio
My Commission Expires Dec. 28, 2009

000462

LEGAL DESCRIPTION

Exhibit "A"

Situated in the Township of Painesville, County of Lake and State of Ohio and known as being Sub Lot No. 14 in North Shore Estates at Lake Erie Shores Subdivision, being a part of Original Painesville Township Lot No. 4, Tract No. 2 and Lot No. 27, Tract No. 1, now in the Township of Painesville, as show by the recorded plat of said Subdivision in Volume 50 of Maps, Page 5 of Lake County Map Records, re-filed in Volume 50 of Maps, Page 5A of Lake County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Together with a Submerged Land Lease File No. SUB-2269-LA, recorded in Lake County Records Document No. 2006R032723 and described as follows:

Situated in the Township of Painesville, County of Lake and State of Ohio and known as being a part of a Lake Erie Submerged Land Lease as recorded in Document No. 2004R050272 Lake County Records.

Beginning at the northwesterly corner of Sub Lot No. 14 of the North Shore Estates Subdivision as recorded in Volume 50 of Maps, Page 5A of Lake County Map Records:

Thence North 32 degrees 40 minutes 05 seconds West, 41.19 feet;

Thence North 57 degrees 02 minutes 27 seconds East, 66.75 feet;

Thence North 62 degrees 58 minutes 49 seconds East, 14.53 feet;

Thence South 32 degrees 40 minutes 12 seconds East, 41.60 feet;

Thence South 62 degrees 40 minutes 41 seconds West, 16.13 feet;

Thence South 57 degrees 19 minutes 55 seconds West, 65.16 feet to the place of beginning. Containing 0.0772 acres of land.

Permanent Parcel #: 11-B-050-A-14

000462

December 18, 2012

LONG TERM MONITORING, BY-PASS, AND RE-NOURISHMENT PLAN FOR 1664 NORTH SHORE DRIVE, PAINESVILLE, OHIO

1. A preconstruction survey shall be performed immediately prior to any work below the Ordinary High Water mark (OHWM = 573.4 FT. IGLD 1985). A second survey shall be performed within 10 days after the additional offshore breakwater is constructed in the project area or when weather permits an accurate survey to be performed, but before the sand prefill is placed. Any net fill difference in bottom elevation between the preconstruction survey and the second project area survey must be bypassed and placed downdrift (East) in 4 feet of water or less. Within 10 days of receiving written approval from the USACE Buffalo District, any required bypass shall be performed and the sand prefill placed. A baseline survey shall then be performed within 10 days after the sand prefill is placed or when weather permits an accurate survey to be performed.

Sand used for nourishment will be from an approved upland source.

2. Annual monitoring surveys shall be conducted in the Summer between July 1 and August 1 for 5 years following completion of the project construction. Monitoring reports shall be submitted to the USACE Buffalo District and ODNR no later than 60 days after the surveys are performed. If repeated data (over successive years) shows that the project's area of influence is stable (i.e. there is no net accretion or erosion occurring) annual monitoring after 3 years may be waived in writing by the USACE Buffalo District and ODNR.

After 5 years, the USACE Buffalo District and ODNR may require further monitoring, bypass, modification, removal, or no further action. The applicant may add more sand to renourish the beach, however if excess sand from the littoral system accumulates beyond what exists in the post-construction survey, bypass will be required.

3. All monitoring reports shall be sent to the attention of the Chief of Monitoring and Enforcement, Buffalo District Regulatory Branch, U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, NY 14207 and to the ODNR Office of Coastal Management, 105 W. Shoreline Drive, Sandusky, OH 44870. Any waiver of this requirement shall be obtained in writing by coordinating with the USACE Buffalo District and ODNR.

4. No dredging or sand bypassing shall occur until written approval is received from the USACE Buffalo District. The USACE Buffalo District and ODNR shall be notified 5 days prior to dredging or sand bypassing activities.

