

Matt Szollosi, Speaker Pro Tempore
State Representative, District 49



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State Representative Dennis Murray,
District 10

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OFFICE OF THE DIRECTOR
OHIO EPA

March 19, 2010

Chris Korleski, Director
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049
VIA E-MAIL: chris.korleski@epa.state.oh.us

Re: Proposed 401 Certification for USACE Toledo Harbor Dredging Project

Dear Director Korleski:

We write concerning the request by the US Army Corps. of Engineers (USACE) for a 401 Certification in connection with its ongoing dredging of Toledo Harbor. We understand that the USACE has requested at least a doubling of open-lake dumping authority. We write to ask you to consider another course of action that the community deems as producing a less negative impact such as limiting the disposal to nearby Confined Disposal Facilities (CDFs).

Ohioans are long-past the fallacy that environmental protection and economic vitality are a zero sum game. But the USACE's proposal represents a return to this tired mentality. We believe that the evidence that open-lake dumping of even the purest of sediments is causing rapid degradation of Ohio's single greatest natural resource, Lake Erie.

Indeed, it seems to us beyond any reasonable dispute that the continuation of open-lake dumping contributed significantly to the increase in algal blooms on Lake Erie. Studies by OSU and the UT Lake Erie Center in 2009 show that turbidity increases bad algae growth. It is estimated that 25% of the open lake dumped sediments are re-suspended from wind and wave action. Specifically, the average annual amount of sediments open lake dumped from 1994 through 2002 was 190,895 cubic yards. The average annual amount of sediments open lake dumped from 2003 through 2009 was 517,404 cubic yards. Army Corps of Engineers records show that 741,000 cubic yards were open lake disposed in 2009 – the most ever. The algae problem has increased over the same period of time, which we believe has either led or contributed to a significant decline in fish population in the Western Basin.

The problem with open-lake dumping is that it does not internalize all of its costs. While it may be cheaper for the USACE to use open-lake dumping instead of CDFs, this practice shifts costs to others. Those burdened with a cost as a result of open-lake dumping include all of the water treatment plants along the Western Basin, commercial and sport fishing interests, and general tourism.

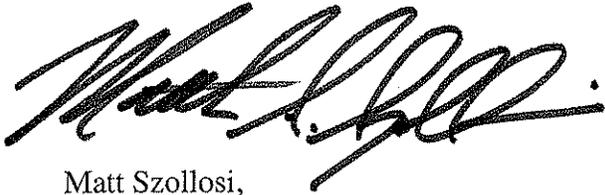
Nor is it clear that utilization of CDFs is more expensive for the USACE. Information brought to our attention suggests that at least interim containment pending a long term solution may be just as cost effective.

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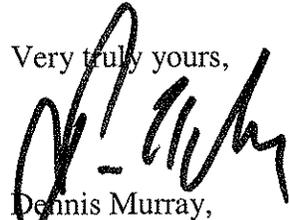
Moreover, given the incredible commitment which the United States has made to Great Lakes restoration, this form of what can only be regarded as pollution is counterproductive.

Both of us saw the algal blooms on Lake Erie for ourselves last summer, a relatively cool summer which surely retarded the algal blooms beyond on what they would be in normal conditions. Representative Murray lives directly on Lake Erie and could literally smell the offensive algal blooms on the lake for five or six weeks last summer, until the onset of cooler weather. Boating through the carpet of algal blooms is unattractive and, if not arrested, will ultimately and probably quickly dampen tourism in the Lake Erie area. With unemployment in the Ohio counties on the Western Basin running between 14.3% (Erie County) and 19.8% (Ottawa County), people living along the Western Basin of Lake Erie can ill afford to pay for a continuation of the USACE's mistakes.

Thank you for your consideration. We look forward to hearing from you.



Matt Szollosi,
Speaker Pro Tem
Ohio House of Representatives
49th House District

Very truly yours,


Dennis Murray,
State Representative
80th House District

Cc: Sean Logan, Director, O.D.N.R.
Ted Strickland, Governor