



US Army Corps
of Engineers

Detroit District

Public Notice

Applicant: Sheryl Stephens

In Reply Refer To: Corps File No. LRE-2020-01597-41-S20

Date: October 7, 2020

Expires: October 28, 2020

Proposed Riprap Shore Protection, Backfill, Docks, and Hoists in Lake Charlevoix at Charlevoix, Michigan

Applicant: Sheryl Stephens
11650 Evergreen Lane
Charlevoix, MI 49720

Project Location: The site is located at 11650 Evergreen Lane, Charlevoix, Section 06, Township 33 N, Range 7 W, Charlevoix County, Michigan, 49720

Federal Authority: The applicant has applied for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

State Authority: Section 401 of the Clean Water Act requires that all discharges of dredged or fill material must be certified by the State as complying with applicable effluent limitations and water quality standards. Coastal Zone Management Certification (or waiver thereof) is required from the State of Michigan if this proposed activity would occur within the designated coastal zone.

Project Description: As shown on the attached plans, the applicant proposes the following:

- Install turbidity curtain immediately adjacent to the proposed work area. Excavate an area approximately 205 linear feet long by 4 feet wide by 2 feet deep and place the dredged material on site in an upland location.
- Place filter fabric and discharge 200 cubic yards of 4-inch to 12-inch diameter field stone riprap for 205 linear feet, to a width of 12 feet and depth of 6 feet.
- Place 167 cubic yards of sand between the riprap boulders and the existing shoreline in an area approximately 100 linear feet long by 15 feet wide by 3.5 feet deep.
- After the fact, seasonally install and remove a 40 foot long by 4 foot wide dock, with two side piers to make an "F" shape. One side pier is 10 foot long by 4 foot wide and

the other 20 foot long by 4 foot wide, with three steps on the southern end of the longer side pier.

- Seasonally install and remove two personal watercraft hoists, 10 feet long by 5 feet wide.

The purpose of the proposed work is shoreline erosion protection and to moor private recreational boats.

Avoidance & Minimization: The applicant has stated the following concerning avoidance and minimization of impacts to Waters of the United States: "With the goal of the project to protect the existing trees on site and control erosion, there is no alternative."

The Corps has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

Compensatory Mitigation: The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States: "Compensatory mitigation should not be required for the impacts, as the project proposes to re-establish what was present only 1-2 years ago. Adding boulder riprap along the shoreline will also add small crevices for crawfish and small fish to dwell as well."

The Corps has not verified the adequacy of this mitigation proposal at this time.

The work described herein has been partially completed without benefit of a Department of the Army permit. The application is being processed pursuant to appropriate Department of the Army regulations. The District Engineer reserves the right to order the removal of work placed without benefit of a Department of the Army permit if he deems the public interest so requires.

Other Authorizations:

A permit is required from the Michigan Department of Environment, Great Lakes, and Energy under applicable provisions of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451.) The State file number is 15-11650 Evergreen Ln-Eveline Twp.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number LRE-2020-01597-41-S20. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with:

Kerrie Kuhne
Chief, Permit Evaluation Western Branch
Regulatory Office
Corps of Engineers, Detroit District
477 Michigan Avenue
Detroit, Michigan 48226-2550

Comments may be e-mailed to: Barbara.J.Scott@usace.army.mil , but must include a name and mailing address.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on evaluation of the probable impacts of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This activity involves the discharge of dredged or fill material into waters of the United States. Therefore, the U.S. Army Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by

the Administrator of the Federal Environmental Protection Agency, under the authority of Section 404(b)(1) of the Clean Water Act.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. We are not aware of the presence of any listed species or critical habitat at or in the vicinity of the proposed worksite. We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from federal, state and local agencies, historical and archaeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

Additional Information: This public notice and drawings are also available for viewing/printing at:
<http://www.lre.usace.army.mil/Missions/RegulatoryProgramandPermits/PublicNotices.aspx>. Questions concerning this application may be directed to Barbara Scott at the Corps of Engineers address listed above, or telephone number (906) 635-3461.