5. Monitoring reports shall include:

A. The survey shall establish a fixed baseline 200 feet west of the West property line and continuing to 200 feet East of the East property line at 50 foot Stations. The baseline will be established with iron pins, drill holes, or GPS Coordinates at each Station above OHWM.

B. The survey shall be conducted along the 50 foot stations. Stations shall begin at the iron pin, drill hole, or GPS Coordinate set for the initial monitoring survey and points shall be surveyed along the line at a 20 foot spacing out to a depth of 10 feet or 160 feet from the baseline.

C. The transects shall be plotted on a plan view drawing and must be clearly legible in black and white, in 8-½" by 11" format, and include a scale bar.

D. The existing lake level shall be determined and noted at the time of the survey.

- E. A table detailing each transect and the depth of the sand/bottom from the iron pins set taken at each sampling point along the given transects.
- F. A drawing of the proposed location for depositing bypassed material shall be submitted. The USACE Buffalo district and ODNR will evaluate the Permittee's placement location and will have final authority over the placement location.
- G. Permittee shall provide verifiable estimates of net sediment volume changes in the littoral system within the area impacted by the proposed project and will provide proposed bypassing or nourishment quantities. The USACE Buffalo District and ODNR will evaluate the Permittee's volume estimates and will have final authority in verifying the dredging volume.
- H. The amount of material to bypass shall be the net fill volume calculated as the difference in volume between the bottom elevation in the required annual survey versus the baseline survey after the initial prefill sand was installed.
- I. If the distance of open water between the South face of The offshore breakwater and shoreline is greater than the initial original project design distance, sand nourishment may be required to maintain the authorized sand beach.
- J. The existing site conditions shall be photographed immediately following the completion of the project construction and at the same approximate times as the above mentioned surveys for years 1 through 5 following project completion with the exception of any monitoring years waived by the USACE Buffalo District and ODNR. Photos shall be plotted on a photo location map including the location and direction of each photo. Photographs shall be taken at the same approximate location each year and shall include but are not limited to the following:

Annual Photographs shall be taken as follows:

1. One photograph from the center of the property at the top of the bluff looking at the shoreline.
 2. One photograph of the shoreline looking updrift (West) and one photograph of the shoreline looking down drift (East).
 3. One photograph from the center of the East and West offshore breakwaters facing South toward the shoreline.
- K. The permittee shall remove trapped sediment from the project's area of influence within 30 days of authorization from the USACE Buffalo District or obtain sand/gravel from an approved upland source, and place it immediately downdrift (East) of the project area along the shoreline or in the near shore region at a depth of 4 feet or less East of the East property line. The addition of sand and gravel may necessitate a new baseline survey.
 - L. The Permittee will be responsible for documenting successful completion of each dredge and bypass event. This may include, but is not limited to photographs and/or Contractor's receipts to be submitted to the USACE Buffalo district and ODNR.
 - M. Surveying and bypassing in addition to the proposed annual survey and bypassing may be required as needed upon request by the USACE Buffalo District and ODNR. Future revisions to the Long Term Monitoring, By-pass, and Re-Nourishment Plan for 1664 North Shore Drive, Painesville, OH (Prior to year 5) may also be required.

N. Contingency Plan: Following Year 5 of the monitoring period, if further action is necessary to maintain adequate littoral processes, the USACE Buffalo District and ODNR can order the Permittee to perform one or more of the following type of activities to include but not limited to:

1. Additional yearly monitoring beyond 5 years.
2. Additional downdrift sand bypassing.
3. Additional sand nourishment events and/or:
4. Modification or removal of the offshore breakwater.

Sand bypassing shall be performed with a crane barge with an excavator, or additional equipment as required..

