Welcome!

Cleveland Harbor Dredging

Clean Water Act
Section 404 Public Hearing

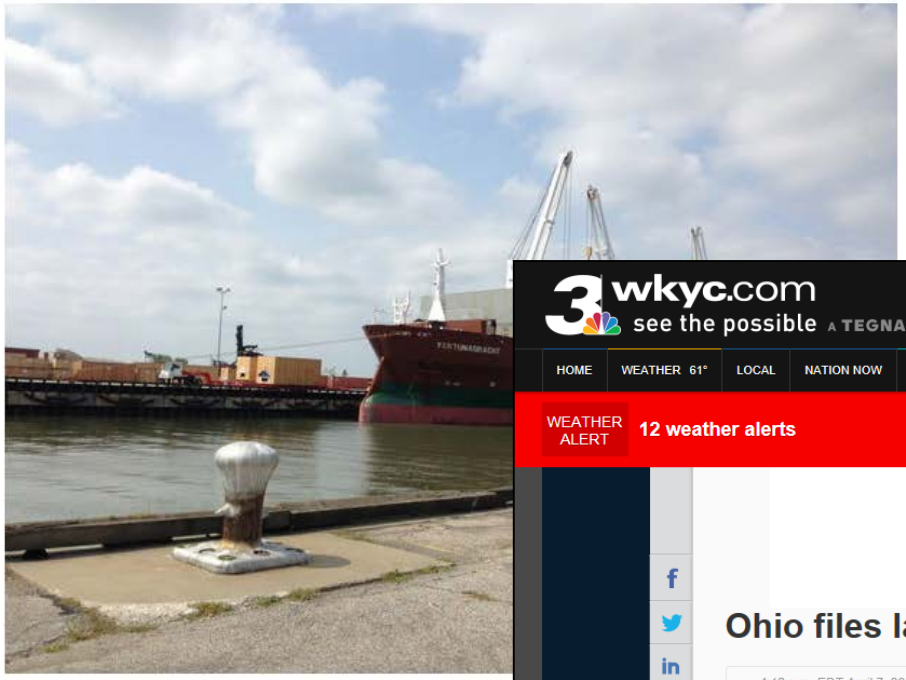
01 March 2016

If you would like to provide a formal public comment this evening, please register at the auditorium entrance.

Buffalo District, U.S. Army Corps of Engineers
Serving the People and Watersheds of the Lower Great Lakes, Since 1857

Photo Credit: https://www.flickr.com/photos/nasamarshall/7637356614

U.S. Army Corps of Engineers and Ohio EPA dig in on dredging dispute



The Army Corps of Engineers and Ohio Environmental Protection Ager
dredged out every year to help ships traverse Cleveland harbor. *(Robe*

By Sabrina Eaton, Northeast Ohio Media Group Wash
Email the author | Follow on Twitter
on December 18, 2014 at 8:12 PM, updated Decembe

WASHINGTON, D.C. - The U.S. Army Corps of E
Protection Agency are in a mud fight over where
the bottom of the Cuyahoga River and Cleveland

3 wkyc.com
see the possible A TEGNA Company

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Ohio files lawsuit over Cleveland Harbor dredging

4:18 p.m. EDT April 7, 2015

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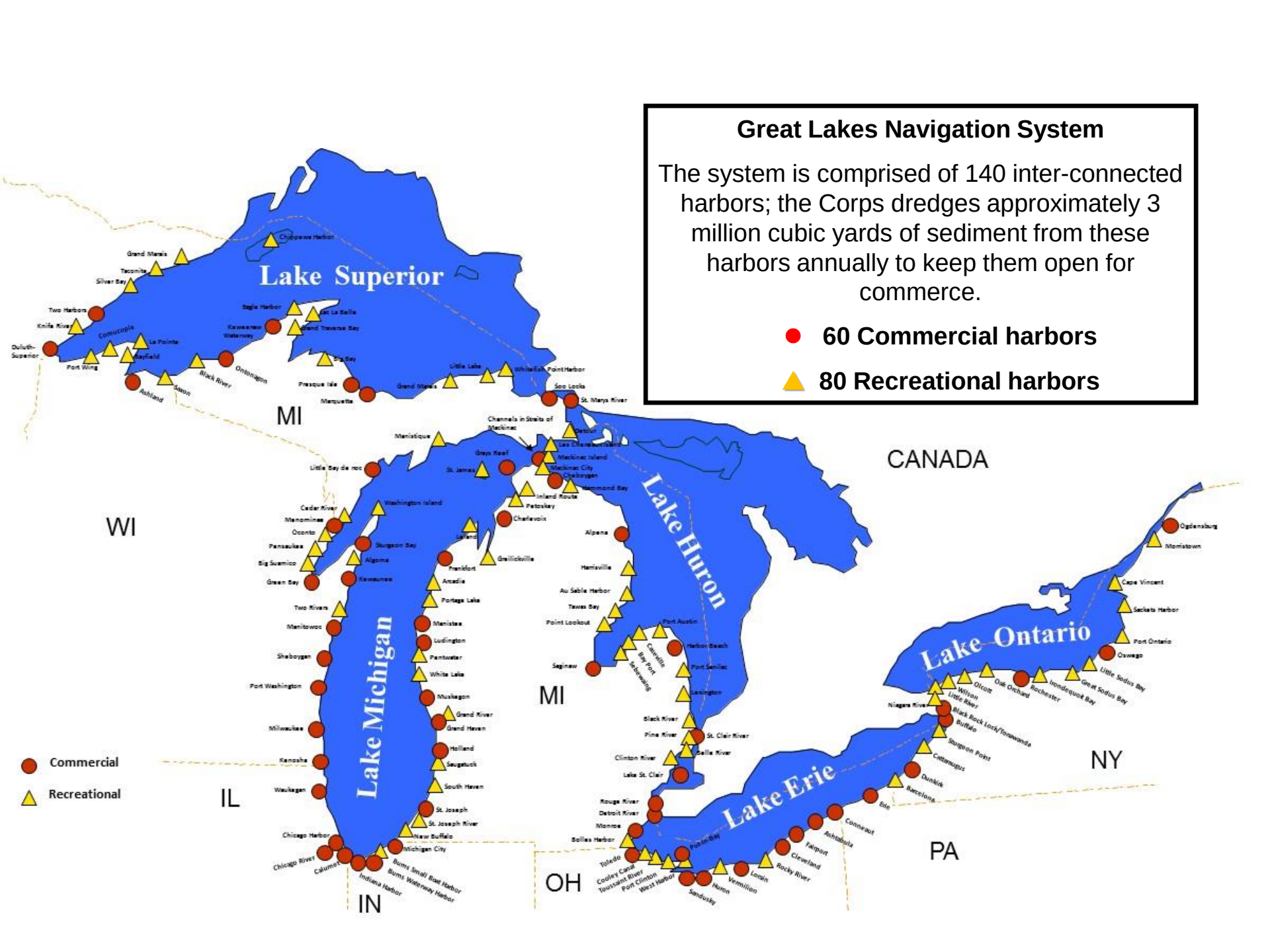
(Photo: WKYC)