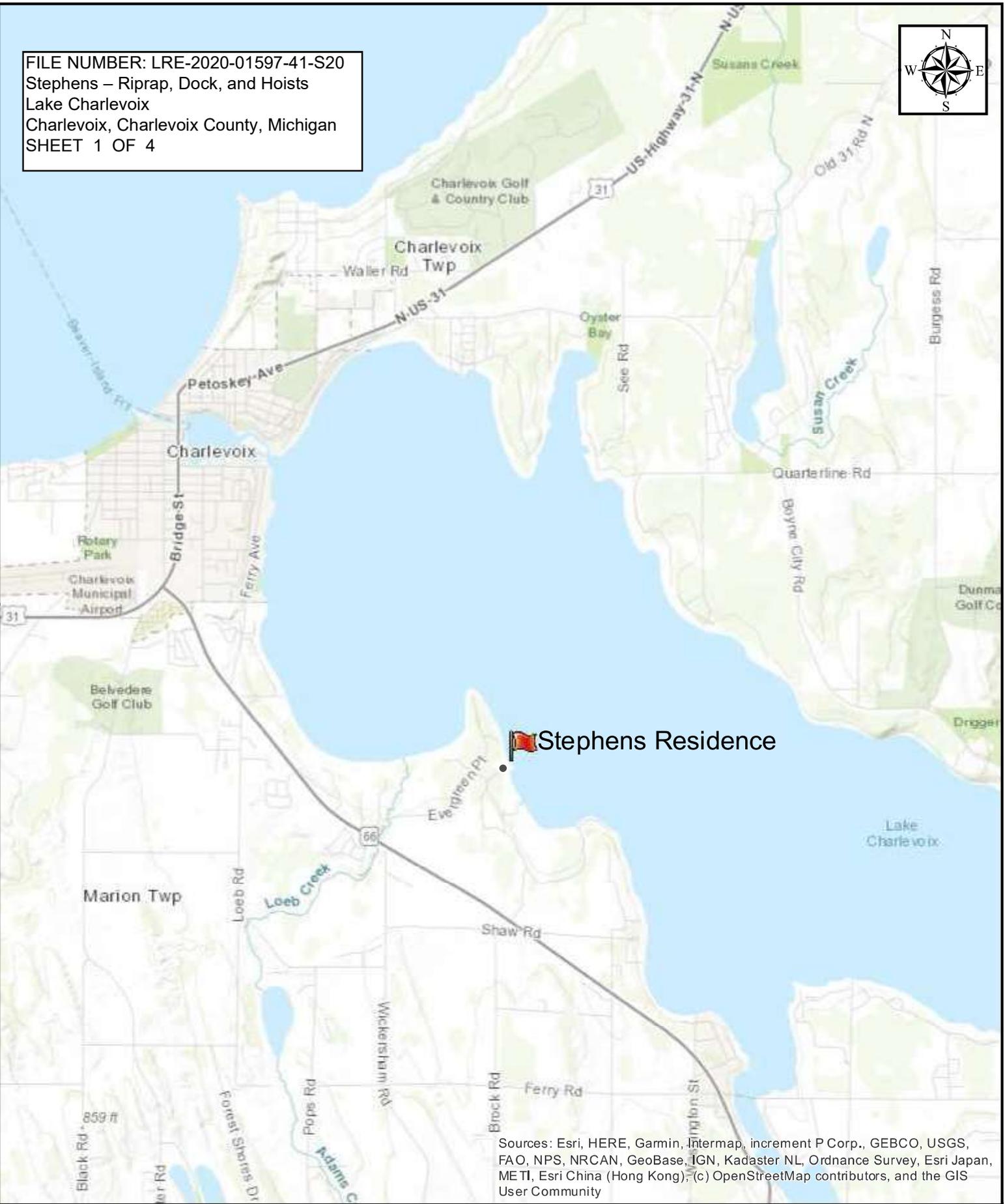
FOR THE DISTRICT ENGINEER:

Kerrie E. Kuhne
Chief, Permit Evaluation Western Branch
Regulatory Office

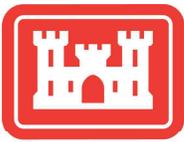
NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.

FILE NUMBER: LRE-2020-01597-41-S20
 Stephens – Riprap, Dock, and Hoists
 Lake Charlevoix
 Charlevoix, Charlevoix County, Michigan
 SHEET 1 OF 4



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong); (c) OpenStreetMap contributors, and the GIS User Community



Stephens - LRE-202001597-41-S20



Map Center: -85.2161 45.3019

Map created by on 9/28/2020 at 1:44:51 PM

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

FILE NUMBER: LRE-2020-01597-41-S20
Stephens - Riprap, Dock, and Hoists
Lake Charlevoix
Charlevoix, Charlevoix County, Michigan
SHEET 2 OF 4



Stephens Residence

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Stephens - LRE-2020-01597-41-S20

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Map Center: -85.2147 45.2868

Map created by on 9/28/2020 at 1:49:12 PM

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

FILE NUMBER:
 LRE-2020-01597-41-S20
 Stephens – Riprap, Dock, and
 Hoists
 Lake Charlevoix
 Charlevoix, Charlevoix County,
 Michigan
 SHEET 4 OF 4



