

Date of Public Notice: **[DATE]**

Lake 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 U.S. Army Corps of Engineers (USACE) maintenance dredging project located in Fairport Harbor. The application was submitted by U.S. Army Corps of Engineers, Buffalo District. The project is located within the limits of the Federal navigation channel of Fairport Harbor, which is located on the southern shore of Lake Erie at the mouth of the Grand River (a major tributary to Lake Erie), and within the Grand River. The Buffalo District Corps of Engineers Public Notice Number for this project is FAIRPORT-14. The Ohio EPA ID Number for this project is 134275.

As required by the Antidegradation Rule, rule 3745-1-05 of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would dredge an estimated 650,000 cubic yards of sediment from the harbor with placement of the dredged material at the existing open-lake and near shore areas in Lake Erie. The applicant's proposed minimal degradation alternative, if approved, would dredge an estimated 350,000 cubic yards of sediment from the harbor, with placement of the dredged material at the existing open-lake and near shore areas in Lake Erie. The proposed project is scheduled to occur between June 15 and September 15 in an effort to minimize impacts to local environmental resources, primarily fisheries. Dredging will not occur during Lake Erie storm events. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie and the Grand River. Ohio EPA will review the application, and decide whether to grant or deny the application, 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. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting **[DATE OF PUBLICATION]**, copies of the application and technical support information may be inspected on Ohio EPA-DSW website:

www.epa.ohio.gov/dsw

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 in 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.

APPLICATION FOR OHIO EPA SECTION 401 WATER QUALITY CERTIFICATION

Effective October 1, 1996
Revised August, 1998

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

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

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

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

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

(See Application Primer for detailed instructions)

1. The federal permitting agency has determined this project: (check appropriate box and fill in blanks)
 - a. requires an individual 404 permit/401 certification- Public Notice # (if known) FAIRPORT-14
 - b. requires a Section 401 certification to be authorized by Nationwide Permit # _____
 - c. requires a modified 404 permit/401 certification for original Public Notice # _____
 - d. requires a federal permit under _____ jurisdiction identified by # _____
 - e. requires a modified federal permit under _____ jurisdiction identified by # _____

Enclosure 2

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

3. Name and address of applicant: Telephone number during business hours:
 Martin P. Wargo
 U.S. Army Corps of Engineers, Buffalo District
 1776 Niagara Street
 Buffalo, NY 14207-3199
() (Residence)
 (716) 879-4116 (Office)

3a. Signature of Applicant: *Martin P. Wargo* Date: 10/30/13

4. Name, address and title of authorized agent: Telephone number during business hours:
 Eric E. Hannes
 U.S. Army Corps of Engineers, Buffalo District
 1776 Niagara Street
 Buffalo, NY 14207-3199
() (Residence)
 (716) 879-4311 (Office)

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

Signature of Applicant: *Martin P. Wargo* Date: 10/30/13

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

Address:
 SEE ATTACHED CONTINUATION SHEET

Street, Road, Route, and Coordinates, or other descriptive location

Watershed	County	Township	City	State	Zip Code

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

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

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval	Date of Denial
SEE ATTACHED CONTINUATION SHEET					

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

8a. Activity: Describe the Overall Activity:

SEE ATTACHED CONTINUATION SHEET

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

SEE ATTACHED CONTINUATION SHEET

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

SEE ATTACHED CONTINUATION SHEET

9. Waterbody and location of waterbody or upland where activity exists or is proposed, or location in relation to a stream, lake, wetland, wellhead or water intake (if known). Indicate the distance to, and the name of any receiving stream, if appropriate.

SEE ATTACHED CONTINUATION SHEET

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

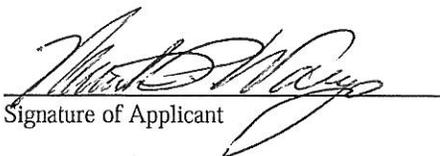
- Preferred Design (your project) and Mitigative Techniques
- Minimal Degradation Alternative(s) (scaled-down version(s) of your project) and Mitigative Techniques
- Non-Degradation Alternative(s) (project resulting in avoidance of all waters of the state)

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

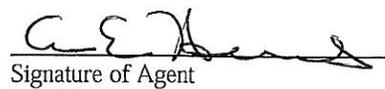
- 10a) Provide a detailed description of any construction work, fill or other structures to occur or to be placed in or near the surface water. Identify all substances to be discharged, including the cubic yardage of dredged or fill material to be discharged to the surface water. (OAC 3745-1-05(B)(2)(b))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

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

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


Signature of Applicant

10/30/13
Date


Signature of Agent

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

Do not send a certification processing fee with this application. The appropriate fee will be assessed when a certification is issued.

CONTINUATION SHEET

Application for OEPA Section 401 State Water Quality Certification

FAIRPORT HARBOR MAINTENANCE DREDGING PROJECT

5. The latitude/longitude of the dredging activity is 43°45'48"/081°16'42". The latitude/longitude of the center of the open-lake placement area is 41°49'03"/081°16'00". The latitude/longitude of the nearshore placement area is 41°46'33"/081°14'27".

