DRAFT
FINDING OF NO SIGNIFICANT IMPACT
AND
ENVIRONMENTAL ASSESSMENT

U.S. ARMY CORPS OF ENGINEERS
OPERATIONS AND MAINTENANCE

ASHTABULA WEST BREAKWATER REPAIR

ASHTABULA HARBOR
ASHTABULA COUNTY, OHIO

DEPARTMENT OF THE ARMY
Buffalo District, U.S. Army Corps of Engineers
478 Main Street
Buffalo New York, 14202

May 2025

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The U.S. Army Corps of Engineers (USACE), Buffalo District has assessed the environmental impacts of the Ashtabula West Breakwater (AWBW) repair project in accordance with the National Environmental Policy Act (NEPA) of 1969 and has determined a Finding of No Significant Impact (FONSI). The attached final Environmental Assessment (EA) dated March 2025 addresses the USACE repair of the AWBW located at the City of Ashtabula, Ashtabula County, Ohio, at the mouth of the Ashtabula River on Lake Erie. The repair of the AWBW would facilitate continued safe navigation that would benefit the associated commercial and recreational users of Ashtabula Harbor.

PURPOSE

An EA was completed in support of this FONSI. Its purpose is to provide sufficient information on the potential environmental effects of the USACE proposed repair of the AWBW for the decision maker to appropriately consider such effects. Analysis of the potential effects aids in determining whether the proposed project is a major federal action which would significantly affect the quality of the human environment. The attached EA facilitates compliance with NEPA and includes discussion of the need for the action, the affected environment, a description of the proposed action and alternatives, its environmental impacts, environmental compliance, and a list of agencies, interested groups, and individuals involved in this assessment.

BACKGROUND

Ashtabula Harbor is located on the south shore of Lake Erie at the mouth of the Ashtabula River, 59 miles east of Cleveland Harbor and 15 miles west of Conneaut Harbor, Ohio (EA Figure 1). The harbor is located in Ashtabula County, Ohio. Ashtabula Harbor has a pair of east and west arrowhead breakwaters that converge and protect the mouth of the Ashtabula River from wave action on Lake Erie. The west breakwater runs northeast and has a length of 7,890 feet, while the east breakwater runs northwest and has a length of 4,340 feet. This general layout is characteristic of many Great Lakes harbors.

Construction of the east and west breakwaters of Ashtabula Harbor were approved in 1896, by the Rivers and Harbors Act of 1896. Official construction of the east and west breakwaters began in 1898. That same year, the construction of a 432-foot section, made of timber, of the western breakwater was completed. Construction of the rubblemound breakwaters began in 1899 and was not completed until 1909. Extensions and repairs have continued until the current

configuration was reached in 1915. In 1926, less than 30 years after its construction, major deterioration above the water line occurred prompting construction of riprap reinforcement along its lakeward side.

ALTERNATIVES CONSIDERED

A total of three alternatives were evaluated, including the no action alternative.

The Preferred Action Alternative involves a rubble-mound overlay at 1V (vertical) on 2H (horizontal) slope along the lakeside of the existing structure up to the design crest elevation of +10 feet low water datum (LWD)[1]. The project will include placement of new stone along deteriorated portions of the breakwater up to the crest elevation. The head of the structure is vulnerable to high wave energy requiring an armor stone 8-ton to 17-ton (with a slope of 1V:2H). The remainder of the AWBW is known as the "trunk" of the breakwater and requires a smaller armor stone of 5.3-ton to 12-ton (side slope 1V:2H). This alternative's reach extends from Station 40+00 to Station 46+21 and will wrap around the northern end of the northern lighthouse. The repair footprint has been broken up into four repair zones: zone 1 is station 40+00 to 41+50, zone 2 is station 41+75 to 42+00, zone 3 is station 42+25 to 44+25, and zone 4 is station 44+25 to 46+21 (See attached EA Figures 2 and 3).

Two other alternatives were explored and include the following:

- *Rubblemound Overlay with a Flatter Side Slope* – This alternative would consist of a leveling course of underlayer stone and covered with large armor placed at a slope of 1V:3H. This alternative was not recommended due to the resulting larger project footprint and higher cost from more stone tonnage.

Additionally, the no action alternative is not recommended as it would not meet the project objective of continued safe recreational and commercial navigation.

An assessment of the potential effects of project alternaives is presented in the EA while a summary assessment of the potential effects of the recommended plan is listed in the table below:

1 Low Water Datum (LWD) for Lake Erie is 569.2 feet above mean sea level at Rimouski, Quebec, Canada (International Great Lakes Datum 1985).

Public Interest Factors	Impacts of Proposed Action					
	Major Adverse	Minor Adverse	Resource Unaffected (N/A)	Resource Unaffected through Mitigation	Minor Beneficial	Major Beneficial
1. Air Quality		T				
2. Water Quality		T				
3. Sediment Quality		T				
4. Wetlands			X			
6. Plankton and Benthos		T				
7. Fisheries		T				
8. Wildlife		T				
9. Threatened and Endangered Species			X			
10. Demographics (Population)			X			
11. Associated Land Use & Developments			X			
12. Business and Industry and Employment and Income					T	
13. Public Facilities and Services			X			
14. Recreation (Water-related)		T			P	
15. Property Value and Tax Revenue			X			
16. Noise and Aesthetics		T			P	
17. Cultural Resources		T			P	

***** T = Temporary Impact, P = Permanent Impact, X = Not Applicable

Consultation and Compliance with Other Laws and Regulations

Project coordination was initiated with agencies and interests via the scoping process. A NEPA scoping document was posted for a 30-calendar day comment period on December 2, 2024. All scoping comments have been resolved and no significant adverse impacts have been identified (Appendix A).

Pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended, the USACE has determined that the proposed project would likely have no effect on federally listed species or designated critical habitat. Coordination in this regard was initiated with the U.S. Department of the Interior – Fish and Wildlife Service (USFWS), and the Ohio Department of Natural Resources Fish and Wildlife Division on January 6, 2025. The study area lies within range of the following federally listed endangered (E), threatened (T), and candidate (C) species, and species proposed as endangered (PE) y: red knot (*Calidris canutus rufa*) (T); monarch butterfly (*Danaus plexippus*) (C); and Indiana bat (*Myotis sodalis*) (E). However, no habitat in the project impact area is currently designated or proposed "critical habitat" in accordance with provisions of the

Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Therefore, no effect is expected to any federally threatened, endangered, or candidate species as a result of the project. The required consultation with USFWS was completed as specified in sections 4.1.9 and 5.8 (Appendix A).

The project's impact on cultural resources has been evaluated in accordance with Engineer Regulation (ER) 1105-2-50 and 36 CFR 800. The USACE has consulted with the National Park Service, and Ohio State Historic Preservation Office (SHPO). The USACE provided several potentially interested tribal nations that have ancestral homelands within the project area with a copy of the NEPA scoping document, a preliminary determination of effect, public notice, and draft EA/FONSI, and received no comments or response. There is one known historic property in the project's area of potential effect, but it was determined that the property would not be affected by the repair project. An effects determination was submitted on December 23, 2024, for SHPO concurrence that no historic properties or cultural resources would be affected by project construction. A response was received on March 04, 2025, regarding the effects determination, with concurrence stating that no historic properties would be affected and that no further coordination was required.

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the recommended plan has preliminarily been found to be compliant with the Section 404(b)(1) Guidelines (40 CFR 230). A Clean Water Act Section 404(b)(1) Evaluation has been drafted and is found in Appendix B of the EA. This Evaluation will be finalized following release of a Section 404(a) public notice and consideration of all applicable comments related to this proposed discharge.

Project coordination was initiated with agencies and interests including the US Environmental Protection Agency (USEPA) and the Ohio Environmental Protection Agency (OEPA) via the scoping and public notice in 2024. The project would result in a CWA Section 404 discharge. Therefore, a CWA Section 401 state water quality certification (WQC) will be required. A WQC pre-application was submitted to the OEPA December 12, 2024 and the subsequent WQC application was submitted on February 10, 2025. Implementation of the proposed project would be in accordance with the conditions of the WQC and in compliance with all applicable promulgated state water quality standards.

Pursuant to the Coastal Zone Management Act of 1972, as amended, project coordination was initiated with the Ohio Department of Natural Resources (ODNR) via the scoping and public notice in 2024. The project is an ongoing federal activity that was initiated prior to the Ohio Coastal Management Program and does not involve changes to the specific purpose of the project. The ODNR does not require CZMA federal consistency review when the repair is limited to maintaining/rebuilding the existing structure. Therefore, the repair to the AWBW has been determined to be in compliance with this act.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed or is currently in progress.

All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other federal, state, and local agencies, tribal nations, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment. Therefore, preparation of an Environmental Impact Statement is not required. Those who may have information that may alter this assessment and lead to a reversal of this decision should notify me within 30 days. If no comments that would alter this finding are received within the 30-day review period, or, after such comments have been addressed, this FONSI will be signed and filed with the project documentation.

_____ _____

Date

ROBERT M. BURNHAM
LTC, EN
District Commander

DRAFT ENVIRONMENTAL ASSESSMENT

U.S. ARMY CORPS OF ENGINEERS OPERATIONS AND MAINTENANCE

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ASHTABULA HARBOR
ASHTABULA COUNTY, OHIO

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PURPOSE AND AUTHORITY

1.1 PURPOSE

The purpose of this Environmental Assessment (EA) is to supplement previous environmental documentation on the operation and maintenance of the Ashtabula West Breakwater (AWBW), and to provide sufficient information on the potential environmental effects of the subject action, as proposed by the U.S. Army Corps of Engineers (USACE). This EA facilitates compliance with the National Environmental Policy Act (NEPA) of 1969 and includes discussion of the need for the action, its environmental impacts, environmental compliance, and a list of agencies, interested groups, and individuals consulted. A NEPA scoping document was distributed to applicable state and federal agencies, local officials, and Indian nations on December 2, 2024.

1.2 AUTHORITY

Construction of the east and west breakwaters of Ashtabula Harbor was initially authorized by the Rivers and Harbors Act of 1896. USACE, Buffalo District is proposing to restore deteriorated portions of the west breakwater under the authority of the Rivers & Harbor Acts of 1896, 1905, 1910, 1919, 1935, 1937, 1945, 1960, and 1965.

2.0 NEED FOR THE PROPOSED ACTION

2.1 INTRODUCTION

On 15 June 2016, the Great Lakes Breakwater Assessment Team (BAT) inspected the Ashtabula harbor structures, documenting conditions by video and still photographs. The inspection found the areas between the two lighthouses identified breaching and an observable amount of armor stone loss along the lakeside.

The USACE Great Lakes Regional BAT conducted two above water inspections of the Ashtabula Harbor, one in 2019 and 2023. During the 2019 inspection, two breaches were observed along the Ashtabula West Breakwater (AWBW) totaling 62 feet in Reach N and 80 feet in Reach Q (Figure 1). Between the 2019 and 2023 inspection, the water levels lowered by two feet leading to less severe observable breaches. During the 2023 inspection, there was one 15-foot breach in Reach N and one 40-foot breach in Reach Q. The AWBW Reach Q was observed to have multiple locations of core loss below the waterline, and significant displacement of lakeside slope stones, leading to widespread cap stone displacement. The AWBW Reach O has moderate lowering of the crest height and loss of stone contact with general degradation of a 1962 stone rehabilitation project. The AWBW in its existing state is compromised and has a reduced capability to protect the harbor from significant wave and storm events.

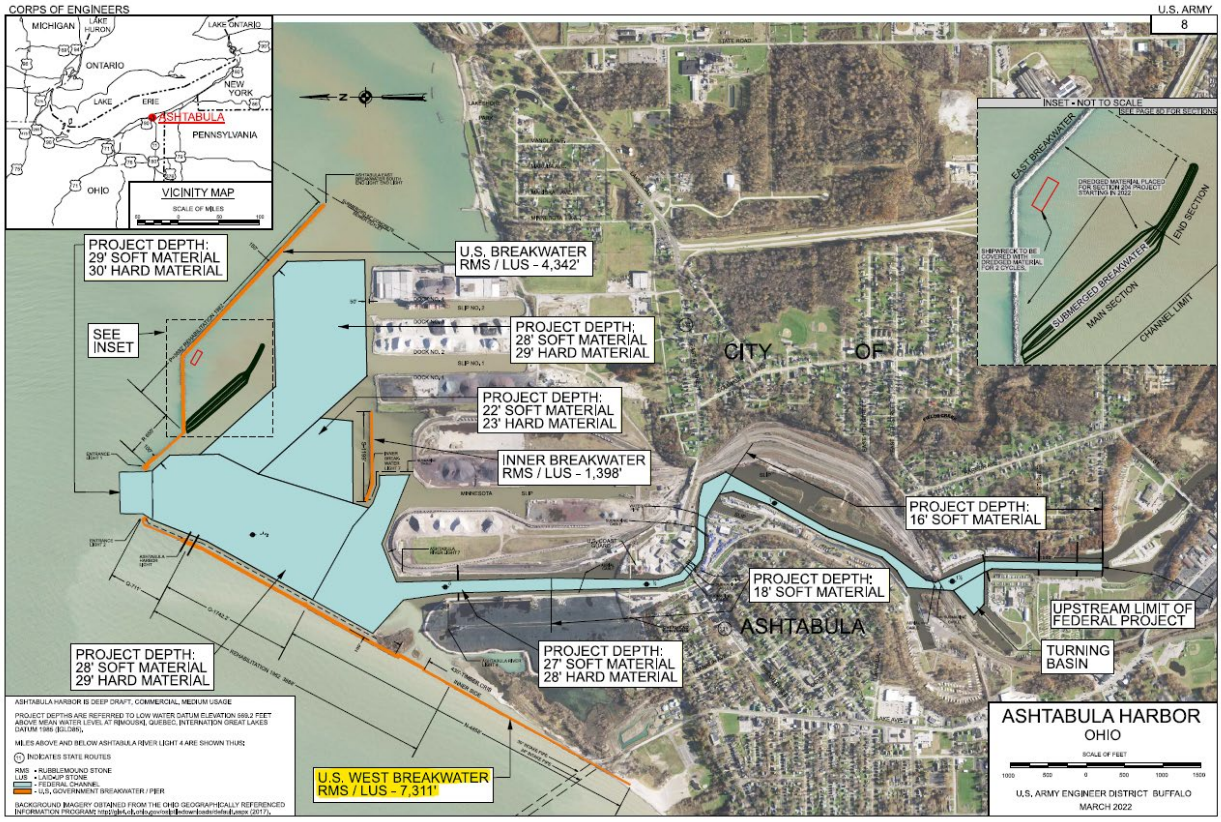

Figure 1: Ashtabula Harbor Overview

3.0 PROPOSED ACTION AND ALTERNATIVES CONSIDERED

3.1 PROPOSED ACTION

The AWBW repair consists of a rubble-mound overlay at 1V (vertical) on 2H (horizontal) slope along the lakeside of the existing structure up to the design crest elevation of +10 feet low water datum (LWD)[1]. The project will include placement of new stone along deteriorated portions of the breakwater up to the crest elevation. The head of the structure is vulnerable to high wave energy requiring an armor stone 8-ton to 17-ton (with a slope of 1V:2H) (Table 1, Zone 4). The remainder of the west breakwater is known as the "trunk" of the breakwater and requires a smaller armor stone of 5.3-ton to 12-ton (side slope 1V:2H) (Table 1, Zones 1-3). This alternative's reach extends from Station 40+00 to Station 46+21 and will wrap around the northern end of the northern lighthouse (Figures 2 and 3). The repair footprint has been broken up into four repair zones: zone 1 is station 40+00 to 41+50, zone 2 is station 41+75 to 42+00, zone 3 is station 42+25 to 44+25, and zone 4 is station 44+25 to 46+21 (Figure 3).

Repairs to the breakwater south of the southern lighthouse were not identified as critical to serve a navigable purpose. Furthermore, the breakwater structure south of the island formation at the mouth of the Ashtabula River

1 Low Water Datum (LWD) for Lake Erie is 569.2 feet above mean sea level at Rimouski, Quebec, Canada (International Great Lakes Datum 1985).

does not serve a navigable purpose and will not be considered for repair.

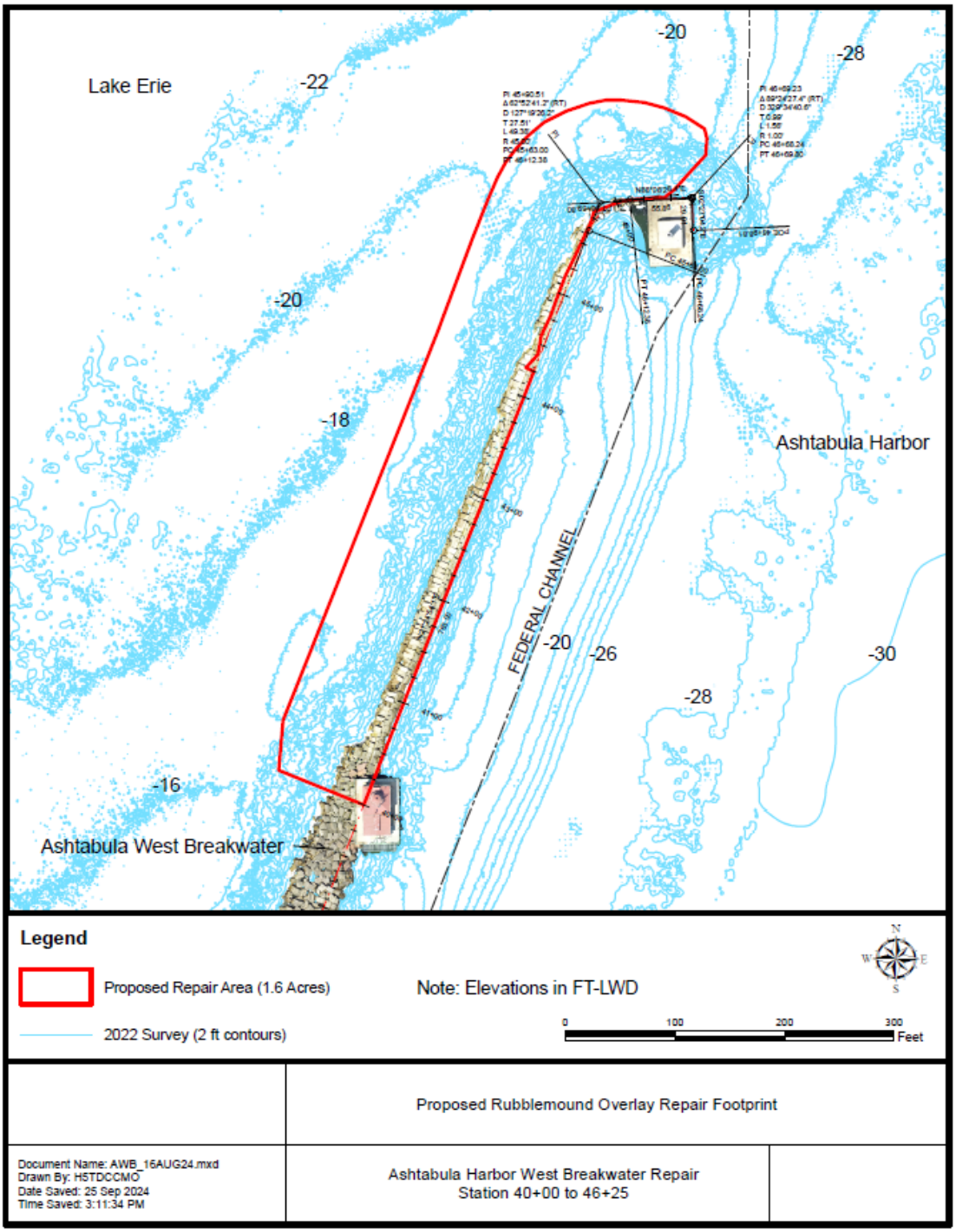

Figure 2: Ashtabula Western Breakwater Proposed Repair Footprint

The acreage of the proposed project to be filled/excavated at the AWBW is 1.6 acres (Figure 2). Table 1 provides a breakdown of the total amount of stone to be placed in the bedding layer, underlayer, and armor layer of the proposed project.

