

APPENDIX D

NEPA COORDINATION



DEPARTMENT OF THE ARMY

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

REPLY TO
ATTENTION OF

Environmental Analysis Section

APR 11 2005

SUBJECT: Lorain Harbor Operations and Maintenance (Dredged Material Management Plan),
Lorain County, Ohio

SCOPING FACT SHEET

1. Introduction. The National Environmental Policy Act (NEPA) directs Federal agencies to initiate "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action." The purpose of this fact sheet is to inform potentially interested agencies, organizations and the general public of the U.S. Army Corps of Engineers (USACE) development of a Dredged Material Management Plan (DMMP) for Lorain Harbor, Ohio, and to obtain their views and recommendations. The DMMP is a study conducted to develop a long-term (20-year) strategy for providing viable dredged material placement alternatives that would meet the needs of maintaining the Federal channels at Lorain Harbor. In identifying acceptable dredged material management options and determining the ability of the Federal government to continue to maintain the harbor, the following considerations are important:

- availability and capacity of suitable dredged material placement sites
- effectiveness of beneficial use alternatives for the dredged material
- economic viability of the harbor
- compliance with environmental protection laws and regulations

The purpose of the study's scoping process is to identify problems and opportunities associated with the management of dredged material at Lorain Harbor and identify significant issues that we should address during the DMMP development process and completion of our required NEPA analysis.

2. Project Location. Lorain Harbor is a deep-draft commercial harbor located in Lorain County, Ohio. The harbor is situated on the southern shore of Lake Erie at the mouth of the Black River, approximately 28 miles west of Cleveland, Ohio (Figure 1). The harbor encompasses an Outer Harbor and Inner Harbor (Figure 2). The Outer Harbor is formed by a system of converging breakwaters in Lake Erie and covers an area of about 60 acres. The Entrance Channel to the Black River is protected by two parallel piers at the mouth of the river. The lower three miles of the river constitute the Inner Harbor with Federally maintained River Channel widths varying

from 200 feet to 500 feet. Two turning basins are provided along the river - one located approximately midway in the Federal project and one located at the upstream end of the project.

In 1979, the Corps of Engineers constructed a confined disposal facility (CDF) for the discharge of material periodically dredged from the harbor to maintain adequate depths for deep-draft commercial navigation. The CDF is a semicircular structure that adjoins the East Breakwater Shorearm. The facility covers 58 acres and has an estimated design volume capacity of 1,850,000 cubic yards. Public Law 94-587 requires the Corps of Engineers to implement management practices to extend the useful life of CDFs such that the need for new facilities is kept to a minimum. Therefore, only dredged material that does not meet Federal guidelines for unconfined open-lake discharge is placed in Federal CDFs.

Lorain Harbor is currently dredged about every two years. Since 1979, the average volume removed has been approximately 135,400 cubic yards per dredging event. The next scheduled dredging of the harbor will be in 2006 with an estimated dredging volume of between 90,000 and 120,000 cubic yards. Although the current remaining volume capacity of the CDF (approximately 338,000 cubic yards) can accommodate the 2006 harbor dredging, the Corps of Engineers and Lorain Port Authority are proceeding with plans to expand the facility for future dredging operations through the internal management of the existing material within the facility. Initially, this expansion would be achieved by constructing a 4-foot high interior berm within the CDF that would provide an additional 400,000 cubic yards of capacity. Additional berms could potentially be added to further increase the facility's capacity, but this action would require further evaluation.

3. Planning Constraints and Opportunities.

- Declining Commercial Traffic. Although waterborne traffic at Lorain Harbor has been comparatively stable for more than a decade, it is anticipated that future traffic will be greatly reduced due to the relocation of the harbor's iron ore transshipment facility to Cleveland Harbor in 2004. Iron ore has been the principal commodity at the harbor, with stone (limestone and gypsum) accounting for the remainder. Republic Engineered Products (REP), LLC currently operates the specialty bar quality steelmaking operations at the harbor. In February 2002, the Corps of Engineers completed a dredging evaluation of Lorain Harbor as part of an on-going program that assesses the economic viability of harbor maintenance. Over a projected 20-year period of analysis, this evaluation concluded that the continued maintenance dredging of the harbor is economically justified under three potential traffic scenarios: (a) receipt of only stone shipments; (b) receipt of only iron ore (projected reduced volume of 1,300,000 tons per year); and (c) receipt of stone and iron ore.
- CDF Capacity. The future management of dredged material at Lorain Harbor is problematical. The harbor's existing CDF is currently filled to approximately 90 percent of its total capacity. As a short-term measure to accommodate anticipated dredging needs in 2008, the Corps of Engineers plans to construct an interior berm within the facility in early 2007. This berm would increase the capacity of the facility to accept dredged

material for another two or three dredging events. However, to address long-term dredging and dredged material management needs, additional placement sites for dredged material not suitable for open-lake discharge must be made available.

- Sediment Quality. Since 1979, all material dredged from the harbor has been determined to be unsuitable for unconfined open-lake discharge. Consequently, it has been placed into the harbor's CDF. However, recent analysis (2002) of the Outer Harbor sediments indicates that this material now meets Federal guidelines for open-lake discharge, in accordance with the U.S. Environmental Protection Agency (EPA)/U.S. Army Corps of Engineers Great Lakes Dredged Material and Testing Manual (1998). Therefore, the placement of this dredged material in a Federal CDF would no longer be warranted. This evaluation was presented to the Ohio EPA on June 25, 2002. Since channel sediments from the Inner Harbor do not meet Federal guidelines for open-lake discharge, they must continue to be confined.

4. Alternative Management Measures. In order to address future maintenance needs, the USACE-Buffalo District is conducting a preliminary assessment of dredged material management measures at Lorain Harbor. In our planning process, it is USACE policy to consider all practicable and relevant alternative management measures. Options for managing dredged material at Lorain Harbor that require consideration include the following:

- *Open Water Placement*

- Existing Open-lake Site. The designated open-lake placement site for Lorain Harbor is located 3.5 miles N10°W of the harbor's West Breakwater light (Figure 3). The proposed use of the designated open-lake site requires that the dredged material meet Federal guidelines for open-lake placement. Based on an evaluation of recent chemical and biological testing data (2000 and 2001), the Outer Harbor sediments do meet these guidelines. In 2005, sediments from the harbor channels, and lake reference and disposal areas will again be collected and analyzed to confirm that Outer Harbor bottom sediments are suitable for open-lake placement. If the new testing verifies that these sediments meet the Federal guidelines, this determination will be documented in an Environmental Assessment/Finding of No Significant Impact, and Section 404(a) Public Notice and Section 404(b)(1) Evaluation that will then be released for public interest review. Section 401 Water Quality Certification will also be requested from the Ohio EPA for their determination as to whether the placement complies with applicable State Water Quality Standards.

- *Beach/Littoral Nourishment*. Dredged material that is suitable for beach nourishment is typically fine- to medium-grain sand and gravel. Since the harbor sediments consist primarily of silt and clay, they would not be acceptable for nearshore placement.

- ***Capping (Level Bottom or Contained Aquatic Disposal).*** Capping is the placement of contaminated dredged material in an underwater disposal site and then covering the material with a layer of more suitable material. Level bottom capping is the placement of dredged material on a level bottom surface, then capping with suitable material. Confined aquatic disposal would involve the use of an existing depression or excavated pit in the lake bottom to contain the material, then capping with suitable material. Cap materials are typically uncontaminated, sandy dredged material that is lacking at Lorain Harbor. Although this method has been used extensively at marine harbors, it has not been used in the Great Lakes and is not considered technically feasible.

- ***Beneficial Use (Upland).*** If it is suitable, dredged material or material excavated from the existing CDF could be used as cover and/or fill at any of the sites described below (Figure 4). If dredged material is used, a dewatering facility may be required to facilitate material handling and transport, and lower transportation costs.
 - **Cromwell Park Landfill Site.** This site is being acquired by the City of Lorain for redevelopment (Figure 5). Dredged material could be used as fill or cover material at the site.

 - **Burrell Homestead/East Fill Site.** This site is owned by Republic Technologies Inc. (RTI) and is located at 1807 East 28th Street in the village of Sheffield, Ohio (Figure 6). The site is bounded by East River Road (State Route 301) to the east, French Creek to the north, the Black River to the west, and Norfolk and Western Railroad tracks to the south. The 176-acre site is a former slag disposal area that RTI is considering for sale to Stein, Inc. to salvage and process the area's slag stockpiles. The site derives its name from the adjacent Burrell Homestead, the site of the former Sheffield Manual Labor Institute, a branch of Oberlin College that subsequently became a major stop on the Underground Railroad from 1837 until the Civil War. The house is listed in the National Register of Historical Places.

 - **Three RTI Sites [RT-1 (Stein, Inc.); RT-2 (Coke Plant); and RT-3 (North Fill)].** These sites are located on property formerly owned by Republic Technologies, Inc. (Figure 7). RT-1 is currently being used by Stein, Inc. as an active slag processing area. Since there are no plans for Stein to abandon this site, this area is not considered as a viable dredged material disposal area. RT-2 and RT-3 (approximately 300 acres total) have been included in City of Lorain plans as a possible future recreation area. Therefore, both these areas may be potential options for dredged material reuse sites. The City of Lorain has specifically requested that the Corps of Engineers study the beneficial use of dredged material at the RT-2 site under the authority of Section 204 of the Water Resources Development Act of 1992 (P.L. 102-980). The City hopes to reclaim the 130-acre area as the future site of their water treatment plant along with substantial habitat restoration and creation. Figure 8 displays a conceptual plan for the restoration of the streambank.