7. Final Environmental Impact Statement (FEIS) for Operation and Maintenance of Fairport Harbor, Ohio

- < Issuing Agency - U.S. Army Corps of Engineers
- < Type of Approval - NEPA Documentation (Record of Decision)
- < Date of Application - January 1972
- < Date of Approval - November 1974

Supplemental Information Report and Section 404(b)(1) Evaluation for Operation and Maintenance, Fairport Harbor, Ohio

- < Issuing Agency - U.S. Army Corps of Engineers
- < Type of Approval - Section 404(b)(1) Evaluation
- < Date of Application - November 1982
- < Date of Approval - January 1983

8a. The project will entail the maintenance dredging of sediments from the authorized Federal navigation channels of Fairport Harbor, Lake County, Ohio. The channels will be dredged to the authorized depth. Up to an additional one foot of material may be removed to insure the minimum depth and account for dredging tolerance. The quality of the material has been assessed using 2011 sediment data in accordance with joint U.S. Environmental Protection Agency (USEPA)/USACE protocols contained in the Great Lakes Dredged Material Testing and Evaluation Manual (1998). Based on this evaluation, the Buffalo District has determined that all material in Fairport Harbor Federal navigation channels meets Federal guidelines, and is therefore suitable for open-lake placement. The dredged material will be discharged at an existing open-lake placement area in Lake Erie, located approximately 3.5 miles from the East Breakwater Light at an azimuth of 11°15'. Coarse-grain material dredged from the Entrance Channel will be discharged as littoral nourishment at a nearshore area located east of the harbor, directly northwest of Painesville-on-the-Lake. The proposed placement areas are depicted in Figures 1 and 2 of the project Section 404(a) Public Notice.

The project is scheduled to occur between 15 June and 15 September in an effort to minimize impacts to local environmental resources, primarily fisheries. The project will be accomplished by a Contractor of the Federal government. Sediments will be removed from the channel bottom

by a mechanical or hydraulic dredge and placed into hoppers aboard ship or scow for transport to the open-lake and nearshore placement areas. The project is described in further detail in the Public Notice.

8b. The purpose of the project is to maintain sufficient water depths for commercial navigation. This project was congressionally authorized by the 1825, 1896, 1905, 1919, 1927, 1930, 1935, 1937 and 1946 River and Harbor Acts. Fairport Harbor is a major shipping and receiving port as well as a Critical Harbor of Refuge. Fairport Harbor is the 101st leading port in the United States and is ranked 31st among Great Lakes Ports with a five year average (2006-2010) tonnage of 1.8M tons of material shipped and received. The harbor generates \$85M annually in direct revenue while supporting over 1,685 harbor related jobs that produce over \$109M per year in personal income. A loss of between one and two feet of channel depth would result in light loading costs of between \$218,000 and \$521,000 annually. If the harbor was closed to commercial traffic, commodities would have to be transported by rail and truck. This would increase annual emission rates by 20,814 tons of harmful particulate matter (PM-10) and increase costs by \$574,000 due to increased railroad related accidents, and \$2,198,000 due to increased trucking related accidents.

8c. Material in the Fairport Harbor Federal navigation channels consists primarily of silts and clays, with some sands. Approximately 350,000 cubic yards of sediments will be dredged from the harbor in 2014. All dredged material will be subsequently placed as described in Item 8a of this application. Additional information on the dredged material can be found in the attached Tiered Evaluation (Enclosure 6).

9. The dredging portion of the project is located in Fairport Harbor, which is located at the mouth of the Grand River (a major tributary to Lake Erie) and within the Grand River. The Grand River and Fairport Harbor are the receiving waters for the dredging activities. The dredged material placement areas are located in Lake Erie, as noted in Item 8a of this application. Therefore, Lake Erie is the receiving water for placement activities.

10. Information required under this item is included in the FEIS and Section 404(b)(1) Evaluation prepared for the project. The following is a summary of the information contained in these documents that apply to this item of the application:

10a. Descriptions.

(1) Preferred Design Alternative: Enclosure 5 shows an approximation of the areas to be dredged under this alternative. This alternative would entail the dredging of an estimated 650,000 cubic yards of material from the harbor with placement of the dredged material at the existing open-lake and nearshore areas in Lake Erie. The type of equipment used to complete the maintenance dredging operation would depend on the Contractor performing the work. In addition, dredging would not be performed during Lake Erie storm events. The project would take about 75 days to complete.

(2) Non-Degradation Alternative: This is the "No Action" alternative. No construction or filling of surface waters would occur as a result of this alternative.

