

November 2007

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Permits Processing Unit  
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Comments due November 23, 2007  
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### Comments on Toledo Harbor Operations and Maintenance Dredging

The Western Lake Erie Waterkeeper Association (WLEWA) supports dredging the shipping channel and supports building an island in Lake Erie for the sediments. WLEWA continues to oppose open-lake dumping of the sediment.

Instead of reducing open-lake dumping as the 2005 Memorandum of Understanding outlines, the Army Corps proposes to do exactly the opposite by increasing the amount of sediment open-lake dumped from about 75% to 93% of the dredged sediments. This continuing practice is unacceptable and does not meet Clean Water and other laws to insure the integrity of the water quality and the aquatic habitat of Lake Erie. Open-lake dumping concerns also include the impacts to the Toledo and Oregon intakes and the overall impact on water quality and ecology of the warmest, shallowest, most biologically productive waters in the Great Lakes.

Prior 401 permits issued from OEPA to the Army Corps of Engineers required phasing out open-lake dumping. The 2005 Memorandum of Understanding requires the Army Corps and other parties to develop Habitat restoration Units that would be placed on 183 acres in the water and provide a capacity of 6 million tons. This agreement has not been met.

The states of Minnesota and Wisconsin restrict or prohibit open-lake dumping. The Great Lakes that abut these states are Superior and Michigan. Lake Superior is the deepest of all the Great Lakes, and Lake Michigan is far deeper than Lake Erie. If Minnesota and Wisconsin can enact rules and regulations for dredge materials, then so should Ohio. Lake Erie is far shallower, warmer and fishier than the other lakes. Ohio has more to lose if water quality continues to decline and phosphorous levels continue to rise. The dredge materials open-lake dumped offer a source for nutrient growth in the western basin. Ohio needs to stop open-lake dumping and find the resources to pay the added cost.

Does the Army Corps sample for phosphorous, nitrates etc.? How much does open-lake dumping increase nutrient dispersion, especially phosphorous? What is the impact of dredging on the growth of algae and the dead zones?

In summary, the OEPA should require that dredge material sediments are in compliance with all water and surface water thresholds. Please deny this permit to allow open-lake dumping and instead issue a permit for an island to solve this problem for years to come.

Sincerely,

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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