- *Confined Disposal*

- Existing CDF. This alternative would involve expanding the capacity of the existing CDF at Lorain Harbor either vertically or horizontally to extend the useful life of the facility. As discussed above, the raising of an interior berm within the CDF is planned for construction prior to the 2008 dredging season. Vertical expansion could also involve raising the existing elevation of the stone and steel sheet pile perimeter dike to increase the capacity of the facility. Horizontal expansion would involve the construction of additional dikes to form an additional cell or cells adjacent to the CDF. Any plans for extended use of the CDF must consider their potential implications related to the recreational use master plan developed for the facility by Lorain County Metro Park and Lorain Port Authority (Figure 8).
- Huron Harbor CDF. The Huron Harbor CDF is located approximately 25 miles west of Lorain Harbor (Figure 9). The 63-acre facility, built in 1975, has a total volume capacity of 2,760,000 cubic yards. The CDF currently has approximately 910,000 cubic yards remaining capacity that could be used to confine dredged material from Lorain Harbor for an additional four dredging events (or seven years). The dredged material would be transported via barge or scow to Huron, and then either pumped or placed via clamshell bucket into the CDF. A single round-trip from Lorain to Huron would average about 10 hours.
- New CDF. To minimize construction costs, a new facility would likely be sited adjacent to existing harbor navigation structures (i.e., piers, breakwaters) or adjacent to the existing CDF. Construction of a new in-water CDF would result in the substantial loss of nearshore habitat and an alteration of the existing shoreline. For those significant adverse environmental impacts that could not be avoided or minimized, mitigation measures to compensate for the loss of this habitat would have to be incorporated into the project. These measures could include improving the quality of the available nearshore habitat within the affected area by improving substrate conditions through the construction of artificial reefs or spawning beds for local fish species.
- Commercial Landfill. This disposal method is normally used for environmental cleanup dredging at harbors with exceedingly high levels of contamination and would typically be cost prohibitive for routine harbor maintenance dredging projects such as Lorain.

- *Treatment*. Treatment technologies are available to destroy, extract, or immobilize contaminants contained within sediments. Most of these technologies are still in the development stages and only a few have been used in a limited number of sediment remediation projects throughout the Great Lakes. Most developed technologies require

sediments to be dredged, placed into a holding/storage area, and dewatered prior to treatment.

- ***Watershed Management.*** The Black River, like many major rivers across the country, is being impacted by significant land use changes throughout the entire watershed, not just in the industrialized areas. These impacts are caused by the way the landscape is used for urban, suburban and rural activities. Land disturbances associated with the expansion and growth of residential areas and intensive agricultural practices are a particular problem and contribute substantial sediment loads. The sub-basins in the upper Black River watershed have had more than 20 percent of their land eroding at a rate of 5 tons/acre/year or more. Over 17,000 acres are eroding at "excessive" levels in these areas with cropland accounting for 82 percent of this number. Ideally, an adequate buffer strip of natural vegetation (a riparian corridor of trees, shrubs, and grasses) along the river and streambanks minimizes the degree to which eroded soils are washed into the river and its tributaries. Unfortunately, in many areas of the Black River and its tributary systems, there has been considerable disruption of the natural riparian corridor. Without a sufficient, intact vegetative buffer, significant amounts of nonpoint source pollution (runoff) enter into the Black River and its tributaries (<http://www.epa.gov/glnpo/aoc/blackriver.html>).

The entire Black River watershed has been designated as a Great Lakes Area of Concern (AOC). AOCs are defined by the U.S.-Canada Great Lakes Water Quality Agreement (Annex 2 of the 1987 Protocol) as "geographic area that fails to meet the General or Specific Objectives of the Agreement where such failure has caused or is likely to cause impairment of beneficial use or of the area's ability to support aquatic life." The Black River Remedial Action Plan Coordinating Committee together with the Ohio Environmental Protection Agency are working together to address detrimental land use practices and associated nonpoint source pollution. These efforts will proceed concurrently and independent of the development of the Lorain Harbor DMMP, but address the compatible objectives of reducing erosion and sedimentation within the watershed and consequently harbor dredging needs.

4. Potential Impacts. A detailed evaluation of the DMMP will identify the potential social, economic and environmental benefits and adverse impacts that would result from each plan component selected for detailed analysis. Through the scoping process, stakeholders and interested parties are invited to provide their initial input into the identification of these beneficial and adverse effects that will eventually be evaluated in an Environmental Impact Statement for the DMMP.

5. Compliance with Environmental Protection Statutes.

- *National Environmental Policy Act (NEPA).* In accordance with the Council on Environmental Quality's "Regulations for Implementing the Procedural Provisions of the NEPA of 1969" (40 CFR 1500-1508) and Engineer Regulation 200-2-2 (Procedures for Implementing NEPA), the USACE-Buffalo District will assess the potential significant

environmental impacts of the eventual recommended plan in an Environmental Impact Statement.

- *Clean Water Act.* If a plan is proposed for implementation that involves the placement of dredged or fill material below the ordinary high-water mark of Lake Erie or any other waters of the United States, the project will be evaluated in accordance with the guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency in conjunction with the Secretary of the Army under the authority of Section 404(b)(1) of the Act. A Section 404(a) Public Notice will be issued and any party that may be significantly impacted by the project will be afforded the opportunity to request a public hearing. Under Section 401 of the Act, USACE-Buffalo District will request certification from the OEPA that the proposed project is in compliance with established effluent limitations and water quality standards.

Under Section 402 of the Act, if a recommended DMMP measure disturbs greater than one acre of ground surface, then USACE-Buffalo District would develop a Stormwater Pollution Prevention Plan for the construction activity and submit it along with a Notice of Intent application to OEPA for coverage under their general permit.

- *Coastal Zone Management Act.* For those measures recommended under the preferred DMMP that are reasonably likely to affect any land or water use or natural resource of the State of Ohio's designated coastal zone, USACE-Buffalo District will assure that those activities or projects are consistent, to the maximum extent practicable, with the State's approved coastal management program. The USACE-Buffalo District will prepare a Federal Consistency Determination that will be coordinated with the Ohio Department of Natural Resources for their concurrence.
- National Historic Preservation Act. Under Section 106 of this Act, this Scoping Fact Sheet also initiates consultation with the National Park Service, State Historic Preservation Office (Ohio Historical Society), potentially interested Indian tribes, historic preservation organizations and others likely to have knowledge of, or concern with, historic properties that may be present within the area of potential effect.

6. Other Coordination Requirements. In addition to the aforementioned Federal statutes, the proposed project must also comply with other applicable or relevant and appropriate Federal laws. Table 1 presents a comprehensive list of environmental protection statutes, executive orders, *etc.* Therefore, an additional intent of this fact sheet is to disseminate pertinent project information to meet the applicable coordination/consultation requirements required under their provisions.

7. Point of Contact: William E. Butler III
Environmental Protection Specialist
Environmental Analysis Section

Telephone No.: 716-879-4268
Fax No.: 716-879-4357
E-mail: william.e.butler@usace.army.mil

Please review the preceding information and present any comments or recommendations in writing to Mr. Butler's attention at the following address:

U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

We ask that you provide your comments/recommendations by May 20, 2005. Thank you for your involvement in this study.



Martin P. Wargo
Chief, Environmental Analysis Section

Table 1. Federal Environmental Protection Laws, Orders, Policies.

1. PUBLIC LAWS

- (a) American Folklife Preservation Act, P.L. 94-201; 20 U.S.C. 2101, *et seq.*
- (b) Anadromous Fish Conservation Act, P.L. 89-304; 16 U.S.C. 757, *et seq.*
- (c) Antiquities Act of 1906, P.L. 59-209; 16 U.S.C. 431, *et seq.*
- (d) Archaeological and Historic Preservation Act, P.L. 93-291; 16 U.S.C. 469, *et seq.* (Also known as the Reservoir Salvage Act of 1960, as amended; P.L. 93-291, as amended; the Moss-Bennett Act; and the Preservation of Historic and Archaeological Data Act of 1974.)
- (e) Bald Eagle Act; 16 U.S.C. 668.
- (f) Clean Air Act, as amended; P.L. 91-604; 42 U.S.C. 1857h-7, *et seq.*
- (g) Clean Water Act, P.L. 92-500; 33 U.S.C. 1251, *et seq.* (Also known as the Federal Water Pollution Control Act; and P.L. 92-500, as amended.)
- (h) Coastal Barrier Resources Act of 1982, 16 U.S.C. § 3501 *et seq.*; 12 U.S.C. § 1441 *et seq.*
- (i) Coastal Zone Management Act of 1972, as amended, P.L. 92-583; 16 U.S.C. 1451, *et seq.*
- (j) Endangered Species Act of 1973, as amended, P.L. 93-205; 16 U.S.C. 1531, *et seq.*
- (k) Estuary Protection Act, P.L. 90-454; 16 U.S.C. 1221, *et seq.*
- (l) Federal Environmental Pesticide Control Act, P.L. 92-516; 7 U.S.C. 136.
- (m) Federal Water Project Recreation Act, as amended, P.L. 89-72; 16 U.S.C. 460-1(12), *et seq.*
- (n) Fish and Wildlife Coordination Act of 1958, as amended, P.L. 85-624; 16 U.S.C. 661, *et seq.*
- (o) Historic Sites Act of 1935, as amended, P.L. 74-292; 16 U.S.C. 461, *et seq.*
- (p) Land and Water Conservation Fund Act, P.L. 88-578; 16 U.S.C. 460/-460/-11, *et seq.*
- (q) Migratory Bird Conservation Act of 1928; 16 U.S.C. 715.
- (r) Migratory Bird Treaty Act of 1918; 16 U.S.C. 703, *et seq.*
- (s) National Environmental Policy Act of 1969, as amended, P.L. 91-190; 42 U.S.C. 4321, *et seq.*
- (t) National Historic Preservation Act of 1966, as amended, P.L. 89-655; 16 U.S.C. 470a, *et seq.*
- (u) Native American Religious Freedom Act, P.L. 95-341; 42 U.S.C. 1996, *et seq.*
- (v) Resource Conservation and Recovery Act of 1976, P.L. 94-580; 7 U.S.C. 1010, *et seq.*
- (w) River and Harbor Act of 1899, 33 U.S.C. 403, *et seq.* (Also known as the Refuse Act of 1899.)
- (x) Submerged Lands Act of 1953, P.L. 82-3167; 43 U.S.C. 1301, *et seq.*
- (y) Surface Mining and Reclamation Act of 1977, P.L. 95-89; 30 U.S.C. 1201, *et seq.*
- (z) Toxic Substances Control Act, P.L. 94-469; 15 U.S.C. 2601, *et seq.*
- (aa) Watershed Protection and Flood Prevention Act, as amended, P.L. 83-566; 16 U.S.C. 1001, *et seq.*
- (bb) Wild and Scenic Rivers Act, as amended, P.L. 90-542; 16 U.S.C. 1271, *et seq.*