**BLUFF VEGETATION PLANTING AND MAINTENANCE PLAN FOR 1664 NORTH SHORE DRIVE
PAINESVILLE, OH**

A. DESCRIPTION AND TIMING OF REQUIRED MITIGATION

1. Mitigation construction shall be initiated concurrently with the start of Lake Erie impacts and shall be completed within 12 months of the initial impacts.
2. Mitigation shall consist of the establishment of native vegetation (Indian Grass) that will be planted in an area approximately 84 feet long by 10 feet wide along the top of the ODOT "B" stone from elev. 587.0 to 592.0.
3. Mitigation shall be completed as proposed in the Ohio EPA approved "Bluff Vegetation Planting and Maintenance Plan dated 12/18/12.
4. Upon completion of the slope construction, native vegetation shall be planted in accordance with the Ohio EPA approved "Bluff vegetation Planting and Maintenance Plan dated 12/18/12.
5. Vegetation shall be container grown Indian Grass and plants density shall be as recommended by the planter.
6. Temporary stabilization measures, such as matting, are required if the season does not permit vegetation growth.
7. A sign shall be placed within visual distance along the mitigation area that indicates that the area is a protected mitigation site and prohibiting vegetation removal, mowing, dumping or any other activity that would result in degradation of the planting area without prior authorization from Ohio EPA.

B. PERFORMANCE CRITERIA

1. Vegetation must be monitored for a period of 18 months after planting to document advanced growth.
2. If vegetation does not advance to indicate coverage within three weeks, then planting of mature vegetation is required.
3. If plant cover is patchy, then the cause of failure must be identified and corrective actions taken.

C. REPORTING

1. Photographs of the areas planted must be sent to the permit reviewer at month 9 and 18 of the monitoring period.

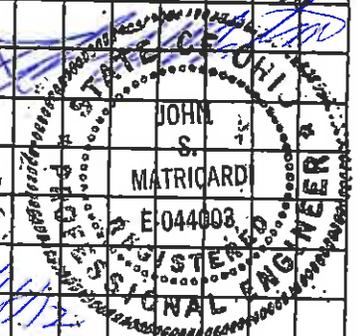
A. DETACHED BREAKWATER DESIGN

A.1 DESIGN WATER LEVEL

30 YR DESIGN WATER LEVEL = 575.5 FT 16LD 1985
REF: REVISED REPORT ON GREAT LAKES OPEN
CONST FLOODING, USACE, 1988.

B. DESIGN WATER HEIGHT

ASSUME SCOURING TO TOP OF
CLAY LAYER.



TOE OF BREAKWATER = 565.0 FT 16LD 1985
STRUCTURE DEPTH = 575.5 - 565.0 = 10.5 FT
BREAKING WAVE HEIGHT = $H_b = 0.78(10.5) = 8.2$ FT
REF: CONSTR. ENGINEERING MANUAL, USACE,
2006, PG. 11-4-3

C. BREAKWATER DESIGN

USE HUDSON'S EQUATION

$$W_{50} = \frac{(160 \frac{lb}{ft^3})(8.2 \text{ FT})^3}{(2.0) \left(\frac{160}{2.4} - 1 \right)^3 (1.5)} = 7,691 \text{ LB} = 3.84 \text{ TON}$$

USE 3-5 TON
\$ 4-6 TON TOE STONE

SINCE DESIGN WATER HEIGHT OF 575.5 FT
IS HIGHER THAN TOP OF BREAKWATER AT
574.0 FT NO RUNUP CALCULATION IS REQUIRED.
BREAKWATER WILL BE OVERTOPPED AT
DESIGN WATER HEIGHT.

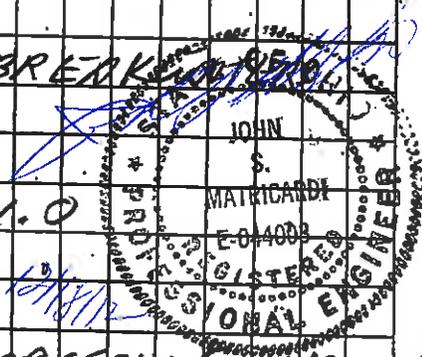
D. BREAKWATER LENGTH TO OFFSHORE DISTANCE RATIO

DETACHED BREAKWATER LENGTH AT AVERAGE LAKE LEVEL OF 571.5 FT IS 36.5 FT.