COLUMBUS, Ohio -- A lawsuit has been filed against the U.S. Army Corps of Engineers for its plan either to place dredge material from Cleveland Harbor in Lake Erie or refrain from dredging the entire navigation channel unless a non-federal partner pays to place it in confined disposal facilities.

Ohio Attorney General Mike DeWine, Ohio Environmental Protection Agency Director Craig W. Butler and Ohio Department of Natural Resources Director James Zehringer announced that the state has filed a lawsuit on Tuesday.

http://www.cleveland.com/open/index.ssf/2014/12/us_army_corps_of_engineers_and.html

Cleveland Harbor
Dredging Task Force Meeting


Great Lakes Navigation System
The system is comprised of 140 inter-connected harbors; the Corps dredges approximately 3 million cubic yards of sediment from these harbors annually to keep them open for commerce.
60 Commercial harbors
80 Recreational harbors
Lake Superior
Lake Michigan
Lake Huron
Lake Erie
Lake Ontario
MI
WI
IL
IN
OH
PA
NY
CANADA
Commercial
Recreational

Lake Erie Federal Navigation Projects

The current method of dredged material management in all Lake Erie commercial harbors with the exception of <u>Buffalo</u>, <u>Monroe</u>, and <u>Cleveland</u> is open lake placement.


Cleveland Harbor CDF Complex
East Basin
Cleveland Harbor
Kirtland Park
St Clair Ave
St Clair Ave
E 40th St
Payne Ave
Payne Ave
E 30th St
St Clair Ave NE
Burke Lakefront Airport
The Rock and Roll Hall of Fame and Museum
Great Lakes Science Center
Cleveland Amtrak
E 9th St
174A
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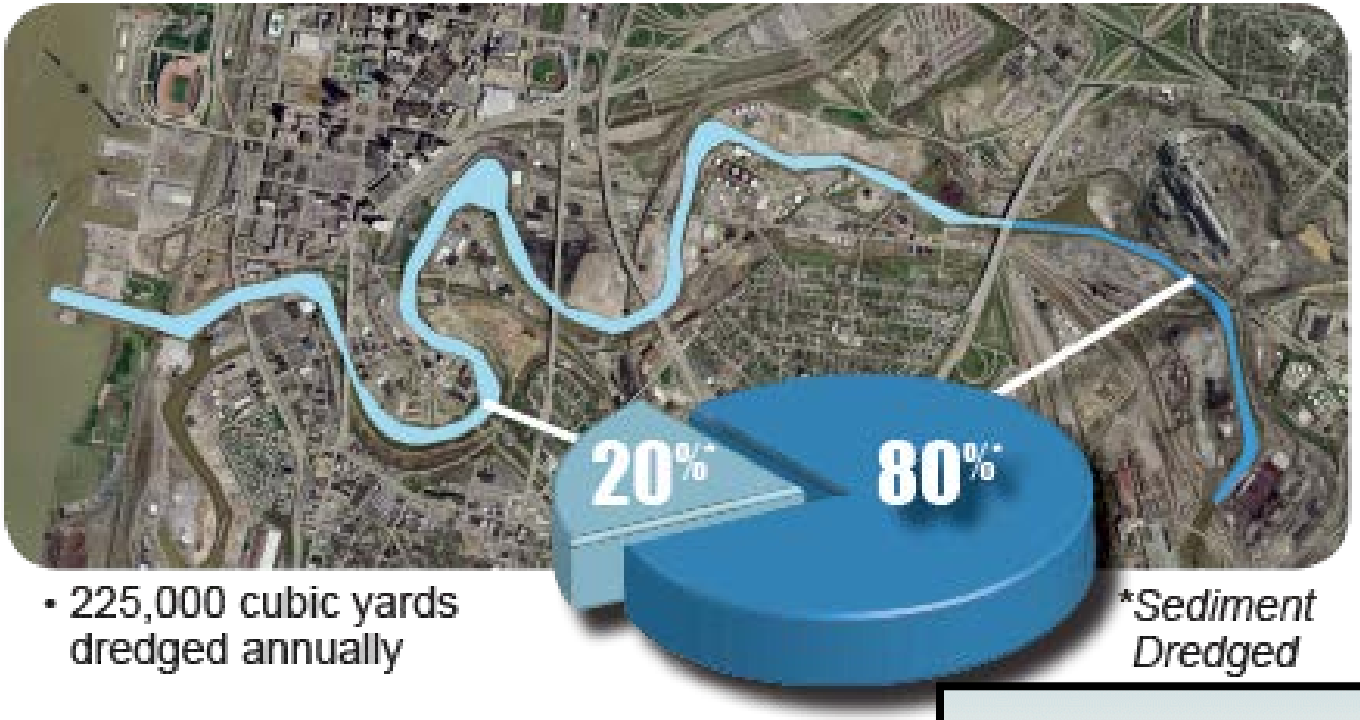
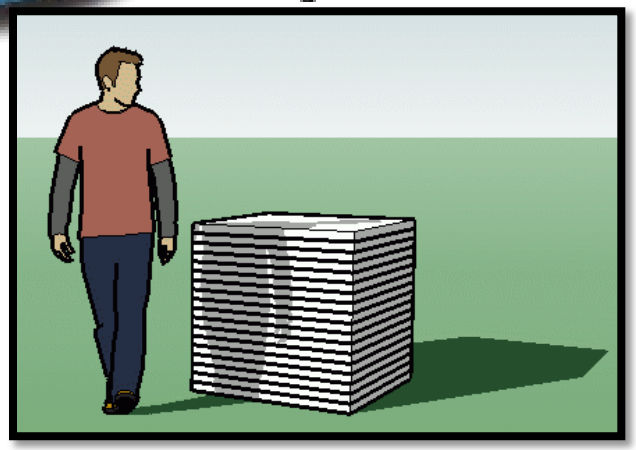
Cuyahoga River Federal Navigation Channel