2. EXECUTIVE ORDERS

- (a) Executive Order 11593, Protection and Enhancement of the Cultural Environment. May 13, 1979 (36 FR 8921; May 15, 1971).
- (b) Executive Order 11988, Floodplain Management. May 24, 1977 (42 FR 26951; May 25, 1977).
- (c) Executive Order 11990, Protection of Wetlands. May 24, 1977 (42 FR 26961; May 25, 1977).
- (d) Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970, as amended by Executive Order, 11991, May 24, 1977.
- (e) Executive Order 12088, Federal Compliance with Pollution Control Standards, October 13, 1978.
- (f) Executive Order 12372, Intergovernmental Review of Federal Programs, July 14, 1982.
- (g) Executive Order 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements, August 3, 1993.
- (h) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994.

3. OTHER FEDERAL POLICIES

- (a) Council on Environmental Quality Memorandum of August 11, 1980: Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing the National Environmental Policy Act.
- (b) Council on Environmental Quality Memorandum of August 10, 1980: Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the National Inventory.
- (c) Migratory Bird Treaties and other international agreements listed in the Endangered Species Act of 1973, as amended, Section 2(a)(4)



Figure 1

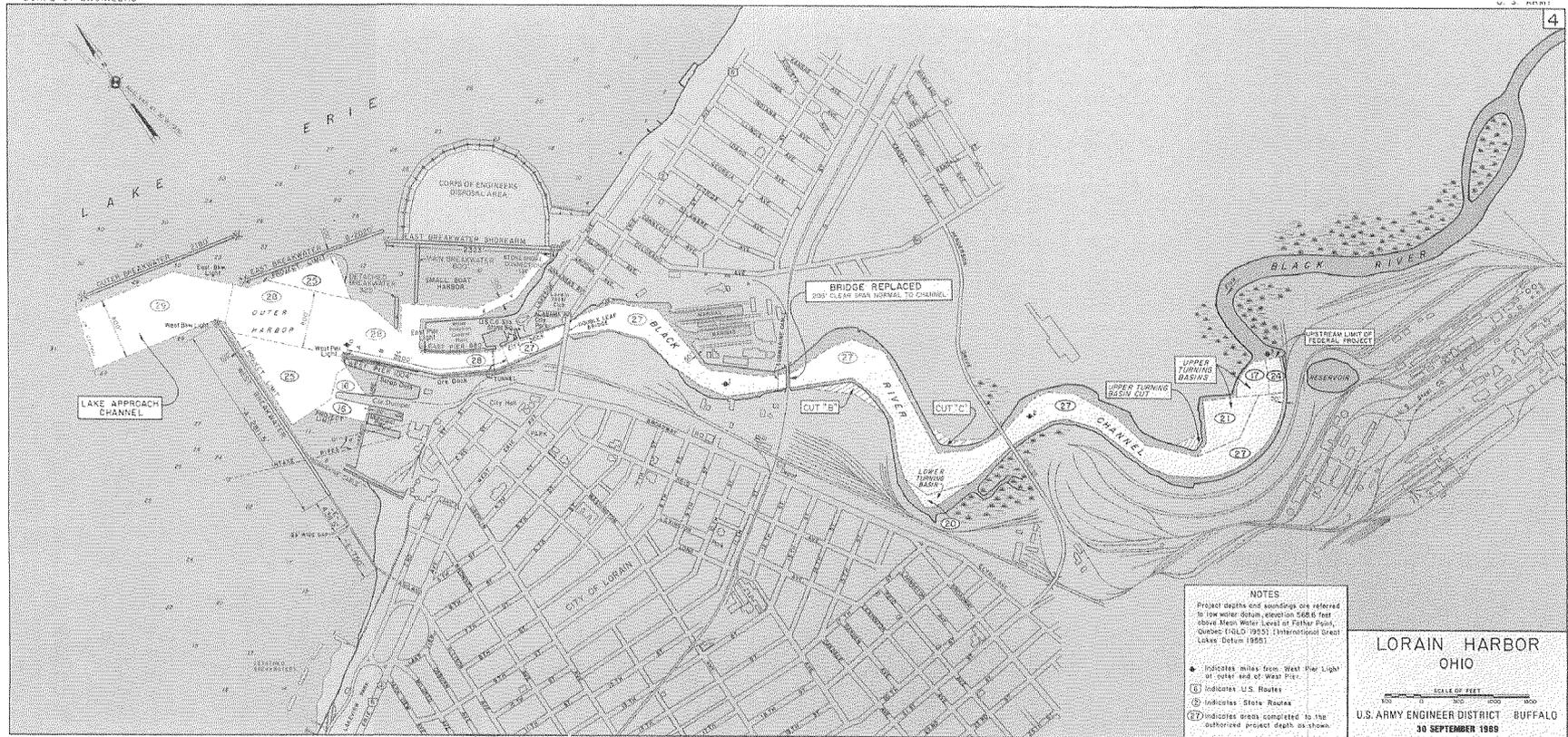
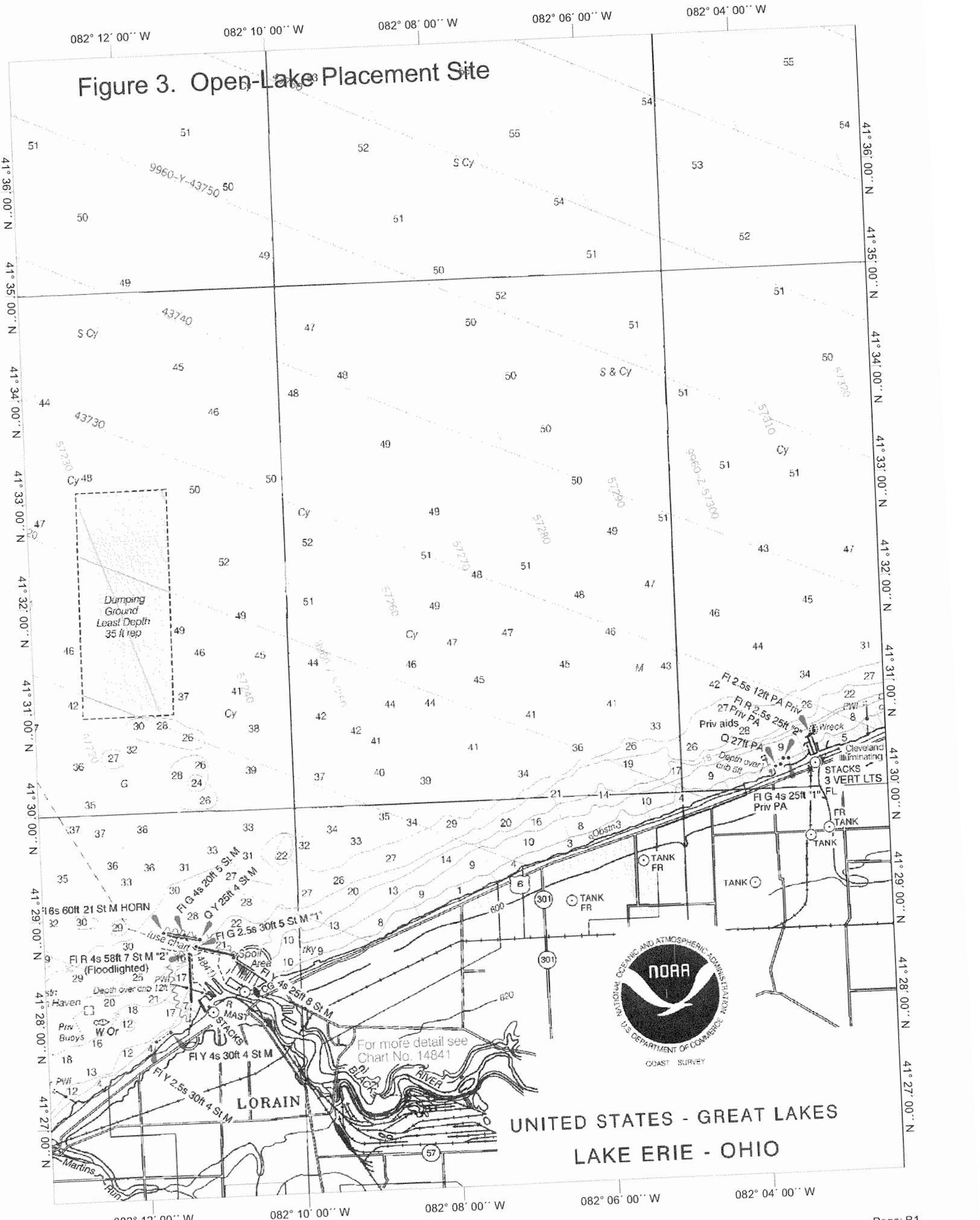