(3) *Minimum Degradation Alternative*: Enclosure 4 shows an approximation of the areas to be dredged under this alternative. This alternative would entail the dredging of an estimated 350,000 cubic yards of material from the harbor with placement of the dredged material at the existing open-lake and nearshore areas in Lake Erie. The type of equipment used to complete the maintenance dredging operation would be determined by the Contractor performing the work. As a mitigative measure, the dredging operation would occur between 1 July and 15 September in order to minimize impacts to local environmental resources, primarily fisheries. In addition, dredging would not be performed during Lake Erie storm events. The project would take about 60 days to complete.

Note that the Minimum Degradation Alternative estimates dredging 300,000 cubic yards less than the Preferred Design Alternative. It is estimated that dredging activities specified in the Minimum Degradation Alternative will impact an estimated 72 acres (Enclosure 4), which is 15 acres less of channel bottom/habitat than the 87 acres that would be impacted under the Preferred Design Alternative (Enclosure 5) with an assumed shoal depth of three feet. The estimated "length" of Federal navigation channel (i.e., not actually stream) to be dredged under the Preferred Design and Minimum Degradation Alternatives are 11,300 and 8,300 linear feet, respectively. Note that the actual shoal depths cannot be determined until just before the dredging begins. In addition, shoal thickness will vary throughout the harbor and greatly depend on weather conditions. Therefore, the above figures are merely estimates regarding the acreage of Federal navigation channel to be dredged/impacted under either alternative.

10b. Water Quality Impacts.

(1) *Preferred Design Alternative*: The material that would be dredged under this alternative consists of sediments that have deposited in the Federal navigation channels since the last maintenance dredging effort. These types of sediments are homogenous and residually contaminated with pollutants that are ubiquitous throughout the Great Lakes. As such, these sediments are physically and toxicologically similar to those present in the Lake Erie environment. A characterization of this material is contained in the enclosed Tiered Evaluation (Enclosure 6). This alternative would result in a short-term, negligible lowering of ambient water quality, comparable to that which occurs during Lake Erie storm events. Dredging and dredged material placement activities would result in the excavation, smothering and mortality of benthic macroinvertebrates, and the temporary avoidance of work areas by fish and wildlife species (i.e., mostly waterfowl). Following dredging and dredged material placement activities, the benthic communities would recolonize the impacted areas, and fish and wildlife would return. The dredging area is quite industrialized, so benthic, fish and wildlife use of the water resource is limited; therefore, impacts in this regard would be minor. Dredging would not be performed during Lake Erie storm events. No impacts to threatened or endangered species are anticipated. The main water quality impacts would be the generation of turbidity and variation of dissolved oxygen levels in the water column.

(2) *Non-Degradation Alternative*: Since this alternative involves no construction or filling of surface waters, no lowering of water quality would result.

(3) Minimum Degradation Alternative: The material that would be dredged under this alternative consists of sediments that have deposited in the Federal navigation channels since the last maintenance dredging effort. These types of sediments are homogenous and residually contaminated with pollutants that are ubiquitous throughout the Great Lakes. As such, these sediments are physically and toxicologically similar to those present in the Lake Erie environment. A characterization of this material is contained in the enclosed Tiered Evaluation. This alternative would result in a short-term, negligible lowering of ambient water quality, comparable to that which occurs during Lake Erie storm events. Dredging and dredged material placement activities would result in the excavation, smothering and mortality of benthic macroinvertebrates, and the temporary avoidance of work areas by fish and wildlife species (i.e., mostly waterfowl). Following dredging and dredged material placement activities, the benthic communities would recolonize the impacted areas, and fish and wildlife would return. The dredging area is quite industrialized, so benthic, fish and wildlife use of the water resource is limited; therefore, impacts in this regard would be minor. Dredging would not be performed during Lake Erie storm events. The main water quality impacts would be the generation of turbidity and variation of dissolved oxygen levels in the water column. No impacts to threatened or endangered species are anticipated. The water quality impacts under this alternative, although similar in nature to those of the preferred design alternative, would be less due to the duration of the project, the reduction in the quantity of material dredged and the reduction in the linear feet and acreage of harbor impacted.

10c. Feasibility.

(1) Preferred Design Alternative: This alternative is technically feasible, as it involves routine maintenance dredging and dredged material placement procedures. Equipment is readily available to accomplish this type of work. The Benefit/Cost (B/C) ratio for this alternative with respect to commercial navigation in the harbor is greater than or equal to 1.0. Costs of this project have ranged from \$3.30 to \$7.75 in past years. Although this alternative is viable for commercial navigation, recurrent maintenance dredging needs of the Federal navigation channels, as required, would continue to marginally degrade water quality.