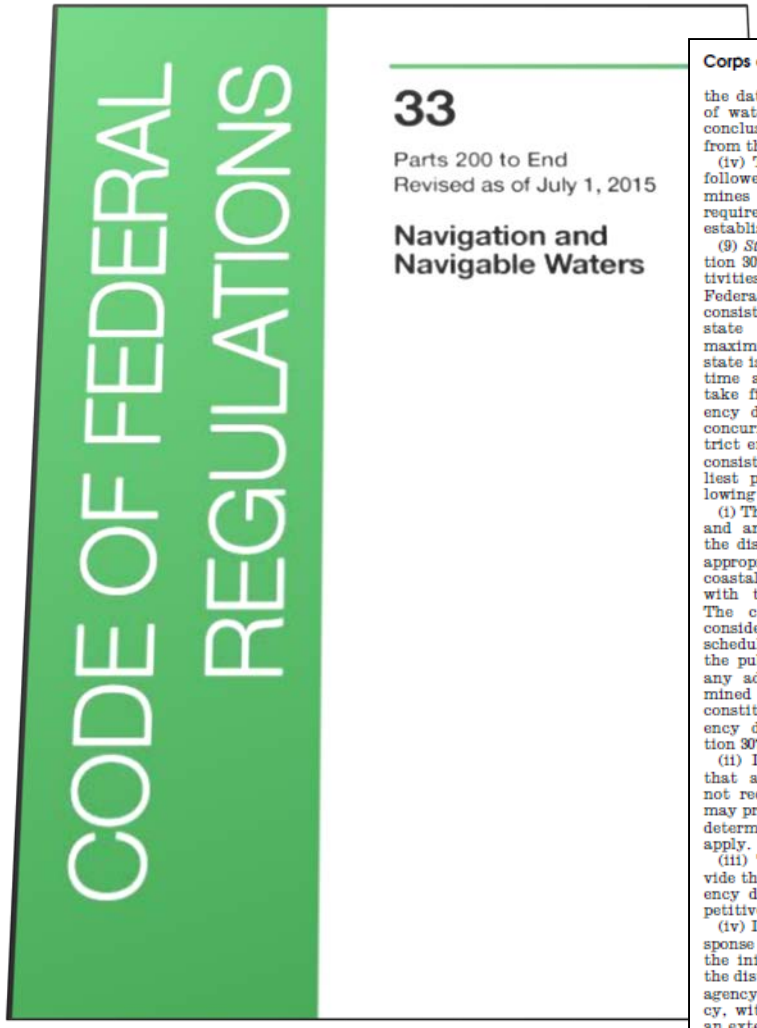
The Corps dredges about 225,000 cubic yards of sediment each year to keep the channel open for business. About 80% of the sediment is dredged in the uppermost channel mile.



1 cubic yard is the size of a box that measures 3 feet on each side


Dredging in the Federal Navigation Channel adjacent to ArcelorMittal

*The Corps follows the **Code of Federal Regulations** to make dredging decisions. The Federal Standard sets the **maximum investment** the federal government can make to maintain a harbor and is the basis against which all other alternatives must be compared.*



the date of the initial request. Waiver of water quality certification can be conclusively presumed after six months from the date of the initial request.

(iv) The procedures of §337.2 will be followed if the district engineer determines that the state data acquisition requirements exceed those necessary in establishment of the Federal standard.

(9) *State coastal zone consistency:* Section 307 of the CZMA requires that activities subject to the CZMA which a Federal agency conducts or supports be consistent with the Federally approved state management program to the maximum extent practicable. The state is provided a reasonable period of time as defined in §336.1(b)(9)(iv) to take final action on Federal consistency determinations; otherwise state concurrence can be presumed. The district engineer will provide the state a consistency determination at the earliest practicable time using the following procedures:

(i) The Corps section 404 public notice and any additional information that the district engineer determines to be appropriate will be provided the state coastal zone management agency along with the consistency determination. The consistency determination will consider the maintenance dredging schedule for the project. Submission of the public notice and, as appropriate, any additional information as determined by the district engineer will constitute a valid coastal zone consistency determination pursuant to section 307 of the CZMA.

(ii) If the district engineer decides that a consistency determination is not required for a Corps activity, he may provide the state agency a written determination that the CZMA does not apply.

(iii) The district engineer may provide the state agency a general consistency determination for routine or repetitive activities.

(iv) If the state fails to provide a response within 45 days from receipt of the initial consistency determination, the district engineer will presume state agency concurrence. If the state agency, within the 45-day period, requests an extension of time, the district engineer will approve one 15-day extension unless, in his opinion, the magnitude and complexity of the information contained in the consistency determination warrants a longer or additional extension period. The longer or additional extension period shall not exceed six months from the date of the initial consisten

(v) If the dis
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(c) *Evaluation*
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terial into waters of the U.S. Other relevant factors may also be evaluated, as needed.

