



**US Army Corps
of Engineers®**

Public Notice

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OPERATION AND MAINTENANCE DREDGING AND DREDGED MATERIAL PLACEMENT

TOLEDO HARBOR

LUCAS COUNTY, OHIO

This Public Notice has been prepared pursuant to Section 404(a) of the Clean Water Act (CWA). It 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 purpose of this Public Notice is to specify what dredged/fill materials would be discharged into waters of the United States by implementation of the proposed action, advise all interested parties of the proposed project, and provide an opportunity to submit comments or request a public hearing.

The USACE - Buffalo District anticipates the need to dredge and discharge sediment excavated from the federal navigation channels of Toledo Harbor in order to maintain sufficient depth for deep-draft commercial vessels. The attached map (Figure 1) shows the authorized limits and depths of Toledo Harbor federal navigation channels. Annual dredging would be conducted within the authorized Lake Approach and River Channels. To ensure that the minimum authorized depth in the Harbor is maintained throughout the navigation season, an additional two feet of shoal may be removed, including one foot of over-depth and one foot of advance maintenance dredging.

Dredging operations at Toledo Harbor are scheduled to be performed during the period between July 1 and March 15 of a given construction season. A contractor of the federal government would accomplish the project. Sediments would be removed from the channel bottom by a mechanical dredge and placed into hoppers aboard scows for transport to the designated dredged sediment placement area. Mechanical excavation and placement methodologies would be used by the contractor performing the maintenance dredging.

The sediment to be dredged from Toledo Harbor consists primarily of silts and clays, with some sands. An estimated total of one million cubic yards (CY) of sediment would be dredged from the federal navigation project during a given dredging cycle. The quality of the sediment has been evaluated using 2012, 2014, 2015, 2016, 2017, and 2021 sediment data in accordance

with formal CWA Section 404(b)(1) Guidelines and formal guidance contained in the U.S. Environmental Protection Agency (USEPA)/USACE 1998 Great Lakes Dredged Material Testing and Evaluation Manual, and 1998 Evaluation of Dredged Material for Discharge into Waters of the U.S. - Testing Manual. The evaluation specifically addresses potential contaminant-related risks to aquatic life associated with placing the dredged sediment at the open-water placement area. Based on this evaluation, all sediments within the federal navigation channel have been determined to meet contaminant determination CWA Section 404(b)(1) Guidelines for open-water placement. Up to 10,000 CY of dredged sediment would be placed annually at the existing, authorized two-square mile open-lake placement area in the western Lake Erie basin (WLEB), located three and one-half miles from the Toledo Harbor light at an azimuth of 033°00' (Figure 2). This site has been previously used by the USACE for the placement of Toledo Harbor dredged sediment. The placement of dredged sediment will occur within the southwest half of this area.

Up to 990,000 CY of dredged sediment would be placed annually in a confined disposal facility. Confined placement would entail the careful sequencing and judicious placement of sediment in Confined Disposal Facility 3 with the goal of optimizing scarce remaining capacity. Cell 2 of Confined Disposal Facility 3 is Federally owned and operated and currently retains approximately 2.4 million CY of airspace capacity. However, USACE is not proposing to place sediment in Cell 2 during years 2026 through 2028. Management Units 1 and 2, of Cell 3, of Confined Disposal Facility 3, are owned and operated by Toledo Lucas County Port Authority (TLCPA) and currently retain 4.85 million CY of airspace capacity. USACE would place sediment in Cell 3 in years 2026 through 2028 and TLCPA would manage the resulting discharge (Figure 1).

TLCPA has proposed that other partners could remove dried sediment from their cells for upland beneficial use, thus creating additional capacity. However, this opportunity has not yet been realized and would be beyond the scope of the Federal Action; no additional capacity can be reasonably projected as a result of sediment removal from the Confined Disposal Facility.