(2) Non-Degradation Alternative: Since this alternative involves no construction or filling of surface waters, this alternative is technically feasible and available, but would not be cost effective from a commercial navigation standpoint. Under this alternative, the Federal navigation channels would progressively shoal in and impede commercial navigation, which would result in an increased cost of commodities to the local community. Deep-draft commercial navigation in the harbor would become economically nonviable and gradually cease. As described in Section 8b above, this would negatively impact the \$85M in annual direct revenue and the 1,685 harbor related jobs that generate over \$109M per year in personal income. In addition, a loss of between one and two feet of channel depth would result in light loading costs of between \$218,000 and \$521,000 annually; and if the harbor was closed to commercial traffic, commodities would have to be transported by rail and truck. This would increase annual emission rates by 20,814 tons of harmful particulate matter (PM-10) and increase costs by \$574,000 due to increased railroad related accidents, and \$2,198,000 due to increased trucking related accidents.

(3) Minimum Degradation Alternative: This alternative is technically feasible, as it involves routine maintenance dredging and dredged material placement procedures. Equipment is readily available to accomplish this type of work. The Benefit/Cost (B/C) ratio for this alternative with respect to commercial navigation in the harbor is greater than or equal to 1.0. Costs of this project have ranged from \$3.30 to \$7.75 per cubic yard of dredged material over the past six years. Although this alternative is viable for commercial navigation, recurrent maintenance dredging needs of the Federal navigation channels, as required, would continue to marginally degrade water quality.

10d. Regional Sewage Collection/Treatment Facilities. N/A.

10e. Water Quality Improvement/Recreation Projects. No information, to our knowledge, is available.

10f. Water Pollution Control Costs.

(1) Preferred Design Alternative: Not dredging during storm events constitutes "blow days," which cost about \$10,000 to \$20,000 per day of lost work. The decision not to dredge based on weather conditions would be due to safety concerns.

(2) Non-Degradation Alternative: Since this alternative involves no construction or filling of surface waters, no costs result from water pollution controls.

(3) Minimum Degradation Alternative: The costs of adhering to the environmental window for this alternative would be significant. The moderately restrictive environmental window under this alternative raises the cost of this alternative about 10-20 percent per cubic yard. In addition, not dredging during storm events constitutes "blow days," which cost about \$10,000 to \$20,000 per day of lost work.

10g. Human Health Impacts.

(1) Preferred Design Alternative: The human health impacts associated with this alternative would be indiscernible. The generation of turbidity and reduced dissolved oxygen in the water column would be the primary effects associated with the dredging and dredged material placement activities. The dredging area is within an industrialized water resource committed to commercial navigation. This alternative would result in short-term, minimal impacts to the quality and value of the receiving waters.

(2) Non-Degradation Alternative: Since this alternative involves no construction or filling of surface waters, no effects to human health would occur.

(3) Minimum Degradation Alternative: The human health impacts associated with this alternative would be indiscernible. The generation of turbidity and reduced dissolved oxygen in the water column would be the primary effects associated with the dredging and dredged material placement activities. The dredging area is within an industrialized water resource committed to

commercial navigation. This alternative would result in short-term, minimal impacts to the quality and value of the receiving waters. The restriction of dredging to the environmental window would generally minimize the effects of turbidity on fisheries. Due to the smaller scope of dredging under this alternative, turbidity and dissolved oxygen effects would occur over a shorter period of time when compared to the Preferred Design Alternative.

10h. Social/Economic Benefits Gained.

(1) Preferred Design Alternative: This alternative would restore navigable depths in the harbor channels for commercial vessel traffic. A large industrial base depends on the harbor to receive commercial goods and ship them off-site for a reasonable cost. As such, it would allow for the cost-effective transport of commodities through the local community. This would have a substantial positive impact on the local economy by providing jobs that support these commodities, as well as by maintaining competitive price levels on commercial goods. Existing commercial industry on the harbor supports over 1,685 blue-collar jobs. This industrial base would generate substantial tax revenues for local governments. Construction of the project itself would support about 10-15 blue-collar jobs in the dredging industry for a period of about 5-6 months. In addition, social and economic benefits associated with recreational navigation would accrue with project construction.

(2) Non-Degradation Alternative: This alternative would involve the cessation of maintenance of harbor Federal navigation channels. However, benefits would accrue to recreational navigation until the channels shoal into a degree at which they would no longer be usable for shallow-draft vessels. Recreational benefits in this regard would include primarily those associated with local marinas and leisure craft they support.

(3) Minimum Degradation Alternative: This alternative would restore navigable depths in the harbor channels for commercial vessel traffic. The social and economic benefits generated as a result of this alternative would be similar to those associated with the Preferred Design Alternative. A large industrial base depends on the harbor to receive commercial goods and ship them off-site for a reasonable cost. As such, it would allow for the cost-effective transport of commodities through the local community. This would have a substantial positive impact on the local economy by providing jobs that support these commodities, as well as by maintaining competitive price levels on commercial goods. Existing commercial industry on the harbor supports over 1,685 blue-collar jobs. This industrial base would generate substantial tax revenues for local governments. Construction of the project itself would support about 10-15 blue-collar jobs in the dredging industry for a period of about 2-3 months. In addition, social and economic benefits associated with recreational navigation would accrue with project construction.