(1) *Navigation and Federal standard.*
The maintenanc
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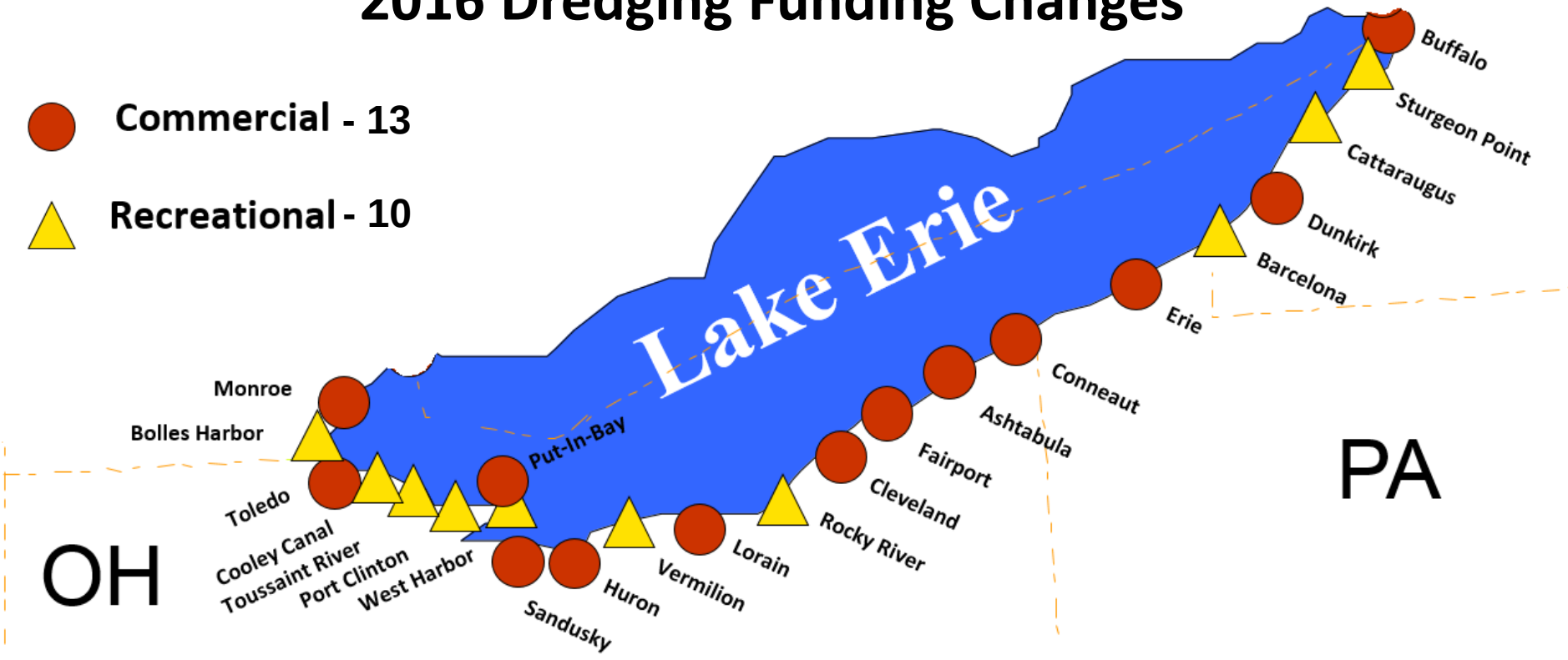
lines and public notice coordination process, can be used as a guide in formulating environmentally acceptable alternatives. The least costly alternative, consistent with sound engineering practices and selected through the 404(b)(1) guidelines or ocean disposal criteria, will be designated the Federal standard for the proposed project.

"Through the section 404(b)(1) evaluation process, the district engineer will evaluate the water quality impacts of the proposed project. The evaluation will include consideration of state water quality standards."

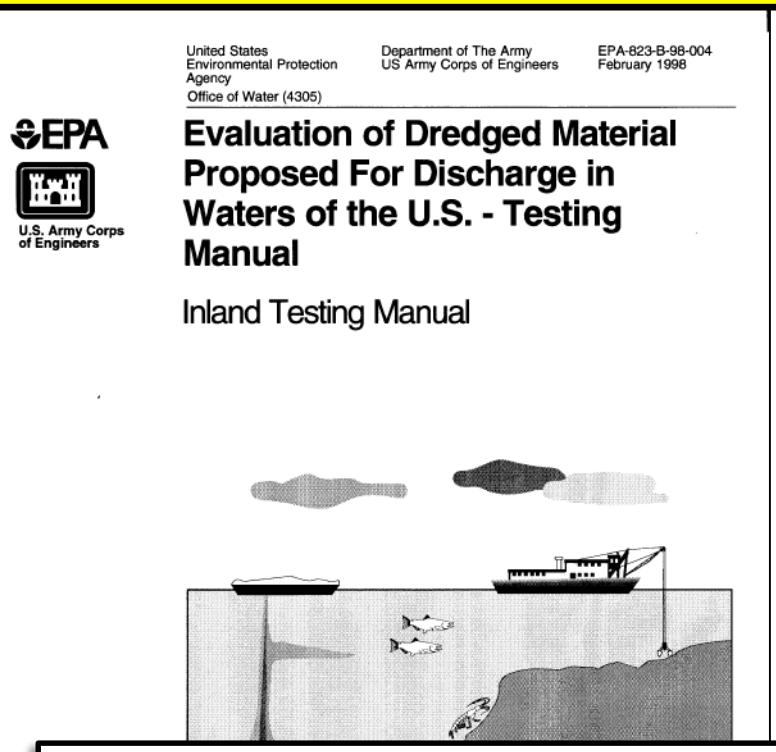
"The least costly alternative, consistent with sound engineering practices and selected through the [Clean Water Act] 404(b)(1) guidelines, will be designated the Federal standard for the proposed project."