Figure 2. Lorain Harbor, Ohio

Figure 3. Open-Lake Placement Site



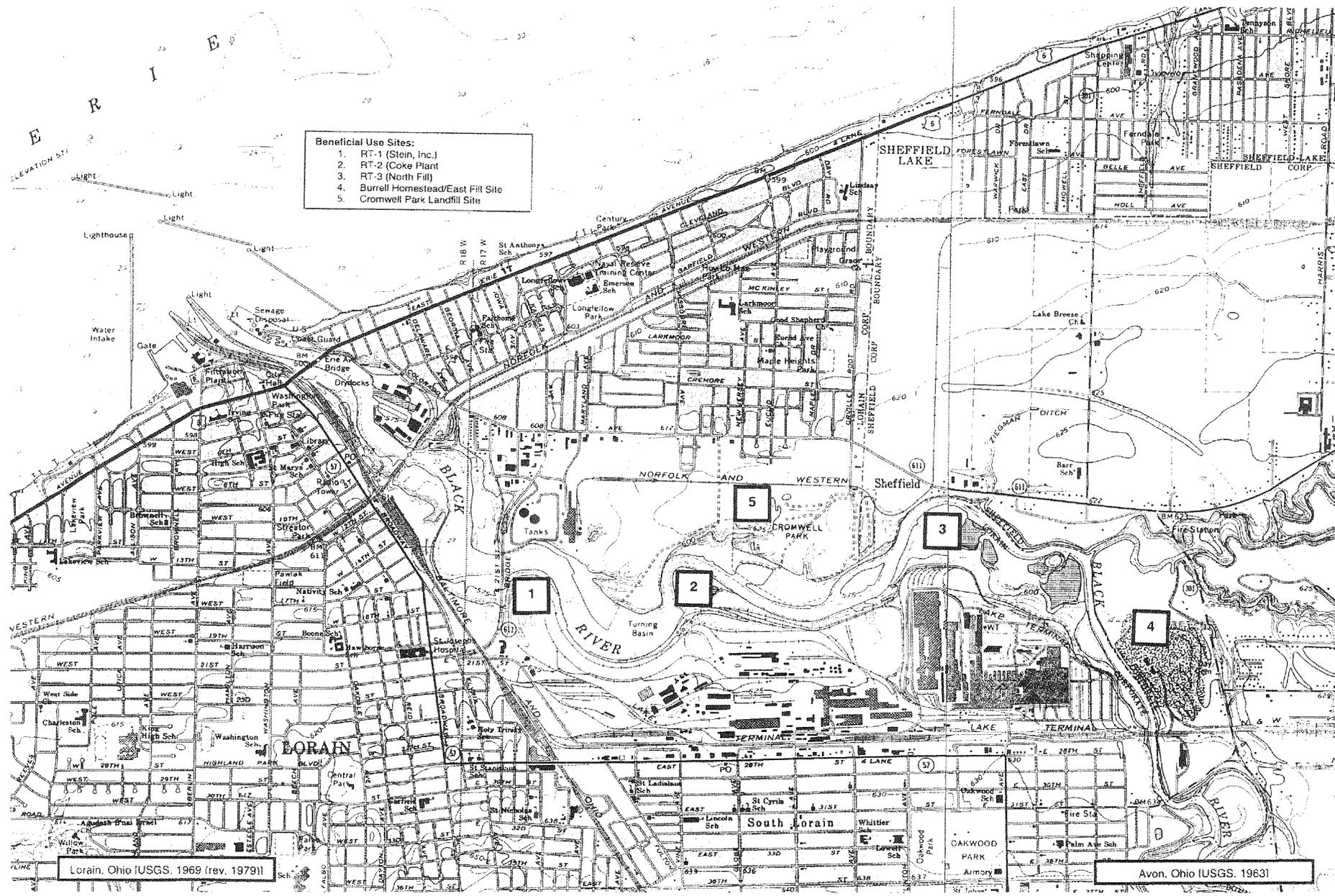


Figure 4. Beneficial Use Sites



Figure 5. Cromwell Landfill Site

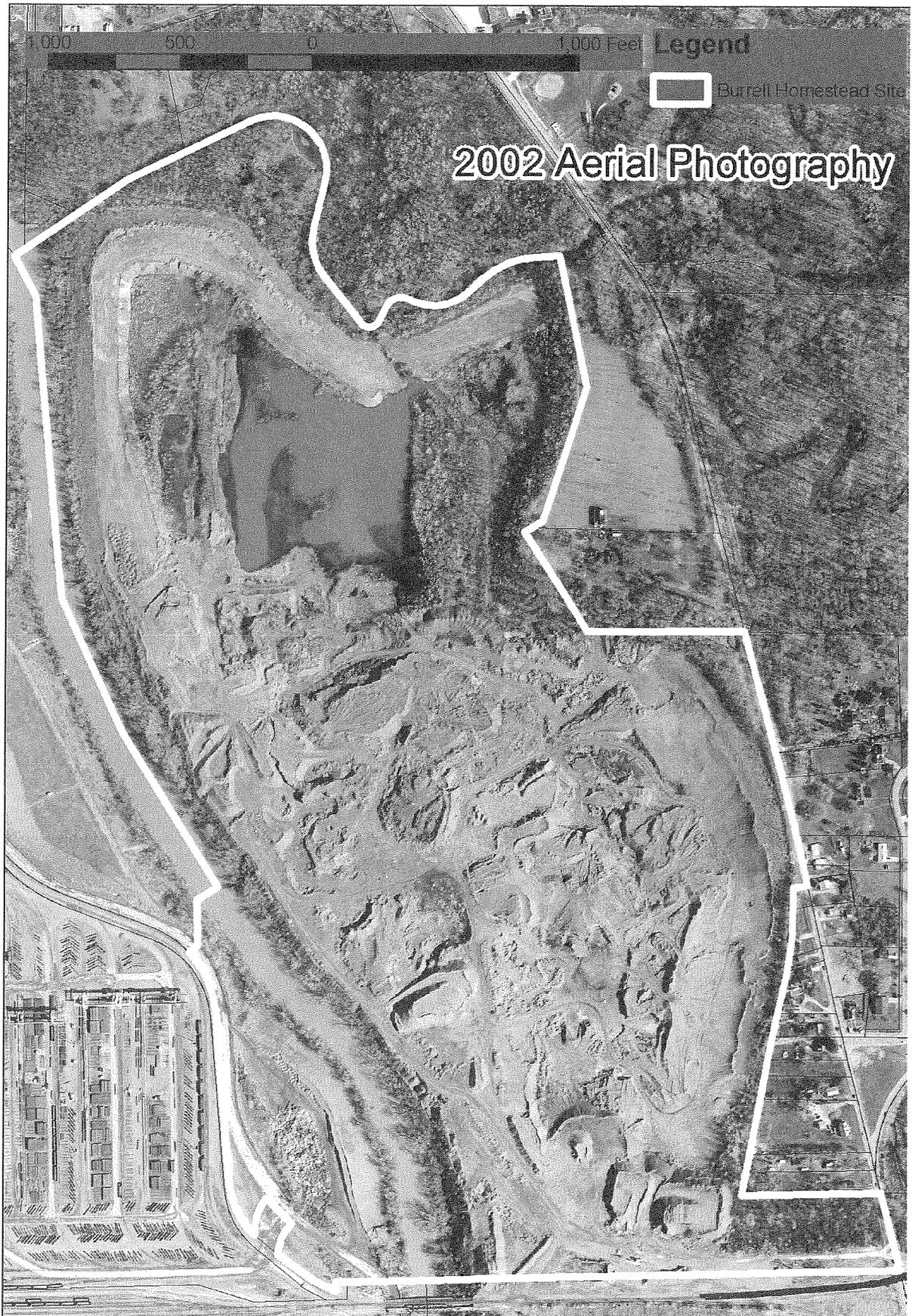


Figure 6. Burrell Homestead/East Fill Site

Lorain Harbor Potential Upland CDF Locations

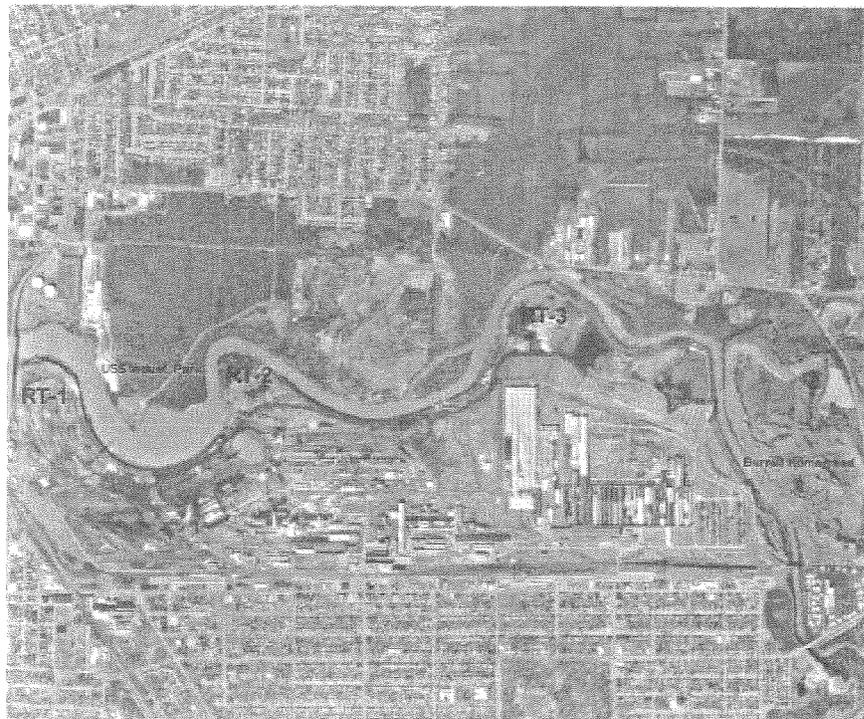


Figure 7. Republic Technologies, Inc. Sites

Black River Riparian Habitat Creation Using Lorain Harbor Dredged Materials

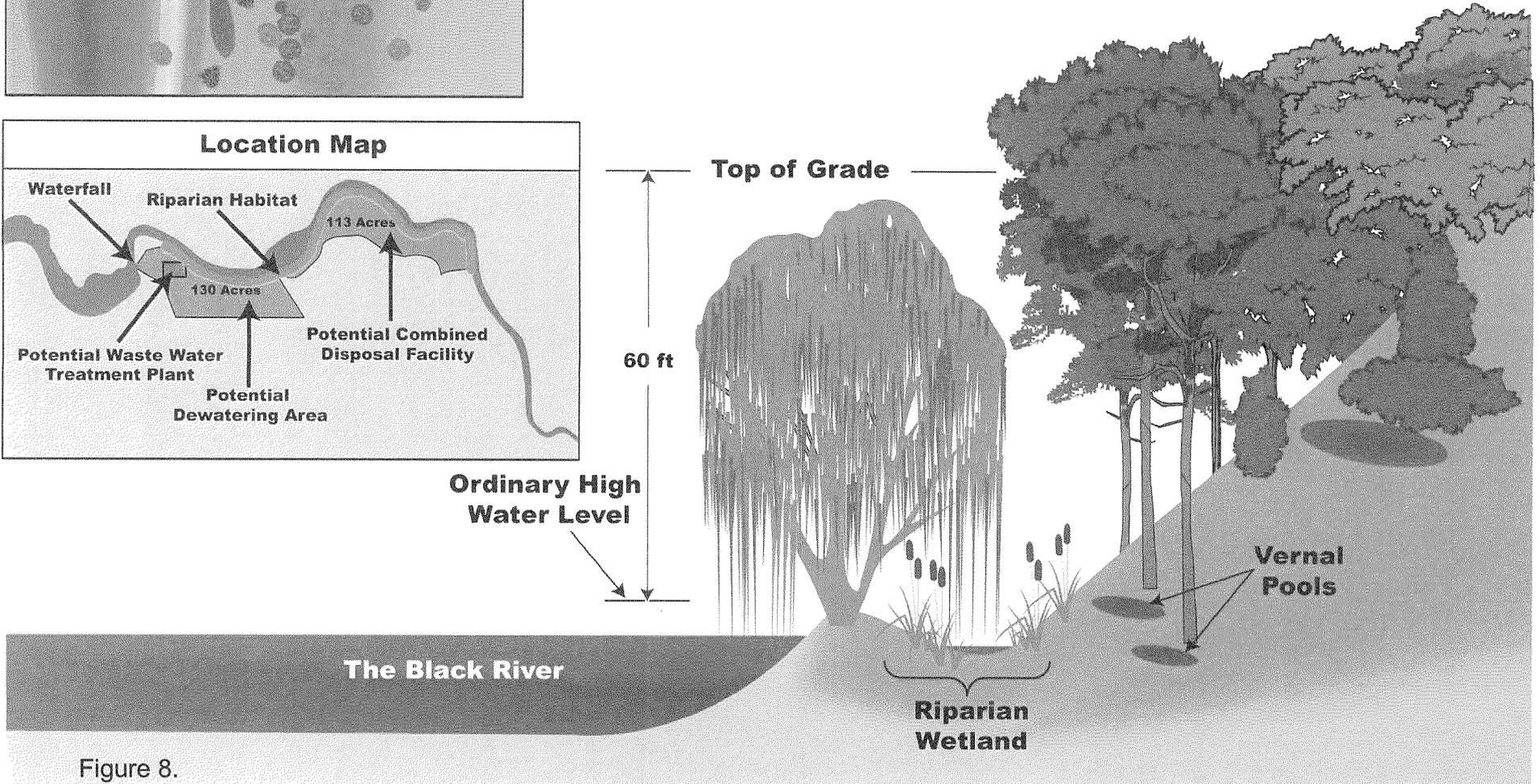
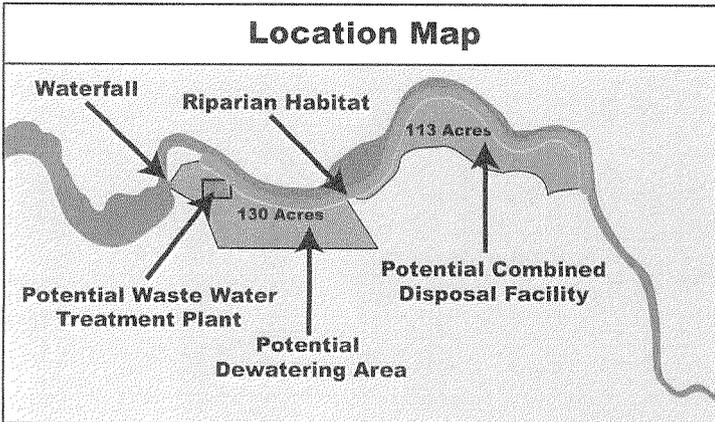