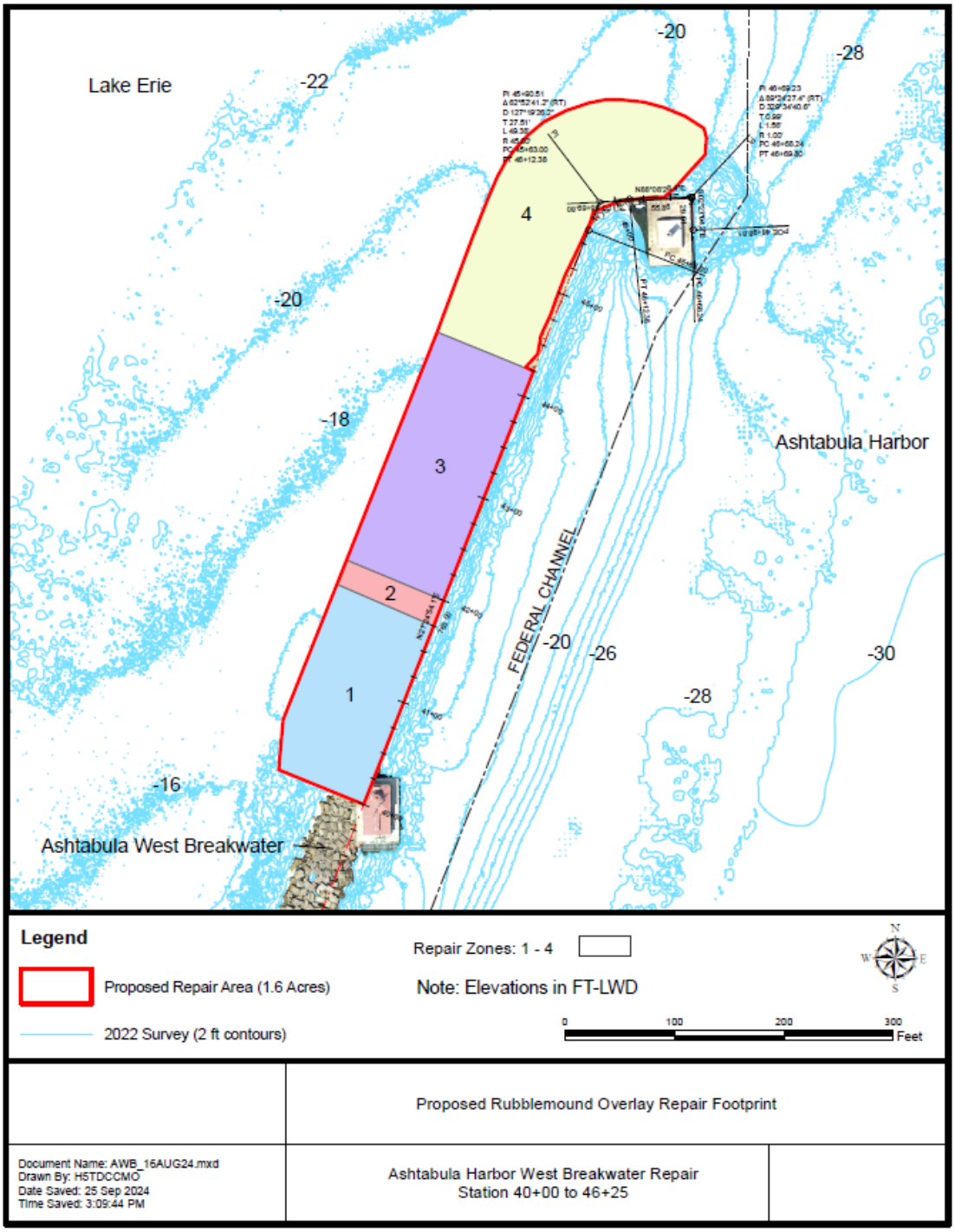

Figure 3: Ashtabula Western Breakwater Proposed Repair Footprint with Sections

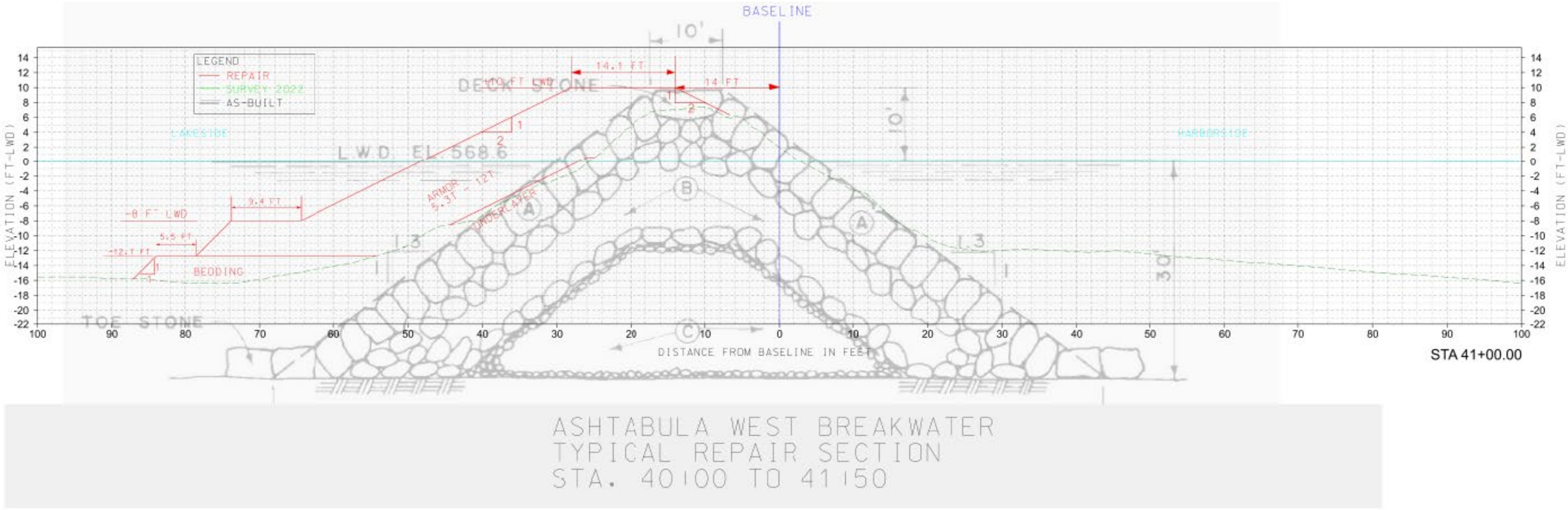

Figure 4: Typical Repair Cross Section, Zone 1 Stations 40+00 to 41+50

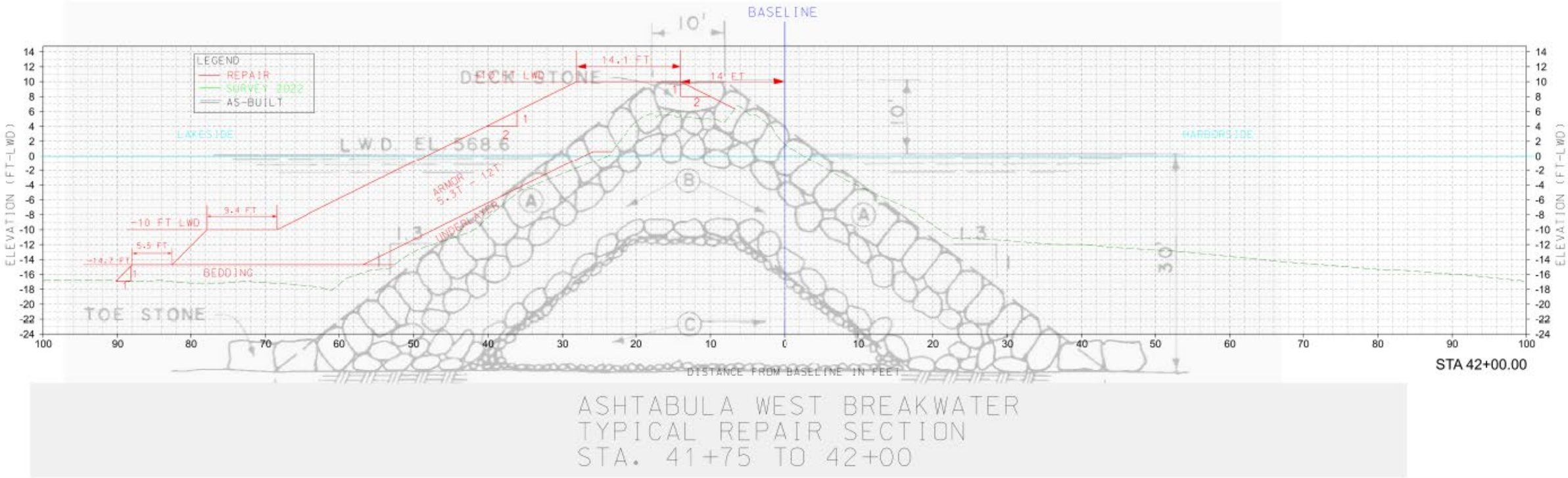

Figure 5: Typical Repair Cross Section, Zone 2 Stations 41+75 to 42+00

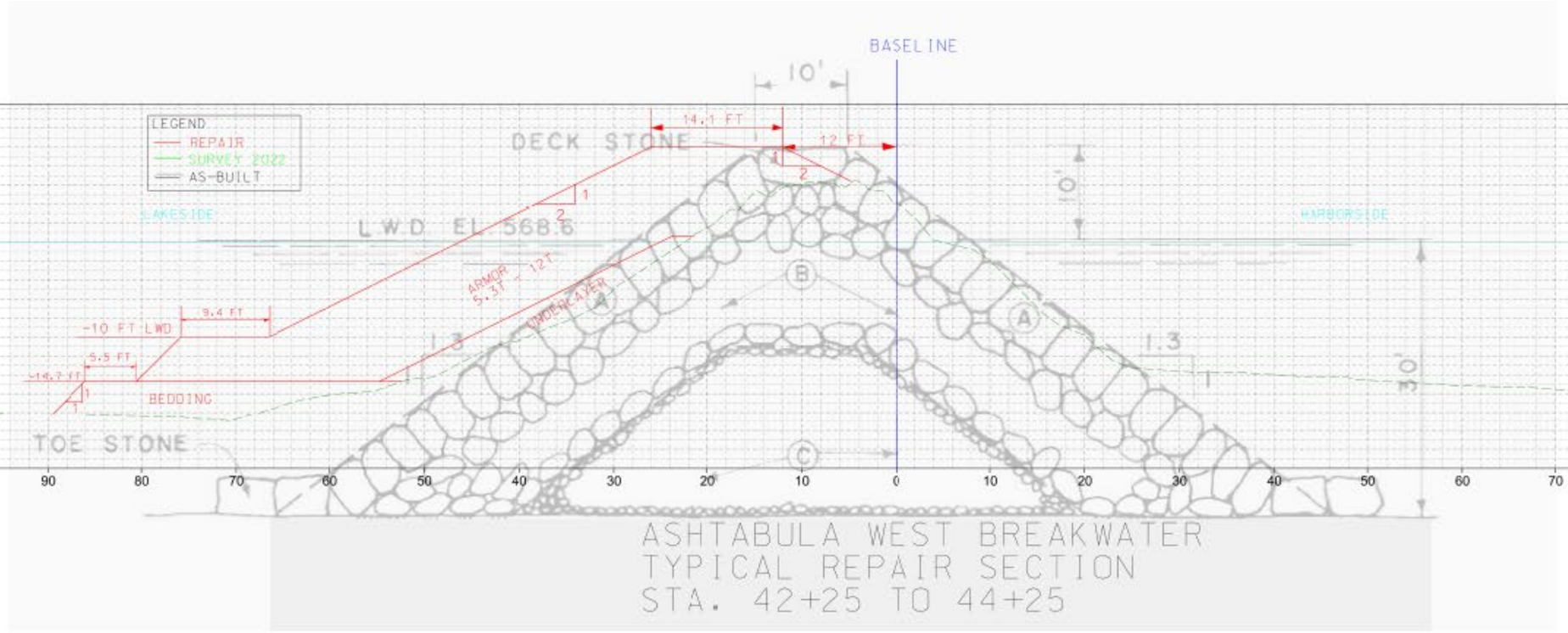

Figure 6: Typical Repair Cross Section, Zone 3 Stations 42+25 to 44+25

Table 1: Proposed placement of stone in bedding layer, underlayer, and armor layer of AWBW

TOTAL FOOTPRINT Repair AREA (Zones 1-4): 1.56 acres

Zone	Section	Stations	Stone Type	Gradation	Tons	Add 25% more bedding stone for displacement of lake bed during construction(1) (tons)	10 % contingency (armor and underlayer only) Tons	Total (tons)
1	Trunk	40+00 to 41+75	Armor	5.3 - 12 ton quarry stone	2873		287	3160
			Underlayer	0.3 - 1.2 ton	97		10	107
			Bedding	ODOT type C dump rock fill	485	121		606
2	Trunk	41+75 to 42+00	Armor	5.3 - 12 ton quarry stone	1450		145	1595
			Underlayer	0.3 - 1.2 ton	158		16	174
			Bedding	ODOT type C dump rock fill	247	62		309
3	Trunk	42+00 to 44+25	Armor	5.3 - 12 ton quarry stone	5927		593	6520
			Underlayer	0.3 - 1.2 ton	657		66	723
			Bedding	ODOT type C dump rock fill	899	225		1124
			ZONES 1 - 3 (all same Armor and Underlayer Gradation)				ARMOR UNDERLAYER Bedding (TYPE C ODOT)	11275 1003 2039
4	Head	44+25 to 46+25	Armor	8-17 ton quarry stone	7946		795	8740
			Underlayer	0.5 - 1.7 ton	1259		126	1385
			Bedding	ODOT type C dump rock fill	1799	450		2249

Notes: (1) Per recommendation from Geotechnical Appendix June 2024, Additional bedding stone is needed to account for initial displacement of lake bed sediments during placement of stone/ construction.

Type C — Type C material has at least 85 percent of the total material by weight larger than a 6-inch (150 mm) but less than an 18-inch (0.5 m) square opening and at least 50 percent of the total material by weight larger than a 12-inch (0.3 m) square opening. Furnish material smaller than a 6-inch (150 mm) square opening that consists predominantly of rock spalls and rock fines, and is that free of soil.

TOTAL FOOTPRINT Repair AREA (Zones 1-4): 1.56 acres

Station 40+00 to 46+25 (Whole structure)

Repair Zone	Armor (CY) includes void space	Underlayer (CY) includes Void Space	Bedding (CY) includes void space
1 to 4	14042	1649	2936

Station 40+00 to 46+25 (Below OHWM +4.2 ft LWD)

Repair Zone	Armor (CY) includes void space	Underlayer (CY) includes Void Space	Bedding (CY) includes void space
1 to 4	9408	1649	2936

3.2 ALTERNATIVES TO THE PROPOSED ACTION

It is USACE planning policy to consider practicable and relevant alternative measures, including the no action alternative. Two additional alternatives were evaluated to achieve the purpose of repairing and stabilizing the AWBW. The alternatives considered are as follows:

- *No Action Alternative* – The USACE is required to consider the option of "No Action" as one of the alternatives in order to comply with the requirements of NEPA. The No Action alternative assumes that no project would be implemented by the federal government to achieve the project repair objectives. Under this alternative, it is assumed that no measures would be implemented to repair the damaged sections of the AWBW. Damages and further degradation of the breakwater would therefore continue, eventually allowing wave action to pass through, or over the breakwater, subjecting Ashtabula Harbor to damaging wind and storm-driven wave and ice action.

- *Rubblemound Overlay with a Flatter Slope* – This alternative would consist of a leveling course of underlayer stone and covered with large armor placed at a slope of 1V:3H. The footprint of this alternative is approximately 1.9 acres, while the proposed action would result in a smaller footprint (1.6 acres). Both designs are structurally sound and would dissipate wave energy at Ashtabula Harbor effectively. However, since the proposed design resulted in a smaller project footprint (by 0.3 acres), it was determined to be the minimal design necessary to effectively repair the structure. Additionally, this alternative would require additional stone tonnage due to the larger acreage. This alternative was screened out due to the resulting larger project

footprint, and higher costs associated with the larger amount of stone and will not be evaluated further in this EA.

4.0 EXISTING CONDITIONS AND IMPACTS

In order to characterize the affected environment of the project area and to assess the environmental impacts of the proposed action, information has been obtained from existing literature, field observations and studies, and coordination with federal, state, and local agencies. Agencies, interest groups, and the general public contacted during this process are listed in Section 6. A Scoping Information Packet was distributed to these individuals on December 2, 2024, and this EA has been made available for a 30-day public/agency review. Comments received are included in Appendix A.

Table 2 provides a summary of impacts for the preferred alternative. Additionally, the impact assessments for the various public interest factors in this section are provided as comparisons to the existing site conditions.

Table 2: Summary of impacts for the preferred alternative (i.e., upland placement at the City of Lorain processing facility).

Public Interest Factors	**Impacts of Proposed Action**					
	Major Adverse	Minor Adverse	Resource Unaffected (N/A)	Resource Unaffected through Mitigation	Minor Beneficial	Major Beneficial
1. Air Quality		T				
2. Water Quality		T				
3. Sediment Quality		T				
4. Wetlands			X			
6. Plankton and Benthos		T				
7. Fisheries		T				
8. Wildlife		T				
9. Threatened and Endangered Species			X			
10. Demographics (Population)			X			
11. Associated Land Use & Developments			X			
12. Business/Industry, Employment/Income					T	
13. Public Facilities and Services			X			
14. Recreation (Water-related)		T			P	
15. Property Value and Tax Revenue			X			
16. Noise and Aesthetics		T			P	
17. Cultural Resources		T			P	

* T = Temporary Impact, P = Permanent Impact, X = Not Applicable

4.1 PHYSICAL/NATURAL ENVIRONMENT

4.1.1 *Air Quality*

Existing Conditions – The Clean Air Act (CAA) designates six pollutants as "criteria pollutants" for which National Ambient Air Quality Standards (NAAQS) have been promulgated to protect public health and welfare. The six criteria pollutants are particulate matter (PM_{10} and $PM_{2.5}$), carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), lead (Pb), and ozone (O_3). Areas that do not meet NAAQSs are designated as being in "non-attainment" for that criteria pollutant. Air quality data for the State of Ohio is collected and published annually by the U.S. Environmental Protection Agency (USEPA). One ambient air quality monitoring station is located within Ashtabula County. Based on the NAAQS, Ashtabula County is not designated as a non-attainment area for 8-hour Ozone (USEPA, 2024a). Existing air quality conditions have been estimated from measurements conducted at air quality monitoring stations within Ashtabula County. Table 2 shows recent monitored concentrations of criteria pollutants.

Table 3: Air quality statistics report, Ashtabula County (2024).

CO 1-hr 2nd Max	CO 8-hr 2nd Max	NO_2 98th Percentile	O_3 1-hr 2nd Max	O_3 8-hr 4th Max	SO_2 99th Percentile	SO_2 24-hr 2nd Max	$PM_{2.5}$ 98th Percentile	$PM_{2.5}$ Weighted Mean	PM_{10} 24-hr 2nd Max	PM_{10} Annual Mean	Lead Max 3-mo Avg
-	-	-	.08	0.067	-	-	-	-	-	-	-

Source: U.S. EPA AirData https://www.epa.gov/outdoor-air-quality-data/air-quality-statistics-report, Generated: January 13, 2025

No Action Alternative – Since this alternative involves no construction, air quality in the vicinity of Ashtabula Harbor would continue to be similar to existing conditions. There would be no project-related dust or exhaust emissions from construction equipment that could contribute to the degradation of air quality.

Proposed Action – The operation of construction equipment would result in only short-term increased emissions of pollutants (e.g., suspended particulates, nitrogen dioxide, and carbon monoxide) into the local atmosphere. The release of these pollutants is not expected to result in any long- or short-term exceedance violations of state air quality standards. Ashtabula County is in attainment for all pollutants (USEPA 2025a). The completed project would have no long-term impact on air quality within the vicinity of the project.

Repair of the AWBW would be completed using a floating plant or derrick boat with the stone likely being brought to the site by water via tug and barge, or by land-based equipment (dump trucks) to a staging area.

Emissions generated during the repair would originate from the derrick boat, tugs, and other machinery that would be used to transport the material to the repair site. As a result, emissions generated as a result of the proposed alternative would not be expected to

substantially increase.

4.1.2 *Water Quality*

Existing Conditions –The State of Ohio water quality standards consist of designated aquatic life and non-aquatic life uses, as well as chemical, biological, and physical criteria designed to represent measurable properties of the environment that are consistent with goals specified by each use designation. The mainstem of the Ashtabula River and conjoining tributaries have been designated warm-water habitat, which defines the "typical" warm water assemblages of aquatic organisms for Ohio rivers and streams. Lake Erie is also designated as being exceptional warm-water habitat, a state resource water, a source of public-agricultural-industrial water supply, and is used for recreational boating.

The USEPA designated an upstream site (Fields Brook, Ashtabula, OH) as a Superfund site in 1983 due to the establishment of metal fabrication and chemical production plants (USEPA 2024b). Environmental impacts became severe enough for the river to be designated by USEPA as an Area of Concern (AOC) in 1987 as part of the Great Lakes Water Quality Agreement. The Ashtabula River AOC's primary concern was sediment contamination due to the presence of polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs), and the subsequent impact that the contamination had on the biological health of the system (Ohio Lake Erie Commission and OEPA 2021). When designated as an AOC, six beneficial use impairments (BUIs) were identified: restrictions on fish and wildlife consumption, degradation of fish and wildlife populations, loss of fish and wildlife habitat, degradation of benthos, restrictions on dredging activities, and fish tumors or other deformities. The Ashtabula River AOC encompasses from the mouth of river to the 24th Street Bridge within the city of Ashtabula, covering approximately 2.32 miles of the river.

Improvements in the Ashtabula River AOC have resulted in the removal of all six BUIs as of 2019 and the complete delisting of Ashtabula River as a AOC as of 2021. The removal of the BUIs and status as an AOC within the Ashtabula River show an upward trend in water quality and environmental quality.

No Action Alternative – There would be no immediate negative adverse impact on water quality in the vicinity of the project site as the result of the no action alternative as there would be no federal action. However, continued deterioration of the AWBW from storm events would eventually allow storm driven waves to damage the harbor shoreline, likely contributing to erosion, turbidity, and shoaling within the harbor.

Proposed Action – Construction activities associated with the implementation of the project would result in localized turbidity. The fill material would consist of clean, locally sourced stone. Water quality impacts in this regard would be minor, adverse, and only short-term. There also is a possibility of accidental spills of fuel, oil, and/or grease into the water during application and monitoring activities. The eventual crew responsible for construction would be required to prepare a spill control plan and to implement appropriate measures in the event of a release. Such discharges, should they occur, are expected to be short-term and relatively

low magnitude. No long-term adverse impacts to water quality are expected.

4.1.3 *Plankton and Benthos*

Existing Conditions –

Plankton

Aquatic areas in Lake Erie are utilized as habitat by a variety of plankton. Such organisms may consist of floating or weakly swimming plant and animal life in the water column, often microscopic in size, which contribute to the food chain in the lake's ecosystem. The following is a brief summary listing of algae, protozoan/zooplankton phyla common to the nearshore waters of Lake Erie: blue-green algae (Cyanophyta), fire algae (Pyrrhophyta), cryptomonads (Cryptophyla), red algae (Rhodophyta), euglenoids (Euglenophyta), protozoa, coelenterata, rotifera, and arthropoda.

Lake Erie has been susceptible to harmful algal blooms since the early 1960s. In response to algal blooms in Lake Erie during the 1960s, the U.S. and Canada signed the 1972 Great Lakes Water Quality Agreement that led to a coordinated effort to reduce phosphorus inputs to the Great Lakes. Between the late 1960s and early 1980s, there was an approximate 60 percent reduction in phosphorus loading to Lake Erie. Lake Erie phosphorus levels were reduced as a result (Panek et al., 2003). Lower phosphorus concentrations reduced the amount of algae (Nicholls et al., 1977), including an 89 percent decline of the blue-green algae (*Aphanizomenon flos-aquae*) between 1970 and 1983-1985 (Makarawicz and Bertram, 1991).

Zebra mussels arrived in the Great Lakes in the mid to late 1980s. The mussels are filter feeders capable of removing much of the planktonic algae (phytoplankton) from the water. Colonization of Lake Erie by zebra mussels resulted in several years of improved water clarity and dramatic food web changes, especially a shift in algal production from phytoplankton to bottom-dwelling algae and plants. In the 1990s; however, large late-summer algal blooms began to reappear in the western Lake Erie basin. Blooms occurred sporadically in the late 1990s but have increased in frequency since at least 1992 (USEPA, 2009).

Benthos

The OEPA characterized the macroinvertebrate communities in the lacustrine areas of the Ashtabula River in 2011 (OEPA, 2014). The lower reaches of the Ashtabula River were found to contain a macroinvertebrate community that is dominated by midges, aquatic worms, mayflies, damselflies, zebra mussels, and aquatic snails. The Lacustuary Invertebrate Community Index (L-ICI) scores for the lower Ashtabula River were highly varied, ranging between 12 and 44, with the lowest scores coming from the river miles closest to the Fields Brook superfund site. Due to the average L-ICI of 27, the area was given a narrative evaluation of "fair."

No Action Alternative – Since this alternative involves no construction, no significant change in the existing planktonic and benthic community would occur in the short-term. In the long-term, breakwater armor stone would continue to slough off and slide onto the lakebed. This

would potentially change the benthic and planktonic community structure in the area.

Proposed Action – Placement of the large stone units and the associated resettling of suspended sediments could initially smother some benthic organisms in the vicinity of the project area. Recolonization of these areas by benthos from the surrounding bottom substrate typically occurs rapidly following completion of construction and resettling of sediment. Such impacts would be minor, adverse, and short-term.

4.1.4 *Vegetation*

Existing Conditions – The area around the AWBW consists of open-water in a storm driven environment with little to no vegetation in the upstream lacustuary reach. Factors such as wave and ice action, boat traffic, turbidity, and water depths contribute to the almost total lack of vegetated habitat in the lake adjacent to the project area for establishment and growth of submerged aquatic plants.

No Action Alternative – If no action were taken to repair the AWBW, stone and fill from the breakwater would continue to fall onto the lakebed, thereby creating the possibility for aquatic plant establishment and growth, due to the shallower water depths created by the stone. This would change, and possibly improve, the aquatic habitat in this area over the long-term, though wave action would make establishment of vegetation difficult in this area. On the other hand, the reduced effectiveness of the breakwater to stop wave energy off the lake may create inhospitable conditions for aquatic plant growth within the harbor. Since this alternative involves no construction, no disturbance of existing vegetation would be anticipated.

Proposed Action – Placement of fill material to construct the armor stone overlay and stabilization berm would not significantly affect any submerged aquatic vegetation. Temporary increases in turbidity and suspended solids generated by the filling activity may cause localized minor decreases in primary production and photosynthesis through reduced light penetration into the water column. However, this disturbance would likely only affect algae populations and be short-term. Impacts to aquatic vegetation are expected to be negligible.