2016 Dredging Funding Changes

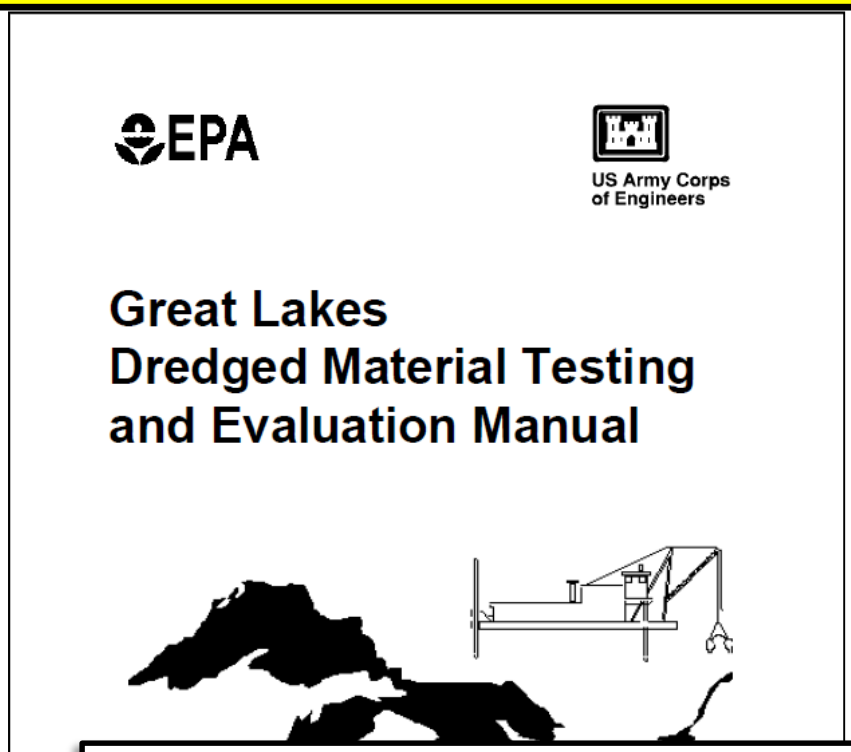


Harbor	2016 President's Budget	2016 Funding
Cleveland, OH	$6.4M	$2.8M
Lorain, OH	$0	$1.45M
Fairport, OH	$0	$1.2M

The Corps evaluates sediment using Clean Water Act Section guidelines based on protocols prescribed in the "Inland Testing Manual" and the "Great Lakes Dredged Material Testing and Evaluation Manual." These manuals provide formal regional and national guidance developed and adopted in concert with the U.S. Environmental Protection Agency.



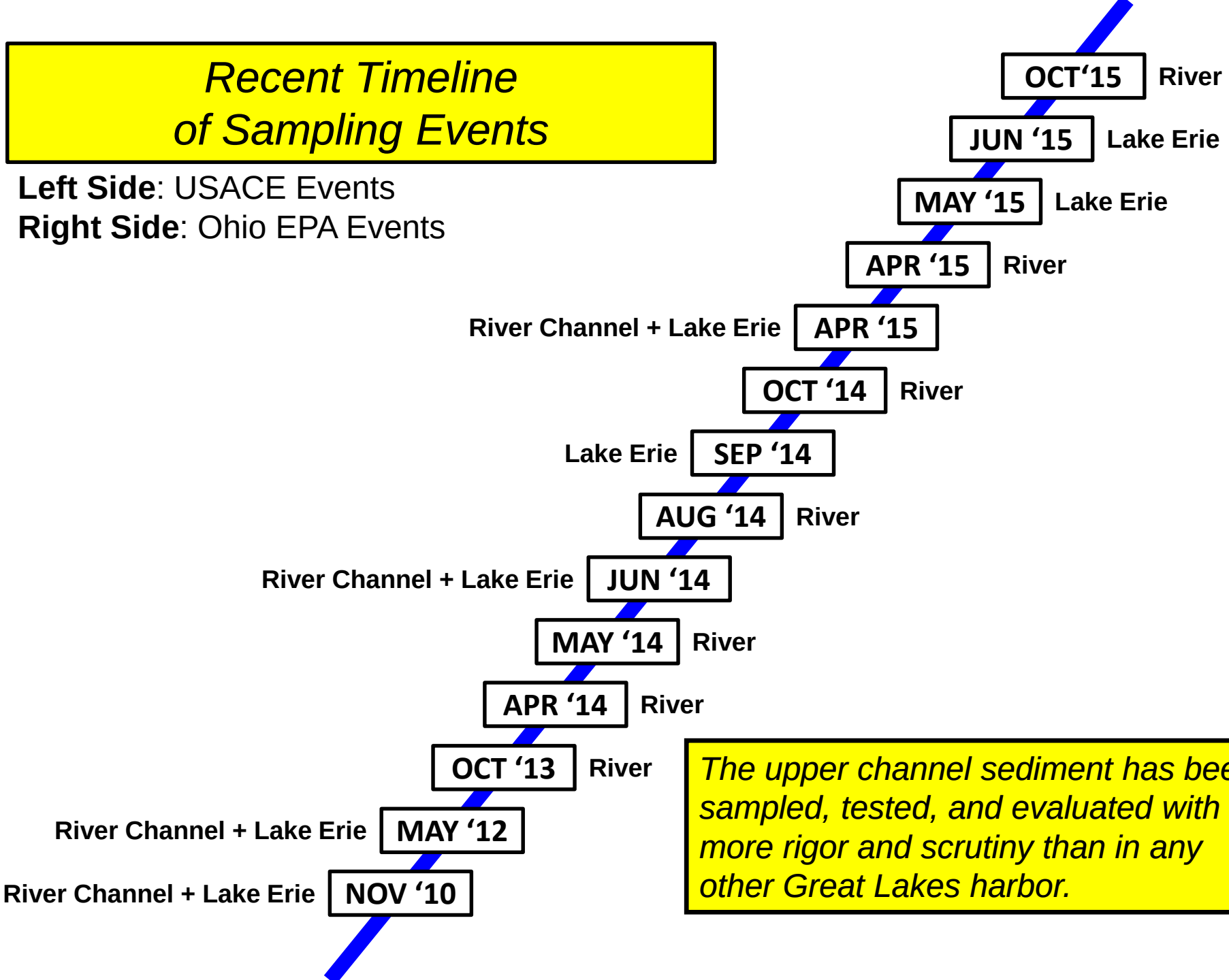
USEPA: "Evaluation of dredged material for inland disposal under the Clean Water Act relies on the use of physical, chemical, and/or biological tests to determine acceptability of material to be disposed. The Inland Testing Manual is national guidance which provides best available methods for this Clean Water Act evaluation."