10i. Social/Economic Benefits Lost.

(1) Preferred Design Alternative: Lowered water quality associated with the alternative, such as turbidity and low dissolved oxygen levels in the water column, would be aesthetically displeasing and may not be attractive to recreational boaters in the area. Except for commercial industries

such as restaurants and other riparian retail establishments, the lowering of water quality would have minimal negative effects on commercial activities.

(2) *Non-Degradation Alternative*: Since this alternative involves no construction or filling of surface waters, no lowering of water quality would occur. Therefore, negative effects on the recreational use of the harbor would not occur. However, substantial effects on commercial navigation and associated industries would occur as a result of this alternative. The overall value of the harbor as a water resource to commercial navigation would progressively deteriorate to a point at which deep-draft commercial vessels would no longer be able to navigate the harbor due to inadequate depths. The large industrial base that depends on the harbor to transport commodities would no longer be able to do so cost-effectively. The harbor would no longer be a viable alternative for the transportation of goods. This would have a substantial negative impact on the local economy resulting in the possible loss of 1,685 blue-collar jobs that support these commodities. The harbor would no longer effect competitive price levels on local commercial goods. Since the industrial base on the harbor would likely close down, all tax revenues in this regard would be lost. The lack of project construction itself would result in the loss of about 10-15 blue-collar jobs in the dredging industry for a period of about 2-3 months.

(3) *Minimum Degradation Alternative*: Lowered water quality associated with the alternative, such as turbidity and low dissolved oxygen levels in the water column, would be aesthetically displeasing and may not be attractive to recreational boaters in the area. Except for commercial industries such as restaurants and other riparian retail establishments, the lowering of water quality would have minimal negative effects on commercial activities. The restriction of dredging to the environmental window would minimize impacts to recreational fishing, particularly during periods of concentrated fisheries activities, such as recreational tournaments and seasonal sport fishing.

10j. Environmental Benefits Lost/Gained.

(1) *Preferred Design Alternative*: This alternative would result in a short-term reduction of water quality in the receiving waters. Dredging and placement activities would result in the excavation, smothering and mortality of benthic macroinvertebrates, and the temporary avoidance of work areas by fish and wildlife species (i.e., mostly waterfowl). The dredging area is quite industrialized, so benthic, fish and wildlife use of the water resource is limited; therefore, impacts in this regard would be minor. Following dredging and dredged material placement activities, the benthic communities would recolonize the impacted areas, and fish and wildlife would return. A major portion of the coarse-grain material would be nearshore disposed, which would replenish the littoral system. No effects to endangered or threatened species would occur.

(2) *Non-Degradation Alternative*: Since this alternative involves no construction or filling of surface waters, associated environmental benefits would include no degradation of water quality in receiving waters, and no physical disturbances to benthos, or fish and wildlife. No effects to endangered or threatened species would occur. In addition, littoral replenishment of coarse grained material would not occur.

(3) Minimum Degradation Alternative: This alternative would result in a short-term reduction of water quality in the receiving waters. Dredging and placement activities would result in the excavation, smothering and mortality of benthic macroinvertebrates, and the temporary avoidance of work areas by fish and wildlife species (i.e., mostly waterfowl). The dredging area is quite industrialized, so benthic, fish and wildlife use of the water resource is limited; therefore, impacts in this regard would be minor. Dredging will be scheduled to occur between 15 June and 15 September to minimize the effects of turbidity on fisheries. Following dredging and dredged material placement activities, the benthic communities would recolonize the impacted areas, and fish and wildlife would return. A major portion of the coarse-grain material would be nearshore placed, which would replenish the littoral system. No effects to endangered or threatened species would occur.

