



REPLY TO  
ATTENTION OF

## DEPARTMENT OF THE ARMY

BUFFALO DISTRICT, CORPS OF ENGINEERS  
1776 NIAGARA STREET  
BUFFALO, NEW YORK 14207-3199

January 4, 2012

Environmental Analysis Section

SUBJECT: Ashtabula Harbor, Ashtabula County, Ohio - Request for Section 401 State Water Quality Certification for Scheduled 2012 Strategic Navigation Dredging Project

Mr. Scott Nally  
Director  
ATTN: Mr. Thomas Harcarik  
Division of Surface Water  
Ohio Environmental Protection Agency  
Division of Surface Water  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Dear Mr. Nally:

Enclosed for your review and comment is the Public Notice and Section 401 State Water Quality Certification (WQC) application for our scheduled 2012 strategic navigation dredging project at Ashtabula Harbor, Ohio (Enclosures 1 and 2, respectively). This project entails the dredging of contaminated sediments from specific areas of authorized Federal navigation channels that are unsuitable for open-lake placement, with offloading and final placement of the associated dredged material at an upland embankment. Additionally, sediments dredged from a specific area of the Federal navigation channels that are suitable for open-lake placement are to be placed at the existing open-lake area in Lake Erie. The Public Notice has been prepared in conformance with U.S. Army Corps of Engineers (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 USACE, Buffalo District, is requesting Ohio Environmental Protection Agency (OEPA) WQC for the scheduled 2012 strategic navigation dredging of Ashtabula Harbor, or waiver thereof, under Section 401 of the Clean Water Act.

Please note the following items regarding this WQC application:

- a. Enclosure 3 is an aerial photograph of the harbor project.

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- b. Enclosure 4 is the most recent Tiered Evaluation of sediments in the lower and upper River Channels.

In 2010, material in the lower River Channel (downstream of Station 120+00) and Outer Harbor channels was evaluated using 2005, 2007 and 2009 data in accordance with joint U.S. Environmental Protection Agency (USEPA)/USACE protocols for the testing and evaluation of Great Lakes dredged material. Based on this evaluation, material within the lower River Channel between stations 120+00 and 107+75 and along the West Breakwater in the Outer Harbor between stations 16+67 and 17+77 was determined to not meet Federal guidelines for open-lake placement. In 2011, material in the Southern Reach between stations 198+00 and 213+36 was evaluated using 2010 data in accordance with the joint USEPA/USACE protocols. Based on this evaluation, material between stations 198+00 and 210+00 was also determined to not meet Federal guidelines for open-lake placement. The reach between stations 210+00 and 213+36 was evaluated in 2011 and determined to meet Federal guidelines for open-lake placement; this evaluation will be forthcoming.

Please note that National Environmental Policy Act (NEPA) documentation (i.e., Environmental Assessment) and Section 404(b)(1) Evaluation, as well as the water quality evaluation (involving Modified Elutriate Test [MET] and water column toxicity data) have not yet been completed for the upland placement of dredged material and associated discharge of return water. These items will be forthcoming.

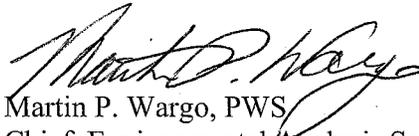
Please note that a copy of the Public Notice was sent to U.S. Fish and Wildlife Service (Ecological Services, Columbus, Ohio) and Ohio Department of Natural Resources (Division of Wildlife, Ohio Biodiversity Database, Columbus, Ohio) on December 30, 2012 to coordinate comments with respect to Threatened and Endangered species, including the presence or absence of Critical Habitat.

As you know, we require WQC (or waiver of thereof) in order to accept contract bids on this project. Please advise us on the completeness of the WQC application by January 20, 2012. It is our goal to secure the WQC by April 16, 2012. Therefore, we ask that you schedule the Public Hearing on this application at your earliest possible convenience and no later than March 12, 2011. We appreciate your cooperation in this matter.

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Questions pertaining to this matter should be directed to Mr. Eric E. Hannes (716-879-4311; [eric.hannes@usace.army.mil](mailto:eric.hannes@usace.army.mil)) or Mr. Andrew M. Lenox (716-879-4378; [andrew.m.lenox@usace.army.mil](mailto:andrew.m.lenox@usace.army.mil)), by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin P. Wargo". The signature is fluid and cursive, written over the printed name and title.

Martin P. Wargo, PWS  
Chief, Environmental Analysis Section

Enclosures