"These guidance are applicable to all proposed discharges of dredged material to the United States waters of the Great Lakes Basin. This includes disposal operations conducted under Section 404 permits issued by the USACE or authorized State agency, as well as Federal projects conducted by the USACE.."

Recent Timeline of Sampling Events

Left Side: USACE Events
Right Side: Ohio EPA Events



The upper channel sediment has been sampled, tested, and evaluated with more rigor and scrutiny than in any other Great Lakes harbor.

Upper River Channel Sediments meet Clean Water Act Guidelines and State Water Quality Standards

Lab tests expose sensitive bottom-dwelling species to the channel sediments to see how the results compare to lake sediments

Demonstrates:

- the channel sediments are non-toxic like the lake sediment,
- the net uptake of PCBs from the channel and lake sediment is comparable

Lab tests designed to evaluate compliance with applicable state water quality standards indicate that placement of the channel sediments in the lake would meet these standards.

The channel sediments are non-toxic

The Open Lake Placement site would not put Cleveland's water intakes at risk.

The placement site is over 9 miles from shore, and in 60 feet of water

Upper Channel Sediment Is Safe For the Fish We Eat

Upper River Channel sediment is safe for the fish we eat because the concentrations of PCBs in the sediment are consistent with background concentrations found off-shore of Cleveland.

cleveland.com
COVERING NORTHEAST OHIO

Walleye at risk in Lake Erie dredge dumping debate; consumption levels at brink of one-meal-per-month

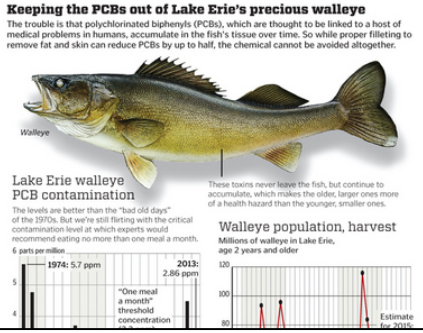
824 shares

By James F. McCarty, The Plain Dealer
Email the author | Follow on Twitter
on May 09, 2015 at 8:00 AM, updated May 11, 2015 at 10:17 AM

Print
Email

CLEVELAND, Ohio -- Lake Erie, the Walleye Capital of the World, is facing a new threat to its iconic species and the $1 billion a year sport fishing industry it has spawned.

The potential peril is at the heart of a dispute between the U.S. Army Corps of Engineers and the Ohio Environmental Protection Agency, and the Army Corps' plans to dump