4.1.5 *Fisheries*

Existing Conditions – Six fish species within the Ashtabula River lacustuary area have been identified as state listed endangered, threatened, or species of concern by the ODNR. These species are the Great Lakes muskellunge (*Esox masquinongy*), blacknose shiner (*Notropis heterolepis*), lake sturgeon (*Acipenser fulvescens*), northern brook lamprey (*Ichthyomyzon fosser*), channel darter (*Percina copelandi*), and the spotted gar (*Lepisosteus oculatus*).

Fish sampling conducted in the lower Ashtabula River by OEPA in 2011 documented a "good" fish community as measured by the Fish Index of Biotic Integrity (OEPA, 2014). However, fish communities near the Fields Brook superfund site scored lower with a lack of minnow species present and the presence of brown bullhead catfish observed with external

lesions. Additionally, the ODNR has conducted fish sampling in the lower Ashtabula River and within the vicinity of the harbor.

A variety of fish species utilize the lower Ashtabula River and the waters of Lake Erie in the vicinity if Ashtabula Harbor, with the federal navigation channel and the piers acting as a conduit for movement of fish between the Lake Erie and the harbor. Included are smallmouth bass (*Micropterus dolomieu*), walleye (*Stizostedion vitreum*), steelhead (rainbow) trout (*Oncorhynchus mykiss*), rainbow smelt (*Osmerus mordax*), brown bullhead (*Ictalurus nebulosus*), channel catfish (*I. punctatus*), freshwater drum (*Aplodinotus grunniens*), trout perch (*Percopsis omiscomaycus*), spottail shiner (*Notropis hudsonius*), white sucker (*Catostomus commersoni*), yellow perch (*Perca flavescens*), white bass (*Morone chrysops*), goldfish (*Carassius auratus*), pumpkinseed (*Lepomis gibbosus*), white crappie (*Pomoxis annularis*), emerald shiner (*Notropis atherinoides*), carp (*Cyprinus carpo*), and gizzard shad (*Dorosoma cepedianum*).

Much of the nearshore provides nursery and spawning grounds for the local fish community. The breakwall and gravel bars provide spawning grounds for rainbow smelt, carp, spottail shiner, logperch (*Percina burtoni*) walleye, and freshwater drum. The Outer Harbor breakwalls provide spawning sites for alewife (*Alosa pseudoharengus*), gizzard shad, smallmouth bass, rainbow smelt, brown bullhead, and Johnny darter (*Etheostoma nigrum*). The deeper nearshore waters provide spawning grounds for burbot (*Lota lota*), mottled sculpin (*Cottus bairdi*), and yellow perch (Goodyear, et. al 1982). Various lake and stream species of fish migrate to and from the lower Ashtabula River when water conditions are favorable.

Historic Aquatic Habitat

The name Ashtabula is thought to be derived from a Native American word, originally pronounced “Hash – Ta La” or “Hash – tah – buh – lah”, meaning “River of Many Fishes”. Most Great Lakes fish species use several aquatic habitats for spawning, survival of eggs and fry, and growth of juvenile and adult fish. Because fish require different physical habitat conditions as they grow and reproduce, connected habitats are essential to their survival and reproduction. Historically, the coastal areas in the vicinity of Ashtabula Harbor were rich with coastal marshes while the river mouth and nearshore areas contained variable substrates and depths, caused by shoals. These shoals and coastal wetlands would have provided a diversity of habitat for a variety of fish and other aquatic life.

Construction of the federal navigation channel along with industrial, residential, and commercial development in the area has significantly altered the coastal landscape resulting in destruction of most of these historic habitats.

No Action Alternative – Since this alternative involves no construction, fisheries would not be significantly altered in the short-term. Without maintenance repair, stone and fill material from the breakwater would continue to slide into the lake and settle on the lakebed. This would likely improve habitat for some fish species over the long-term, mainly through the formation of shoals and enabling the establishment of submerged aquatic vegetation. This may; however, degrade habitat for other fish species, mainly those species that prefer deep

water habitat. Without the proposed project, storm driven wave and ice action would continue to breach the breakwater and would alter the bottom conditions in Ashtabula Harbor. Waters would also be more turbid and would generally be more inhospitable to fish species finding refuge behind the breakwater.

Proposed Action – Placement of fill material to construct the armor stone overlay would not significantly affect any fisheries resources. To mitigate possible impacts to native fish species (i.e., salmonids), in-water construction activities would be timed, through coordination with the ODNR, to ensure fish spawning populations are not affected. Impacts to fisheries would therefore be minor, adverse, and short-term.

4.1.6 *Wetlands*

Existing Conditions - The project area is located within Lake Erie in open-water. No wetlands exist within the project area. Additionally, there are no state or federally designated freshwater wetlands found directly adjacent to the project.

No Action Alternative - The no action alternative would have no impacts to wetlands since there would be no federal action.

Proposed Action - Since no wetlands are present within the project area, no effect would occur.

4.1.7 *Wildlife*

Existing Conditions – The following section provides a general list of wildlife species found in the vicinity of Ashtabula Harbor. Relative to migratory bird populations, Ashtabula Harbor is located on both the Atlantic and the Mississippi flyways, with over three million ducks and geese using this corridor annually. Many migratory bird species use the area surrounding the harbor, including a great blue heron rookery at the upstream portion of the federal channel. Other species that have been seen in the area are listed in Table 4 (National Audubon Society, 2020).

Table 4: Migratory bird species within Ashtabula County.

Common Name			
American Black Duck	Common Grackle	Herring Gull	Red-breasted Nuthatch
American Coot	Common Loon	House finch	Red-shouldered Hawk
American Crow	Common Merganser	House sparrow	Redhead
American Goldfinch	Common Raven	Horned Grebe	Ring-billed Gull
American Kestrel	Cooper's Hawk	Iceland Gull	Ring-necked Duck
American Robin	Dark-eyed Junco	Lesser Black-backed Gull	Ring-necked Pheasant
American Tree Sparrow	Double-crested Cormorant	Lesser Scaup	Rock Pigeon
American Wigeon	Downy Woodpecker	Mallard	Ruddy Duck

Bald Eagle	Eastern Bluebird	Merlin Falcon	Sharp-shinned Hawk
Black Scoter	European Starling	Mourning Dove	Snow Bunting
Black-capped Chickadee	Gadwall	Northern Cardinal	Song Sparrow
Blue Jay	Golden-crowned Kinglet	Northern Flicker	Tufted Titmouse
Bonaparte's Gull	Great Black-backed Gull	Northern Mockingbird	Tundra Swan
Brown-headed Cowbird	Great Blue Heron	Peregrine Falcon	White-breasted Nuthatch
Bufflehead	Great Horned Owl	Pileated Woodpecker	White-throated Sparrow
Canada Goose	Greater Scaup	Purple Finch	White-winged Scoter
Carolina Wren	Greater White-fronted Goose	Red-bellied Woodpecker	Wild Turkey
Common Goldeneye	Hairy Woodpecker	Red-breasted Merganser	Yellow-bellied Sapsucker

*Data courtesy of the National Audubon Society's 2020 bird survey

Black bears (*Ursus americanus*), a state-listed species, were documented in Ashtabula County as recently as 2023. Smaller mammals likely to use the surrounding area include opossum (*Didelphis virginiana*), eastern cottontail rabbit (*Sylvilvagus floridanus*), eastern chipmunk (*Tamias striatus*), woodchuck (*Marmota monax*), eastern gray squirrel (*Sciurus gireus*), red fox (*Vulpes fulva*), striped skunk (*Mephitis mephitis*) and raccoon (*Procyon lotor*). In addition, a variety of reptile and amphibian species are likely present in the vicinity of the Ashtabula Harbor, including snapping turtle (C*helydra serpentine*), green frog (*Rana clamitans*), and the eastern milk snake (*Lampropeltis triangulum*). State-listed herpetofauna in the area include the smooth green snake (*Opheodrys vernalis*) and spotted turtle (*Clemmys guttata*), as well as the federally threated eastern massasauga (*Sistrurus catenatus*).

No Action Alternative – Since this alternative would not involve any construction, no immediate impacts to wildlife or wildlife habitat would occur. However, without the proposed project to stabilize the breakwater, eventually storm driven wave and ice action would begin to breach the breakwater. Formerly protected waters behind the breakwater would therefore eventually become less hospitable to wildlife species (particularly avian species) finding refuge behind the breakwater.

Proposed Action – Disruption and disturbance by equipment during construction operations would result in the short-term avoidance of the project area by some bird species. However, some bird species, such as gulls, may be attracted to the project area during construction for foraging purposes. Bird species are expected to resume their normal patterns following completion of the project. Wildlife impacts in this regard would be minor, adverse, and short-term.

4.1.8 *Threatened and Endangered Species*

Existing Conditions – The U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation website (USFWS 2024) indicates that the project lies within range of the following federally listed endangered (E), threatened (T), candidate (C) species, as well as the

range of proposed endangered (PE): red knot (*Calidris canutus rufa*) (T); monarch butterfly (*Danaus plexippus)*(C); and Indiana bat (*Myotis sodalis*) (E) (Appendix A).

No Action Alternative - The no action alternative would have no impacts to threatened and endangered species since there would be no federal action.

Proposed Action – All federal agencies shall seek to conserve federal T&E species. The purpose of the Endangered Species Act of 1973 is to provide a means whereby the ecosystems upon which threatened and endangered species depend may be conserved or protected, and to provide a program for the conservation of such T&E species. The proposed projects lie within the range of the federal T&E species listed below. Following each species is the USACE determination of effect.

- Red knot – Threatened. Suitable habitat consists of dry tundra areas with sparsely vegetated hillsides for breeding, and intertidal, marine habitats, especially near coastal inlets, estuaries, and bays. Further, red knots need to encounter these favorable habitat, food, and weather conditions within narrow seasonal windows as the birds travel along migratory stopovers between wintering and breeding areas.

  USACE Effects Determination: The proposed project area does not contain suitable habitat for this species. Therefore, the proposed project would have no effect on the red knot.

- Monarch butterfly – Candidate. Milkweed and other flowering plants are needed for monarch habitat. Adult monarchs feed on the nectar of many flowers during breeding and migration, but they can only lay eggs on milkweed plants. For overwintering monarchs, habitat with a specific microclimate is needed for protection from the elements, as well as moderate temperatures to avoid freezing. These conditions vary between populations. For the eastern North American population, most monarchs overwinter in Oyamel fir tree roosts located in mountainous regions in central Mexico at an elevation of 2,400 to 3,600 meters. Monarchs living west of the Rocky Mountain range in North America primarily overwinter in California at sites along the Pacific Coast, roosting in eucalyptus, Monterey pines and Monterey cypress trees.

  USACE Effects Determination: The proposed project area does not contain suitable habitat or flowering plants for this species. Therefore, the proposed project would have no effect on the monarch butterfly.

- Indiana bat – Threatened. The Indiana bat annual life cycle includes four major phases: 1) winter hibernation, 2) spring migration, 3) a summer maternity period, and 4) fall migration/swarming. In general, this species hibernates from October through April, depending upon local weather conditions. They form large, single-layer clusters on cave ceilings in densities ranging from 300-500 bats/square foot.

  After hibernation ends in late March or early April, they migrate to summer roosts. Summering bats typically day roost under exfoliating bark of trees in riparian, bottomland, and upland forests. Roost trees are most often snags. However, live shaggy

bark trees such as hickory, ash, oak, elm, pine, hemlock, and others, are also used. It appears that roost trees are chosen based on structure, rather than species.

The bats forage in forested stream corridors, upland and bottomland forests, and over impounded bodies of water. They tend to avoid vast open spaces, so wooded corridors linking roosting sites with foraging areas are important in areas where forests are fragmented. Indiana bats generally do not show preference to particular tree species, but rather prefer to roost in trees that provide suitable roosting features, such as crevices and exfoliating bark.

USACE Effects Determination: The proposed project area does not contain suitable habitat for this species. Therefore, the proposed project would have no effect on the Indiana bat.

Given the project type, location, and on-site habitat, the project would result in no effect to these species. The project was coordinated with the USFWS on December 2, 2024, through the scoping process. In an email dated January 6, 2025, USFWS stated that, "due to the project, type, size, and location, [USFWS] [does] not anticipate adverse effects to federally endangered, threatened, or proposed species or proposed or designated critical habitat" (Appendix A).

4.1.9 *Wild and Scenic Rivers*

Existing Conditions - The Nationwide Rivers Inventory (NRI) is a list of more than 3,400 free-flowing river segments that are believed to possess one or more "outstanding remarkable" natural or cultural value features judged to be of more than local or regional importance. The Ashtabula River is not listed on the NRI (National Park Service 2023). The upper Ashtabula River is designated as a Scenic River; however, it is not designated as scenic within the designated study area. The Scenic River area is designated as the East and West branch of the Ashtabula River and the mainstem of the Ashtabula River from the mouth of the branches, downstream to the East 24th Street Bridge crossing.

No Action Alternative - The no action alternative would have no impacts to wild and scenic rivers since there would be no federal action.

Proposed Action - No portions of project area have been designated as a wild, scenic, or recreational river. Therefore, there would be no impact as a result of the proposed project.

4.2 SOCIO-ECONOMIC ENVIRONMENT

4.2.1 *Water and Associated Land Uses*

Existing Conditions – The existing conditions within the project are comprised of open-water. No other land-uses are within the project area other than the AWBW.

No Action Alternative - The no action alternative would have no impacts to water or associated land use since there would be no federal action.

Proposed Action - Completion of repairs would ensure that the West Breakwater continues to protect the harbor shoreline and harbor navigation.

4.2.2 *Public Facilities and Services/Water and Service Facilities*

Existing Conditions - The proposed project area is adjacent to the City of Ashtabula harbor development areas, within what the city of Ashtabula considers the "Heavy Industrial" district. The city is serviced with water, sewer, gas, electric, telephone, police, fire, emergency (rescue) medical, transportation, and sanitation developments. Area public utilities and services are generally good and readily available. No public facilities are within any of the alternative project areas. The City of Ashtabula potable water system uses water drawn from an intake in Lake Erie. For purposes of source water assessments in Ohio, all lake surface waters are susceptible to contamination. The city's potable water intake is approximately 2,100 feet northwest of the city within Lake Erie, and approximately 5,400 feet southwest of the AWBW.

There is one wastewater treatment plant (WWTPs) that services the City of Ashtabula: the Ashtabula Wastewater Treatment Plant. The Ashtabula WWTP treats wastewater from the Ashtabula city area as well as the surrounding county areas. It is located on the east bank and at the mouth of the Ashtabula River. The Ashtabula WWTP has an average design flow of 12 million gallons per day (MGD), a peak flow of 18 MGD, and a maximum hydraulic flow of 24 MGD. The Ashtabula WWTP was originally constructed in 1925 and has been had various upgrades as recently as 2017. There are no water or sewer facilities within the vicinity of the AWBW.

No Action Alternative - The no action alternative would have no impacts to public facilities and services or water and service facilities since there would be no federal action.

Proposed Action - The proposed repair includes a rubble-mound overlay along the lakeside of the AWBW. Given that the nearest water intake is approximately 5,400 feet from the nearest point of the project area, the implementation of the proposed project would have no impacts to public facilities and services or water and service facilities within the project area.

4.2.3 *Noise*

Existing Conditions - No significant noise problems or sources were noted in the immediate project area. No sensitive noise receptors (e.g., hospitals, schools) are located within the general vicinity of the project area.

No Action Alternative - The no action alternative would have no impacts to noise since there would be no federal action.

Proposed Action - Construction equipment would be observed in the project area and activities would result in a short-term minor increase in local noise levels. Noise generated by the construction operation would not exceed ambient noise levels in the harbor area.

4.2.4 *Aesthetic Value*

Existing Conditions - The areas adjacent to the AWBW consist of open-water. The current condition of the breakwater could be considered aesthetically poor due to its current state of disrepair.

No Action Alternative - The no action alternative would have adverse impacts to aesthetics since there would be no federal action and the AWBW would continue to deteriorate.

Proposed Action - The presence of recreational/commercial vessels in this area of the lake is normal and thus the presence of vessels performing this work would not detract from the aesthetic quality of the area. Construction equipment would be observed in the project area and activities may result in a short-term decrease in aesthetics in the project area. Once construction is completed and the breakwater is repaired this would result in a long-term increase in aesthetics of the breakwater.

4.2.5 *Cultural Resources*

Existing Conditions - On December 23, 2024, scoping information was distributed to several Tribal Nations that have ancestral homelands within the project area, as well as to other federal, state, and local agencies including the Ohio Historic Preservation Office (SHPO). USACE has reviewed the National Registers of Historic Places (NRHP) as well as consulted with the Ohio Historic Preservation Office (SHPO) to identify known historic properties and archaeologically sensitive areas within the Area of potential effect (APE) (Figure 7). Currently, the NRHP includes one property within the APE for anticipated direct project impacts from the viewshed. The property listed on NRHP within the APE is the Ashtabula Harbor Light which is located within the proposed repair area on the compromised rubble mound. This structure is listed in the NRHP pursuant to 36 C.F.R. § 60.4 criteria and sits at the beginning of the repair area at station 40+00 (see Figure 2 or 3).

No Action Alternative - The no action alternative would have no impacts to cultural resources since there would be no federal action.

Proposed Action - While it has been determined that the proposed undertaking may result in an effect to the eligible historic structure, the project is a breakwater repair project and would likely result in an improvement to the integrity of the breakwater structure, which the historical structure is located on, while also protecting it further from wave action. While there may be a change to the breakwater surrounding the structure, the repair results would likely lead to a benefit to the historic structure in terms of future preservation. The proposed undertaking would involve short-term, minor, ground disturbing activities as the placement of bedding stone will cause a minor disturbance of the ground and soils surrounding the current breakwater. The soil that the bedding stone will be placed over has been moved and placed by wave action in the area since the installation of the breakwater in 1909 and is likely already highly disturbed by wave action. Therefore, USACE determined that the proposed undertaking would have no effect on items or structures of archaeological/cultural significance. An effects determination was submitted to the SHPO, via postal mail on December 23, 2024, and email January 23, 2025, for confirmation that no historic properties

or cultural resources would be affected by project construction (Appendix A). As of January 23, 2025, a response has been received from SHPO stating that the project has been logged for review, regarding the preliminary determination of effects. All correspondence with SHPO has been included in appendix A. A response was received on March 04, 2025, regarding the effects determination, with concurrence stating that no cultural resources or historic properties would be affected and that no further coordination was required (Appendix A).

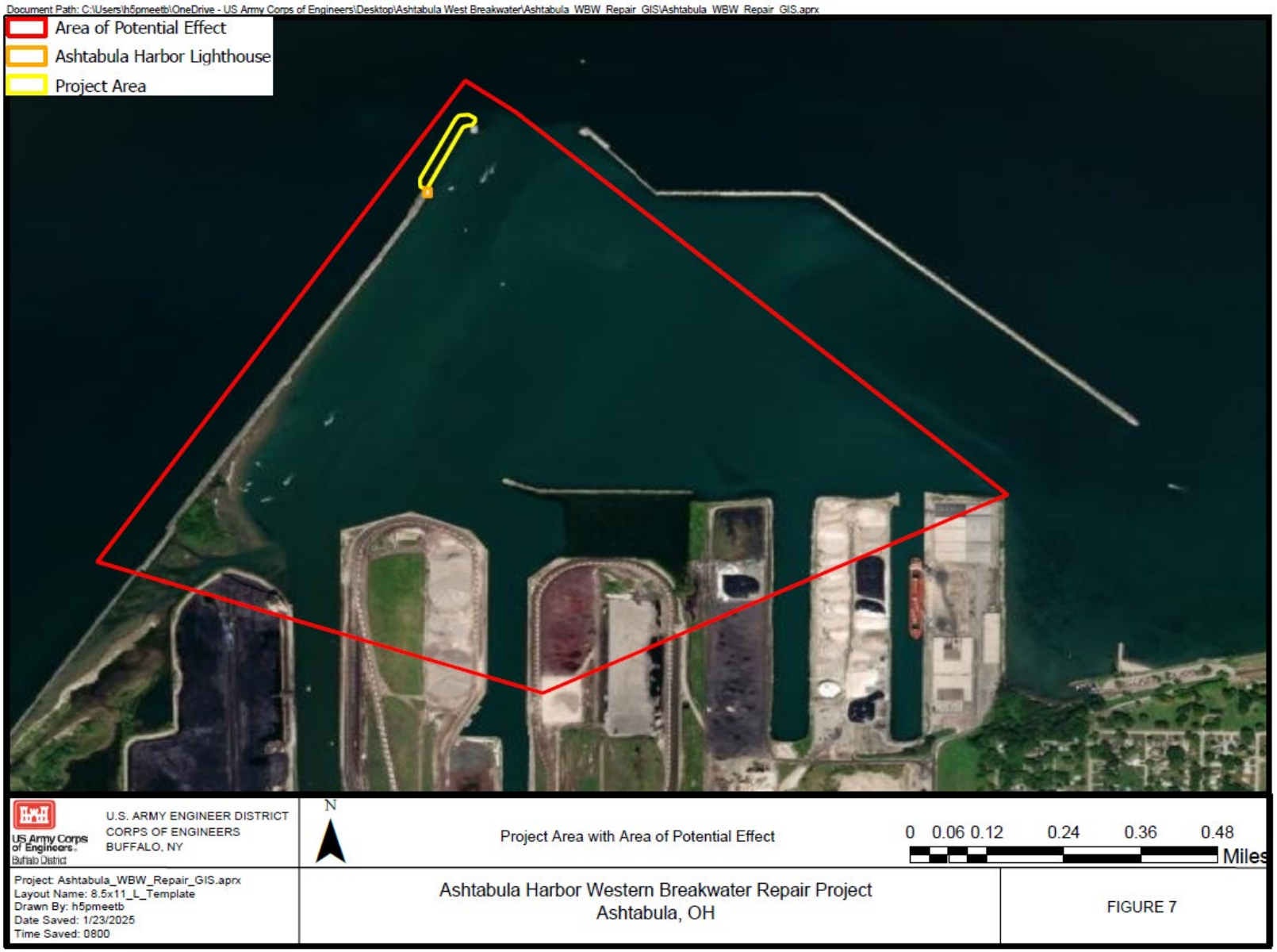

Figure 7: Ashtabula Harbor western breakwater repair project area with area of potential effect and sites of historical significance.

4.2.7 *Displacement of People/Displacement of Farms*

Existing Conditions - The proposed project location resides entirely in open water. Therefore, no displacement of people or farms would be required.

No Action Alternative - Since this alternative involves no construction to preserve the AWBW, Ashtabula Harbor would be subject to storm driven wave and ice action, thereby exposing the harbor to increased shoreline erosion and limiting safe navigation within the harbor. If the Ashtabula Harbor was not maintained, interests dependent on harbor facilities would be adversely impacted and could eventually be displaced to areas that better provide for their needs (e.g., cost of goods). Such impacts would be significant, adverse and long-term.

Proposed Action - Maintenance of the AWBW within Ashtabula Harbor and safe navigation channels would facilitate continued harbor and associated community facilities and activities. No displacement of people/farms would be anticipated as a result of the proposed project.

4.2.8 *Public Health and Safety*

Existing Conditions - With the current state of deterioration and potential new damage from storms, the AWBW may soon pose a threat to public health and safety. The breaches in the AWBW already allow waves to pass through the structure and create wave action along the shoreline, as well as some hazard to navigation within the harbor.

No Action Alternative - Since this alternative involves no construction or placement of fill material, no immediate effects to human health would occur. The overall value of the harbor as a water resource to commercial navigation and recreational use would progressively deteriorate to a point at which vessels could not safely navigate the harbor. Such impacts would be significant, adverse, and long-term.

Proposed Action - Maintenance repair of the breakwater would facilitate continued safe navigation within Ashtabula Harbor. The concentration of heavy equipment in the project area during maintenance operations could potentially pose a navigation and recreational hazard. However, standard USACE specifications require the maintenance of a safe, restricted work area during these periods. The construction crew is required to prepare a detailed job hazard analysis of each major phase of work, including all anticipated hazards and specific actions which would be taken to prevent personal injury. The construction crew is required to comply with Occupational Safety and Health Administration Standards.

