



**US Army Corps
of Engineers®**

Public Notice

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OPERATION AND MAINTENANCE DREDGING AND DREDGED SEDIMENT PLACEMENT

ASHTABULA HARBOR

ASHTABULA COUNTY, OHIO

This Public Notice has been prepared pursuant to Section 404(a) of the Clean Water Act (CWA). It is being administered 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, and advise all interested parties of the proposed project and to 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 authorized federal navigation channels of Ashtabula Harbor in order to maintain sufficient water depths for deep-draft commercial vessels through 2027. Ashtabula Harbor typically requires maintenance dredging on a biennial basis and the most recent maintenance dredging occurred in 2023. However, the rate of shoaling and availability of funding could increase the frequency of operations. Figure 1 shows the authorized limits and depths of Ashtabula Harbor federal navigation channels. Dredging will be conducted in the river (excluding Station 66+00 to 76+00), Outer Harbor, and Lake Approach channels. To ensure that authorized depths are obtained and to account for dredging tolerance, up to an additional one foot of sediment may be dredged. An estimated total of approximately 250,000 cubic yards of sediment will be dredged from Ashtabula Harbor federal navigation channels in 2025 and 2027.

In 2021, USACE constructed a submerged rubblemound breakwater structure and initiated construction of a beneficial use of dredged material project inside Ashtabula Harbor under Section 204 of the Water Resources Development Act of 1992, as amended. Section 204 authorizes the U.S. Army Corps of Engineers (USACE) to develop regional sediment management plans, in cooperation with appropriate federal, state, regional and local agencies, for sediment obtained through construction, operation, or maintenance of an authorized federal

water resources project. The project is creating a hemi-marsh with submerged aquatic and emergent wetland habitat in the area immediately adjacent to the existing east federal breakwater. Currently, the site is fully submerged except for the existing breakwater, and partially enclosed with a submerged rubblemound breakwater structure that extends approximately 1,500 feet to an elevation of -5.0 feet low water datum (LWD) (Figure 1 inset, and Figure 2). In 2023, approximately 80,000 cubic yards of dredged sediment was placed within the Section 204 site. Over the course of the entire project, approximately 300,000 to 400,000 cubic yards of dredged sediment will ultimately be placed and contoured to varying depths starting at -5.0 feet LWD.

The dredging operations at Ashtabula Harbor are tentatively scheduled to be performed during the period between July 25 and September 14. A contractor of the federal government will accomplish the maintenance dredging. Sediments will be removed from the channel bottom by a mechanical or hydraulic dredge and placed into hoppers aboard ship or scow for transport to the placement area. The method of excavation will be determined by the contractor performing the maintenance dredging. In previous years, clamshell and hopper dredges have been used to complete the required work.

Sediment in the Ashtabula Harbor federal navigation channels consists primarily of silts and clays with some sands. The quality of harbor sediments has been evaluated using 2015, 2017, 2018, and 2021 sediment data in accordance with formal Clean Water Act Section 404(b)(1) Guidelines testing and evaluation guidance contained in the U.S. Environmental Protection Agency (USEPA)/USACE Great Lakes Dredged Material Testing and Evaluation Manual (1998) and Evaluation of Dredged Material Proposed for Discharge in Waters of the U.S.—Testing Manual (1998). Based on this evaluation, the harbor sediments have been determined to meet contaminant determination Clean Water Act Section 404(b)(1) Guidelines for open-lake placement. Therefore, the dredged sediment will be placed at the previously constructed beneficial use project area within the harbor (Figure 1 inset, and Figure 2). This area was previously used by the USACE for placement in 2023. Though all sediments within the federal navigation channel have been determined to meet contaminant determination CWA Section 404(b)(1) Guidelines for open-water placement, the USACE will use the 2025 and 2027 dredge cycle to continue the construction of our beneficial use project.