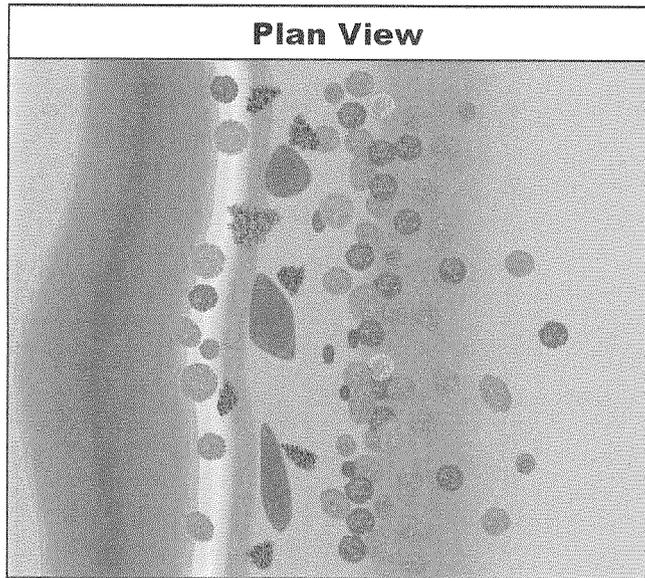


Figure 8.

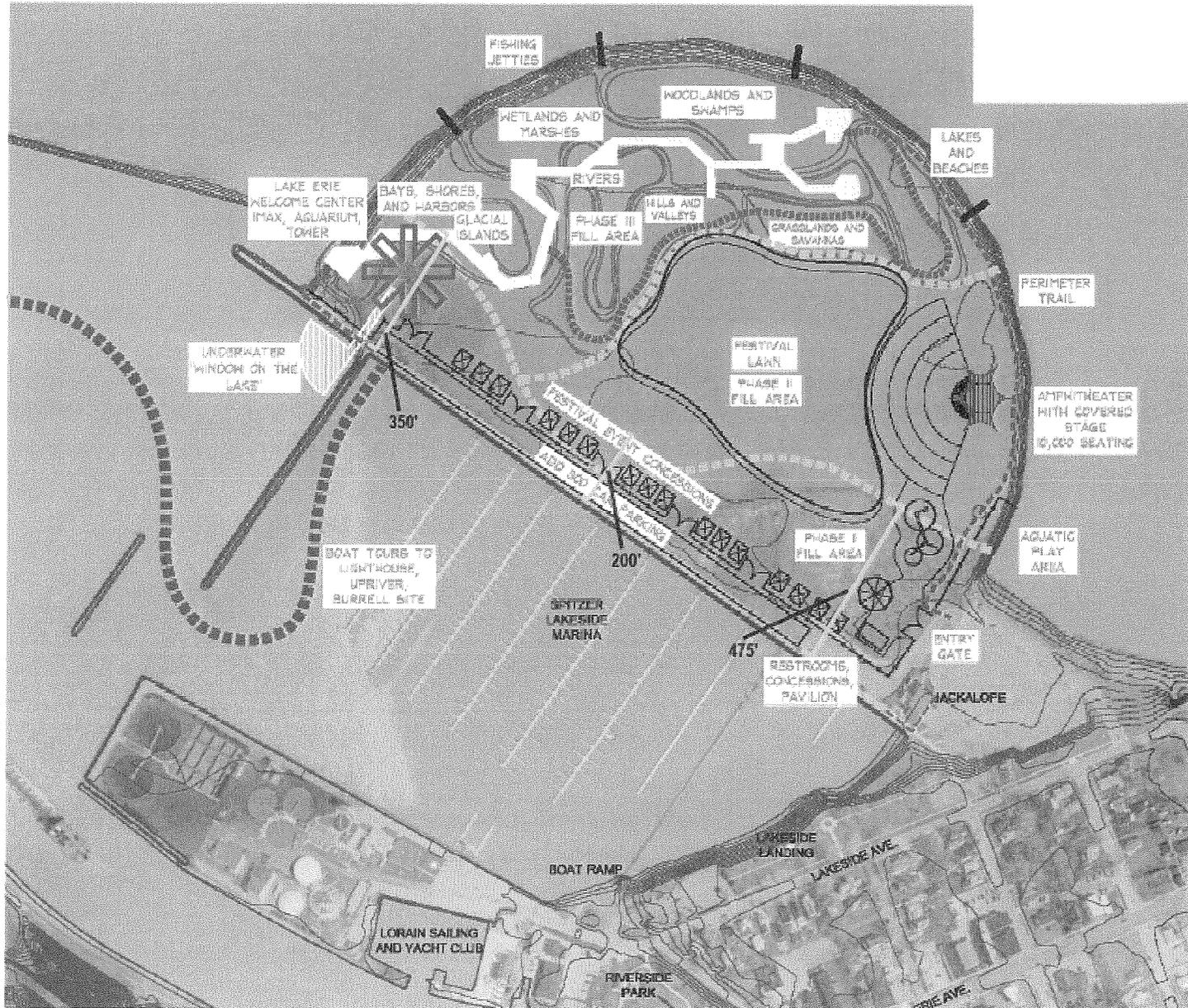


Figure 9. Recreation Master Plan (Lorain County Metro Parks/Lorain Port Authority)



Prairie Band Potawatomi Nation
Government Center

April 20, 2005

William E. Butler III
US Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, New York 14207-3199

Dear **Mr. Butler:**

I am writing to inform you that I am in receipt of your recent National Historic Preservation Act (NHPA), Section 106 and Section 110 correspondence.