VIDEO OF THE DAY

Playhouse Square celebrates 25th annual Jump Back Ball

Videos from The Plain Dealer

Photos from The Plain Dealer

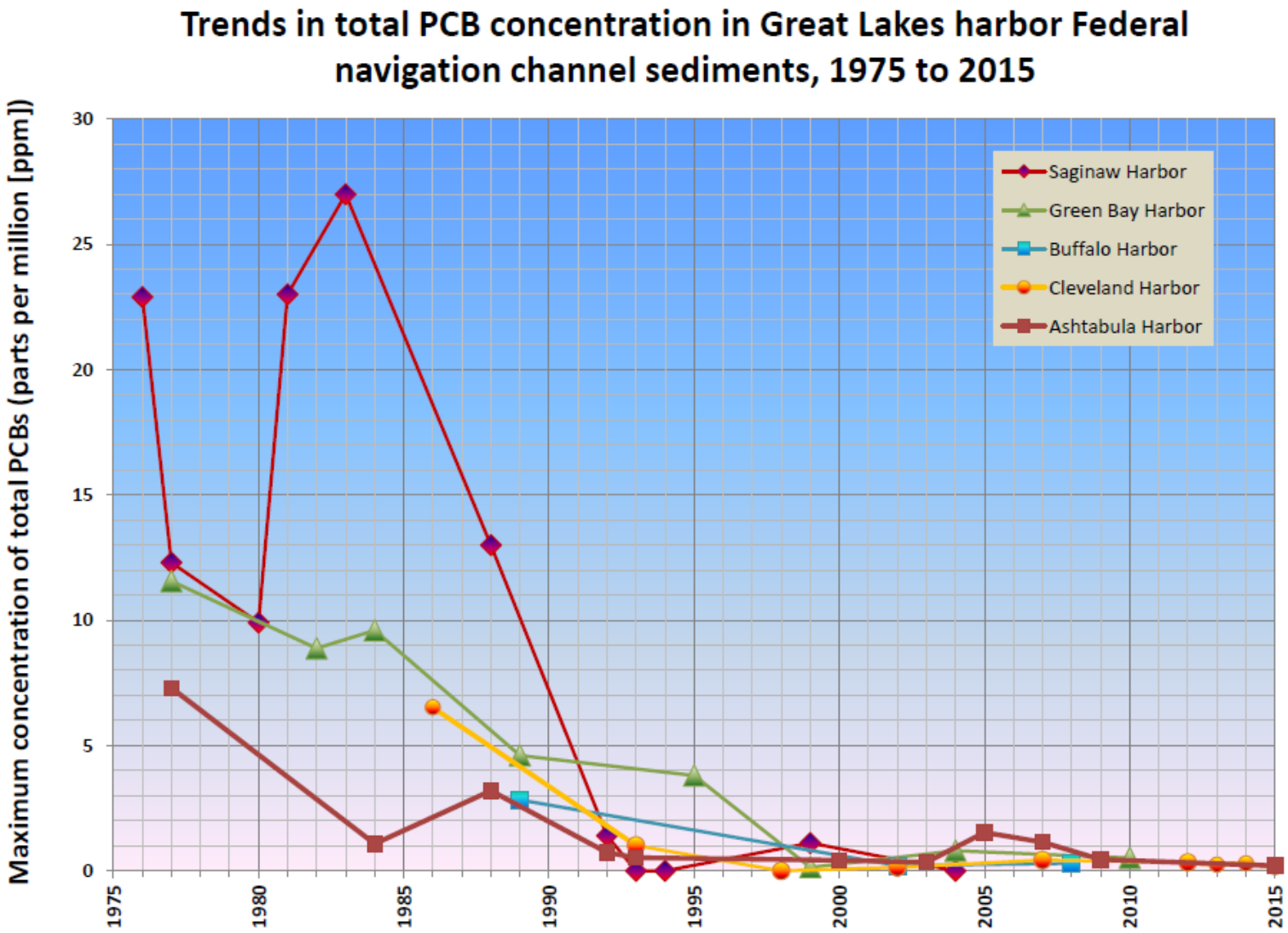
METRO COLUMNISTS

Michael McIntyre's Tipoff

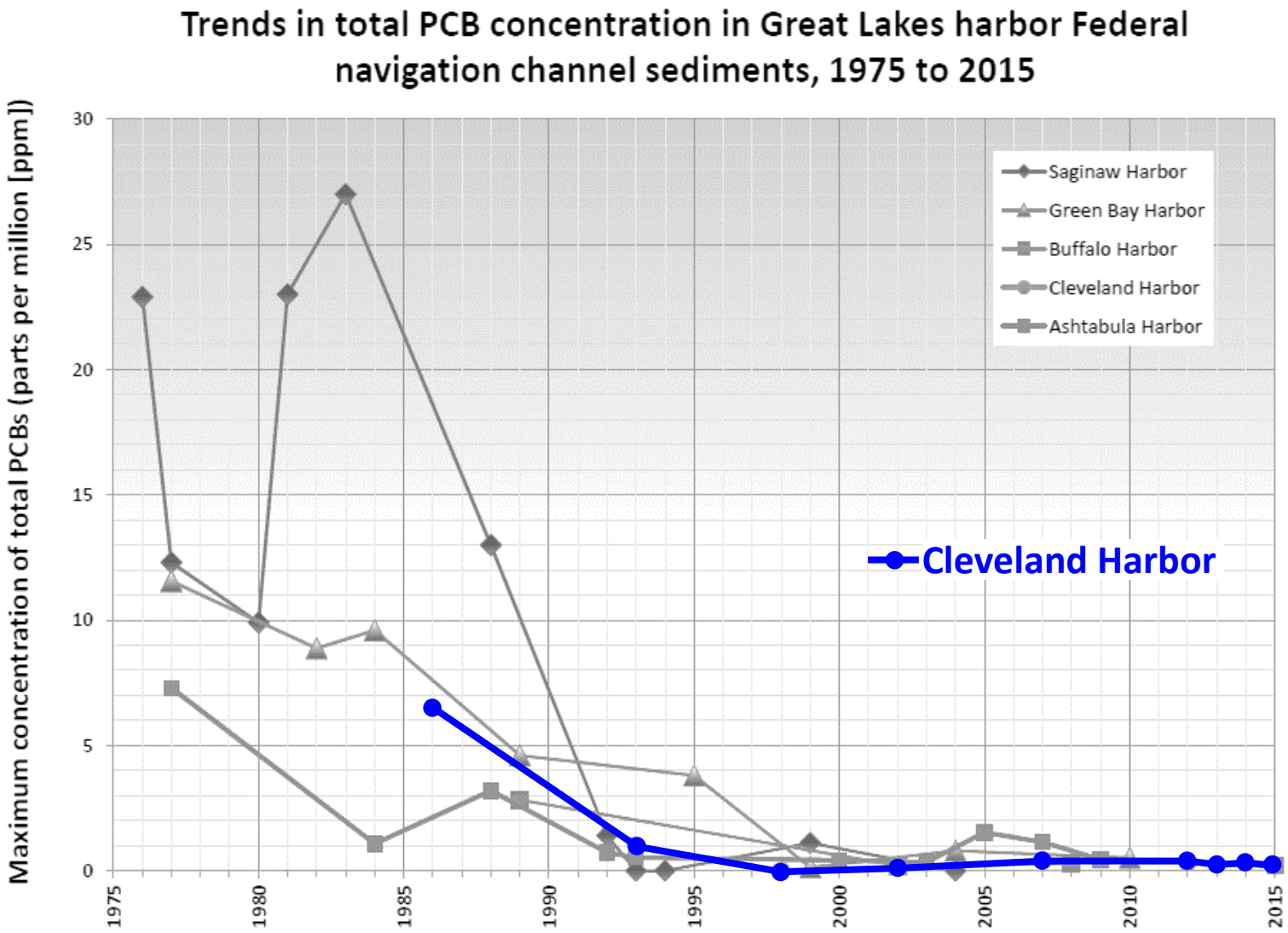
Mark Naymik

There is absolutely no sound science that indicates depositing upper channel sediment at the placement site would lead to an increase of PCBs in walleye, and warrant changing the walleye consumption advisory.

Photo Credit: http://www.cleveland.com/metro/index.ssf/2015/05/walleye_at_risk_in_lake_erie_d.html



Enforcement of the Clean Water Act and the use of Confined Disposal Facilities have been very effective in reducing PCB concentrations in sediment across the Great Lakes



Enforcement of the Clean Water Act and the use of Confined Disposal Facilities have been very effective in reducing PCB concentrations in sediment across the Great Lakes

It's important that we don't overstate sediment characteristics which could unnecessarily rule out beneficial use opportunities.

Ohio Environmental Protection Agency

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Lake Erie Dredged Material Program

Dredged Material: Improving Ohio's Water Quality and Economy

Each year, harbors on Ohio's north shore must be dredged to keep the shipping channels open so commodities can move in and out of the ports. Nearly 1.5 million tons of material are dredged annually. Historically, much of the dredged material was dumped in the open waters of Lake Erie. However, with passage of Senate Bill 1, that will no longer be an option after July 1, 2020.