AVERAGE DISTANCE OF BOTH BREAKWATERS FROM SHORELINE IS 32.0 FT.

$$RATIO = \frac{32.0}{36.5} = 0.88 < 1.0$$

Ratio is less than 1.0 but necessary since off shore depths are too deep for normal breakwater design.



E. SAND PREFILL CALCULATIONS

DETACHED BREAKWATER GEOMETRY

	BREAKWATER LENGTH, L (FT)	GAP LENGTH (Lg) (FT)	DISTANCE TO SHORE, X (FT)	STRUCTURE DEPTH, d, (FT)
AT CREST	32' AVG	45.5'		
AT DESIGN WL	32' AVG	45.5'	38' AVG	9.0'
AT AVE. WL	42' AVG	38'	32' AVG	6.5'
AT TOE	60' AVG	25'		

COMPARITIVE RATIOS

	$\frac{L}{Lg}$	CHECK	$\frac{L}{X}$	CHECK	$\frac{L}{X}$	CHECK	$\frac{L}{Lg}$	CHECK
AT DESIGN WL	0.84	O.K.	0.70	NO	4.22	O.K.	0.84	NO
AT AVE WL	1.31	O.K.	1.10	O.K.	4.92	O.K.	0.84	NO

SAND PREFILL

	WATER LEVEL	STRUCT. DEPTH	BREAKWATER LENGTH L (FT)	GAP LENGTH (FT)	DIST. TO SHORE, X (FT)	$\frac{L}{X}$	$\frac{L}{Lg}$	X5	SAND PREFILL QB YD3
AVE. WL	571.5	6.5'	42.0'	38'	32'	1.31	0.89	32	102
DESIGN WL	575.5	10.5'	32.0'	45.5'	38'	1.19	1.69	38	66

MATRIX ENGINEERING, INC.
12815 DETROIT AVENUE
LAKEWOOD, OHIO 44107
(216) 226-6520

SHORELINE IMP. 1664 N. SHORE DR.
PRINEVILLE, OR 97133 12/18/12

NOTE: $Q_b = x d L C$ (0.31 - (1.92 * $\frac{1}{2}$))
in ft³

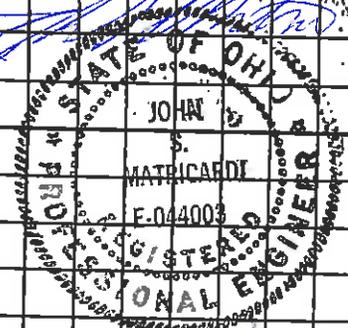
ASSUME OVERFILL FACTOR 2.0

PREFILL PER BREAKWATER (CY) = 102 CY

NO. OF BREAKWATER UNITS = 2

OVERFILL FACTOR = 2

TOTAL SAND PREFILL = (102 CY) (2) (2) = 408 CY



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

LETTER OF TRANSMITTAL

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

TO Lake County Commissioners
105 Main St.
Painesville, OH 44077

DATE	12/26/12	JOB NO.
ATTENTION	Lake Cty Board of Comm.	
RE:	Resolution For Submerged Lands Lease at 1664 North Shore Drive, Painesville, 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	12/26/12	1829	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 issue a resolution for a revised submerged lands lease for the attached permit application at 1664 North Shore Drive, Painesville, OH. Please call or email with any question.