After reviewing the contents of your recent mailing we would like to inform that we have no objections to the following project(s):

Project(s): Lorain Harbor Operations and Maintenance (Dredged Material Management Plan), Lorain County, Ohio

At this time we are unaware of any historical cultural resources in the proposed development area. However, we do request to be immediately contacted if any inadvertent discoveries are uncovered at anytime throughout the various phases of the project.

Please feel free to call me at (785) 966-4007 or additional information can be faxed to (785) 966-4009. We look forward to working with you.

Respectfully,

Zach Pahmahmie
Tribal Chairman
NAGPRA Representative
Prairie Band Potawatomi Nation

ZP/vrs



U.S. Department of Housing and Urban Development

Ohio State (Columbus) Office
Office of Community Planning and Development
200 North High Street
Columbus, Ohio 43215-2499

April 20, 2005

Department of the Army
Buffalo District Corps of Engineers
Environmental Analysis Team
Attention: William Butler
1776 Niagara Street
Buffalo, N.Y. 14207-3199

Dear Mr. Butler:

This is in response to the request for comments concerning the project listed below. The U.S. Department of Housing and Urban Development has determined that the project does not present any special interests or concerns to HUD.

**LORAIN HARBOR OPERATIONS & MAINTENANCE
DREDGED MATERIAL MANAGEMENT PLAN
LORAIN COUNTY, OHIO**

Thank you for the opportunity to comment. If you should require any further input from HUD, I may be reached at (614) 469-5737, x8252 or by email at ross_carlson@hud.gov.

Sincerely,

A handwritten signature in black ink that reads "Ross S. Carlson".

Ross S. Carlson
Environmental Officer

The Huron Historical Society Inc.

Lower Level-Huron Public Library
333 Williams Street
Huron, OH 44839

419/433-5009 Ext. 243

Mail Address

P.O. Box 222
Huron, OH 44839-0222

April 22, 2005

Mr. William E. Butler III
U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

Dear Mr. Butler:

Subject: Lorain Harbor Operation and Maintenance

This letter is in response to the materials sent us on April 11, 2005.

The Huron Historical Society is adamantly opposed to the deposition of any dredged materials in the existing Huron Harbor confined disposal facility (CDF). This facility should be used only for materials that are removed from Huron Harbor. It should not be a "dump" for other harbors' dredged materials.

Sincerely,



Stephen N. Bowen
Treasurer and Board Member



Dean E. Philips, P.E.
76 South Main St
Akron, OH 44308
PhilipsD@FirstEnergyCorp.com
330-384-4901

Friday, April 29, 2005

William E. Butler III
Environmental Analysis Section
U.S. Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

RE: Lorain Harbor Operations and Maintenance (Dredged Material Management Plan),
Lorain County, Ohio

William:

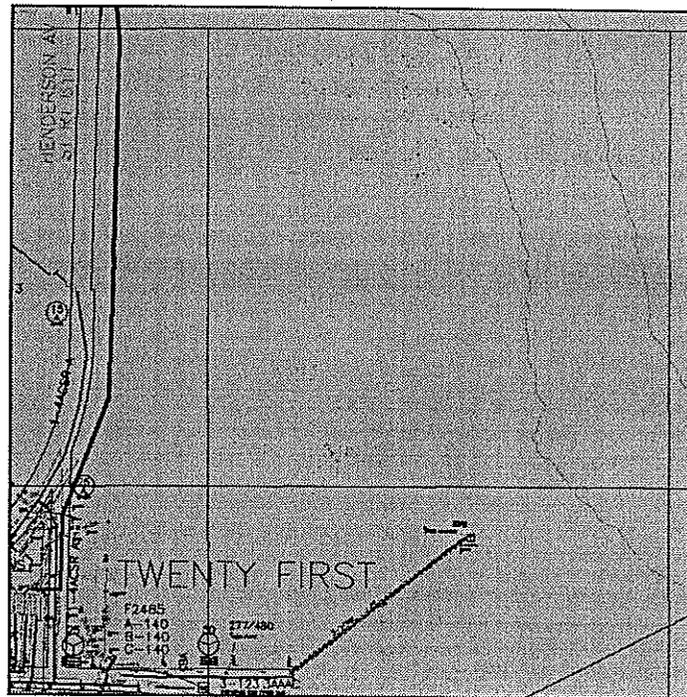
First Energy representatives have reviewed the potential sites for disposal of dredged materials per the subject plan and found that we may have facilities located at one of the sites, RT-1.

In our review of these sites we have identified that FirstEnergy has underground and overhead facilities in the immediate vicinity of site RT-1. These facilities may have to be relocated or removed to support the use of this site as a dredged materials disposal site. These facilities include the following (also see drawing to the right):

- overhead facilities along the east side of Henderson Ave.;
- overhead facilities along the north side of E 21st street, extending approximately 370 feet due east where E 21st street turns to the south; and
- from the easterly end of the above overhead facilities, FirstEnergy has an underground primary voltage cable that extends approximately 650 feet in a north-easterly direction to a pad-mounted transformer.

An accurate location of our facilities with regards to the proposed site location was not possible from the aerial photograph provided. Should more detailed documentation for this site be made available, we will be happy to make a more thorough assessment of the impact to our facilities due to the use of the site for disposal of dredged materials.

Should you have any additional questions or concerns, please do not hesitate to call me at 330-384-4901, or write to the above address.



Dean E. Philips, P.E.
Sr. Engineer



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V
77 West Jackson Boulevard
Chicago, IL 60604

Date: May 9, 2005

William E. Butler III
Environmental Protection Specialist
Environmental Analysis Section
U.S. Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, New York 14207-3199

**Re: Lorain Harbor Operations and Maintenance (Dredged Material Management Plan),
Lorain County, Ohio**

Dear Mr. Butler:

The NEPA Implementation Section has received the document listed above. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act; U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit.

We did not undertake a detailed review of the document you sent to this office, and will not be generating comments because of the reason selected below.

- The document was not prepared under NEPA.
- The document was given a cursory review, but other workload priorities precluded us from detailed review and comment.
- The document was given a cursory review, and we determined that there were no significant concerns meriting comment.
- We opted to wait for the next level of documentation on this project before deciding whether or not to comment.

We reserve the right to reconsider undertaking a review at future planning stages, or if significant new data on the project is made available by the sponsoring agency or other interested parties. Thank you for providing information on the project.

Sincerely,

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Science, Ecosystems, and Communities



Seneca Nation Tribal Historic Preservation

467 Center St. Salamanca, NY 14779
Phone: (716) 945-9427 ▪ Fax: (716) 945-0351

Seneca Nation of Indians THPO
467 Center Street
Salamanca, NY 14779
(716) 945-9427

May 9, 2005

ATTN: William E. Butler III
U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

RE: Lorain Harbor Operations and Maintenance (Dredged Material Management Plan)

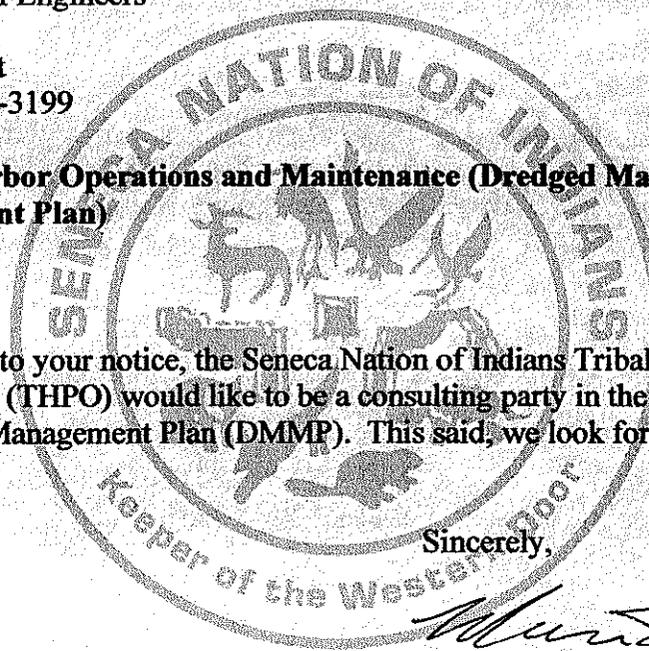
Mr. Butler:

In response to your notice, the Seneca Nation of Indians Tribal Historic Preservation Office (THPO) would like to be a consulting party in the development of the Dredged Material Management Plan (DMMP). This said, we look forward to reviewing the proposed plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Maurice John, Jr.", written over the circular seal.

Maurice John, Jr.
Cultural Resource Technician
crtech@smi.org



TERMINAL READY MIX, INC.

VISIT OUR WEBSITE www.falboconstruction.com

524 COLORADO AVENUE
LORAIN, OHIO 44052

ACCOUNTING OFFICE
(440) 288-1717
FAX (440) 288-3142

PLANT & DISPATCH OFFICE
(440) 288-0181
(440) 288-0182

May 18, 2005

U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

Attn: Mr. William E. Butler III

Dear Mr. Butler:

This letter is in response to the April 11, 2005 "Scoping Fact Sheet" for the Lorain Harbor Operations and Maintenance in Lorain, Ohio.

Our company operates two dry-bulk aggregate docks: the primary dock is located at 1950 Idaho Avenue on the east bank of the Black River adjacent to the north side of the Henderson Avenue Bridge. The secondary facility is located at 524 Colorado Avenue, Lorain, Ohio on the east bank of the Black River adjacent to the south side of the Norfolk and Southern rail-bridge.

The volume of limestone and sand that we receive has dramatically increased in the past 3 years. Our facility received 172,132 tons in 2002, 255,397 tons in 2003, and 520,621 tons in 2004. As of May 18, 2005, we have received 290,041 tons compared to only 73,769 tons this date 2004. This year, 19 shipments have arrived at our docks.