4.2.9 *Community and Regional Growth; Business and Industry/Labor Force; Employment and Income; Community Cohesion*

Existing Conditions - Community cohesion is a result of a number of social and economic factors. Many area residents and entities have resided in the area for a long time. General

community pride/cohesion is relatively strong, and the river has played an important part in this development.

No Action Alternative - Since this alternative involves no construction to stabilize the AWBW, Ashtabula Harbor become increasingly vulnerable to storm driven wave and ice action. This would negatively affect safe navigation within the harbor. Eventually, wave action and erosion would reduce harbor use to some degree. Consequently, individuals and enterprises dependent on this mode of transportation for their livelihood would suffer economically. A number of primary and secondary enterprises would also be impacted. In turn, associated deep-draft harbor community and regional benefits would be diminished. Business, industry, employment, and income would be adversely affected. Associated land use dilapidation or redevelopment would likely occur in the long term. Industrial and commercial processes, transportation interfaces, and public facilities, services and utilities would also be altered. Several community sustenance and cohesion factors would be disrupted. Such impacts would be significant, adverse and long-term.

Proposed Action - Maintenance of the AWBW would facilitate continued use of Ashtabula Harbor and associated community facilities and activities (including associated public facilities and services) and would help to preserve the area's potential for desirable community and regional growth. Construction activities associated with placing stone would result in a short-term increase in business/employment/income opportunities, specifically in the construction trades. The maintenance of a functional harbor in Ashtabula would help to preserve existing business/employment/income opportunities associated with shipping and cargo handling. Construction activities would not adversely affect any public services or facilities.

4.2.9 *Leisure Opportunities/Recreational Resources*

Existing Conditions - Water related recreational developments/activities in Ashtabula Harbor include those associated with fishing and general boating. Fishing is popular both from the shoreline and boats. Recreational boating is a significant activity in Ashtabula Harbor and within Lake Erie. Numerous marinas and associated facilities are located along the shore of Lake Erie and the Ashtabula River.

No Action Alternative - Since this alternative involves no construction, Ashtabula Harbor would eventually no longer offer safe and protected navigation. Recreational navigation and associated enterprises would eventually be significantly adversely affected due to the lack of safe navigation.

Proposed Action - Maintenance of the safe navigation at Ashtabula Harbor would facilitate continued harbor operations for recreational/commercial watercraft and associated facilities. Construction activities may temporarily disrupt some commercial and recreational vessel traffic due to restrictions within the vicinity of the construction operations. All construction equipment would be adequately marked and lighted to avoid any potential navigation hazards with recreational boating.

5.0 COMPLIANCE WITH ENVIRONMENTAL PROTECTION REQUIREMENTS

In order to characterize the affected environment of the project area and to assess the environmental impacts of the proposed action, information has been obtained from existing literature and coordination with tribal nations and federal, state, and local agencies. Agencies, interested groups, and public that have been contacted during this process are listed in Section 6.0. Scoping information was distributed to these individuals on December 2, 2024. Comments received from scoping are included in Appendix A. The following is a list of the applicable, relevant, and appropriate federal statutes, EOs and memorandum that were considered for the proposed project, and a description of the project's compliance with each.

5.1 Archaeological and Historical Preservation Act of 1979 (16 USC 470 *et seq.*); National Historic Preservation Act of 1966 (16 USC 470 *et seq.*); Executive Order 11593 (Protection and Enhancement of the Cultural Environment), May 13, 1979 – The proposed project's potential for impacts to cultural resources has been evaluated in accordance with Engineer Regulation (ER) 1105-2-50 and 36 CFR 800. There is one known historic property in the APE. An effects determination was submitted to SHPO on January 23, 2025, for confirmation that no historic properties or cultural resources would be adversely affected by project construction. A response was received on March 04, 2025, regarding the effects determination, with concurrence stating that no historic properties would be affected and that no further coordination was required (Appendix A).

5.2 American Indian Religious Freedom Act (42 USC 1996); Native American Graves Protection and Repatriation Act (25 USC 3001 *et seq.*) – Coordination with multiple tribal nations with expressed interest in Ashtabula County, Ohio was initiated via the scoping process and continued with the request for comments on this EA. No sacred sites or objects were identified through tribal coordination to date. It is not expected that any adverse effect would be incurred to religious rights as a result of the proposed project. No Native American grave sites or other sensitive sites are expected to be affected by the project. This EA will be submitted to all tribal nations with expressed interest in Ashtabula County for final review and comment on this determination.

5.3 Clean Air Act, as Amended, 42 USC 7401 – 7671g – Project coordination was initiated with the USEPA and the OEPA in 2024 via the scoping process and continued with the request for comments on this EA. No comments were received in regard. A review copy of this EA has also been sent to the Regional Administrator of the USEPA requesting comments. As indicated in this EA, no significant adverse impacts to air quality would be expected due to proposed repair work at the AWBW.

5.4 Clean Water Act, as Amended (Federal Water Pollution Control Act Amendments of 1972); 33 USC 1251 *et seq.* – Project coordination was initiated with agencies and interests including the USEPA and the OEPA via the scoping on December 2, 2024, and continued with the request for comments on this EA. The project would result in a Section 404 discharge. Therefore, a Section 401 state water quality certification (WQC) is required. The USACE will evaluate the project alternatives in accordance with the Section 404(b)(1) Guidelines and determine if the proposed alternative is the least environmentally damaging practicable

alternative (40 CFR 230) (Appendix B). A WQC pre-application for this project was submitted to the OEPA Division of Surface Water in December 2024 and the subsequent WQC application was submitted on February 10, 2025. In a letter dated March 10, 2025, the application was administratively complete. A public notice for this application was published, in accordance with OEPA requirements, in a regional newspaper, April 3, 2025. In accordance with Section 401 of the Act, the USACE will continue to work with OEPA to receive a WQC from the state prior to construction.

5.5 Coastal Zone Management Act of 1972, as Amended, 16 USC 1451 - 1464 – The project is an ongoing federal activity that was initiated prior to the Ohio Coastal Management Program and does not involve changes to the specific purpose of the project. The ODNR does not require CZMA federal consistency review when the repair is limited to maintaining/rebuilding the structure. Therefore, the repair to the AWBW has been determined to be in compliance with this act.

5.6 Coastal Barrier Resources Act of 1982, 16 USC 3501 – After reviewing the Coastal Barrier Resources System (CBRS) mapper, no portion of the project falls within a CBRS system unit.

5.7 Comprehensive Environmental Response, Compensation, and Liabilities Act (CERCLA), as Amended; 42 USC 9601-9675 – Project coordination was initiated with agencies and interests including the USEPA via the scoping process in 2024 and continued with the request for comments on this EA. No comments were received in this regard. The proposed project involves placement of clean cut-stone into an area that has been previously disturbed by wave action. Therefore, the proposed project is in compliance with this Act.

5.8 Endangered Species Act of 1973, as Amended; 16 USC 1531 *et seq*. – Coordination in this regard was initiated with the USFWS, and the ODNR Fish and Wildlife Division on December 2, 2024 and continued with the request for comments on this EA. As discussed in paragraph 4.1.8 the study area lies within range of the following federally listed endangered (E), threatened (T), candidate (C) species, as well as the range of proposed endangered (PE): red knot (*Calidris canutus rufa*) (T); monarch butterfly (*Danaus plexippus)*(C); and Indiana bat (*Myotis sodalis*) (E). However, no habitat in the project impact area is currently designated or proposed "critical habitat" in accordance with provisions of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Therefore, no effect is expected to any federally threatened or endangered species as a result of the project. An email was sent to the Ohio USFWS Field office on December 23, 2024, requesting concurrence with this effects determination. In an email response dated January 6, 2025 USFWS stated that the USFWS does "not anticipate adverse effects to federally endangered, threatened, or proposed species or proposed or designated critical habitat" (Appendix A).

5.9 Farmland Protection Policy Act (Subtitle I of Title XV of the Agriculture and Food Act of 1981), 7 USC 4201 *et seq.*; Executive Memorandum – Analysis of Prime and Unique Farmlands, CEQ Memorandum, August 30, 1976, January 4, 1979 – Coordination was initiated with the U.S. Department of Agriculture – Farm Service Agency and NRCS via the project scoping letter in 2024 and continued with the request for comments on this EA. No

comments were received in this regard. Since the proposed project is wholly within Lake Erie it would not affect prime and unique farmlands in any manner, the recommended action is in compliance with this act.

5.10 Federal Water Project Recreation Act, as Amended; 16 USC 460l-12 – 4601-22, 662 - In planning the proposed project, full consideration has been given to opportunities afforded by the project for outdoor recreation and fish and wildlife enhancement. Review copies of this EA have been provided to the U.S. Department of the Interior in regard to recreation and fish and wildlife activities for conformance with the comprehensive nationwide outdoor recreation plan formulated by the Secretary of the Interior.

5.11 Fish and Wildlife Coordination Act (Fish and Wildlife Conservation and Water Resource Developments-Coordination), 16 USC 661 *et seq.* – Coordination with the USFWS and ODNR was initiated through the scoping process in 2024 and continued with the request for comments on this EA. No correspondence was received from USFWS-Ohio Field Office in regard to this Act. A response was received from ODNR regarding this act on January 29, 2025, which contained multiple recommendations from ODNR regarding state and federally listed species of wildlife and fish (Appendix A). Due to the project location, timeline of work, and type of work, most species included would likely not be impacted by the project.

5.12 Flood Control Act of 1944, 16 USC 460d *et seq.*, 33 USC 701 *et seq.* – Coordination was initiated with agencies and interests including the U.S. Department of the Interior, the Federal Emergency Management Agency (FEMA), the NRCS, and the ODNR in this regard in 2024 and continued with the request for comments on this EA. No comments were received from any of these agencies in regard to this Act. The proposed AWBW repairs would have no effect on any resources associated within this Act.

5.13 Land and Water Conservation Fund Act of 1965; 16 USC 460l-4 *et seq.* – Project coordination was initiated with agencies and interests including the U.S. Department of the Interior via the scoping process in 2024 and continued with the request for comments on this EA. No comments were received in regard to this Act. The proposed AWBW repairs would not include property that was acquired or developed with assistance from this fund is present in the project area or would be affected by the project.

5.14 National Environmental Policy Act of 1969, as amended; 42 USC 4321 - 4347 - Project coordination was initiated with agencies and interests via the scoping process and continued with the request for comments on this EA. The EA and FONSI have been prepared in accordance with the CEQ's "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," 40 CFR 1500-1506; and Corps of Engineers Regulation ER 200-2-2, "Environmental Quality: Policy and Procedures for Implementing NEPA." With the circulation of this draft EA and FONSI, the proposed project was in partial compliance with the Act. No significant adverse impacts have been identified. Full compliance will be attained once the public review period is concluded and the FONSI is signed.

5.15 Resource Conservation and Recovery Act of 1976, 42 USC 6901 *et seq.* – Project coordination was initiated with agencies and interests including the USEPA via the scoping

process and continued with the request for comments on this EA. No comments have been received in this regard. The proposed project would not involve the generation, treatment, storage, or disposal of any hazardous wastes, and no potential hazardous waste sites have been identified in the project vicinity. Therefore, the project is in compliance with this Act.

5.16 River and Harbor and Flood Control Act of 1970 (P.L. 91-611) – USACE planning actions have fulfilled the requirements of the Act. All 17 points identified in Section 122 of the Act (P.L. 91-611) have been evaluated in this EA.

5.17 Toxic Substances Control Act, 15 USC 2601-2671 *et seq.* – Project coordination was initiated with agencies and interests including the USEPA via the scoping process in 2024 and continued with the request for comments on this EA. No comments were received in regard to this Act. The proposed project would not involve any PCB, asbestos, radon, or lead-based paint activities. Therefore, the project is in compliance with this act.

5.19 Wild and Scenic Rivers Act, as amended; 16 USC 1271, *et seq.* – While portions of the Ashtabula River are designated as a scenic river, no portions of Lake Eire or the Ashtabula Harbor have been designated as a wild, scenic, or recreational river, therefore this Act is not applicable to the proposed project.

5.20 **Executive Order 11988, Flood Plain Management, May 24, 1977** – The USACE has concluded that there is no practicable alternative to the proposed action, which would occur within the base (100-year) flood plain of Lake Erie, and that the recommended action is in compliance with the Order.

5.21 Executive Order 11990, Protection of Wetlands, May 24, 1977 – Not applicable because no wetlands are present.

5.22 Executive Order 12114, Environmental Affects Abroad of Major Federal Actions – Not applicable to this action. This project is not a major federal action that would affect both the United States and Canada.

5.23 Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, January 11, 2001 – The proposed project is not expected to incur any significant adverse effects to migratory birds. As addressed in section 4.1.8, any adverse effects that may occur to these species during construction would be mitigated by adhering to the environmental exclusion windows coordinated with the ODNR.

6.0 AGENCIES/PUBLIC CONTACTED

6.1 Coordination - Copies of this EA were sent to the following agencies and individuals for review and comment:

6.1.1 Federal

Federal Emergency Management Agency
Federal Maritime Commission

International Joint Commission
U.S. Coast Guard
U.S. Center for Disease Control and Prevention
U.S. Department of Agriculture:
    Farm Service Agency
    Forest Service
    Natural Resource Conservation Service
U.S. Department of Commerce:
    National Oceanic and Atmospheric Administration
    Ecology and Conservation Office
U.S. Department of Energy
U.S. Department of Housing and Urban Development
U.S. Department of the Interior:
    Fish and Wildlife Service
    National Park Service
    Office of Environmental Project Review
U.S. Department of State
U.S. Department of Transportation:
    Federal Aviation Administration
    Federal Highway Administration
    Federal Railroad Administration
U.S. Environmental Protection Agency

6.1.2 Tribal

Seneca Nation of Indians
Tonawanda Seneca Nation
Miami Tribe of Oklahoma
Peoria Tribe of Oklahoma
Seneca-Cayuga Nation

6.1.3 State

Ohio Sea Grant
Ohio Department of Natural Resources
    Division of Real Estate & Land Management
    Office of Coastal Management
Ohio Department of Health
Ohio Department of Transportation
Ohio Environmental Protection Agency
    Ashtabula River RAP Coordinator
    Division of Surface Water
    Northeast District Office
Ohio Historic Preservation Office
Ohio State Farm Service Agency

6.1.4 Regional/Local

Great Lakes Regional Office
Great Lakes Commission

Chapter President
Great Lakes Fishery Commission

6.1.5 Individuals/Organizations

Ashtabula County Commissioners Office
Ashtabula County Engineer's Office
Ashtabula County Health Department
Ashtabula County Historical Society
Ashtabula County Planning Commision
Ashtabula County Soil and Water Conservation District
Ashtabula Port Authority
Ashtabula Township Trustees
Ashtabula Transient Boat Dock
Ashtabula Yacht Club
Ashtabula City Manager
Audubon Ohio
Black Brook Audubon Society
City of Ashtabula
City of Ashtabula Water Pollution Control
Community Development Department
Ducks Unlimited
Environment Ohio
First Energy Generation
Great Lakes Commission
Great Lakes Fishery Commission
Great Lakes Sport Fishing Council
Harbor Yacht Club
International Joint Commission
Jack's Marine
Kister Marine
Lake Carriers Association
League of Ohio Sportsmen
League of Woman Voters of Ohio
Lower Lakes Marine Historical Society
Marshall Marine
National Wildlife Federation
Norfolk Southern- Ashtabula Coal Dock
Northeast Ohio Areawide Coordinating Agency
Ohio Environmental Council
Ohio Lake Erie Commission
Ohio Ornithological Society
Pinney Dock and Transport Company
R.W. Sidley Incorporated
River Marine
Riverside Yacht Club
Sierra Club Ohio Chapter

Sutherland Marine
The Great Lakes Historical Society
The Nature Conservancy
The Ohio Ornithological Society
Trout Unlimited - Ohio Council
US Great Lakes Shipping Association
Wheeling & Lake Erie Railway Company

7.0 REFERENCES

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U.S. ARMY CORPS OF ENGINEERS
OPERATIONS AND MAINTENANCE

ASHTABULA WEST BREAKWATER REPAIR

ASHTABULA HARBOR
ASHTABULA COUNTY, OHIO

APPENDIX A: CORRESPONDENCE

Appendix A: Table of Contents

US Army Corps of Engineers®
Buffalo District

Ashtabula Harbor Western Breakwater Repair
Ashtabula, Ohio

Scoping Information

October 2024

U.S. Army Corps of Engineers
Buffalo District
478 Main Street
Buffalo, New York 1202-3278

Table of Contents

1. Introduction

Implementation of the National Environmental Policy Act (NEPA) requires that federal agencies initiate “an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action.” The purpose of this scoping information is to disseminate information regarding the U.S. Army Corps of Engineers (USACE) proposed breakwater repair project, and to elicit any concerns of potential affected parties. This information has been prepared as part of the formal scoping process pursuant to NEPA and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR Part 1500 et seq.).

Additionally, this scoping document serves as the public notice pursuant to Section 404(a) of the Clean Water Act (CWA). It is being administered in conformance with USACE regulation, "Practice and Procedure: Final Rule for Operation and Maintenance of Army Corps of Engineers Civil Works Projects involving the Discharge of Dredged Materials into Waters of the United States or Ocean Waters," 33 Code of Federal Regulations (CFR) 337.1. The purpose of this public notice is to specify what dredged/fill materials would be discharged into waters of the United States by implementation of the proposed action and advise all interested parties of the proposed project and to provide an opportunity to submit comments or request a public hearing.

2. Background

Ashtabula Harbor is located on the south shore of Lake Erie at the mouth of the Ashtabula River, 59 miles east of Cleveland Harbor and 15 miles west of Conneaut Harbor, Ohio (Figure 1). The harbor is located in Ashtabula County, Ohio. Ashtabula Harbor has a pair of east and west arrowhead breakwaters that converge and protect the mouth of the Ashtabula River from wave action on Lake Erie. The west breakwater runs northeast and has a length of 7,890 feet, while the east breakwater runs northwest and has a length of 4,340 feet. This general layout is characteristic of many Great Lakes harbors.

Figure 1: Location of Ashtabula Harbor

Construction of the east and west breakwaters of Ashtabula harbor were approved in 1896, by the Rivers and Harbors Act of 1896. Official construction of the east and west breakwaters began in 1898. That same year, the construction of a 432 foot section, made of timber, of the western breakwater was completed. However construction of the rubblemound breakwaters began in 1899, and was not completed until 1909. Extensions and repairs have continued until the lengths they currently sit at were reached in 1915 (Figure 2). In 1926, less than 30 years after its construction, major deterioration above the water line occurred prompting construction of riprap reinforcement along its lakeward side.

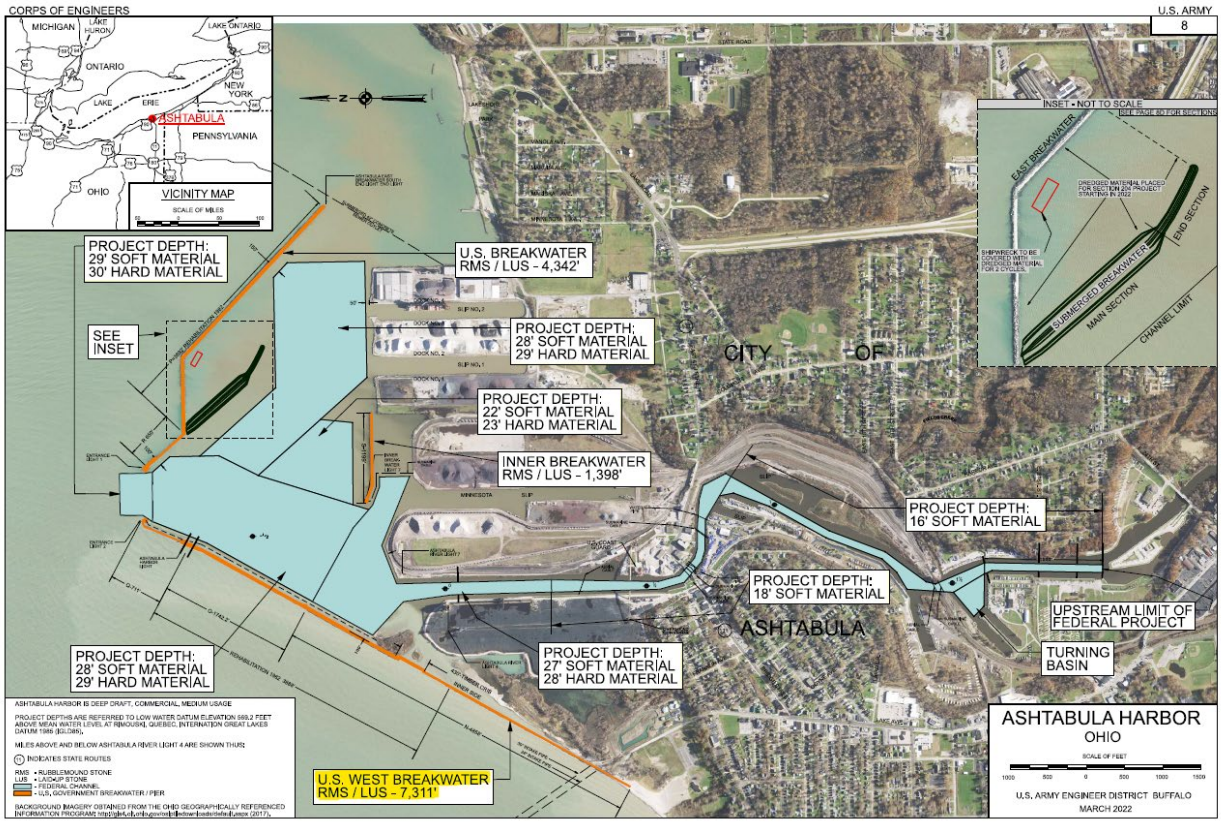


Figure 2: Ashtabula Harbor Federal project map.

The federal navigation channel at Ashtabula Harbor is designed to accommodate commercial and recreational navigation and is maintained by USACE. The Ashtabula Harbor federal navigation channel requires regular maintenance dredging to maintain authorized depths for commercial navigation. Ashtabula Harbor generally requires annual maintenance dredging to facilitate commercial navigation. As sediments are deposited and accumulate as shoals, they can obstruct commercial vessels in the channels, thus requiring regular maintenance dredging.

3. Authority

Construction of the east and west breakwaters of Ashtabula Harbor was initially authorized by the Rivers and Harbors Act of 1896. USACE, Buffalo District is now conducting a project to restore deteriorated portions of the west breakwater under the authority of the Rivers & Harbor Acts of 1896, 1905, 1910, 1919, 1935, 1937, 1945, 1960, and 1965.

4. Need for Action

On 15 June 2016, the Great Lakes Breakwater Assessment Team (BAT) inspected the Ashtabula harbor structures, documenting conditions by video and still photographs. The inspection found the areas between the two lighthouses showed breaching and an observable amount of armor stone loss along the lakeside.

The USACE Great Lakes Regional BAT conducted two above water inspections of the Ashtabula Harbor, one in 2019 and 2023. During the 2019 inspection, two breaches were observed along the West Breakwater totaling 62 ft in Reach N and 80 ft in Reach Q. Reach labels are outlined in Figure 2. Between the 2019 and 2023 inspection, the water levels lowered by 2 ft leading to less severe observable reaches. During the 2023 inspection, there was one 15 ft breach in Reach N and one 40 ft breach in Reach Q. The West Breakwater Reach Q was observed to have multiple locations of core loss below the waterline, and significant displacement of lakeside slope stones, leading to widespread cap stone displacement. The West Breakwater Reach O has moderate lowering of the crest height and loss of stone contact with general degradation of a 1962 stone rehabilitation project. The AWBW in its existing state is compromised and has a reduced capability to protect the harbor from significant wave and storm events.