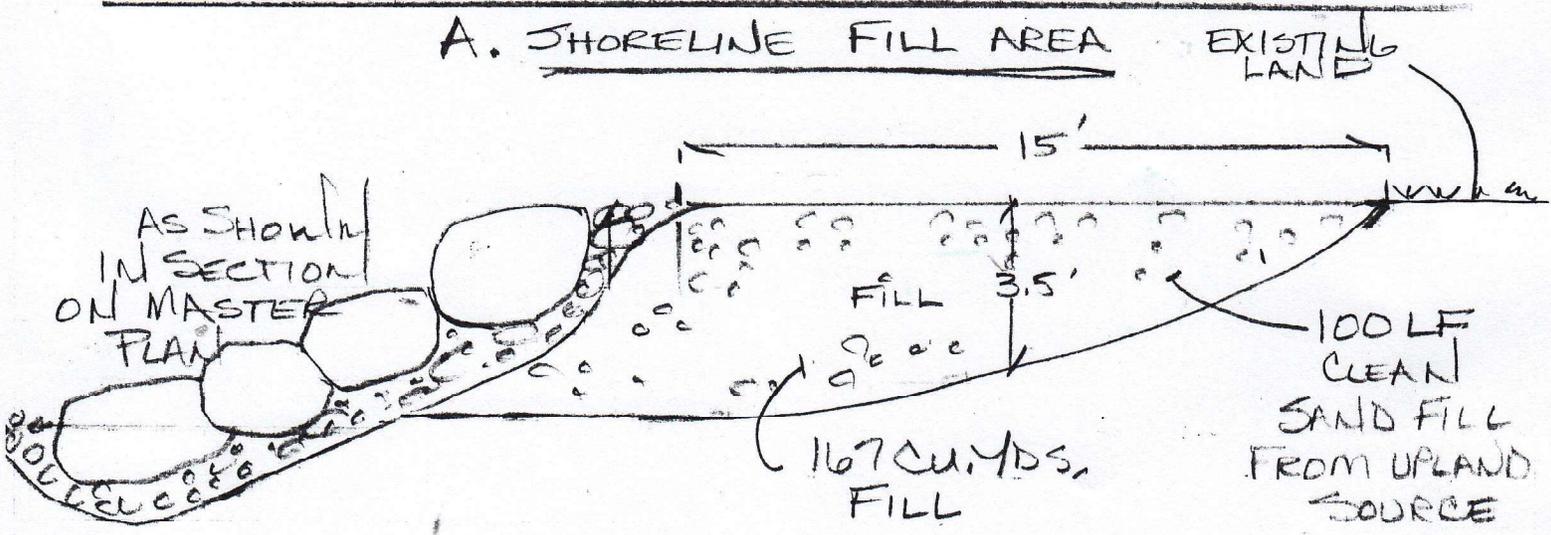
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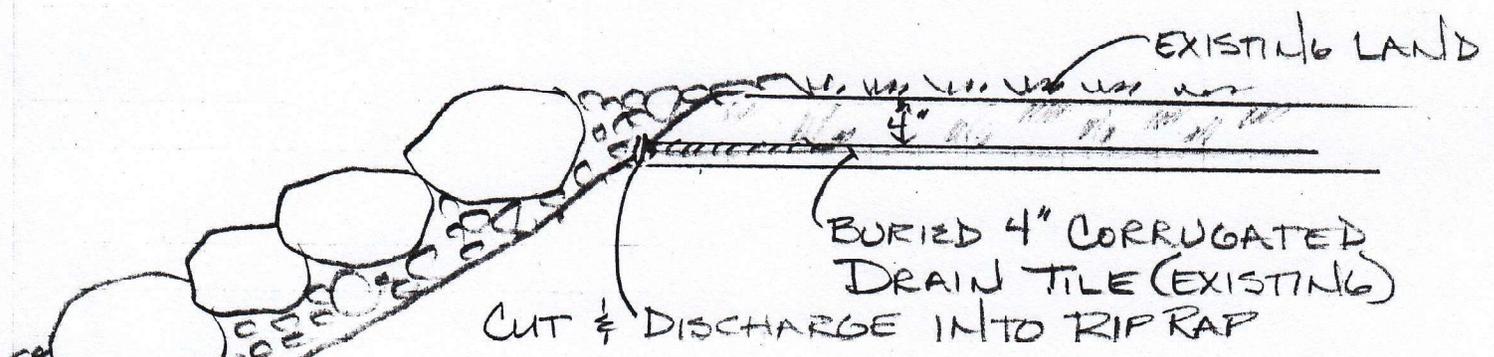
STEPHENS
 11650 EVERGREEN LANE
 CHARLEVOIX, MICHIGAN

SECTION DRAWINGS IN ADDITION
 TO MASTER PLAN —

A. SHORELINE FILL AREA



B. CORRUGATED DRAIN PIPE



9.3.20
 1" = 4'



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