Pursuant to Section 401 of the Clean Water Act, Water Quality Certification (WQC) from the Ohio Environmental Protection Agency (Ohio EPA) is required for the discharge of dredged sediment. Therefore, a copy of this Public Notice has been provided to Ohio EPA requesting WQC, or waiver thereof, for the associated placement of dredged sediment at the existing open-lake placement area.

The environmental effects of the dredging operation are documented in the *Final Environmental Impact Statement, Operation and Maintenance, Ashtabula Harbor, Ohio (1975); Environmental Assessment (EA) and Section 404(b)(1) Evaluation, Operation and Maintenance, Ashtabula Harbor, Ohio (1994); EA and Section 404(b)(1) Evaluation, Operation and Maintenance, Ashtabula Harbor, Ohio (2001); and Dredging and Dredged*

Material Placement, Ashtabula Harbor: Finding of No Significant Impact and EA/404 (b)(1) Evaluation (2012). Additionally, a Detailed Project Report and Environmental Assessment (EA)/Finding of No Significant Impact (FONSI) has been completed for the Section 204 project within the harbor. These documents, and supplemental documentation, have been filed with the USEPA. Copies are available for examination at the Buffalo District office.

The USACE has been in consultation with the National Park Service, Ohio Historic Preservation Office (OHPO), historical societies, the Ashtabula Port Authority, and several potentially interested Tribal Nations throughout the Section 204 feasibility study. Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the USACE consulted with the OHPO regarding the likely presence of an historic shipwreck within the project boundaries. The project's impact on cultural resources has been evaluated in accordance with Engineer Regulation (ER) 1105-2-50 and 36 CFR 800. Prior to signature of the FONSI, the USACE entered into a Memorandum of Agreement (MOA) with OHPO, and the Ashtabula Port Authority, regarding potential future adverse effects to this site in accordance with 36 CFR 800. The USACE does not anticipate any effect to historic properties associated with on-going harbor maintenance dredging and all remaining work on the Section 204 project will be in accordance with the existing MOA.

This office has determined that the proposed project will have No Effect upon any species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will 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 will be undertaken with the U.S. Fish and Wildlife Service.

This work will 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 has been based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision reflects the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal has been balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal have been considered, including the cumulative factors thereof. Among those 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 organizations:

National Park Service
Ohio Department of Natural Resources
Ohio Environmental Protection Agency
Ohio Historic Preservation Office
U.S. Coast Guard
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 these proposed discharges of dredged sediment 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 the discharge of this dredged sediment 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 regarding the proposed discharge of dredged sediment. Please review this Public Notice and send your comments in writing within 30 days to the following e-mail address:

AshtabulaDredging@usace.army.mil

or via mail to:

U.S. Army Corps of Engineers - Buffalo District
Environmental Analysis Team
478 Main Street
Buffalo, NY 14202-3278
ATTN: Environmental Analysis - Ashtabula Dredging

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

Attachments

NOTICE TO THE POSTMASTER: It is requested that the above notice be conspicuously displayed for 30 days from the date of issuance.