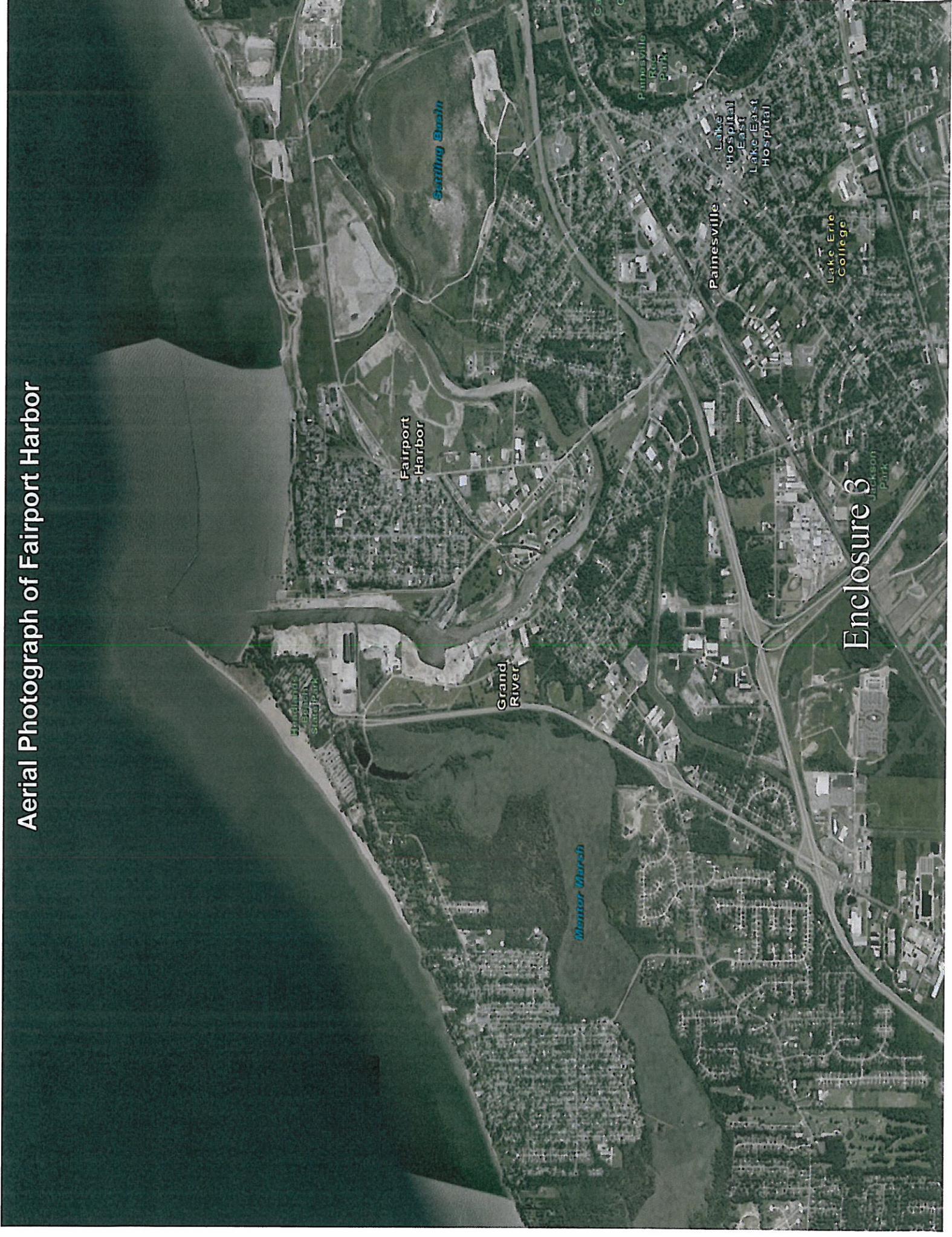
10k. Mitigative Techniques.

(1) Preferred Design Alternative: Dredging will not be performed during Lake Erie storm events. Care would be employed throughout the course of the dredging/discharge operations to avoid the creation of unnecessary turbidity that may degrade water quality or adversely affect aquatic life outside the project area. Suitable coarse grained material dredged from the Entrance Channel would be placed in the authorized nearshore placement area.