5. Proposed Actions

Alternative 1: No Action

The USACE is required to consider the option of "No Action" as one of the alternatives to comply with the requirements of NEPA. No action assumes that no project would be implemented by the federal government to achieve the planning objectives. No action, which is synonymous with the Without Project Condition, forms the basis from which all other alternative plans are measured. Under this alternative, the federal government would do nothing to address the need for management or repair of the west breakwater at Ashtabula Harbor.

Alternative 2:

The AWBW repair consists of a rubble-mound overlay at 1V (vertical) on 2H (horizontal) slope along the lakeside of the existing structure up to the design crest elevation of +10 feet low water datum (LWD). The project will include placement of new stone along deteriorated portions of the breakwater up to the crest elevation. The head of the structure is vulnerable to high wave

energy requiring an armor stone 8 ton to 17 ton (with a slope of 1V:2H) (Table 1, Zone 4). The remainder of the west breakwater is known as the 'trunk' of the breakwater and requires a smaller armor stone of 5.3 ton to 12 ton (Side slope 1V:2H) (Table 1, Zones 1-3). This alternative's reach extends from Station 40+00 to Station 46+21 and will wrap around the northern end of the northern lighthouse (Figures 3 and 4). The repair footprint has been broken up into four repair zones: zone 1 is station 40+00 to 41+50 (Figure 5), zone 2 is station 41+75 to 42+00 (Figure 6), zone 3 is station 42+25 to 44+25 (Figure 7), and zone 4 is station 44+25 to 46+21 (Figure 8).

Repairs to the breakwater south of the southern lighthouse were not identified as critical to serve a navigable purpose. Furthermore, the breakwater structure south of the island formation at the mouth of the Ashtabula River does not serve a navigable purpose and will not be considered for repair.

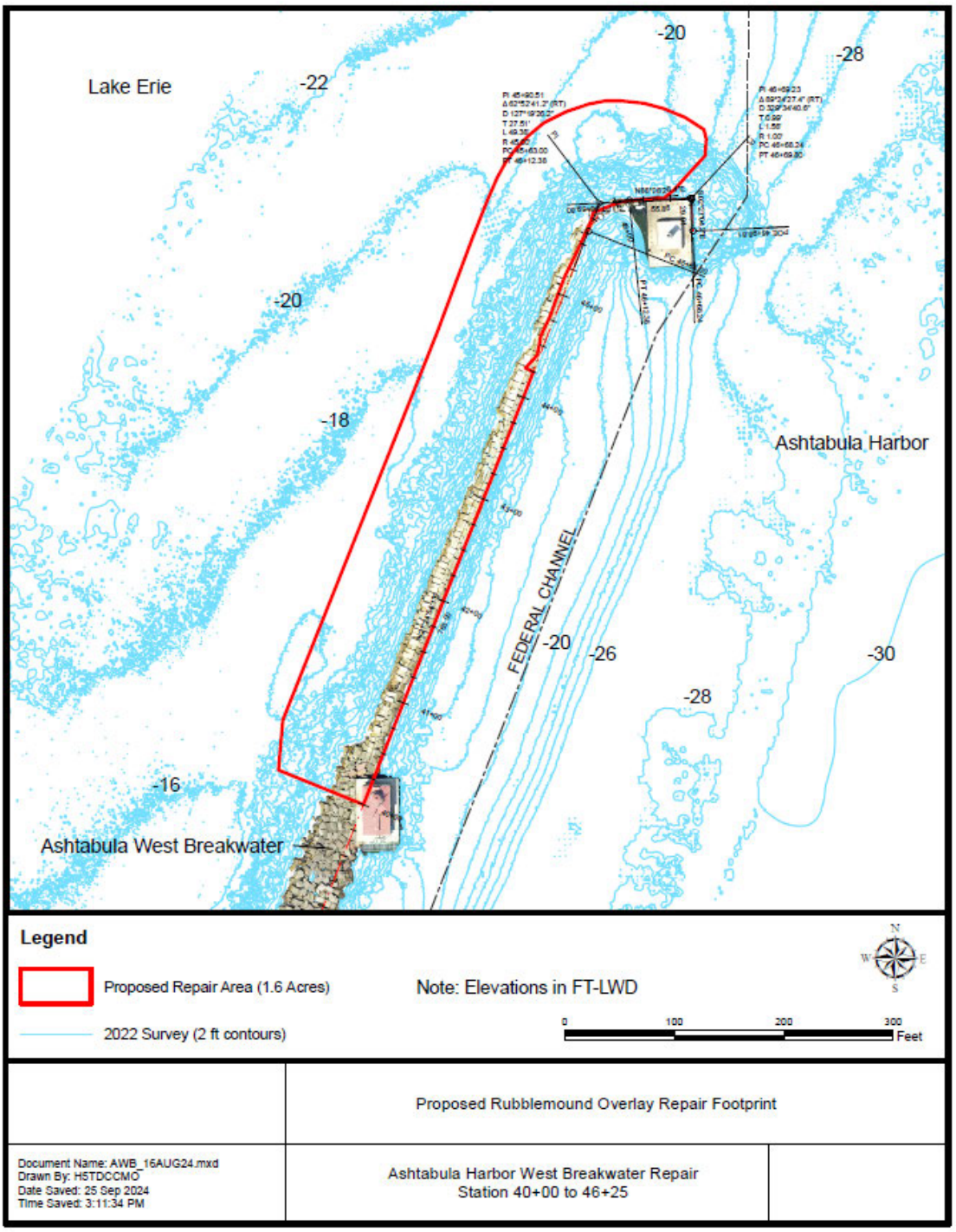


Figure 3: Alternative 2 proposed rubble mound overlay repair footprint.

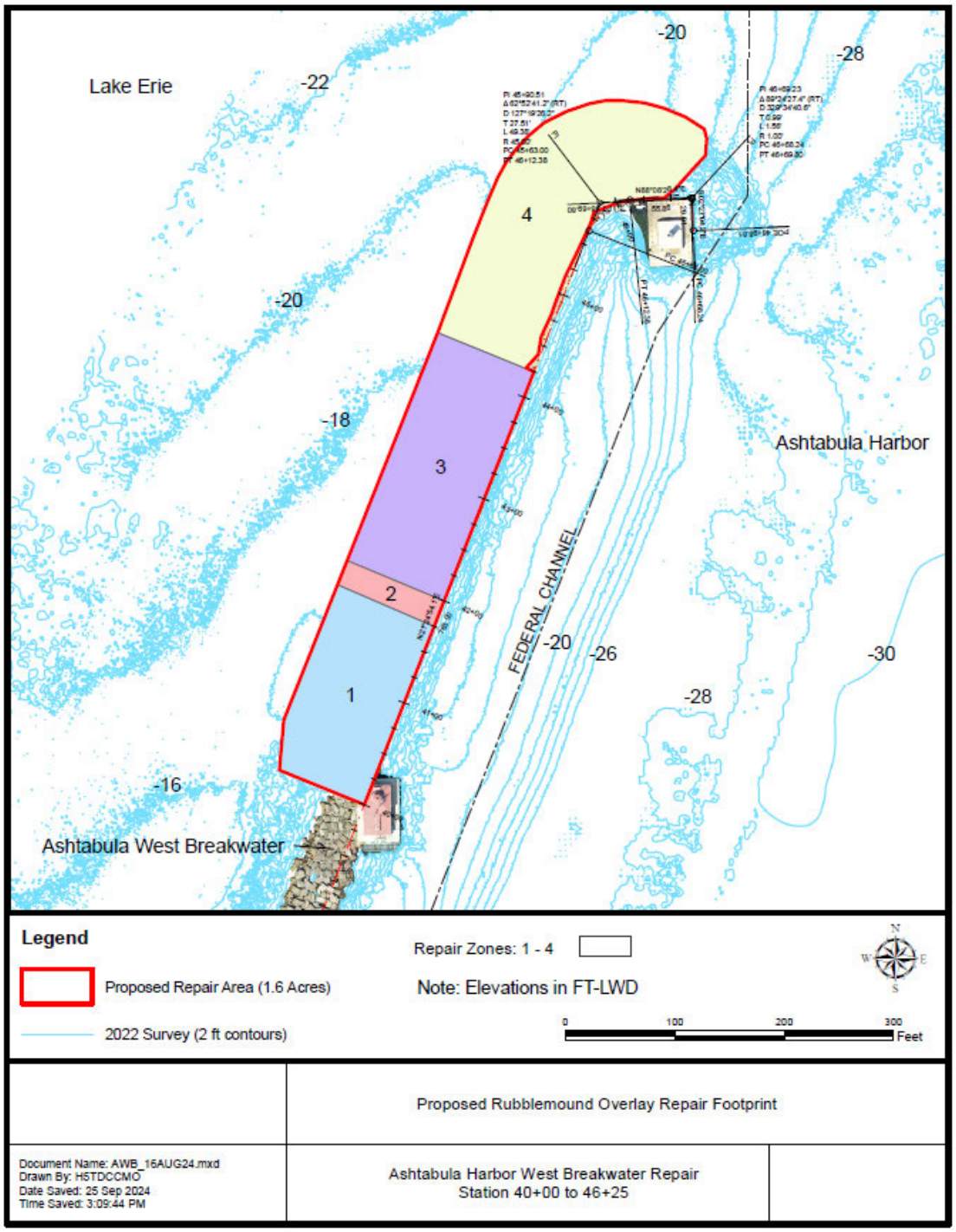


Figure 4: Alternative 2 proposed rubble mound overlay repair footprint with sections.

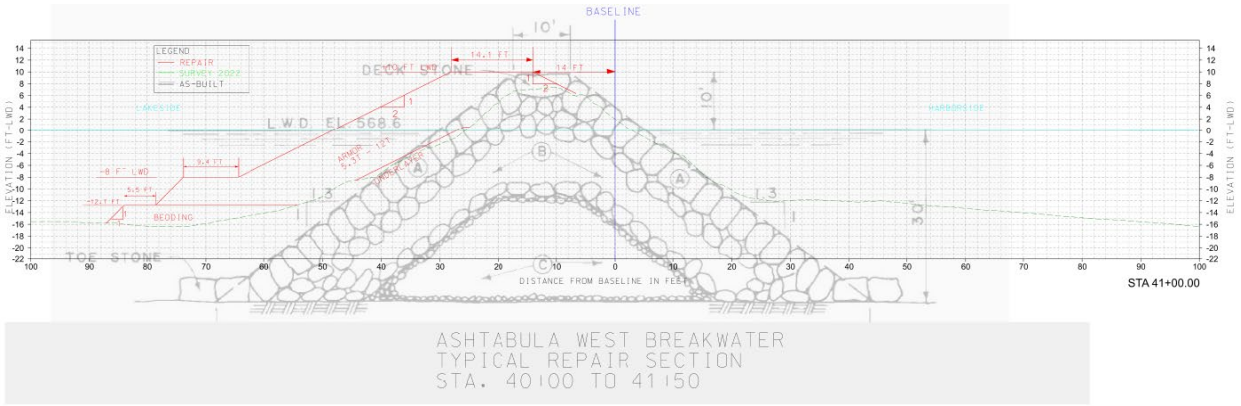


Figure 5: Alternative 2 Typical Repair Cross Section, Zone 1 Stations 40+00 to 41+50.

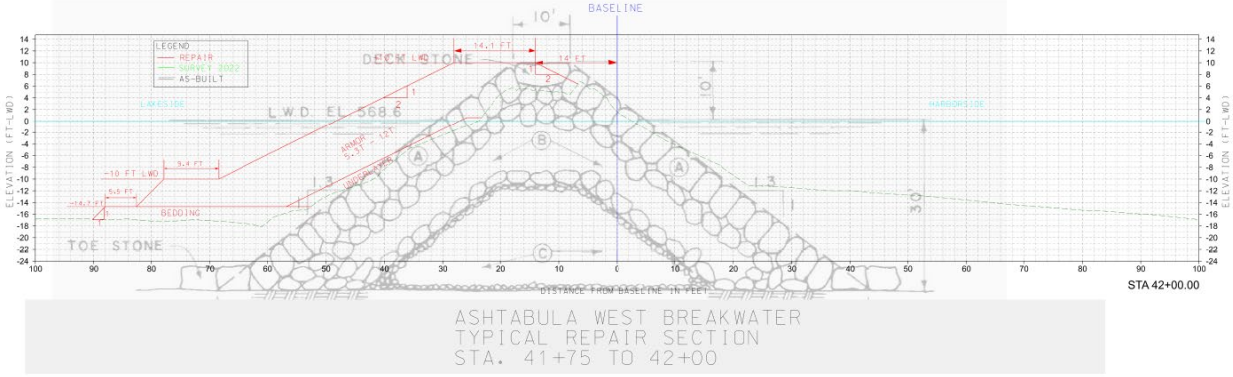


Figure 6: Alternative 2 Typical Repair Cross Section, Zone 2 Stations 41+75 to 42+00.

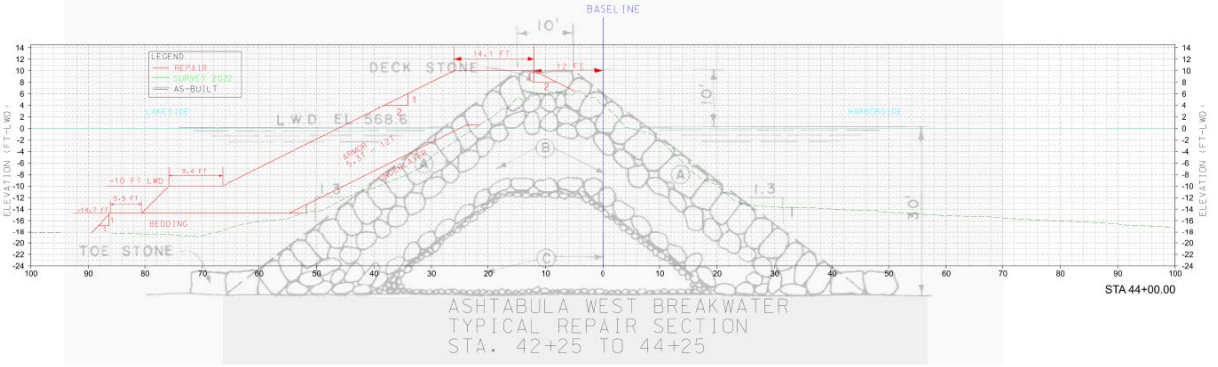


Figure 7: Alternative 2 Typical Repair Cross Section, Zone 3 Stations 42+25 to 44+25.

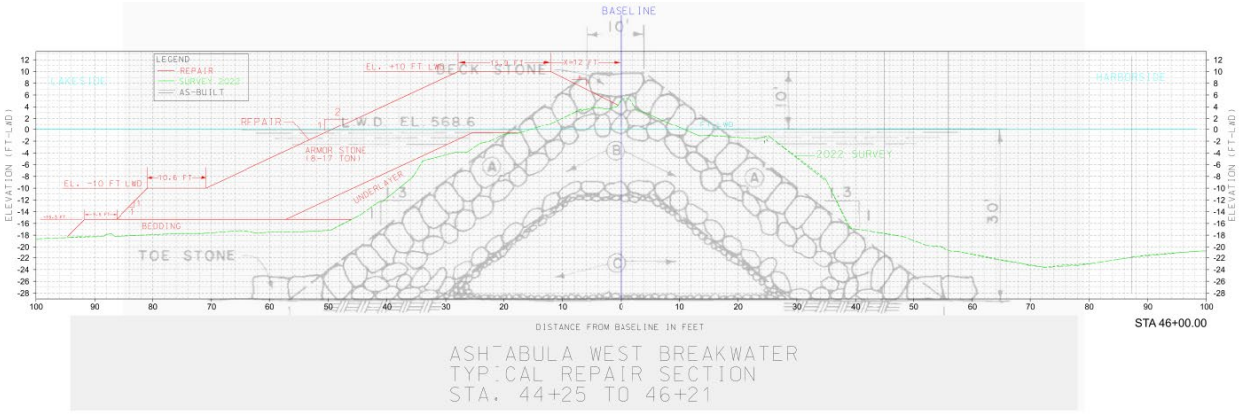


Figure 8: Alternative 2 Typical Repair Cross Section, Zone 4 Stations 44+25 to 46+21.

Table 1: Alternative 2 Stone Quantities

TOTAL FOOTPRINT Repair AREA (Zones 1-4): 1.56 acres

Zone	Section	Stations	Stone Type	Gradation	Tons	Add 25% more bedding stone for displacement of lake bed during construction(1) (tons)	10 % contingency (armor and underlayer only) Tons	Total (tons)
1	Trunk	40+00 to 41+75	Armor	5.3 - 12 ton quarry stone	2873		287	3160
			Underlayer	0.3 - 1.2 ton	97		10	107
			Bedding	ODOT type C dump rock fill	485	121		606
2	Trunk	41+75 to 42+00	Armor	5.3 - 12 ton quarry stone	1450		145	1595
			Underlayer	0.3 - 1.2 ton	158		16	174
			Bedding	ODOT type C dump rock fill	247	62		309
3	Trunk	42+00 to 44+25	Armor	5.3 - 12 ton quarry stone	5927		593	6520
			Underlayer	0.3 - 1.2 ton	657		66	723
			Bedding	ODOT type C dump rock fill	899	225		1124
			ZONES 1 - 3 (all same Armor and Underlayer Gradation)				ARMOR UNDERLAYER Bedding (TYPE C ODOT)	11275 1003 2039
4	Head	44+25 to 46+25	Armor	8-17 ton quarry stone	7946		795	8740
			Underlayer	0.5 - 1.7 ton	1259		126	1385
			Bedding	ODOT type C dump rock fill	1799	450		2249

Notes: (1) Per recommendation from Geotechnical Appendix June 2024, Additional bedding stone is needed to account for initial displacement of lake bed sediments during placement of stone/ construction.

Type C: Type C material has at least 85 percent of the total material by weight larger than a 6-inch (150 mm) but less than an 18-inch (0.5 m) square opening and at least 50 percent of the total material by weight larger than a 12-inch (0.3 m) square opening. Furnish material smaller than a 6-inch (150 mm) square opening that consists predominantly of rock spalls and rock fines, and is that free of soil.

TOTAL FOOTPRINT Repair AREA (Zones 1-4): 1.56 acres

Station 40+00 to 46+25 (Whole structure)

Repair Zone	Armor (CY) includes void space	Underlayer (CY) includes Void Space	Bedding (CY) includes void space
1 to 4	14042	1649	2936

Station 40+00 to 46+25 (Below OHWM +4.2 ft LWD)

Repair Zone	Armor (CY) includes void space	Underlayer (CY) includes Void Space	Bedding (CY) includes void space
1 to 4	9408	1649	2936

Alternative 3

A second repair alternative was considered during the design phase for the Ashtabula West Breakwater. This alternative is also a rubble-mound overlay, however the slope of the repair at the head of the breakwater is flattened to 1V:3H. The advantage of this flatter slope is that the same stone gradation (5.3 ton - 12 ton) could be used for the entire reach of the west breakwater; including the trunk and head of the breakwater. This alternative did not move forward due to a higher cost from more stone tonnage and a larger footprint.

6. Environmental Impacts

Future conditions and anticipated potential effects of the proposed action will be assessed and compared to a no action alternative. The no action alternative represents the anticipated condition that may result from the USACE taking no action to complete the AWBW repair. The alternatives will be evaluated for several social, economic, and environmental categories, including:

- Fish and Wildlife Resources
- Historic Properties
- Water Quality
- Property Values and Tax Revenues
- Dredged Material Management
- Employment
- Geology and Soils
- Community Cohesion and Growth
- Contaminated Materials
- Transportation
- Air Quality
- Public Facilities and Services
- Noise
- Aesthetics
- Recreation
- Environmental Justice

7. Public Participation, Interagency Coordination, & Scope of Review

Throughout the scoping and public notice process, stakeholders and interested parties are invited to provide comment and/or request a public hearing on the proposed action that will be evaluated as part of the Operations and Maintenance (O&M) support to the AWBW repair project. An environmental assessment will be completed to document the evaluation of any potential social, economic, and environmental benefits and potential adverse impacts that may result from the proposed action.

8. Compliance of the Proposed Federal Action with Environmental Protection Statues

The breakwater repair has been evaluated for compliance with all other applicable environmental protection statutes, executive orders, etc. including:

a. National Environmental Policy Act (NEPA). In accordance with the Council on Environmental Quality's "Regulations for Implementing the Procedural Provisions of the NEPA of 1969" (40 CFR 1500-1508) and Engineer Regulation 200-2-2 (Procedures for Implementing NEPA), the USACE will assess the potential environmental effects of the proposed action on the quality of the human environment. Using an interdisciplinary approach, an assessment will be made of the potential environmental impacts of the proposed action(s) by comparing the plans with the "without-project" conditions. The impact assessment process will determine if an environmental impact statement is

required, or if an environmental assessment and finding of no significant impact is appropriate.

b. Clean Water Act. The project will be evaluated in accordance with the guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency in conjunction with the Secretary of the Army under the authority of Section 404 of the Clean Water Act (40 CFR 230). If the proposed federal action will result in the discharge of dredged or fill material into a water of the United States, a Section 404(a) public notice would be issued, and the general public afforded the opportunity to comment and/or request a public hearing. In the event of the need for a Section 404 fill, USACE would also request water quality certification from the Ohio Environmental Protection Agency under Section 401 of the Act. This project will also be conducting a 404 (b)(1) analysis to determine the least environmentally damaging alternative.

c. National Historic Preservation Act. Under Section 106 of this Act, this scoping information initiates USACE consultation with the National Park Service, interested Indian nations, historic preservation organizations and others who are likely to have knowledge of, or concern with, historic properties that may be present within the area of potential effect (APE). A Section 106 Review - Project Summary Form will be provided to Ohio History Connection (State Historic Preservation Office) to initiate consultation, including a description of the APE.

d. Coastal Zone Management Act. The Act requires that federal actions that are likely to affect any land or water use or natural resource of the coastal zone, regardless of location, be consistent with approved state coastal management programs. Coordination in this regard is being initiated with the Ohio Department of Natural Resources (ODNR) via this scoping information. A formal consistency determination will be submitted to ODNR in the future.

e. Endangered Species Act. In accordance with Section 7 of this Act, USACE is requesting information from the U.S. Fish and Wildlife Service (USFWS) on any listed or proposed species or designated or proposed critical habitat that may be present in the project area. If consultation with the USFWS identifies any such species or critical habitat, then USACE will conduct a biological assessment to determine the proposed project's effect on these species or critical habitat.

The results of a review of the USFWS Information for Planning and Consultation (IPaC) website indicate that Ashtabula Harbor lies within the range of the federally endangered Indiana bat (*Myotis sodalis*), threatened red knot (*Calidris canutus rufa*), and candidate monarch butterfly (*Danaus plexippus*) (USFWS 2024). The alternatives currently under consideration are not located in designated critical habitat.

f. Fish and Wildlife Coordination Act. The USACE is coordinating this study with the USFWS and ODNR Division of Wildlife. The USACE will coordinate with these agencies to identify any fish and wildlife concerns, identify relevant information on the study area(s), obtain their views concerning the significance of fish and wildlife resources and anticipated project impacts, and identify those resources which need to be evaluated in the study. Full consideration will be given to their comments and recommendations resulting from this coordination.

g. Other Coordination Requirements. In addition to the aforementioned federal statutes, the proposed project must also comply with other applicable or relevant federal laws and executive orders. A comprehensive list is presented on the following page. Therefore, an additional intent of this scoping information is to disseminate pertinent project information to meet the applicable coordination/consultation requirements required under their provisions, as applicable.