Our company depends on these shipments. The limestone and sand are used for concrete production, road base, utility trench backfill, and many other facets of construction. The construction in our county has boomed in recent years, as Lorain County is now one of the fastest growing counties in Ohio, according to the U.S. Census Bureau.

We encourage the continued dredging of the Lorain Harbor as a great economic benefit to the growth of Lorain County and surrounding areas.

Sincerely,



Teresa Pelton
President



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6950 Americana Parkway, Suite H
Reynoldsburg, Ohio 43068-4127

(614) 469-6923/FAX (614) 469-6919
May 18, 2005

Lt. Colonel Tim Touchette
Buffalo District, Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

Attention: Environmental Analysis Section, William Butler III

Dear Colonel Touchette: *WBT 23 MAY 05*

The U. S. Fish and Wildlife Service has completed reviewing the Scoping Fact Sheet for the Lorain Harbor Operations and Maintenance, Dredged Material Management Plan, dated April 11, 2005. The project is located on Lake Erie, at the mouth of the Black River, Lorain County, Ohio.

The purpose of Scoping is to initiate an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action, which includes the development of a Dredged Material Management Plan (DMMP) for Lorain Harbor, Ohio. Lorain Harbor is a deep-draft commercial harbor, encompassing an Outer and Inner Harbor. In 1979 the Corps of Engineers constructed a confined disposal facility (CDF) for the discharge of material periodically dredged from the harbor to maintain adequate depths for deep-draft commercial navigation. The CDF is a semi-circular structure that adjoins the East Breakwater Shorearm. The facility covers 58 acres and has an estimated design volume capacity of 1,850,000 cubic yards. Only dredged material that does not meet Federal guidelines for unconfined open-lake discharge is placed in Federal CDFs.

Lorain Harbor is currently dredged approximately every two years. The average volume removed is approximately 135,400 cubic yards per dredging event. The next scheduled dredging of the harbor will be in 2006, and an anticipated volume of 90,000-120,000 cubic yards of material will be removed. Although the remaining capacity of the CDF can accommodate the 2006 dredging, the Corps of Engineers and Lorain Port Authority are proceeding with plans to expand the facility for future dredging operations through the internal management of the existing material within the facility. Initially this expansion would be achieved by constructing a 4-foot high interior berm within the CDF that would provide an additional 400,000 cubic yards of capacity. However, to address long-term dredging and dredged material management needs, additional placement sites for dredged material not suitable for open-lake discharge must be made available. Since 1979, all material dredged from the harbor has been determined to be unsuitable for unconfined open lake disposal, and so it has been placed in the CDF. However, recent analysis of the Outer Harbor sediments indicate that this material now meets Federal guidelines for open-lake discharge.

In order to address future maintenance needs, the Corps of Engineers is conducting a preliminary assessment of dredged material management measures at Lorain Harbor. Options for managing dredged material that require consideration include the following: open water placement, beach/littoral nourishment; capping; beneficial upland use; confined disposal; treatment; and watershed management. These options are further

described in your April 11, 2005 Scoping Fact Sheet. The Service has reviewed the proposed options, and provides the following comments for your consideration:

The Service strongly encourages beneficial reuse of dredged materials at upland locations where possible. The Scoping Fact Sheet identifies three potential projects in the vicinity of the Black River where dredged material could be beneficially reused, including the Cromwell Park Landfill Site, the Burrell Homestead/East Fill Site, and three former Republic Technologies, Inc. sites. The Service recommends that these options be carefully considered, and favored over other feasible methods including open water placement or construction of new CDFs, which would likely involve more significant environmental impacts. The Service also recommends that the impacts of potential contaminants in the dredged material on the upland placement areas be carefully assessed, especially in situations where dredged materials may be placed adjacent to streams or wetlands.

The Service is strongly supportive of watershed management to reduce sediment loads entering the Black River. The Scoping Fact Sheet identifies that a loss of vegetated riparian corridors within the Black River watershed is contributing significant amounts of nonpoint source pollution, and that this could be remediated by establishment of naturally vegetated buffer strips along the River and its tributaries. In addition to limiting sediment, vegetated riparian zones provide significant habitat for fish and wildlife including Federally listed species such as the bald eagle (see additional comments below), limit flood damage, and absorb excess nutrients, benefitting water quality throughout the watershed and Lake Erie. This option is the only one provided that could reduce the source of the sediments that necessitate dredging in the first place. If implemented, over time this option could significantly reduce the frequency and extent of dredging operations, decrease the need for disposal sites, and result in financial and environmental benefits.

The Service is supportive of continuing use of the existing Lorain Harbor CDF for disposal of dredged materials. As noted above, the raising of an interior berm within the CDF is planned for construction prior to the 2008 dredging season. Other potential methods to extend the use of the existing CDF include vertical expansion of the perimeter of the CDF, and horizontal expansion involving an increased footprint of the CDF. The Service does not object to vertical expansion, but recommends that horizontal expansion, which would impact nearshore lake bottom habitat, remain a lower priority. The Service recommends that all other options be carefully considered prior to constructing new CDFs or horizontally expanding the existing CDF.

Another feasible option for disposal includes the use of the existing Huron Harbor CDF, located approximately 25 miles west of Lorain Harbor. This CDF currently has 910,000 cubic yards of remaining capacity, and could be used for disposal of Lorain Harbor materials for an additional four dredging events. Although we do not object to use of existing CDFs, the Service is concerned that this option does not provide a solution to the long-term management of dredged materials from Lorain Harbor, and in fact, could result in similar disposal issues arising at Huron Harbor. We recommend consideration of other feasible alternatives prior to serious consideration of this alternative.

ENDANGERED SPECIES COMMENTS: The project area lies within the range of the **bald eagle** (*Haliaeetus leucocephalus*), a Federally-listed threatened species. One eagle nest currently exists approximately 1.5 miles from the proposed upland disposal location #3 on the map provided in the Scoping Fact Sheet. Furthermore, the Black River may be used by eagles for foraging on a regular basis. As proposed options are further evaluated, we recommend that the Corps work with this office to identify any potential impacts to nesting and foraging habitat, as well as potential avoidance and minimization measures. If any activities will occur within ½ mile of the nest, further coordination with this office will be necessary. Typically, we recommend that work within ½ mile of the nest be restricted from mid-January through July

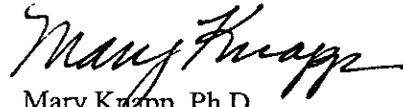
to allow pre-nesting activities, incubation, and raising of the young.

The proposed project lies within the range of the Indiana bat, piping plover, and eastern massasauga, Federally listed endangered and candidate species. Due to the project type and location, the project, as proposed, will have no effect on these species. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should the project be modified or new information become available that indicates listed or proposed species may be affected, consultation should be initiated.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act of 1973, as amended, and are consistent with the intent of the National Environmental Policy Act of 1969 and the U. S. Fish and Wildlife Service's Mitigation Policy.

We appreciate this opportunity to provide the above comments. If you have questions, or if we may be of further assistance in this matter, please contact Megan Seymour at extension 16 in this office.

Sincerely,



Mary Krapp, Ph.D.
Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH
ODNR, Division of Real Estate & Land Management, Columbus, OH
Ohio EPA, 401/Wetland Section, Attn: Randy Bournique, Columbus, OH
US EPA, Office of Environmental Review, Chicago, IL

Butler, William E LRB

From: Sanders, Randy [Randy.Sanders@dnr.state.oh.us]
Sent: Tuesday, May 24, 2005 11:36 AM
To: Butler, William E LRB
Subject: 05-0103; BCOE Lorain harbor Operations and maintenance

ODNR COMMENTS TO BCOE Lorain Harbor Operations and Maintenance (Dredged Material Management Plan).

Location: Lorain Harbor is situated on the southern shore of Lake Erie at the mouth of the Black River, approximately 28 miles west of Cleveland.

Project: The purpose of the study's scoping process is to identify problems and opportunities associated with the management of dredged material at the Lorain harbor and identify significant issues that we should address during the DMMP development process and completion of our required NEPA analysis.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Rare and Endangered Species: In consideration of the Alternative Management Measures for future dredged materials locations, the ODNR Division of Natural Areas and Preserves (DNAP) has the following comments. DNAP has one record and are aware of two managed areas within the vicinity of three of the proposed Beneficial Use (Upland) sites. The three sites are the Cromwell Park Landfill Site, the Burrell Homestead/East Fill Site, and the RTI RT-3 (North Fill) site. The record and two managed area locations are shown on the attached map and identified below. These features should not be impacted by this project.

We have no data at the Huron CDF site, although there are five records for beach plants to the east of the harbor entrance.

We have no data in the vicinity of the existing Lorain Harbor CDF, should a new CDF be sited adjacent to it. However, Lakeview Park (City of Lorain) is located on the west side of the harbor entrance.

Lorain/Avon Quads

- A. Lorain County Metro Park Dist. unnamed parcel
- B. French Creek Reservation - Lorain Co. Metro Park Dist.
 - 1. Great Blue Heron Colony - 17 nests on the S. side of the Black River

<<05-0103.jpg>>

Fish and Wildlife: The ODNR Division of Wildlife has no comments regarding alternative management measures for Lorain Harbor dredging.

Coastal Management: The Office of Coastal Management comments that the proposed project will not require a *Shore Structure Permit* or a *Submerged Land Lease*. Pursuant to the Coastal Zone Management Act of 1972, as amended, and its associated Federal Regulations, the proposed project will require a Federal Consistency determination from ODNR. It is requested that the Corps' Federal Consistency determination address applicable policies by stating that the Corps will obtain,

5/31/2005

rather than request, a *Section 401 Water Quality Certification* from Ohio EPA.

ODNR appreciates the opportunity to provide these comments. Please contact Randy Sanders at 614.265.6344 if you have questions about these comments or need additional information.