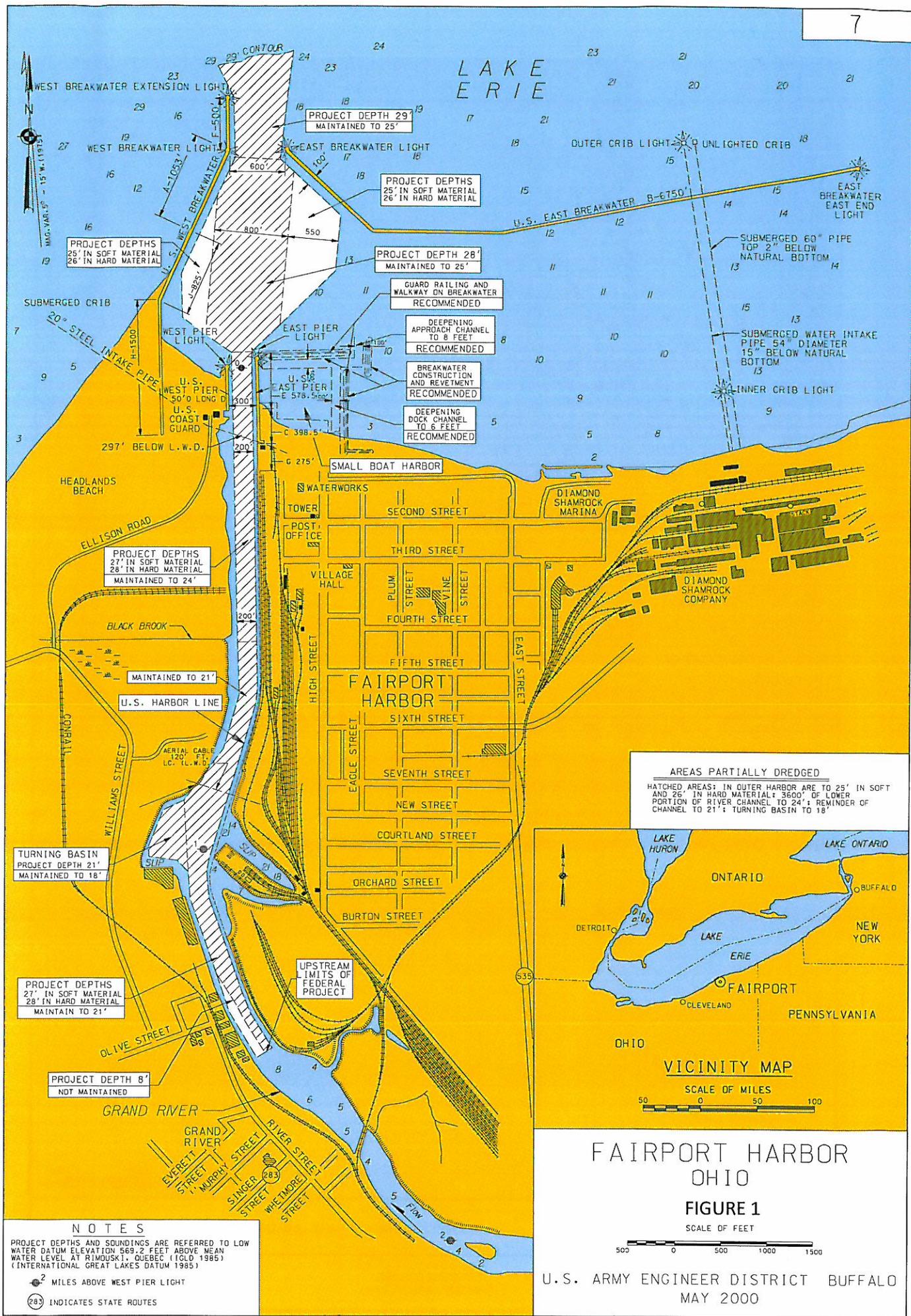
(2) Non-Degradation Alternative: N/A.

(3) Minimum Degradation Alternative: Dredging will be scheduled to occur between 15 June and 15 September to minimize any potential impacts on fishery resources and local environmental resources. Dredging will not be performed during Lake Erie storm events. Care would be employed throughout the course of the dredging/discharge operations to avoid the creation of unnecessary turbidity that may degrade water quality or adversely affect aquatic life outside the project area. Suitable coarse grained material dredged from the Entrance Channel would be placed in the authorized nearshore placement area.

Aerial Photograph of Fairport Harbor



Enclosure 3



NOTES

PROJECT DEPTHS AND SOUNDINGS ARE REFERRED TO LOW WATER DATUM ELEVATION 569.2 FEET ABOVE MEAN WATER LEVEL AT RIMOUSKI, QUEBEC (ICLD 1985) (INTERNATIONAL GREAT LAKES DATUM 1985)

- ② MILES ABOVE WEST PIER LIGHT
- ②⑧ INDICATES STATE ROUTES

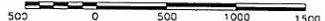
AREAS PARTIALLY DREDGED
 HATCHED AREAS: IN OUTER HARBOR ARE TO 25' IN SOFT AND 26' IN HARD MATERIAL; 3600' OF LOWER PORTION OF RIVER CHANNEL TO 24'; REMINDER OF CHANNEL TO 21'; TURNING BASIN TO 18'



FAIRPORT HARBOR OHIO

FIGURE 1

SCALE OF FEET



U.S. ARMY ENGINEER DISTRICT BUFFALO
 MAY 2000



Legend

-  Sediment Sample Location
-  Navigation Channel

0 500 1,000 2,000
Feet

 <p>U.S. ARMY ENGINEER DISTRICT CORPS OF ENGINEERS Buffalo District BUFFALO, NY</p>	<p>HARBOR SEDIMENT SAMPLE LOCATIONS</p>	
<p>Document Name: 101013_FairportSample.mxd Drawn By: HSTDESPM Date Saved: 10 Oct 2013 Time Saved: 10:20:14 AM</p>	<p>FAIRPORT HARBOR FAIRPORT HARBOR, OHIO</p>	<p>FIGURE 2</p>