9. Request for Comments

Any interested parties and/or agencies desiring to express their views concerning this proposed AWBW repair project may do so by submitting their comments, in writing, no later than 30 days from the date of this notice. Any person who has an interest which may be affected by the proposed discharge of fill material may request a public hearing. The request must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity. Interested parties are encouraged to contact USACE – Buffalo District with their comments regarding the proposed breakwater repair at Ashtabula Harbor and send your comments in writing within 30 days to the following e-mail address:

Ashtabula.Harbor.West.Breakwater.Repair@usace.army.mil

or via regular mail to:

U.S. Army Corps of Engineers, Buffalo District Environmental Analysis Team
478 Main Street
Buffalo, NY 14202-3278
ATTN: Ashtabula West Breakwater

10. Federal Environmental Protection Laws, Orders, and Policies

1. PUBLIC LAWS

(a) American Folklife Preservation Act, P.L. 94-201; 20 U.S.C. 2101, *et seq.*
(b) Anadromous Fish Conservation Act, P.L. 89-304; 16 U.S.C. 757, *et seq.*
(c) Antiquities Act of 1906, P.L. 59-209; 16 U.S.C. 431, *et seq.*

(d) Archaeological and Historic Preservation Act, P.L. 93-291; 16 U.S.C. 469, *et seq.* (Also known as the Reservoir Salvage Act of 1960, as amended; P.L. 93-291, as amended; the Moss-Bennett Act; and the Preservation of Historic and Archaeological Data Act of 1974.)
(e) Bald Eagle Act; 16 U.S.C. 668.
(f) Clean Air Act, as amended; P.L. 91-604; 42 U.S.C. 1857h-7, *et seq.*
(g) Clean Water Act, P.L. 92-500; 33 U.S.C. 1251, *et seq.* (Also known as the Federal Water Pollution Control Act; and P.L. 92-500, as amended.)
(h) Coastal Barrier Resources Act of 1982, 16 U.S.C. § 3501 *et seq.*; 12 U.S.C. § 1441 *et seq.*
(i) Coastal Zone Management Act of 1972, as amended, P.L. 92-583; 16 U.S.C. 1451, *et seq.*
(j) Endangered Species Act of 1973, as amended, P.L. 93-205; 16 U.S.C. 1531, *et seq.*
(k) Estuary Protection Act, P.L. 90-454; 16 U.S.C. 1221, *et seq.*
(l) Federal Environmental Pesticide Control Act, P.L. 92-516; 7 U.S.C. 136.
(m) Federal Water Project Recreation Act, as amended, P.L. 89-72; 16 U.S.C. 460-1(12), *et seq.*
(n) Fish and Wildlife Coordination Act of 1958, as amended, P.L. 85-624; 16 U.S.C. 661, *et seq.*
(o) Historic Sites Act of 1935, as amended, P.L. 74-292; 16 U.S.C. 461, *et seq.*
(p) Land and Water Conservation Fund Act, P.L. 88-578; 16 U.S.C. 460/-460/-11, *et seq.*
(q) Migratory Bird Conservation Act of 1928; 16 U.S.C. 715.
(r) Migratory Bird Treaty Act of 1918; 16 U.S.C. 703, *et seq.*
(s) National Environmental Policy Act of 1969, as amended, P.L. 91-190; 42 U.S.C. 4321, *et seq.*
(t) National Historic Preservation Act of 1966, as amended, P.L. 89-655; 16 U.S.C. 470a, *et seq.*
(u) Native American Religious Freedom Act, P.L. 95-341; 42 U.S.C. 1996, *et seq.*
(v) Resource Conservation and Recovery Act of 1976, P.L. 94-580; 7 U.S.C. 1010, *et seq.*
(w) River and Harbor Act of 1899, 33 U.S.C. 403, *et seq.* (Also known as the Refuse Act of 1899.)
(x) Submerged Lands Act of 1953, P.L. 82-3167; 43 U.S.C. 1301, *et seq.*
(y) Surface Mining and Reclamation Act of 1977, P.L. 95-89; 30 U.S.C. 1201, *et seq.*
(z) Toxic Substances Control Act, P.L. 94-469; 15 U.S.C. 2601, *et seq.*
(aa) Watershed Protection and Flood Prevention Act, as amended, P.L. 83-566; 16 U.S.C. 1001, *et seq.*
(bb) Wild and Scenic Rivers Act, as amended, P.L. 90-542; 16 U.S.C. 1271, *et seq.*

2. EXECUTIVE ORDERS

(a) Executive Order 11593, Protection and Enhancement of the Cultural Environment. May 13, 1979 (36 FR 8921; May 15, 1971).
(b) Executive Order 11988, Floodplain Management. May 24, 1977 (42 FR 26951; May 25, 1977).
(c) Executive Order 11990, Protection of Wetlands. May 24, 1977 (42 FR 26961; May 25, 1977).
(d) Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970, as amended by Executive Order, 11991, May 24, 1977.
(e) Executive Order 12088, Federal Compliance with Pollution Control Standards, October 13, 1978.
(f) Executive Order 12372, Intergovernmental Review of Federal Programs, July 14, 1982.
(g) Executive Order 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements, August 3, 1993.
(h) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994.

3. OTHER FEDERAL POLICIES

(a) Council on Environmental Quality Memorandum of August 11, 1980: Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing the National Environmental Policy Act.
(b) Council on Environmental Quality Memorandum of August 10, 1980: Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the National Inventory.
(c) Migratory Bird Treaties and other international agreements listed in the Endangered Species Act of 1973, as amended, Section 2(a)(4)

References

History of Ashtabula Harbor, Ohio. U.S. Army Corps of Engineers, Buffalo District, Buffalo, NY. 1941.

U.S. Army Corps of Engineers (USACE). 2023. Fact Sheet, Ashtabula Harbor, Ohio, US Army Corps of Engineers, Buffalo District, Buffalo, NY. Chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://lre-ops.usace.army.mil/OandM/factsheets/AshtabulaHarbor.pdf

U.S. Fish and Wildlife Service (USFWS). 2024, September 3. *Information for Planning and Consultation*. Retrieved from Information for Planning and Consultation: https://ipac.ecosphere.fws.gov/.

DSW 401 Water Quality Certification Pre-application

Division of Surface Water

401 Water Quality Certification and Isolated Wetland Permiting Unit

Instructions:

Filling out a pre-application form is an informal first step in the Section 401 WQC and/or Isolated Wetland Permitting process. It provides the opportunity to present and discuss details of your project while it is in its early planning stages. At a minimum, you must indicate your meeting purpose and complete Sections 1, 2 and 3 Please fill out Section 4 to the degree possible given your unique constraints on time and resources. More detailed instructions are provided in the Instructions for filling out the Pre-application meeting request form.

Meeting Purpose (Please state what you hope to accomplish at the pre-application meeting)

No meeting necessary

Questions (Please list any specific questions you have regarding the 401 WQC process)

N/A

Mail or E-mail completed request form and supporting information to:
Ohio EPA
Division of Surface Water
401 Water Quality Certification and Isolated Wetland Permiting Unit
P.O. Box 1049
Columbus, OH 43216-1049
Email Address: EPA401Webmail@epa.ohio.gov

Section 1: Applicant and Consultant/Agent Information

	Applicant	Agent
Company/Agency Name:	United States Army Corps of Engineers	
Contact Name:	[redacted]	
Title:	[redacted]	
Address:	[redacted]	
Phone:	[redacted]	
Alternate Phone:		
FAX Number:		
Email Address:	[redacted]	

Statement of Authorization:

Applicant Signature:	**Title:**
Signature:	**Date:**

Section 2: Project Information

Project Name: Ashtabula Harbor Western Breakwater Repair

Coordinates LATITUDE: 41.919509 **LONGITUDE:** -80.795296

Project Address: Ashtabula Harbor, Ashtabula, OH 44004

Project Location Description: The western breakwater of Ashtabula harbor. The repairs will be north of the historic lighthouse.

ZIP Code(s): 44004

County:	**Township:**
Ashtabula	Ashtabula
8 or 12 Digit HUC Number:	**Watershed Name:**
04120200	Lake Erie

Corps District: Buffalo

Identify the criteria used to select the project site, including stream and wetland impact avoidance and minimization:
Between 2016 and 2023, the Great Lakes Breakwater Assessment Team (BAT) inspected the Ashtabula Harbor structures, documenting conditions by video and still photographs. The inspection found the areas between the two lighthouses showed breaching and an observable amount of armor stone loss along the lakeside.

Attachments (Check all documents/items that have been submitted):

- [x] Site Map with boundaries

Upload File(s): ASH_WBW_Project_AOI_ProjectSite.pdf, ASH_WBW_Project_AOI.pdf

- [ ] Site maps for alternative locations considered during site selection
- [ ] Site identified on USGS topographic map
- [ ] Proposed project footprint (including proposed construction limits)
- [x] Shape File

Upload File(s): Project_AOI.zip

SECTION 3: Project Information

Description of Project:
Ashtabula Harbor is located on the south shore of Lake Erie at the mouth of the Ashtabula River, 59 miles east of Cleveland Harbor and 15 miles west of Conneaut Harbor, Ohio (41°55'10.5"North 80°47'42.9"West). Ashtabula Harbor has a pair of east and west arrowhead breakwaters that converge and protect the mouth of the Ashtabula River from wave action on Lake Erie. The west breakwater runs northeast and has a length of 7,890 feet, while the east breakwater runs northwest and has a length of 4,340 feet. Between 2016 and 2023, the Great Lakes Breakwater Assessment Team (BAT) inspected the Ashtabula Harbor structures, documenting conditions by video and still photographs. The inspection found the areas between the two lighthouses showed breaching and an observable amount of armor stone loss along the lakeside. This project would repair the western breakwater structure through the use of rubble-mound overlay. The repair is expected to begin in July of 2025 . For further information regarding the project's scope of work, please see the National Environmental Protection Act (NEPA) scoping information document attached.

Proposed Project Schedule (Include construction start date and other dates pertinent to the project):
Project is set to begin in the late summer of 2025, and potentially end in summer of 2030.

Description of Project Purpose and Need:
Construction of the east and west breakwaters of Ashtabula Harbor in Ashtabula County, Ohio was initially authorized by the Rivers and Harbors Act of 1896. The U.S. Army Corps of Engineers (USACE), Buffalo District is now conducting a project to restore deteriorated portions of the west breakwater under the authority of the Rivers & Harbor Acts of 1896, 1905, 1910, 1919, 1935, 1937, 1945, 1960, and 1965. The federal navigation channel at Ashtabula Harbor is designed to accommodate commercial and recreational navigation and is maintained by USACE. This project aims to repair the damage observed on the western breakwater and prevent further damage by reinforcing the structure. The ultimate purpose of the repair is to facilitate continued commercial and recreational navigation at Ashtabula Harbor.

Section 4: Investigation of Water Resources and Permitting Considerations

Check all documents/items that have been submitted.

- ☐ Have you taken photographs of the site?
- ☐ Photographs attached

- ☐ Did you review a NRCS Soil Survey for this project?
- ☐ NRCS Soil Survey attached

- ☐ Did you review USGS Stream Stats for this project?
- ☐ USGS Stream Stats attached

- ☐ Did you review a National Wetlands Inventory Map (NWI) for this project?
- ☐ NWI Map attached

- ☒ Have you delineated the water resources on the site?
- ☒ Wetland Delineation attached

Upload File(s): Waters Delineation Report.docx

- ☒ Have you submitted the delineation to the U.S. Army Corps of Engineers?

Date Submitted: 12/12/2024

- ☒ Have you received a Jurisdictional Determination?
- ☒ Jurisdictional Determination attached

Upload File(s): Jurisdictional Determination.docx

- ☐ Did you review OAC rules 3745-1-08 to 3745-1-32 and/or 3745-1-53 for each of the water bodies on site to determine if it has a designated use?
- ☐ OAC rules attached

- ☐ Have you performed habitat assessments on the streams on site?
- ☐ Habitat Assessment Score Sheets attached

- ☐ Have you conducted ORAM assessments and made proposed category assignments for the wetlands on site?
- ☐ 10-page ORAM form attached

- ☒ Have you performed any other analysis (e.g., biological)?
- ☒ Other Analysis attached

Upload File(s): Species List_ Ohio Ecological Services Field Office.pdf

- ☐ Do you have an Avoidance and Minimization Plan?

☐ Avoidance/Minimization Plan attached

☐ Have you selected a Mitigation Site?

☐ Mitigation Site Map attached

☒ Do you have a conceptual Mitigation and Monitoring Plan?

☒ Conceptual Mitigation and Monitoring Plan attached

Upload File(s): Proposed Mitigation Plan.docx

☒ Are you familiar with Ohio EPA's 401 Water Quality application requirements?

☒ Have you read Ohio EPA's Integrated Wetland Assessment Program. Part 6?

(Standardized Monitoring Protocols and Performance Standards for Ohio Mitigation Wetlands. 2004)

☒ Are you familiar with the Wetland Water Quality Standards, Ohio Administrative Code rules 3745?

(Rules 3745-1-50 to 54 and the Isolated Wetland Statute, Ohio Revised Code 6111.02 to 6111.029)

Have you determined if other permits are necessary for the project? Check all that apply:

☐ Individual 404 Permit

☐ Nationwide Permit

☐ Section 9 Permit

☐ Section 10 Permit

☐ Isolated Wetland Permit

☐ NPDES Permit

☐ Permit to Install

☒ ODNR Permit **Permit Type:** Coastal

☐ Regional General Permit

Notes:

The information requested in this form is based on the requirements in Ohio Revised Code 6111.30 and 6111.021, and Administrative Code Chapter 3745-32. Applicants should be familiar with the contents of these laws and regulations prior to completing this request form. Additional information is available at www.epa.ohio.gov/dsw/401/index.aspx or by calling (614) 644-2001

For Internal Ohio EPA Use

Date Received:	**Coordinator:**
Ohio EPA ID #:	**USACE PN #:**

Site Visit (Y/N):

Application for Section 401 Water Quality Certification

Division of Surface Water

401 Water Quality Certification and Isolated Wetland Permitting Unit

Section 1: Applicant (Project Proponent) and Consultant/Agent Information

	Applicant (Project Proponent)	Consultant/Agent
Company/Agency Name:	US Army Corps of Engineers	
Address:	[redacted]	
Contact Name/Title:	[redacted]	
Contact Phone:	[redacted]	
Alternate Phone:		
Contact FAX:		
Contact Email:	[redacted]	
Technical Contact:	[redacted]	
Technical Phone:	[redacted]	
Technical Email:	[redacted]	

A. Project Name: Ashtabula West Breakwater Repair

B. Has a pre-filing (pre-application) meeting request been submitted? ☒ Yes ☐ No

401 Pre-application Reviewer: Loucek **Date of pre-filing meeting request submittal:** 12/12/2024

C. Brief Project Description: The project will include placement of new stone along deteriorated portions of the west breakwater up to the crest elevation. The head of the structure is vulnerable to high wave energy requiring an armor stone 8 ton to 17 ton (with a slope of 1V:2H). The remainder of the west breakwater is known as the 'trunk' of the breakwater and requires a smaller armor stone of 5.3 ton to 12 ton (Side slope 1V:2H). This alternative's reach extends from Station 40+00 to Station 46+21 and will wrap around the northern end of the northern lighthouse. The repair footprint has been broken up into four repair zones: zone 1 is station 40+00 to 41+50, zone 2 is station 41+75 to 42+00, zone 3 is station 42+25 to 44+25, and zone 4 is station 44+25 to 46+21.

D. Construction Start Date: 07/31/2025 **End Date:** 09/30/2025

E. Is any portion of the activity complete now? ☐ Yes ☒ No

Is this an "After-The-Fact" permit application? ☐ Yes ☒ No

Description of completed activities and its impact on the waters of the state.:

F. Coordinates LATITUDE: 41.919508 **LONGITUDE:** -80.795295

G. Project Address: n/a, Ashtabula, OH 44004

Location Description: The western breakwater of Ashtabula Harbor. The repairs will be north of the historic lighthouse.

ZIP Code(s): 44004

County(ies):	**Township(s):**
Ashtabula	Ashtabula
H. 8 or 12 Digit HUC Number:	**I. Watershed Name:**
04120200	Lake Erie

J. U.S. Army Corps of Engineers District: Buffalo

K. Proposed impacts to "waters of the state":

☐ Beach Nourishment	☐ Blasting	☒ Breakwater	☐ Bulkhead
☐ Bridge/Culvert	☐ Dam	☐ Dredge	☐ Fill
☐ Groin/Jetty	☐ Levees/Berms	☐ Mine Through	☐ Revetment
☐ Bank Stabilization	☐ Stream Channelization	☐ Stream Relocation	☐ Water Body Crossing
☐ Weirs	☐ Other		

L. Other water related permits issued or required include:

☐ Individual 404 Permit

- [ ] Nationwide Permit
- [ ] Section 9 Permit
- [ ] Section 10 Permit
- [ ] Isolated Wetland Permit
- [ ] NPDES Permit
- [ ] Permit to Install
- [ ] Regional General Permit
- [ ] ODNR Permit
- [ ] Oil & Gas Storm Water General Permit

Section 3: Fees

Are you exempt from fees?	☒ Yes ☐ No (If YES, leave fee section blank)		
Are you a County, Township, or Municipal Corporation?	☐ Yes ☒ No		
If YES, fee cap is $5,000.00 instead of $25,000.00			
Application Fee =		$0.00	
Review Fees			
Wetland Acres Impacted	0 x $500.00 =	$0.00	
Intermittent Stream Linear Feet Impacted	0 x $10.00 =	$0.00	($200 minimum fee)
Perennial Stream Linear Feet Impacted	0 x $15.00 =	$0.00	($200 minimum fee)
Lake Cubic Yards Impacted	0 x $3.00 =	$0.00	
	Total Review Fees =	$0.00	
	Total Fees ($200 Application Fee + Total Review Fees) =	$0.00	
	Due with the 401 WQC Application (Application Fee + 1/2 of Review Fee) =	$0.00	
	Due at the 401 WQC Issuance (1/2 of Review Fee) =	$0.00	

PLEASE MAKE FEE CHECK PAYABLE TO: "TREASURER, STATE OF OHIO"

Section 4: Submitted Documentation

Check all documents/items that have been submitted.

- [x] Submitted Pre-filing Meeting Request

Upload File(s): Ashtabula West BW WQC Pre-Application.pdf

- [x] Proposed Lake Impacts Table

Upload File(s): Ashtabula W BW Stone Quantities.docx

- [ ] Proposed Stream Impacts Table
- [ ] Proposed Wetland Impacts Table
- [ ] Additional Impact Tables
- [x] Water Delineation Report

Upload File(s): Waters Delineation Report.docx

- [x] Site Photographs

Upload File(s): Ashtabula W BW Determination of Effects.pdf

- [ ] Ohio Rapid Assessment Method (ORAM) Forms
- [ ] Habitat Evaluations
- [ ] Biological Sampling Information
- [x] US Army Corps of Engineers Jurisdictional Determination

Upload File(s): Ashtabula W BW Jurisdictional Determination.docx

- [x] US Army Corps of Engineers Public Notice or Provisional Nationwide Permit

Upload File(s): Ashtabula West BW Repair 404(a) Public Notice Final.docx, PCN Ashtabula W BW.docx

☒ Ohio Department of Natural Resources - Natural Heritage Database Request

Upload File(s): ODNR_Ashtabula Harbor Western Breakwater Repair.pdf

☒ US Fish & Wildlife Service - Threatened and Endangered Species Coordination

Upload File(s): Ashtabula W BW FWS_Consultation.pdf

☒ Proposed Project Antidegradation Analysis

Upload File(s): Final Ashtabula Western Breakwater Repair NEPA Scoping_11152024.pdf, Proposed Project Antidegradation Analysis.docx

☐ Proposed Project Mapping

☒ Proposed Mitigation Plan

Upload File(s): Ashtabula W BW Proposed Mitigation Plan.docx

Section 5: Applicant and Agent Signature

I hereby designate and authorize the agent/consultant identified in Section 1 to act on my behalf in the processing of this application, and to furnish, upon request, supplemental information in support of the application:

Applicant Name (printed or typed):	**Applicant Signature:**

Application is hereby made for a Section 401 Water Quality Certification. The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on the CWA 401 certification request within the applicable reasonable period of time.

Applicant Name (printed or typed):	**Applicant Signature:**
Agent Name (printed or typed):	**Agent Signature:**

For Internal Ohio EPA Use

Reviewer:	**Project ID #:**
Date Received:	**CR Due:**

Application for Section 401 Water Quality Certification - Proposed Lake Impacts

Division of Surface Water

401 Water Quality Certification and Isolated Wetland Permitting Unit

Water Body ID	Coastal Erosion Area?	Impact Type	Preferred Alternative			Placement of Dredged Material
			Cubic Yards of Fill/Dredged Material	Lakeward Extent (linear ft.)	Shoreline Impacted (linear ft.)	
No records found						

Application for Section 401 Water Quality Certification - Proposed Stream Impacts and Mitigation

Division of Surface Water

401 Water Quality Certification and Isolated Wetland Permitting Unit

Section 1: Streams Onsite and Proposed Impacts

Stream ID	Jurisdictional?	Flow	Aquatic Life Use Designation in 3745-1	Existing Use?	Onsite (linear ft.)	Preferred Alternative		
						Impact Acreage	Impact Length (linear ft.)	Impact Type
No records found								

Section 2: Proposed Stream Mitigation (Check All That Apply) Preferred Alternative

☐ **In-Lieu Fee Program** **ILF Sponsor:**

Number of Stream Credits: **Number of Buffer Credits:**

☐ **Proof of Reservation?**

☐ **On-Site Permittee-Responsible Mitigation**

☐ **Restoration** **Aquatic Life Use:** **linear feet:**

☐ **Creation** **Aquatic Life Use:** **linear feet:**

☐ **Preservation** **Aquatic Life Use:** **linear feet:**

☐ **Enhancement** **Aquatic Life Use:** **linear feet:**

Existing Aquatic Life Use: **Enhancement Activity:** **Buffer Width Linear Feet:**

☐ **Other**

Other Description:

Application for Section 401 Water Quality Certification - Proposed Wetland Impacts and Mitigation

Division of Surface Water

401 Water Quality Certification and Isolated Wetland Permitting Unit

Section 1: Wetlands Onsite and Proposed Impacts

Wetland ID	ORAM Score	Category	Cat. Verified by Ohio EPA?	Ohio EPA Reviewer who Verified	Acreage Onsite	Preferred Alternative		
						Impact Acreage		Impact Type
						Forested	Non	
No records found								

Section 2: Proposed Wetland Mitigation (Check All That Apply) Preferred Alternative

☐ **Wetland Mitigation Bank** **Number of Forested Credits:** **Type of Credits (if applicable):**

Mitigation Bank: **Number of Non-Forested Credits:** **Type of Credits (if applicable):**

Number of Buffer Credits: **Type of Credits (if applicable):**

☐ **Proof of Reservation?**

☐ **In-Lieu Fee Program** **ILF Sponsor:**

Number of Wetland Credits: **Number of Buffer Credits:**

☐ **Proof of Reservation?**

☐ **On-Site Permittee-Responsible Mitigation**

☐ **Restoration** **Type of Wetland:** **Acres:**

☐ **Creation** **Type of Wetland:** **Acres:**

☐ **Preservation** **Type of Wetland:** **Acres:**

☐ **Enhancement** **Type of Wetland:** **Acres:**

☐ **Other**

Other Description:

March 10, 2025

TRANSMITTED ELECTRONICALLY

[redacted]

Re: Ashtabula West Breakwater Repair
Permit - Intermediate
Correspondence
401 Wetlands
Ashtabula
DSW401251456A

Subject: Complete Section 401 Water Quality Certification Application
Ashtabula West Breakwater Repair
Corps Public Notice No. Ashtabula West Breakwater Repair
Ohio EPA ID No. 251456A

Dear [redacted]:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the section 401 water quality certification application received by the Agency on February 10, 2025, and subsequent information provided on March 10, 2025, and has determined that it is administratively complete.