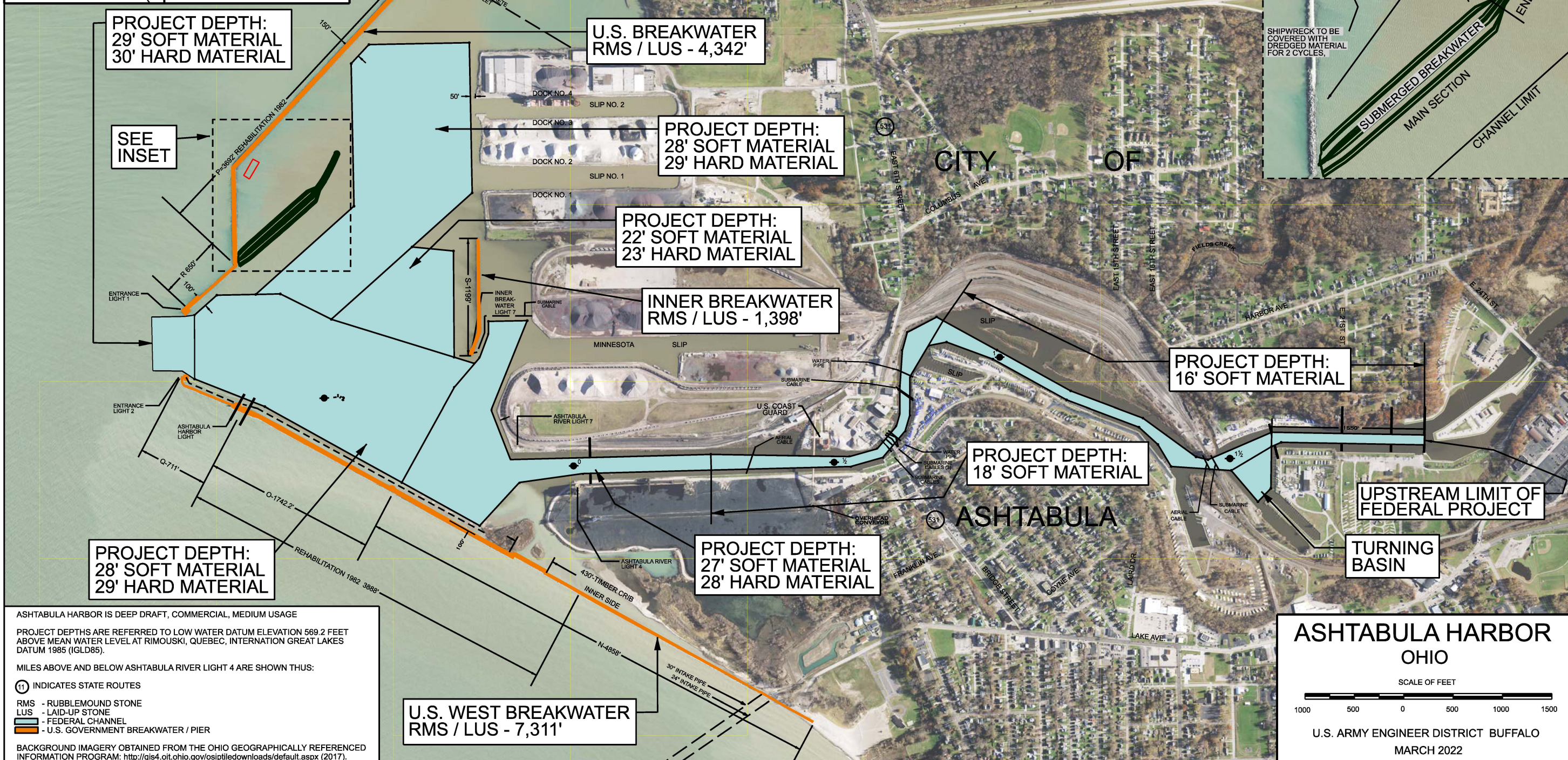
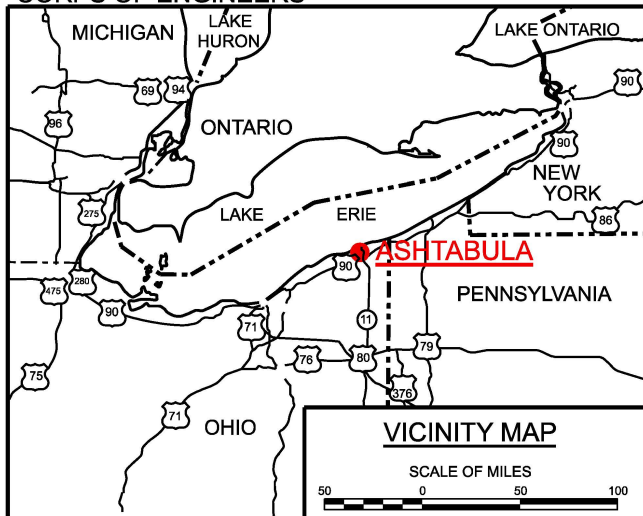


Figure 2: Ashtabula Harbor Placement Map

