Date of Public Notice: November 23, 2009 Cuyahoga County

PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received applications for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 Certification for two separate U.S. Army Corps of Engineers (USACE) projects located in Cleveland Harbor. The applications were submitted by the USACE, Buffalo District, 1776 Niagara Street, Buffalo, NY 14207-3199. These two projects are:

1. Cleveland Harbor Maintenance Dredging and Dredged Material Placement - The USACE, Buffalo District Public Notice number for this project is 10-02. The Ohio EPA ID Number for this project is 093556. As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's preferred design alternative would entail the dredging of an estimated 675,000 cubic yards of material in 2010, with the disposal of the dredged material at either the existing Cleveland Harbor Confined Disposal Facility (CDF) 12 or 10B. The applicant's proposed minimal degradation alternative, if approved, would entail the dredging of an estimated 300,000 cubic yards of dredged material from the Federal navigation channels in 2010, with the disposal of the dredged material at either the existing CDF 12 or 10B. Dredging would not be performed during Lake Erie storm events. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the State.

2. Cleveland Harbor New CDF: The USACE, Buffalo District draft Dredged Material Management Plan/Environmental Impact Statement (DMMP/EIS) released August 19, 2009 contains the detailed planning and environmental impacts of this project, including the 404(a) Public Notice and 404(b)1 evaluation. The Ohio EPA ID Number for this project is 093550. As required by the Antidegradation Rule, three alternatives have been submitted for the project. This project involves the construction of a new in-water CDF adjacent to the Cleveland shoreline and/or existing navigation structures in Cleveland Harbor. Construction of a new CDF involves the construction of robust dikes using quarry stone or other suitable materials to withstand Lake Erie wave action and storms, sized to accommodate the anticipated level of dredging and disposal estimated for the project life. The preferred design alternative would involve the construction of a single CDF at the East 55th Street site. The CDF is approximately 157 acres. To the south, East 55th Street site would be bound by an improved State Park Marina breakwater, the natural shoreline near the terminus of East 55th Street, and a to be constructed perimeter wall/dike. A portion of the eastern boundary would be formed by the existing First Energy circulating water intake (necessary improvements would be made to the structure) and the remainder of the perimeter would be formed by to be constructed walls. Anticipated volume is 6,850,000 cubic yards, which would provide approximately 20 years of capacity and be operational from 2015 through about 2034.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business January 14, 2010. Comments received after this date may not be considered as part of the official record of the hearing. Please separate your comments for each of the two projects listed above.

Persons wishing to be on Ohio EPA's interested parties mailing list for these projects, or wish to submit comments for Ohio EPA's consideration in reviewing these applications should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on January 14, 2010.