COPY TO ODNR

SIGNED: [Signature]



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Road, Suite 104
Columbus, Ohio 43230
(614) 416-8993 / FAX (614) 416-8994

February 19, 2013

Ms. Shaina Souder
Buffalo District, US Army Corps of Engineers
1776 Niagara St.
Buffalo, NY 14207-3199

RECEIVED : 03E15000-2013-TA-0478

MAR 08 2013

OHIO EPA NEDO

Dear Ms. Souder:

This letter is in response your January 24, 2013 Public Notice for the proposed Arthur R. Shamakian project, located in Lake Erie at 1664 and 1668 North Shore Driver, Painesville Township, Lake County, Ohio (Application No. 2012-00825). The project involves after-the-fact authorization for placement of 197 cubic yards of fill material in Lake Erie for the construction of a 23-foot wide by 69-foot long offshore armor stone breakwater and concrete stairwell. Additionally the Applicant is seeking authorization to relocate a portion of the existing fill material 25 linear feet to the east to create a 30.5-foot wide by 50-foot long armor stone breakwater. Sand prefill totaling 408 cubic yards will be placed shoreward of the offshore breakwaters to enhance an existing sand beach, and to minimize impacts to the littoral drift in the area.

Lake Erie and its shoreline provide internationally valuable habitat for fish, birds, and wildlife. Nearshore areas provide essential spawning and nursery habitat for interjurisdictional fish species, and help to support the local sport fishing industry. The shoreline provides essential resting, feeding, and nesting habitat for waterfowl, colonial nesting waterbirds, and migratory birds. Placing fill in the Lake and along the shore disturbs these important habitats. Furthermore, natural shorelines contribute sand to the littoral zone, helping to maintain barrier beach systems that provide wildlife habitat and natural erosion control, while armored shorelines do not provide such benefits. The U.S. Fish and Wildlife Service (Service) strongly recommends that the applicant avoid and minimize impacts to Lake Erie and shoreline habitat. The Applicant should justify the need for Lake Erie fills, and describe how avoidance and minimization are addressed in this project.

No in-water work should occur between April 15 and June 30 to protect fish spawning activities.

ENDANGERED SPECIES COMMENTS: The proposed project lies within the range of the federally listed endangered **pipng plover** (*Charadrius melodus*), and within the vicinity of designated critical habitat for the plover. Piping plover habitat includes sand or pebble beaches with sparse vegetation along the shore of Lake Erie. Designated critical habitat exists at Headlands Dunes State Nature Preserve in Lake County, Ohio. While piping plovers do not currently nest in Ohio, migrating plovers can be expected to stop-over along the shore of Lake

134084

Wilk

2013 FEB 21 AM 11:16

OHIO EPA - DSW

Erie during the period of time between April 1-May 31 and July 15-October 31 each year, which incorporates spring and fall migration periods. Because the project area currently supports a sand beach that appears to be suitable as piping plover migration stop-over habitat, this area should not be disturbed during the period of time when plovers could be expected to occur here.

The proposed project lies within the range of the Indiana bat, Kirtland's warbler, and snuffbox mussel, federally-listed endangered species. Due to the project type, size, and location, the project, as proposed, should not impact these species. Should, during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated to assess any potential impacts.

BALD EAGLE COMMENTS: The project lies within the range of the bald eagle, a species protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) and the Migratory Bird Treaty Act (16 U.S.C. 703-712). Due to the project type, location, and onsite habitat, no impact to this species is expected. Relative to this species, this precludes the need for further action on this project as required by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

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 Endangered Species Act of 1973 (ESA), as amended, and are consistent with the intent of the National Environmental Policy Act of 1969 and the U. S. Fish and Wildlife Service's Mitigation Policy. Please note that consultation under section 7 of the ESA may be warranted for this project since suitable habitat for the piping plover may be impacted by this project. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

Thank you for the opportunity to provide comments on this proposed project. Please contact biologist Megan Seymour at extension 16 in this office if I can be of further assistance.

Sincerely,



Mary Knapp, Ph.D.
Supervisor

Cc: ODNR, SCEA Unit, Columbus, OH
Mr. Steve Holland, ODNR Coastal Program, Sandusky, OH
Ohio EPA, 401 Section, Columbus, OH