To determine the action that should be taken by the director, Ohio EPA may ask for additional information. You are encouraged to provide information requested during the technical review process in a timely manner as the lack of complete or inadequate plans may be grounds for a proposal to deny this certification.

Public Notice Requirements

As a part of the antidegradation review process, Ohio EPA must provide for public participation and intergovernmental coordination prior to taking action on all activities for which a section 401 water quality certification is required. In some instances, a public hearing may be required.

In accordance with section ORC 6111.30(C) the applicant is responsible for issuing a public notice regarding the application. In this specific case, Ohio EPA is not currently aware of significant public interest in this project nor does the information contained in the application indicate that a public hearing is mandatory pursuant to Ohio Administrative Code (OAC) 3745-1-05.

Attached is a draft public notice that Ohio EPA has prepared for this project. This notice must be published in a newspaper of general circulation for the region in which the impacts are proposed to occur by March 31, 2025. Guidance for preparing the final public notice and getting it published in the correct newspaper is available at: https://epa.ohio.gov/static/Portals/35/401/APPLICANT PUBLIC NOTICE INSTRUCTION SHEET.pdf

You may find a copy of Ohio EPA's rules and laws online at http://epa.ohio.gov/dsw. Information regarding Ohio's Section 401 and Isolated Wetlands Permitting programs is also available online at https://epa.ohio.gov/wps/portal/gov/epa/divisions-and-offices/surface-water/permitting/water-quality-certification-and-isolated-wetland-permits.

If you have any questions, please contact me at (330) 963-1258 or via email at Joseph.Loucek@epa.ohio.gov.

Sincerely,

[redacted]

[redacted]
Permit Processing Unit, Ohio EPA, DSW (epadswpermitsproces@epa.ohio.gov)

AFFP
2AP LEGAL NOTICE HEARING

Affidavit of Publication

STATE OF OHIO }
COUNTY OF ASHTABULA } SS

, being duly sworn, says: Amy Mason

That she is of the Star Beacon, a daily newspaper of general circulation, printed and published in Ashtabula, Ashtabula County, Ohio; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

April 03, 2025

That said newspaper was regularly issued and circulated on those dates.
SIGNED: Amy Mason

Subscribed to and sworn to me this 3rd day of April 2025.

Hilery M. Kauffman
Hilery M. Kauffman, Notary, Ashtabula County, Ohio

My commission expires: September 29, 2026

00005165 00186149

U S ARMY CORPS OF ENGINEERS
478 Main Street
BUFFALO, NY 14202

2AP
LEGAL NOTICE

Ashtabula County

PUBLIC NOTICE
NOTICE OF RECEIPT
OF 401 APPLICATION

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 water quality certification for a project to repair approximately 620 feet of the Ashtabula Harbors western breakwater, beginning north of the historic lighthouse in Ashtabula. The application was submitted by the US Army Corps of Engineers Buffalo District. The Buffalo District Corps of Engineers Public Notice Number for this project is Ashtabula West Breakwater Repair. The Ohio EPA ID Number for this project is 251456A.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. Ohio EPA will review the application, and decide whether to grant or deny the certification, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting March 27, 2025, copies of the application and technical support information may be inspected on Ohio EPA-DSW website:
https://epa.ohio.gov/wps/portal/gov/epa/divisions-and-offices/surface-water/permitting/water-quality-certification-and-isolated-wetland-permits

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so by email to epa.dswcomments@epa.ohio.gov or writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within thirty days of the date of this public notice.

To request a reasonable accommodation due to a disability, visit:
https://epa.ohio.gov/ada
April 3

NOTARIAL SEAL STATE OF OHIO
HILERY M. KAUFFMAN
NOTARY PUBLIC, STATE OF OHIO
ASHTABULA COUNTY
My Comm. Expires Sept. 29, 2026

Department of Natural Resources
ohiodnr.gov

Mike DeWine, *Governor*
Mary Mertz, *Director*

Office of Real Estate & Land Management
Tara Paciorek - Chief
2045 Morse Road – E-2
Columbus, Ohio 43229-6693

January 29, 2025

[redacted]

Re: 25-0015_Ashtabula Harbor Western Breakwater Repair

Project: The proposed project involves repairing approximately 620 feet of the Ashtabula Harbor's western breakwater, beginning north of the historic lighthouse.

Location: The proposed project is located in Ashtabula, Ashtabula 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.

Natural Heritage Database: The Natural Heritage Database has the following data within one mile of the project area:

Alpine Rush (*Juncus alpinoarticulatus*), E
Inland Beach Pea (*Lathyrus japonicus*), T
Deer's-tongue Arrowhead (*Sagittaria rigida*), P
Spotted Gar (*Lepisosteus oculatus*), E
Beach-dune plant community

Conservation status abbreviations are as follows: E = state endangered; T = state threatened; P = state potentially threatened; SC = state species of concern; SI = state special interest; U = state status under review; X = presumed extirpated in Ohio; FE = federally endangered, and FT = federally threatened. Records for high quality plant communities indicate the presence of sites that are in our inventory of the best remaining examples of Ohio's pre-settlement ecosystems.

The review was performed on the specified project area as well as an additional one-mile radius. Records searched date from 1980. Features searched include locations of rare and endangered plants

and animals determined to be of value to the conservation of their species, high quality plant communities, animal breeding assemblages, and outstanding geological features.

The species and feature listed above are not recorded within the boundaries of the specified project area. However, please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for an area is not a statement that rare species or unique features are absent from that area.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.

The entire state of Ohio is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species, the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally endangered species, the little brown bat (*Myotis lucifugus*), a state endangered species, and the tricolored bat (*Perimyotis subflavus*), a state endangered species. During the spring and summer (April 1 through September 30), these species of bats predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in the leaves. However, these species are also dependent on the forest structure surrounding roost trees. If trees are present within the project area, and trees must be cut, the DOW recommends cutting only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH ≥ 20 if possible. If trees are present within the project area, and trees must be cut during the summer months, the DOW recommends a mist net survey or acoustic survey be conducted from June 1 through August 15, prior to any cutting. Mist net and acoustic surveys should be conducted in accordance with the most recent version of the "*OHIO DIVISION OF WILDLIFE GUIDANCE FOR BAT SURVEYS AND TREE CLEARING*". If state listed bats are documented, DOW recommends cutting only occur from October 1 through March 31. However, limited summer tree cutting may be acceptable after consultation with the DOW [redacted]

The DOW also recommends that a desktop habitat assessment is conducted, followed by a field assessment if needed, to determine if a potential hibernaculum is present within the project area. Direction on how to conduct habitat assessments can be found in the current USFWS "*RANGE-WIDE INDIANA BAT & NORTHERN LONG-EARED BAT SURVEY GUIDELINES*." If a habitat assessment finds that a potential hibernaculum is present within 0.25 miles of the project area, please send this information to Eileen Wyza for project recommendations. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile tree cutting and subsurface disturbance buffer around the hibernaculum entrance, however, limited summer or winter tree cutting may be acceptable after consultation with the DOW. If no tree cutting or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.

The project is within the range of the following listed fish species.
State Endangered
northern brook lamprey *(Ichthyomyzon fossor*)
spotted gar (*Lepisosteus oculatus*)

State Threatened
channel darter (*Percina copelandi*)

The DOW recommends no in-water work from March 15 through June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed, this project is not likely to impact these or other aquatic species.

The project is within the range of the eastern massasauga (*Sistrurus catenatus*), a state endangered and a federally threatened snake species. The eastern massasauga uses a range of habitats including wet prairies, fens, and other wetlands, as well as drier upland habitat. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the smooth greensnake (*Opheodrys vernalis*), a state endangered species. This species is primarily a prairie inhabitant, but also found in marshy meadows and roadside ditches. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

The project is within the range of the spotted turtle (*Clemmys guttata*), a state threatened species. This species prefers fens, bogs and marshes, but also is known to inhabit wet prairies, meadows, pond edges, wet woods, and the shallow sluggish waters of small streams and ditches. Due to the location, the type of habitat within the project area, and the type of work proposed, this project is not likely to impact this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.

Geological Survey: The Division of Geological Survey has the following comment.

This project involves the repair of the northern 620 feet of the Ashtabula Harbor western breakwater. Several breaches exist in the current structure, and the project proposes to add new stone along the deteriorated portions of the northern end of the breakwater in order to enhance protection of the harbor from significant storms/waves. The Division of Geological Survey has no objections to this project.

Coastal Management: The Office of Coastal Management has the following comment.

Pursuant to the Coastal Zone Management Act of 1972 and its corresponding federal regulations, a U.S. Army Corps of Engineers permit may not be issued in Ohio's designated Coastal Area until a Federal Consistency concurrence is issued by ODNR. Projects in Lake Erie frequently require an ODNR Shore Structure Permit and Submerged Lands Lease, as well as other authorizations, prior to a Federal Consistency concurrence being issued. For additional information, refer to the Ohio Federal Consistency website.

Water Resources: The Division of Water Resources has the following comment.

If the subject project is in a floodplain regulated by the Federal Emergency Management Agency (FEMA), the local local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals. The FEMA National Flood Hazard Layer (NHFL) Viewer website can be utilized to see if the project is in a FEMA regulated floodplain. If the project is not in a FEMA regulated floodplain, then no further action is required.

ODNR appreciates the opportunity to provide these comments. [redacted]

Expiration: *ODNR Environmental Reviews are typically valid for 2 years from the issuance date. If the scope of work, project area, construction limits, and/or anticipated impacts to natural resources have changed significantly from the original project submittal, then a new Environmental Review request should be submitted.*

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ohio Ecological Services Field Office
4625 Morse Road, Suite 104
Columbus, OH 43230-8355
Phone: (614) 416-8993 Fax: (614) 416-8994

In Reply Refer To: 12/12/2024 20:29:27 UTC
Project Code: 2025-0031317
Project Name: Ashtabula Western Breakwater Repair

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

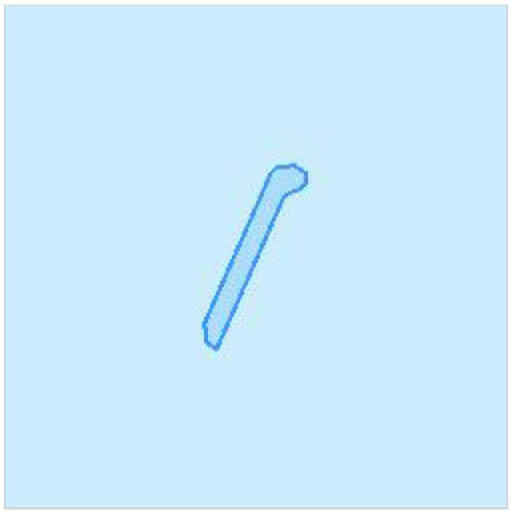
Ohio Ecological Services Field Office
4625 Morse Road, Suite 104
Columbus, OH 43230-8355
(614) 416-8993

PROJECT SUMMARY

Project Code: 2025-0031317
Project Name: Ashtabula Western Breakwater Repair
Project Type: Breakwaters - Maintenance/Modification
Project Description: Ashtabula Harbor is located on the south shore of Lake Erie at the mouth of the Ashtabula River, 59 miles east of Cleveland Harbor and 15 miles west of Conneaut Harbor, Ohio (41°55'10.5"North 80°47'42.9"West) (Figure 1). Ashtabula Harbor has a pair of east and west arrowhead breakwaters that converge and protect the mouth of the Ashtabula River from wave action on Lake Erie. The west breakwater runs northeast and has a length of 7,890 feet, while the east breakwater runs northwest and has a length of 4,340 feet. Between 2016 and 2023, the Great Lakes Breakwater Assessment Team (BAT) inspected the Ashtabula Harbor structures, documenting conditions by video and still photographs. The inspection found the areas between the two lighthouses showed breaching and an observable amount of armor stone loss along the lakeside. This project would repair the western breakwater structure through the use of rubble-mound overlay. The repair is expected to begin in July of 2025 . For further information regarding the project's scope of work, please see the National Environmental Protection Act (NEPA) scoping information document attached.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.9194388,-80.79540074275315,14z



Counties: Ashtabula County, Ohio

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat *Myotis sodalis*	Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/5949

BIRDS

NAME	STATUS
Rufa Red Knot *Calidris canutus rufa*	Threatened

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/1864

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9743

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

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

January 6, 2025

Project Code: 2025-0031317

Dear [redacted]:

The U.S. Fish and Wildlife Service (Service) received your recent correspondence requesting information about the subject proposal. We offer the following comments and recommendations to assist you in minimizing and avoiding adverse effects to threatened and endangered species pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq), as amended (ESA).

Federally Threatened and Endangered Species: Due to the project, type, size, and location, we do not anticipate adverse effects to federally endangered, threatened, or proposed species or proposed or designated critical habitat. If there are any project modifications during the term of this action, or additional information for listed or proposed species or their critical habitat becomes available, or if new information reveals effects of the action that were not previously considered, then please contact us for additional project review.

If you have questions, or if we can be of further assistance in this matter, please contact our office at (614) 416-8993 or ohio@fws.gov.

Sincerely,

[redacted]

From: [redacted]
To: [redacted]
Subject: [Non-DoD Source] RE: NHPA Section 106 Correspondence: Ashtabula Harbor, USACE Western Breakwater Repair
Date: Thursday, January 23, 2025 12:03:37 PM

Received, will get logged in for review.

Thank you!

[redacted]

-

Did you know the Ohio SHPO now accepts electronic-only submissions for state and/or federal review under Section 106 and ORC 149.53? Please send your submissions to section106@ohiohistory.org. We have also updated our web site (https://www.ohiohistory.org/preserving-ohio/federal-state-reviews/).

From: [redacted]
Sent: Thursday, January 23, 2025 10:57 AM
To: Section 106 <Section106@ohiohistory.org>
Subject: FW: NHPA Section 106 Correspondence: Ashtabula Harbor, USACE Western Breakwater Repair

> [redacted]

Hello,

I am forwarding this email as I previously made a mistake while attempting to begin correspondence for NHPA section 106. Somehow I previously emailed 106@ohiohistory.org not section106@ohiohistory.org .

"To whom it may concern

I am reaching out to you today to begin the process of correspondence for NHPA section 106 for the United States Army Corps of Engineers (USACE) repair of the Ashtabula Western breakwater. I have already begun the process of correspondence with the tribes in the area that may be affected by this project, or have culturally significant areas near the project area.

Attached within this document is a copy of the project's preliminary determination of effects and National Environmental Protection Act scoping information document. I have also included the information I received from [redacted] for this project. If you have any further questions or require further information past what I have supplied, please feel free to reach out to me at this

email. I am the biologist for this project, and I am the individual handling all NHPA correspondence. “

Since this email I have also had brief correspondence with [redacted] regarding the shipwrecks in the area, which are outside of the area of potential effect. On the day I sent this email I had also sent a letter through mail to OSHPO. I’m aware now that section 106 correspondence only occurs electronically, but if received, the letter does contain the same information that is included in this email.

Please do let me know if further information is required to complete your review.

Thank you for your time and I apologize for the mistake on my end delaying the correspondence,

[redacted]

From: [redacted]
Sent: Monday, December 23, 2024 11:24 AM
To: 106@ohiohistory.org
Subject: NHPA Section 106 Correspondence: Ashtabula Harbor, USACE Western Breakwater Repair

To whom it may concern

I am reaching out to you today to begin the process of correspondence for NHPA section 106 for the United States Army Corps of Engineers (USACE) repair of the Ashtabula Western breakwater. I have already begun the process of correspondence with the tribes in the area that may be affected by this project, or have culturally significant areas near the project area.

Attached within this document is a copy of the project’s preliminary determination of effects and National Environmental Protection Act scoping information document. I have also included the information I received from [redacted] for this project. If you have any further questions or require further information past what I have supplied, please feel free to reach out to me at this email. I am the biologist for this project, and I am the individual handling all NHPA correspondence.

Thank you for your time,

[redacted]

In reply, refer to:
2024-ATB-63725

March 4, 2025

[redacted]

RE: Ashtabula Harbor Western Breakwater Repair, Ashtabula, Ohio

Dear [redacted]:

This is in response to your correspondence, received on January 3, 2025, with additional information received on January 23 and 28, 2025, regarding the above-referenced project. The comments of the Ohio State Historic Preservation Office (SHPO) are made in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 306108 [36 CFR 800]).

We have received the submitted information regarding the U.S. Army Corps of Engineers' proposed repair of the Ashtabula Harbor Western Breakwater. The applicant proposed installing rubble mound overlay along deteriorated portions of the breakwater at the Ashtabula Harbor Western Breakwater. The submission identified one National Register of Historic Places (NRHP) resource within the APE: the Ashtabula Harbor Light (NR ref. 83001943). Based on available information, it is our opinion that the breakwater repair will not cause an adverse effect to the identified historic structure. No archaeological sites have been documented within the direct APE. Based on our database, previous disturbances to the project area, and the scope of the project, it is the SHPO's opinion that, as proposed, the project would have no effect on historic properties. According to your January 3, 2025, letter, the Corps determined that the proposed rubble mound overlay/breakwater repair will have no adverse effect on historic/cultural resources. We concur with these findings. This review decision may not extend to other SHPO programs. No further coordination is required for this project unless the scope of work changes or archaeological remains are discovered during the course of the project. In such a situation, this office should be contacted as required by 36 CFR § 800.13.

If you have any questions, please contact me at [redacted] or [redacted]
Thank you for your cooperation.

Sincerely,

[redacted]

"Please be advised that this is a Section 106 decision. This review decision may not extend to other SHPO programs."

RPR Serial No: 1107614

From: [redacted]
To: Ashtabula_Harbor_West_Breakwater_Repair
Subject: [Non-DoD Source] Public Comment // Ashtabula Harbor Western Breakwater Repair
Date: Friday, December 20, 2024 1:38:40 PM

I totally support the repair of the West Breakwater in the Ashtabula Harbor. Thank you for your excellent service.

[redacted]

U.S. ARMY CORPS OF ENGINEERS
OPERATIONS AND MAINTENANCE

ASHTABULA WEST BREAKWATER REPAIR

ASHTABULA HARBOR
ASHTABULA COUNTY, OHIO

APPENDIX B: 404(b)(1)

CLEAN WATER ACT SECTION 404(b)(1) EVALUATION
ASHTABULA WEST BREAKWATER REPAIR

OPERATIONS AND MAINTENANCE
CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO

March 2025

Section 404(b)(1) of the Clean Water Act (33 USC 1344) requires that discharge sites and dredged fill material proposed for discharge into waters of the United States be evaluated through the application of guidelines developed by the Administrator of the U.S. Environmental Protection Agency (USEPA) in conjunction with the Secretary of the Army. The purpose of this Section 404(b)(1) Evaluation is to assess any affect that may result from placing fill material into a water of the United States, pursuant to Section 404 of the Clean Water Act.

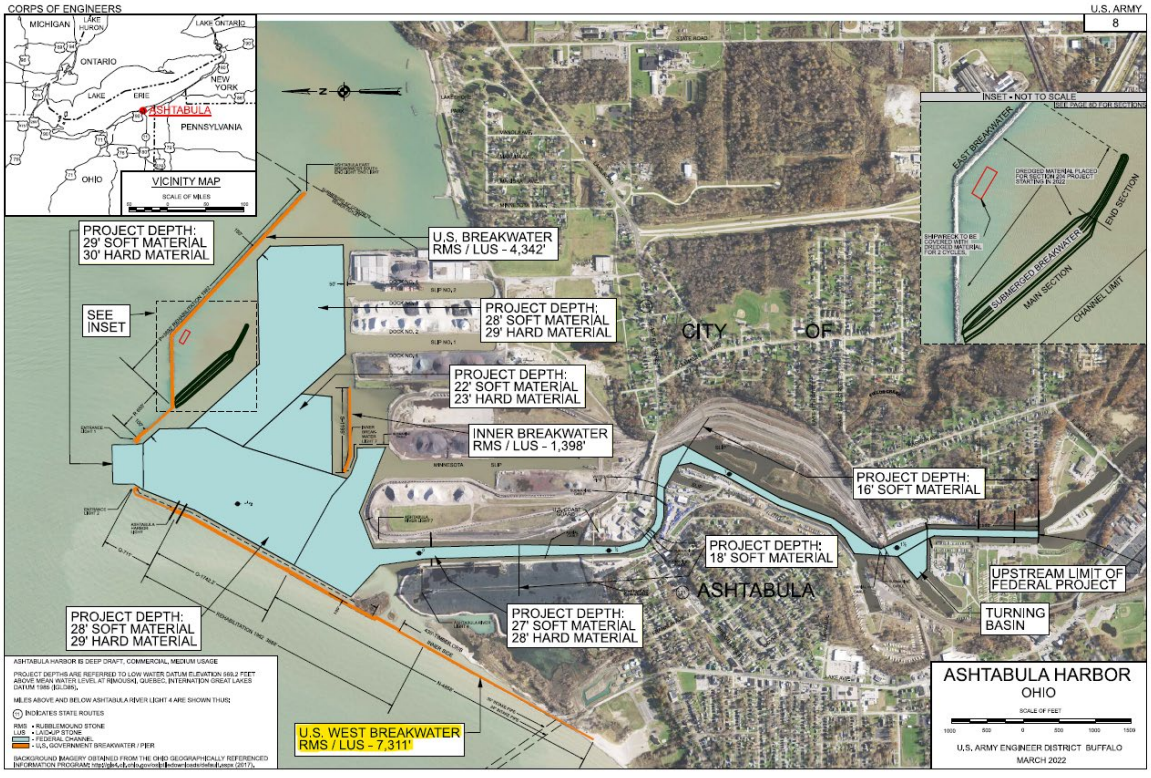
1. PROJECT DESCRIPTION

1.1 Location

The proposed repair project is located on the Ashtabula West Breakwater (AWBW) within Ashtabula Harbor. Ashtabula Harbor lies on the southern shore of Lake Erie at the mouth of the Ashtabula River, 59 miles east of Cleveland Harbor and 15 miles west of Conneaut Harbor (Figure 1).

Figure 8: Ashtabula Harbor overall structures map

1.2 General Description



Construction of the east and west breakwaters at Ashtabula Harbor was initially authorized by the Rivers and Harbors Act of 1896. Official construction of the east and west breakwaters began in 1898. That same year, the construction of a 432-foot section, made of timber, of the western breakwater was completed. Construction of the rubblemound breakwaters began in

1899 and was not completed until 1909. Extensions and repairs continued until 1915. In 1926, less than 30 years after its construction, major deterioration above the water line occurred prompting construction of riprap reinforcement along its lakeward side. Thus, the west breakwater is at risk of no longer providing adequate protection to the interior of Ashtabula Harbor from severe lake storms and waves. Repair of this structure is necessary to restore the breakwater so it can provide adequate protection to the Ashtabula Harbor navigation channel and shoreline.

1.3 Alternatives Considered

It is USACE policy to consider all practicable and relevant alternative measures, including the no action alternative. Multiple alternatives were evaluated.

The Preferred Action Alternative involves a rubble-mound overlay at a 1V (vertical) on 2H (horizontal) slope along the lakeside of the existing structure up to the design crest elevation of +10 feet low water datum (LWD)[1]. The project would include placement of new stone along deteriorated portions of the breakwater up to the crest elevation. The head of the structure is vulnerable to high wave energy requiring an armor stone 8-ton to 17-ton (with a slope of 1V:2H). The remainder of the AWBW is known as the "trunk" of the breakwater and requires a smaller armor stone of 5.3-ton to 12-ton (side slope 1V:2H). This alternative's reach extends from Station 40+00 to Station 46+21 and will wrap around the northern end of the northern lighthouse. The repair footprint has been broken up into four repair zones: zone 1 is station 40+00 to 41+50, zone 2 is station 41+75 to 42+00, zone 3 is station 42+25 to 44+25, and zone 4 is station 44+25 to 46+21 (Figure 2).