The USACE may propose and evaluate alternate dredge sediment placement sites prior to project implementation but such evaluations may require further study to determine acceptability and compliance with applicable laws, regulations, and policy.

Pursuant to Section 401 of the Clean Water Act, a Water Quality Certification (WQC), or waiver of WQC, from the Ohio Environmental Protection Agency (OEPA) is required for the discharge of dredged sediment. Therefore, a copy of this Public Notice has been provided to OEPA requesting a three-year WQC (or waiver thereof) for the associated placement of these dredged sediments.

The environmental effects of the dredging operation are documented in the *Final Environmental Impact Statement, Operation and Maintenance (O&M), Toledo Harbor, Ohio (1976); Environmental Assessment (EA) and Section 404(b)(1) Evaluation, O&M, Toledo*

Harbor, Ohio (1989); EA and Section 404(b)(1) Evaluation, O&M, Dredging and Placement of Dredged Material, Toledo Harbor, Ohio (2009); and Clean Water Act Section 404(b)(1) Evaluation, Operations and Maintenance, Toledo Harbor, Lucas County, Ohio, Discharge of Sediments Dredged from Federal Navigation Channels (2020). These documents, and supplemental documentation, are available for examination at the Buffalo District office.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that would be affected by this project. By this notice, the National Park Service is advised that currently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

This office has determined that the proposed project would have No Effect upon any species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor would the proposed work result in an Adverse Modification of designated critical habitat for any such species. Therefore, unless new information indicates otherwise, no further consultation pursuant to Section 7 of the Endangered Species Act Amendments of 1978 would be undertaken with the U.S. Fish and Wildlife Service.

This work would be undertaken in a manner consistent, to the maximum extent practicable, with the State of Ohio Coastal Management Program. A Coastal Management Program Federal Consistency Determination has been submitted to the Ohio Department of Natural Resources (ODNR) documenting this determination.

The decision whether to perform dredging would be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision would reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal would be considered including the cumulative factors thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

This activity is being coordinated with the following agencies, as well as other appropriate federal, state and local agencies, and Tribal Nations and federally recognized tribes:

Ohio Department of Natural Resources
Ohio Environmental Protection Agency
Ohio Historic Preservation Office
U.S. Department of the Interior, Fish and Wildlife Service
U.S. Environmental Protection Agency

Any interested parties and/or agencies desiring to express their views concerning this proposed discharge of dredged material may do so by filing their comments, in writing, no later than 30 days from the date of this notice. Any person who has an interest which may be affected by this discharge may request a public hearing. The request must be submitted in writing to the undersigned within 30 days of the date of this Public Notice. The request must clearly set forth the interest which may be affected, and the manner in which the interest may be affected, by this activity.

Interested parties are encouraged to contact the USACE - Buffalo District with their comments and/or requests for additional information regarding the proposed discharge of dredged sediment. Please review this Public Notice and send your comments and/or information requests in writing within 30 days to the following e-mail address:

ToledoDredging@usace.army.mil

or via mail to:

U.S. Army Corps of Engineers - Buffalo District Environmental Analysis Section
478 Main St.
Buffalo, NY 14202-3199
ATTN: Environmental Analysis - Toledo Dredging

This Public Notice is published in conformance with 33 CFR 337.1. All dredging and dredged material discharge would be performed in conformance with Sections 313 and 404 of the Clean Water Act (33 USC 1323 and 1344, respectively).