The program has one overall goal - to improve Lake Erie water quality by addressing potential impacts from dredged material. To meet that goal, there are two sub-goals:

- By July 2020, none of the material dredged is disposed in the open waters of Lake Erie
- By July 2025, sedimentation in the Lake Erie watershed is minimized.

Read more about the program goals and objectives. If you have ideas about how Ohio can use this valuable resource, please email us or contact Pam Allen directly by phone at (614) 644-2980.

SAVE THE DATE · MAY 11, 2016

Dredged Material Make it Your BUSINESS

DIGGING UP IDEAS WORKSHOP

Background | Ports | Resources | Rules

With proper characterization and handling, uncontaminated dredged material can be used for many things including beach/near shore nourishment, habitat creation or restoration, landscaping, road construction, land reclamation, landfill cover and in the manufacture of marketable products such as concrete, brick, block and topsoil.

Public, private and nonprofit stakeholders in and around the harbor areas are in an ideal position to help identify and benefit from developing viable dredged material uses. The first step is recognizing that the material is a valuable resource with real economic value.

With the State's help, the public and private sector in the region will then be able to capitalize on the environmental and economic opportunities created by this resource.

To assist these efforts, the State will identify potential end uses of the dredged materials based on geotechnical and chemical characteristics.

Here are a few ways dredged material may be used:

Local Governments and Private Businesses

Labor Management Committee

"With proper characterization and handling, uncontaminated dredged material can be used for many things including beach/near shore nourishment, habitat creation or restoration, landscaping, road construction, land reclamation, landfill cover and in the manufacture of marketable products such as concrete, brick, block and topsoil."

We're soliciting bids for 3 ways to dredge in 2016
*2 of these ways **do not** include open lake placement*

Alternative	Where the **Lower Channel** Sediment Goes (45k cubic yards)	Where the **Upper Channel** Sediment Goes (180,000 cubic yards)	Who Pays
1	Federal CDF	Open Lake Placement Site	100% Federal
2	Federal CDF	Contractor-Furnished Site	Federal + Cost Partner
3*	Federal CDF	Federal CDF	Federal + Cost Partner

* Alternative 3 involves costlier mechanical transfer of sediment rather than the less expensive method of hydraulic transfer associated with alternative 1 and perhaps alternative 2.

The CDF owner in Duluth does not charge a tipping fee to the Corps for hydraulically transferring sediment…this allows involved parties to transcend from disagreements over open lake placement and dredge in a way that costs the same or less than the cost of the Federal Standard. ***How can we achieve this in Cleveland?***

BUFFALO DISTRICT

US Army Corps of Engineers

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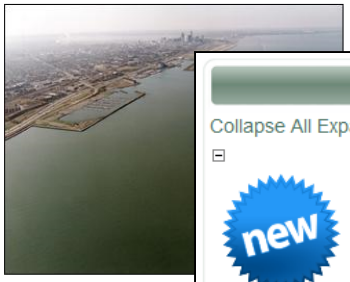
- Project Agreements
- Public Review Documents
- Approved Review Plans
- Project Agreements
- Flood Plain Managment

Cleveland Harbor

Cleveland Harbor



- Located on Lake Erie in the city of Cleveland, Cuy
  Harbor Acts of 1875, 1886, 1888, 1896, 1899, 19
  1946, 1958, 1960, 1962, Water Resources Develo
  Appropriations Act of 1987 and the Energy & Wat
- Deep draft commercial harbor.
- Authorized depths are 28 feet in the outer harbor
  12,793,000 tons of material shipped or received in
- Cleveland Harbor is ranked 6th among the Great
- Over 5.5 miles of breakwater structures. 5.8 miles
  mile of Federal channel on the Old River.
- Confined disposal facilities (CDFs) are located to
- Major stakeholders include Cleveland-Cuyahoga
  ArcelorMittal, U.S. Coast Guard, Lake Carriers Ass

Documents and Reports

Collapse All Expand All

⊟

new Revised Dredged Sediment Evaluation for Upper Cuyahoga River Channel Sediments - February 2016

Open Letter #2 to Lake Erie Stakeholders - Signed by LTC Karl Jansen, USACE Buffalo District Commander

Cleveland Harbor, Cuyahoga County, Ohio - Revised Dredged Sediment Evaluation for Upper Cuyahoga River Channel Sediments

⊞ Water Quality Certification Application & 2016 Cleveland Harbor Dredging Plan Information - November 2015

⊞ Cleveland Harbor Dredged Sediment Public Hearing - February 17, 2015

⊞ Finding of no significant impact and environmental assessment, open-lake placement of material dredged from upper Cuyahoga River - December 2014

⊞ Engineer Research and Design Center - Cleveland Findings Memo - December 2014

⊞ Beyond the Headlines: Cleveland Harbor

⊞ Cleveland Harbor Open House - April 2, 2014

⊞ Environmental Assessment, Open-Lake Placement of Dredged Material, February 2014

⊞ Webmeeting, March 2014

⊞ Scoping Infomration Packet, March 2012

⊞ Beneficial Use Report, Augu

⊞ Summit Final Report, March

⊞ Draft DMMP/EIS, August 200

⊞ DMMP Supporting Documen

⊞ Final Environmental Stateme

Ohio - April 1974

Visit us on the web…Learn more about Cleveland Harbor dredging, directly from the source documents

The complete body of our scientific analysis is as available for you to access and review

Public Comments

Please speak at the microphone

Please state your name and organization / affiliation

Please be respectful of time, and limit your comments to under 3 minutes

Submit Written Comments

Dated by March 12, 2016

Postal Service:

U.S. Army Corps of Engineers, Buffalo District
Attn: Environmental Analysis Team
1776 Niagara Street
Buffalo, NY 14207-3199

E-mail: ClevelandDredging@usace.army.mil

Fax: 716-879-4225