Alternatives considered include the following:

a) *Rubblemound Overlay* – This alternative would consist of a leveling course of underlayer stone and covered with large armor placed at a slope of 1V:3H. This alternative was screened out due to the resulting larger project footprint and higher cost from more stone tonnage. The footprint of this alternative is approximately 1.9 acres, while the proposed action would result in a smaller footprint (1.6 acres). Both designs are structurally sound and would dissipate wave energy at Ashtabula Harbor effectively. However, since the proposed design resulted in a smaller project footprint (by 0.3 acres), it was determined to be the minimal design necessary to effectively repair the structure and was thus carried forward to final design. Additionally, this alternative would require additional stone tonnage due to the larger acreage. This alternative was screened out due to the resulting larger project footprint and higher costs associated with the larger amount of stone.

The no action alternative was also considered, but not recommended as it would not meet the project objective of returning function to the AWBW.

1.4 General Description of Fill Materials

1.4.1 General Characteristics of Material. The primary material used to construct the project will be quarry stone of various sizes ranging from large armor stone to small cobbles. The existing breakwater will be repaired with 5.3 – 17 ton irregularly shaped new quarry stone of medium diameter (5.2 feet). The underlayer stone will be 0.3 – 1.7 ton irregularly shaped stone of small diameter (2.35 feet). Stone will likely be limestone, as this type is usually available in this area.

1 Low Water Datum (LWD) for Lake Erie is 569.2 feet above mean sea level at Rimouski, Quebec, Canada (International Great Lakes Datum 1985).

1.4.2 Quantity of Material

Project construction would involve the use of 4,127 cubic yards of armor stone for the north and south tie-in. The underlayer of the north and south tie-in would require the use of 820 cubic yards of stone.

Table 5: Proposed placement of stone in bedding layer, underlayer, and armor layer of AWBW

TOTAL FOOTPRINT Repair AREA (Zones 1-4): 1.56 acres

Zone	Section	Stations	Stone Type	Gradation	Tons	Add 25% more bedding stone for displacement of lake bed during construction(1) (tons)	10 % contingency (armor and underlayer only) Tons	Total (tons)
1	Trunk	40+00 to 41+75	Armor	5.3 - 12 ton quarry stone	2873		287	3160
			Underlayer	0.3 - 1.2 ton	97		10	107
			Bedding	ODOT type C dump rock fill	485	121		606
2	Trunk	41+75 to 42+00	Armor	5.3 - 12 ton quarry stone	1450		145	1595
			Underlayer	0.3 - 1.2 ton	158		16	174
			Bedding	ODOT type C dump rock fill	247	62		309
3	Trunk	42+00 to 44+25	Armor	5.3 - 12 ton quarry stone	5927		593	6520
			Underlayer	0.3 - 1.2 ton	657		66	723
			Bedding	ODOT type C dump rock fill	899	225		1124
				ZONES 1 - 3 (all same Armor and Underlayer Gradation)			ARMOR	11275
							UNDERLAYER	1003
							Bedding (TYPE C ODOT)	2039
4	Head	44+25 to 46+25	Armor	8-17 ton quarry stone	7946		795	8740
			Underlayer	0.5 - 1.7 ton	1259		126	1385
			Bedding	ODOT type C dump rock fill	1799	450		2249

Notes: (1) Per recommendation from Geotechnical Appendix June 2024, Additional bedding stone is needed to account for initial displacement of lake bed sediments during placement of stone/ construction.

Type C

Type C material has at least 85 percent of the total material by weight larger than a 6-inch (150 mm) but less than an 18-inch (0.5 m) square opening and at least 50 percent of the total material by weight larger than a 12-inch (0.3 m) square opening. Furnish material smaller than a 6-inch (150 mm) square opening that consists predominantly of rock spalls and rock fines, and is that free of soil.

TOTAL FOOTPRINT Repair AREA (Zones 1-4): 1.56 acres

Station 40+00 to 46+25 (Whole structure)

Repair Zone	Armor (CY) includes void space	Underlayer (CY) includes Void Space	Bedding (CY) includes void space
1 to 4	14042	1649	2936

Station 40+00 to 46+25 (Below OHWM +4.2 ft LWD)

Repair Zone	Armor (CY) includes void space	Underlayer (CY) includes Void Space	Bedding (CY) includes void space
1 to 4	9408	1649	2936

1.4.3 Source of Material

The primary material used to construct the repair would be locally-sourced new quarried stone.

1.5 Description of the Proposed Discharge Site

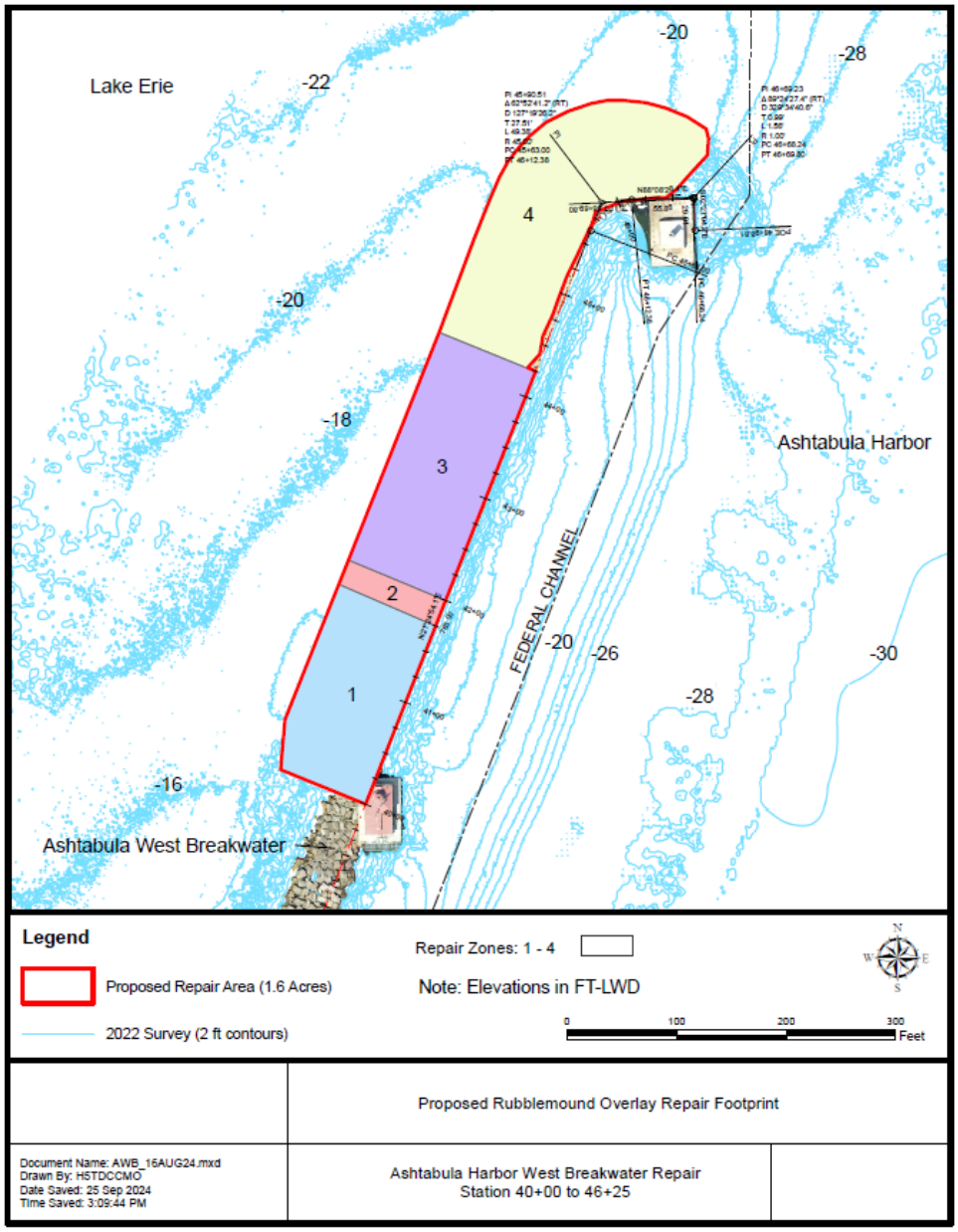
1.5.1 Location

The discharge location consists of the existing breakwater as described in sections 1.1 – 1.2.

1.5.2 Size

The area of breakwater repair encompasses about 600 linear feet. The acreage of the proposed repair is 1.6 acres (Figure 2).

Figure 2: Ashtabula Western Breakwater proposed repair footprint with sections



1.5.3 Type of Site
The substrate types range in size through the project area. Large block breakwater stone is present near the toe of the breakwater. Moving away from the breakwater the substrate type transitions into smaller breakwater bedding stone intermixed with larger stone that has been moved or heaved from the breakwater over time. Once away from the toe of the breakwater, a diversity of substrate types exist including: boulder fields, cobble, gravel, spent/live dreissenid flats and sand flats. The distribution of the various benthic substrate types has a patchy distribution. In general, substrate relief (rugosity) decreases moving farther away from the breakwater and the substrate type away from the breakwater consists of live/spent dreissenid, cobble, or sand flats. A thin layer of silt can be found over most substrate types throughout the below water site.

Nearly all exposed hard substrates are colonized by live dreissenids (*Dreissena* spp.) and most surfaces are covered with green algae (*Cladophora glomerata*). Other than green algae, submerged aquatic vegetation is absent from the construction site. This is likely a result of the high wave energy and ice-scour events experienced in this area, lack of soft sediments, and unsuitable depths.

1.5.4 Timing and Duration of Discharge
Construction will be scheduled outside of the in-water work restriction period at Ashtabula Harbor to avoid impacts to fishing resources and spawning activity in the area. This period runs from September 15 to June 30.

1.6 Description of Discharge Method

A contractor of the federal government would accomplish the project. Armor stone will be placed using a floating plant and crane and/or excavator.

2. Factual Determinations

The construction materials to be used are chemically inert and physically immobile under existing conditions. These characteristics eliminate the possibility of chemical-biological interaction, and any testing specified under Section 230.61 of the Code of Federal Regulations is not applicable in this instance.

2.1 Physical Substrate Determinations

2.1.1 Substrate Elevation and Slope
Substrate elevation, contours, and slope will be altered— by design—through construction of the breakwater rubblemound repair in order to achieve viable long-term effectiveness. A rubble-mound overlay at a 1V (vertical) on 2H (horizontal) slope along the lakeside of the existing structure up to the design crest elevation of +10 feet LWD.

2.1.2 Sediment Type
Lakebed substrates consist of a mix of substrates, from large armor stone, to gravel, to sand, and silt.

2.1.3 Fill Material Movement
The armor stone and underlayer stone are intentionally designed to “lock” into place and be resistant to storm driven wave action, seiches, and ice scour. Over time, some of the stones may be mobilized or heaved from their locations due to the high-energy system. However, it is not anticipated that the materials would move beyond the project area.

2.1.4 Physical Effects on Benthos
The placement of fill would adversely affect bottom-dwelling organisms at the site by direct burial of immobile forms or forcing mobile forms to migrate from the area temporarily. However, the submerged portions of the proposed armor stone would increase benthic habitat diversity and may increase the diversity of local benthic communities.

2.1.5 Other Effects
Some compaction of the existing substrate would occur as a result of the project construction.

2.1.6 Actions Taken to Minimize Impacts
Stone sizes for the proposed project have been selected to provide the required protection from wave action, remain stable under anticipated conditions while minimally impacting the existing conditions.

2.2 Water Circulation and Salinity Determinations

2.2.1 Water
a. Salinity – Not applicable.

b. Water Chemistry – No significant effect.

c. Clarity – Construction activities would result in a short-term, localized, increase in turbidity.

d. Color – Water color at the project site would be temporarily altered during construction activities.

e. Odor – No significant effect.

f. Taste – No effect.

g. Dissolved Gas Levels – No effect.

h. Nutrients – No effect.

i. Eutrophication – No effect.

2.2.2 Current Patterns and Circulation
a. Current Pattern and Flow – No effect.

b. Velocity – The project will have no effect on water velocities.

c. Stratification – The project will raise the bottom elevation of the lakebed, thereby reducing stratification of the lake in the immediate vicinity. The waters will be shallower, thereby attracting fish species and other organisms suited to shallow water depths.

d. Hydrologic regime – No effect.

2.2.3 Normal Water Level Fluctuations
No effect.

2.2.4 Salinity Gradients
Not applicable.

2.2.5 Actions Taken to Minimize Impacts
The contractor will be required to restrict the construction activities within the boundaries of the proposed work area and minimize spillage of materials outside the work area. The contractor would further be required to minimize accidental spills of fuel, oil, and/or grease, and take appropriate actions in the event of a release.

2.3 Suspended Particulate/Turbidity Determinations

2.3.1 Effects on Chemical and Physical Properties of the Water Column
a. Light Penetration – Construction activities and resultant turbidity increases would temporarily decrease light penetration at the project site.

b. Dissolved Oxygen – No significant effect.

c. Toxic Metals and Organics – No significant effect.

d. Pathogens – No effect.

e. Aesthetics – Increased turbidity in the project area may be temporarily aesthetically displeasing. However, the turbidity plume generated should be localized and will dissipate before affecting widespread areas.

2.3.2 Effects on Biota

a. Primary Production and Photosynthesis – No aquatic macrophytes have been visually identified in the project area, but periphytic algal species are likely to colonize benthic substrates. Temporary increases in turbidity and suspended solids generated during project construction may cause minor decreases in primary production and photosynthesis. If residing at the project location, aquatic macrophytes and periphytic algal species may be covered as a result of construction activities but would rapidly recolonize post-construction.

b. Suspension/Filter Feeders – The increased localized turbidity caused by construction activities may temporarily disrupt suspension/filter feeder activities. These effects are expected to be minor and short-term. Filter feeders will likely resume their normal patterns of behavior following completion of construction.

c. Sight Feeders - The increased localized turbidity caused by construction activities may temporarily disrupt sight feeder activities. These effects are expected to be minor and short-term. Sight feeders will likely resume their normal patterns of behavior following completion of construction.

2.3.3 Actions Taken to Minimize Impacts

The contractor would be required to restrict the construction activities within the boundaries of the proposed work area and minimize the spillage of materials outside of the work area. The contractor would further be required to minimize accidental spills of fuel, oil, and/or grease, and take appropriate actions in the event of a release. The construction period will be scheduled outside of the Ashtabula Harbor environmental window (September 15 - June 30) to avoid impacts to fishing resources in the area.

2.4 Contaminant Determinations

The construction materials would not introduce, relocate, or increase any contaminants.

2.5 Aquatic Ecosystems and Organisms Determinations

2.5.1 Effects on Plankton

Only short-term minor adverse impacts would be expected to occur on plankton. These impacts are due to limited, temporary increases in turbidity and suspended solids during project construction.

2.5.2 Effects on Benthos

The placement of fill material on the lake bed would cover and/or destroy immobile bottom-dwelling organisms. However, the varying stone sizes would maintain local benthic habitat diversity.

2.5.3 Effects on Nekton

Free-swimming aquatic organisms would temporarily avoid the project area during the construction period. Submerged portions of the proposed project would provide improved feeding and shelter habitat for these species.

2.5.4 Effects on Aquatic Food Web

Only minor, temporary effects on food webs are expected at the project site, primarily due to the mortality of some benthic organisms as discussed in paragraph 2.1.4. Other effects would reflect the mortalities of plankton and nekton from physical impacts. Rapid re-colonization of the project site is anticipated.

2.5.5 Effects on Special Aquatic Sites

a. Sanctuaries and Refuges – Not applicable.

b. Wetlands – No wetlands would be affected by the proposed project.

c. Mud Flats – Not applicable.

d. Vegetated Shallows – Not applicable.

e. Coral Reefs – Not applicable.

f. Riffle and Pool Complexes – Not applicable.

2.5.6 Threatened and Endangered Species

Based on the review of available environmental data and consultation with the U.S. Fish and Wildlife Service, it has been determined that the proposed project would not affect any species proposed or designated by the U.S. Department of the Interior as threatened or endangered (T&E), nor would it affect the critical habitat of any such species. The proposed projects lie within the range of the federal T&E species listed below.

Following each species listed below is the USACE determination of effect:

- Red knot (*Calidris canutus*)– Threatened. Suitable habitat consists of dry tundra areas with sparsely vegetated hillsides for breeding, and intertidal, marine habitats, especially near coastal inlets, estuaries, and bays. Further, red knots need to encounter these favorable habitat, food, and weather conditions within narrow seasonal windows as the birds travel along migratory stopovers between wintering and breeding areas.

  USACE Effects Determination: The proposed project area does not contain suitable habitat for this species. Therefore, the proposed project would have no effect on the red knot.

- Monarch butterfly (*Danaus plexippus*)– Candidate. Milkweed and other flowering plants are needed for monarch habitat. Adult monarchs feed on the nectar of many flowers during breeding and migration, but they can only lay eggs on milkweed plants. For overwintering monarchs, habitat with a specific microclimate is needed for protection from the elements, as well as moderate temperatures to avoid freezing. These conditions vary between populations. For the eastern North American population, most monarchs overwinter in Oyamel fir tree roosts located in mountainous regions in central Mexico at an elevation of 2,400 to 3,600 meters. Monarchs living west of the Rocky Mountain range in North America primarily overwinter in California at sites along the Pacific Coast, roosting in eucalyptus, Monterey pines and Monterey cypress trees.

  USACE Effects Determination: The proposed project area does not contain suitable habitat or flowering plants for this species. Therefore, the proposed project would have no effect on the monarch butterfly.

- Indiana bat (*Myostis sodalis*)– Threatened. The Indiana bat annual life cycle includes four major phases: 1) winter hibernation, 2) spring migration, 3) a summer maternity period, and 4) fall migration/swarming. In general, this species hibernates from October through April, depending upon local weather conditions. They form large, single-layer clusters on cave ceilings in densities ranging from 300-500 bats/square foot.

  After hibernation ends in late March or early April, they migrate to summer roosts. Summering bats typically day roost under exfoliating bark of trees in riparian, bottomland, and upland forests. Roost trees are most often snags. However, live shaggy bark trees such as hickory, ash, oak, elm, pine, hemlock, and others, are also used. It appears that roost trees are chosen based on structure, rather than species.

The bats forage in forested stream corridors, upland and bottomland forests, and over impounded bodies of water. They tend to avoid vast open spaces, so wooded corridors linking roosting sites with foraging areas are important in areas where forests are fragmented. Indiana bats generally do not show preference to particular tree species, but rather prefer to roost in trees that provide suitable roosting features, such as crevices and exfoliating bark.

USACE Effects Determination: The proposed project area does not contain suitable habitat for this species. Therefore, the proposed project would have no effect on the Indiana bat.

Given the project type, location, and on-site habitat, the project would result in no effect to these species. The project was coordinated with the USFWS on December 2, 2024, through the National Environmental Policy Act (NEPA) scoping process. In an email dated January 6, 2025, USFWS stated that, "due to the project, type, size, and location, [USFWS] [does] not anticipate adverse effects to federally endangered, threatened, or proposed species or proposed or designated critical habitat."

2.5.7 Other Wildlife

Disruption and disturbance by equipment during construction activities would result in a short-term avoidance of the project area by local wildlife species; however, there would be no significant long-term impact to wildlife or habitat in the project area.

2.5.8 Actions Taken to Minimize Impacts

The contractor would be required to restrict the construction activities within the boundaries of the proposed work area and minimize the spillage of materials outside of the work area. The contractor would further be required to minimize accidental spills of fuel, oil, and/or grease, and take appropriate actions in the event of a release. No construction equipment would be permitted to enter the water prior to being steam-washed to remove any oil, grease, or other contaminants from the construction vehicles. Spawning and nesting dates will be observed, and no construction activities will take place during these periods. The construction period will be scheduled outside of the Ashtabula Harbor environmental window (September 15 - June 30) to avoid impacts to aquatic resources in the area.

2.6 Proposed Discharge Site Determinations

2.6.1 Mixing Zone Determination

Since the construction material would consist mainly of inert stone fill; a mixing zone determination would not be applicable for this project.

2.6.2 Determination of Compliance with Applicable Water Quality Standards

The proposed discharge complies with the State of Ohio's Water Quality Standards in that it would not introduce harmful or toxic conditions or substances. A Clean Water Act Section 401 Water Quality Certification was applied for on February 10, 2025, and would be granted pending the OEPA's favorable review of this Section 404(b)(1) Evaluation and Section 401 application.

2.6.3 Potential Effects on Human Use Characteristics

a. Municipal and Private Water Supply - No effect.

b. Recreational and Commercial Fisheries - The proposed construction activities would temporarily deter recreational fishing opportunities in the immediate project area. These effects are expected to be minor and temporary.

c. Water-Related Recreation - Water-related recreational opportunities would be temporarily unavailable in the immediate vicinity of the proposed project area during construction activities.

d. Aesthetics - The presence of construction equipment and its associated work areas would temporarily detract from the local aesthetic qualities of the project area. Construction activities would also temporarily increase turbidity in the river, thereby detracting from the appearance of the area.

e. Parks, National and Historical Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Preserves – No effects.

2.7 Determination of Cumulative Effects on the Aquatic Ecosystem

No significant cumulative impacts are expected to result from the implementation of the proposed project. The proposed project would have little long term local or cumulative impacts on water surface elevations or velocity.

2.8 Determination of Secondary Effects on the Aquatic Ecosystem

No effect.

2.9 Public Coordination

A NEPA scoping information package was distributed to applicable state and federal agencies, local officials, and Tribal Nations on December 23, 2024. No comments were received. Additionally, a Clean Water Act Section 404(a) public notice was distributed to applicable state and federal agencies, local officials, and Tribal Nations on May 21, 2025, requesting additional comment.

FINDING OF COMPLIANCE

ASHTABULA WEST BREAKWATER REPAIR
ASHTABULA HARBOR, LAKE ERIE

CITY OF ASHTABULA
ASHTABULA COUNTY, OHIO

1. No significant adaptations of the Section 404(b)(1) guidelines were made relative to this evaluation.

2. Alternative plans were evaluated for the proposed breakwater repair project. One alternative consisted of a leveling course of underlayer stone, covered with large armor placed at a slope of 1V:3H. This alternative was screened out due to the resulting larger project footprint and higher cost from more stone tonnage. The "No Action Plan" was also considered but was removed from consideration as it would result in the eventual failure of the AWBW. The proposed action would be the Least Environmentally Damaging Practicable Alternative (LEDPA).

3. The proposed placement of fill materials at the project site would not violate any applicable state water quality standards. The construction operation would not violate the Toxic Effluent Standards of Section 307 of the Clean Water Act.

4. Use of the selected fill site would not jeopardize the continued existence of any federal-listed threatened or endangered species or their designated critical habitat.

5. The proposed placement of fill material would not result in significant adverse effects on human health and welfare, including municipal and private water supplies, recreational and commercial fishing, plankton, fish, shellfish, wildlife, or special aquatic sites. The life stages of aquatic life and other wildlife should not be adversely affected. No significant adverse effects on aquatic ecosystem diversity, productivity and stability, or recreational, aesthetic and economic values would occur.

6. Appropriate steps to further minimize potential adverse impacts of the discharge on aquatic systems would be taken. During construction, the contractor would be required to minimize turbidity and accidental spills of fuels, oils, and/or greases, and take appropriate actions in the event of a release.

7. No public or agency comments have been received on this project in response to the Section 404(a) Public Notice; a Section 404(a) Public Notice will be distributed with this 404(b)(1) Evaluation on May 21, 2025, and any comments received in response will be considered.

8. On the basis of the guidelines, the proposed site for the discharge of fill materials is specified as complying with these guidelines.