FY26 ~ FY28 DREDGING
(DREDGE ESTIMATED 248 ACRES FROM WITHIN THE SHADED AREAS (ACTUAL LOCATIONS AND EXTENTS WILL BE DETERMINED BASED ON SHOALING LOCATIONS AND DEPTHS))

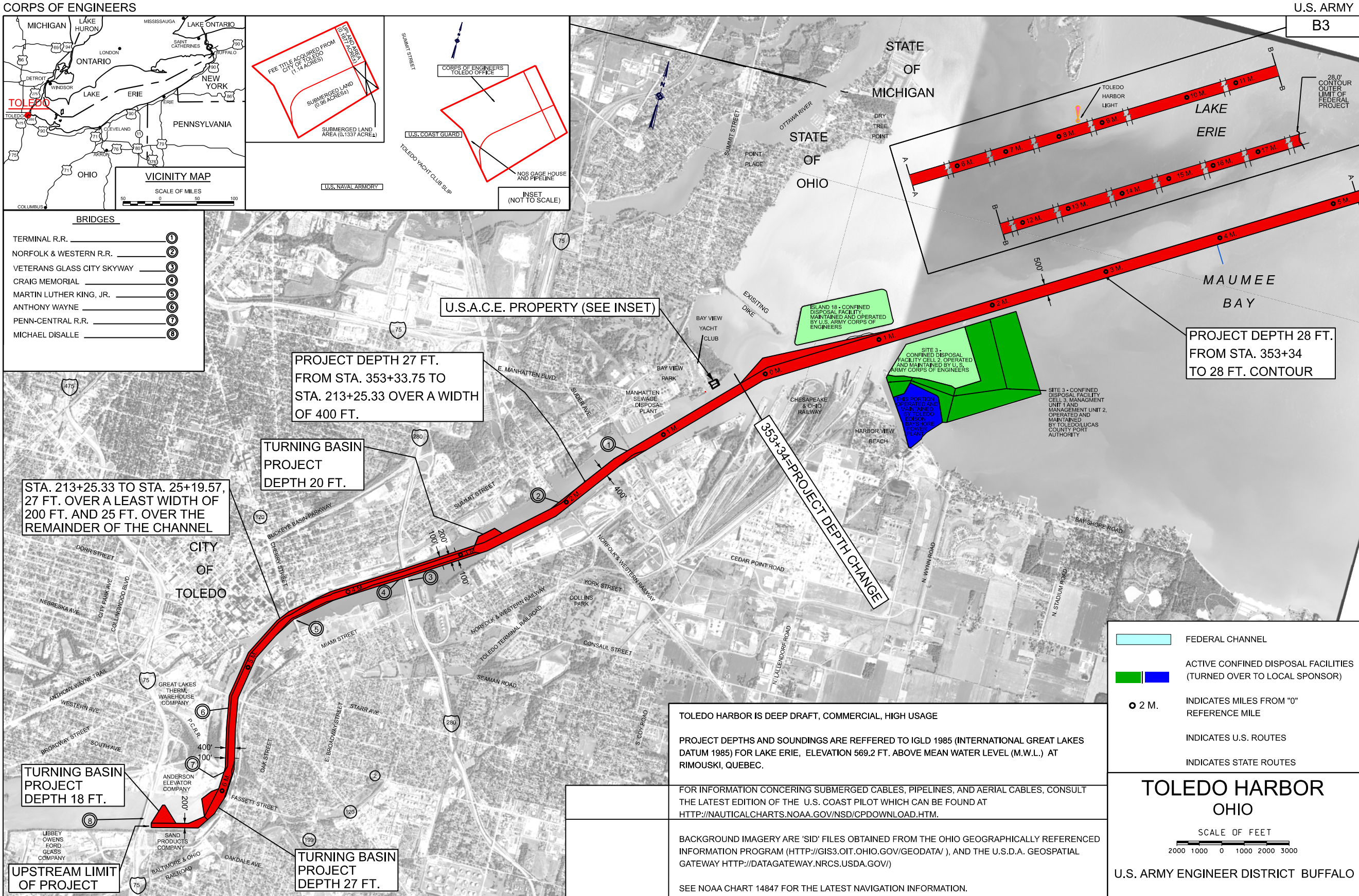


Figure 1 - Toledo Harbor, Lucas County, Ohio

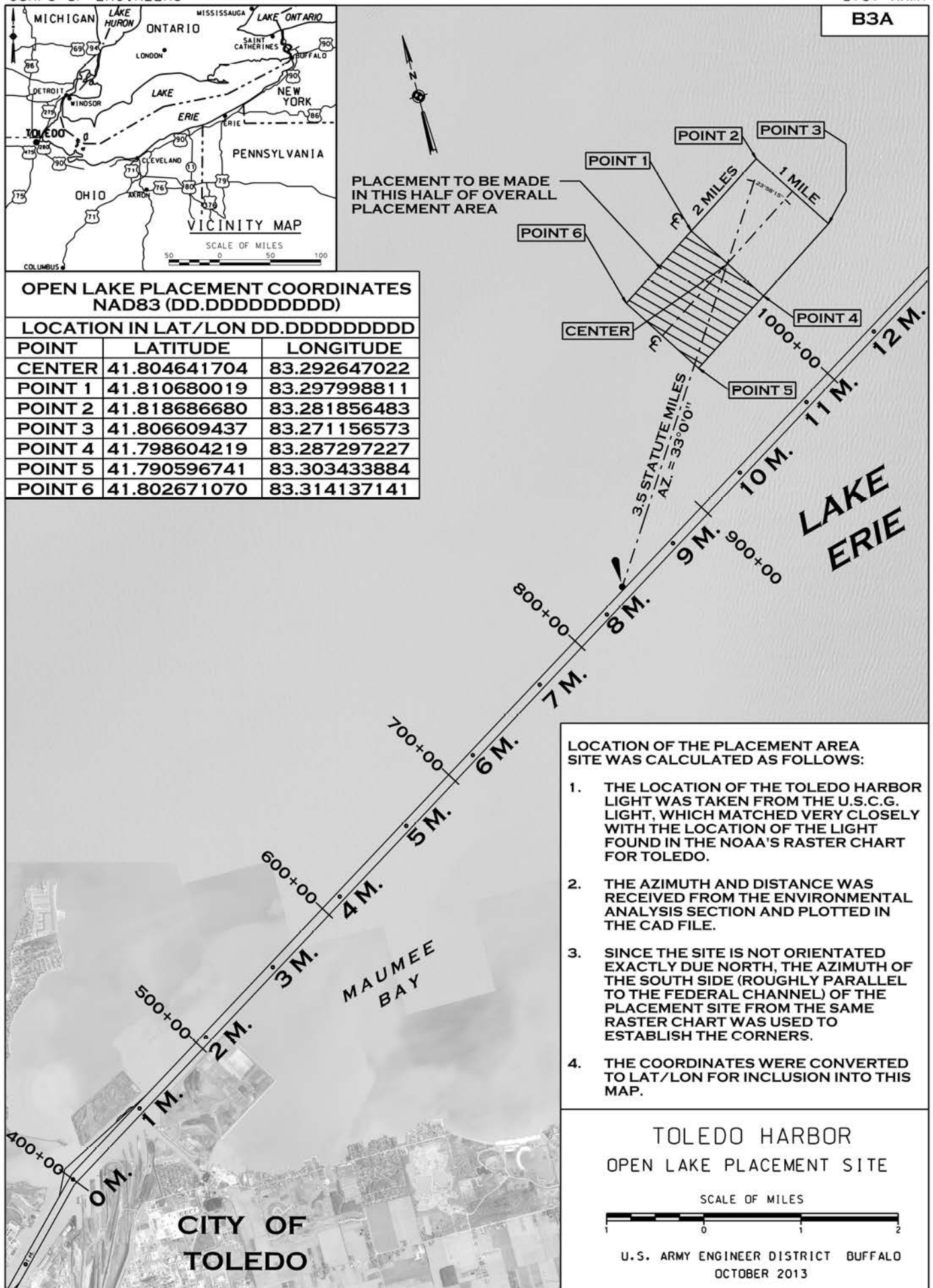


Figure 2 - Toledo Harbor Open Lake Placement Site