MINIMUM DEGRADATION ALTERNATIVE

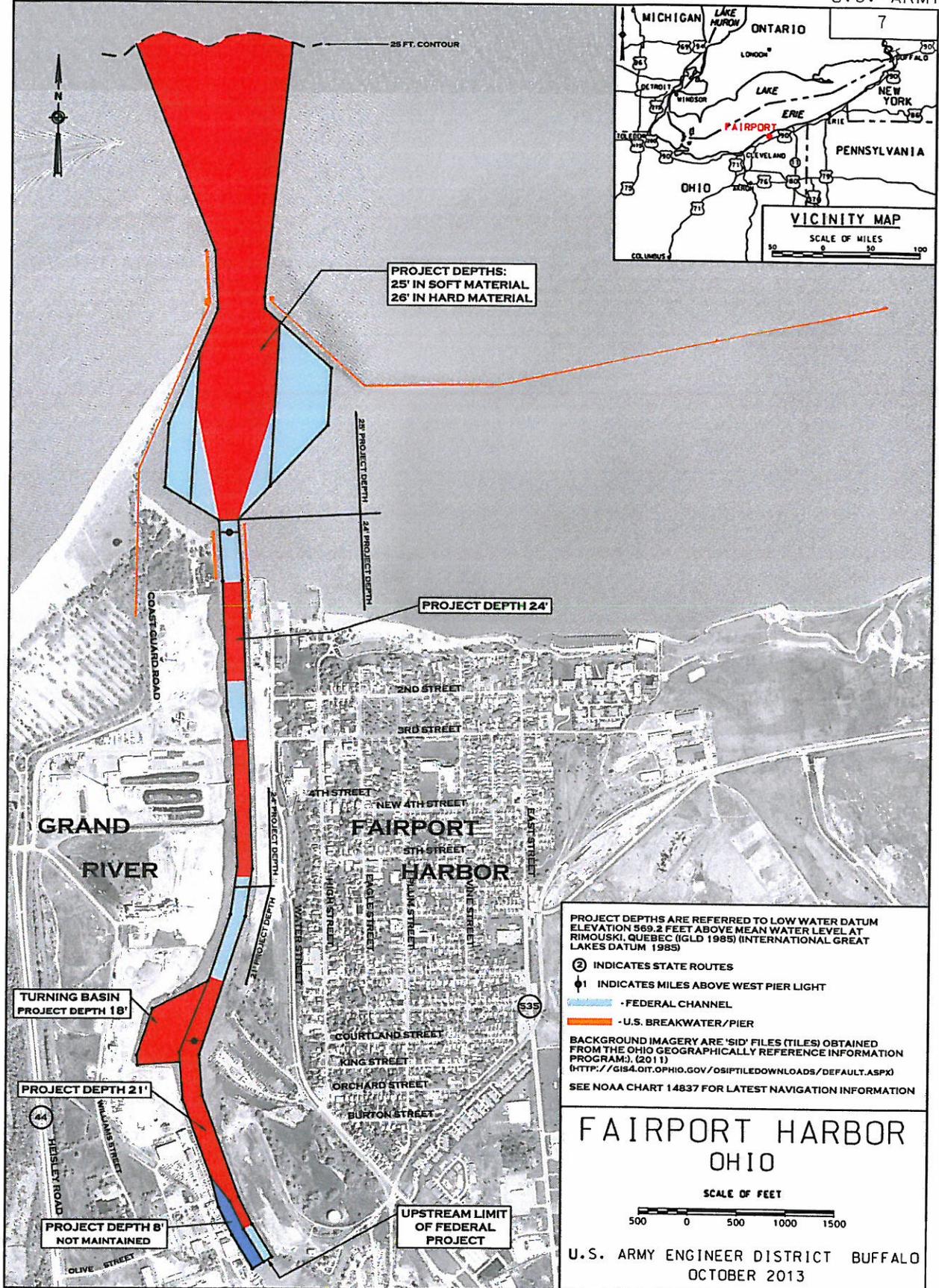
FY14

(DREDGE 72 ACRES, 8,300 LINEAL FEET, LOCATIONS AND EXTENTS WILL BE ADJUSTED BASED ON ACTUAL SHOALING LOCATIONS AND DEPTHS ██████████)

CORPS OF ENGINEERS

Enclosure 4

U.S. ARMY





John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

November 25, 2013

Martin Wargo
U.S. Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

Re: Complete Section 401 Water Quality Certification Application
2014 Fairport Harbor Dredging
Corps Public Notice No. Fairport - 14
Ohio EPA ID No. 134275

Dear Mr. Wargo:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the section 401 water quality certification application received by the Agency on November 5, 2013, and has determined that it is administratively complete.

As per Section 6111.024 of the Ohio Revised Code (ORC), Ohio EPA will act on this application within 180 days of the date of this letter. 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 within 21 days of the date of this letter. Guidance for preparing the final public notice and getting it published in the correct newspaper is available at: www.epa.ohio.gov/dsw/401/publicnotice.aspx.

You may find a copy of Ohio EPA's rules and laws online at <http://www.epa.ohio.gov/dsw/rules/index.aspx>. Information regarding Ohio's Section 401 and Isolated Wetlands Permitting programs is also available online at <http://www.epa.ohio.gov/dsw/401/index.aspx>.

If you have any questions, please contact me at 330-963-1172 or via email at ed.wilk@epa.ohio.gov.

Sincerely,

Ed Wilk
Application Coordinator
401/Wetlands Section

Attachment

cc: Eric Hannes, Department of the Army, Buffalo District, Corps of Engineers
Shelby Gilbert, Ohio EPA, DSW, Permit Processing Unit
DSW File