Randall E. Sanders

Environmental Administrator

Division of Real Estate & Land Management

Ohio Department of Natural Resources

2045 Morse Rd, C4

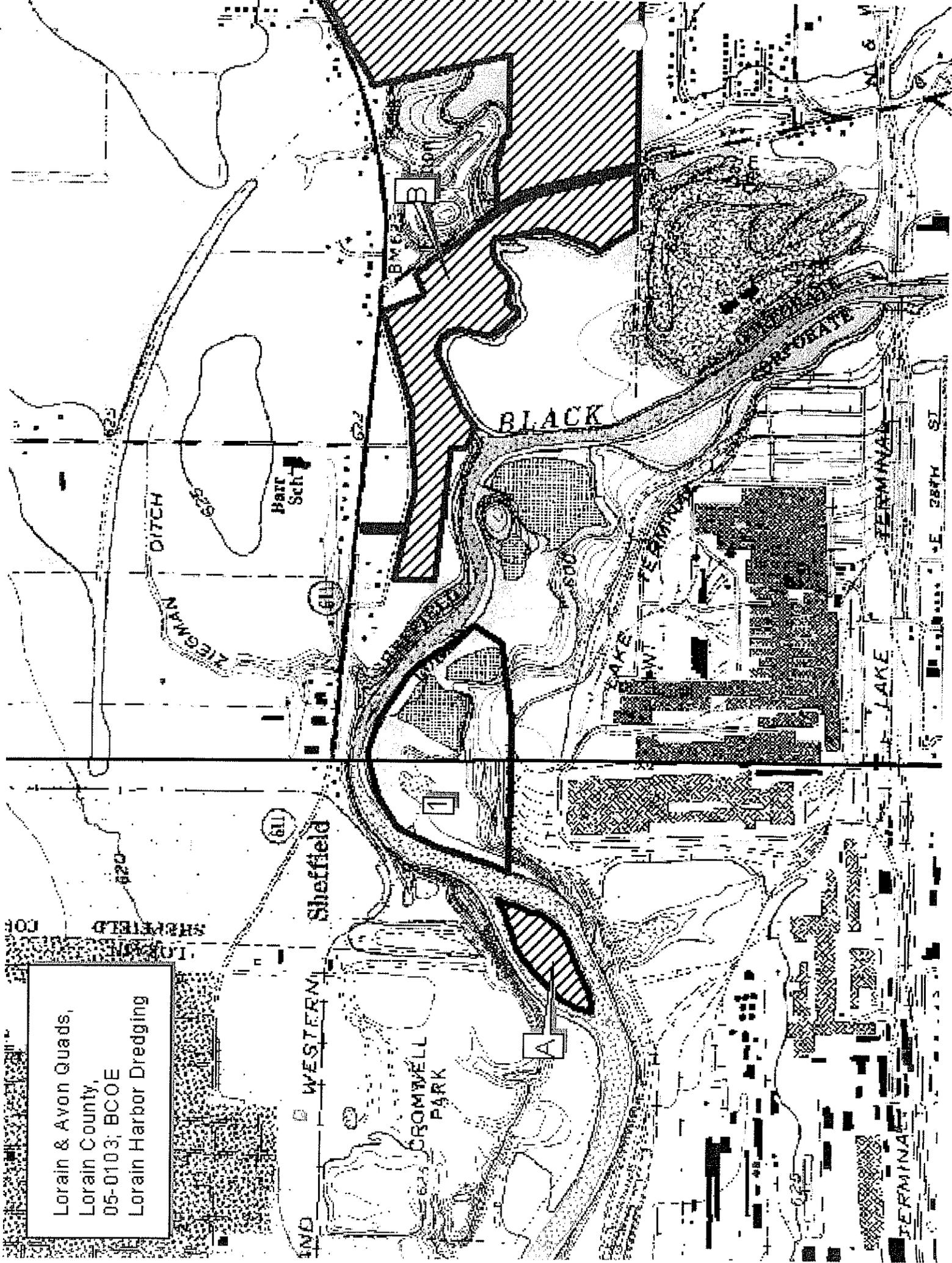
Columbus, Ohio 43229-6693

614.265.6344

Fax 614.267.4764

randy.sanders@dnr.state.oh.us

Lorain & Avon Quads,
Lorain County,
05-0103; BCOE
Lorain Harbor Dredging





May 27, 2005

William E. Butler III
U.S. Army Engineer District, Buffalo
1776 Niagara Street
Buffalo, NY 14207-3199
Attn: Environmental Analysis Team

Dear Mr. Butler:

Re: Lorain Harbor Dredged Material Management Plan, Lorain County, Ohio

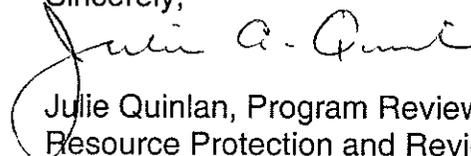
This is in response to your notice of April 11, 2005 concerning the proposed project. Our comments are provided in accordance with the regulations implementing Sections 106 of the National Historic Preservation Act of 1966 (36 CFR Part 800).

A check of our records shows a number of archaeological sites, inventoried buildings, and National Register listed properties along the Black River in Lorain. Disposal in the open lake at an existing site or at an existing facility is unlikely to affect historic properties. However, consult the Lake Erie Shipwreck Research Center to establish there are no underwater sites that will be affected. Their address is: The Great Lakes Historic Society, P.O. Box 435 Vermilion, Ohio 44089-0435. Their telephone is (440) 967-3467.

You also include several upland locations that are being considered for beneficial use as fill sites. Some appear to be former industrial sites. Further information regarding the location, conditions and potential for affecting historic properties will be needed should this option be considered.

Please contact me with any questions at (614) 298-2043 or jquinlan@ohiohistory.org.

Sincerely,



Julie Quinlan, Program Reviews Manager
Resource Protection and Review

Reference 107590

OHIO HISTORICAL SOCIETY

Ohio Historic Preservation Office

567 East Hudson Street, Columbus, Ohio 43211-1030 ph: 614.298.2000 fx: 614.298.2037

www.ohiohistory.org

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent to Prepare an Environmental Impact Statement for a Proposed Dredged Material Management Plan for Lorain Harbor, OH**

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of Intent.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 as implemented by the Council on Environmental Quality regulations (40 CFR Parts 1500–1508) and Public Law 102–484 Section 2834, as amended by Public Law 104–106 Section 2867, the Department of the Army hereby gives notice of intent to prepare an Environmental Impact Statement (EIS) for the subject Dredged Material Management Plan (DMMP). The Buffalo District of the U.S. Army Corps of Engineers (USACE) will be the lead agency in preparing the EIS.

The EIS will consider Federal actions associated with the development of a DMMP for the Federal harbor at Lorain in Lorain County, OH. The DMMP is a study conducted to develop a long-term (20-year) strategy for providing viable dredged material placement alternatives that would meet the needs of maintaining the Federal navigation channels at Lorain Harbor. The overall goal of the DMMP is to develop an economical and environmentally sustainable plan for maintaining channels necessary for commercial navigation at Lorain Harbor. The plan considers a range of management strategies including reduced dredging and the use of dredged material as a beneficial resource.

ADDRESSES: U.S. Army Corps of Engineers, Buffalo District, CELRB–PM–PB, 1776 Niagara Street, Buffalo, NY 14207–3199.

FOR FURTHER INFORMATION CONTACT: Ms. Michele Hope, Project Manager, telephone (716) 879–4124, or Mr. William Butler, NEPA Coordinator, telephone: (716) 879–4268.

SUPPLEMENTARY INFORMATION: Lorain Harbor is a deep-draft commercial harbor located in Lorain County, OH that encompasses the lower three miles of the Black River and its mouth at Lake Erie. On average, the Federal channels at the harbor are dredged every two years. From 1979 through 2005, all material dredged from the harbor was determined to be unsuitable for open-lake placement. Consequently, in 1979, under the authority of Section 123 of the

River and Harbor Act of 1970, USACE completed construction of a confined disposal facility (CDF) for the placement of the material. At present, the harbor's existing CDF is currently filled to approximately 90 percent of its total capacity. As a short-term measure to accommodate anticipated dredging needs in 2008 and 2010, the Corps of Engineers plans to conduct Operations and Maintenance activities that will consist of, among other things, the movement of material within the CDF to construct an interior berm within the facility in early 2007. This berm would increase the capacity of the facility to accept dredged material for another one or two dredging events. Additional berm-related work in 2009 and 2011 would extend the capacity of the facility through 2013. However, to address long-term dredging and dredged material management needs into 2014 and beyond, additional placement sites for dredged material must also be made available.

Proposed Action In accordance with USACE Engineer Regulation 1105–2–100, a DMMP is prepared for a Federal navigation project to ensure that maintenance dredging activities are performed in an environmentally acceptable manner, use sound engineering techniques, are economically warranted, and that sufficient confined disposal facilities (CDF) are available for at least the next 20 years. The proposed DMMP will focus on the management of dredged material during normal maintenance of the Federal navigation channels at Lorain Harbor, and will take into consideration non-Federal dredging projects permitted by the Buffalo District. The approved DMMP will be consistent with sound engineering practices and meet all Federal environmental compliance standards, including those established by Section 404 of the Clean Water Act. In addition, the DMMP will be consistent with State and local plans such as the Ohio Coastal Management Program and Black River Remedial Action Plan.

Reasonable Alternatives: It is Corps of Engineers planning policy to consider all practicable and relevant alternative management measures. The alternative plans considered in the DMMP will consist of an array of placement and beneficial use measures. These measures have been combined into the following alternative plans for managing dredged material at Lorain Harbor: (1) Alternative Plan 1. This plan would involve the continued open-lake placement of suitable dredged material. Based on sediment quality analysis completed in 2002 and 2005, all Outer

Harbor sediments and a small portion of the lower Black River Channel sediments were approved for unconfined open-lake placement. Preliminary evaluation of 2006 sediment quality data indicates that a major portion of the Black River Channel sediments also meet Federal guidelines for unconfined open-lake placement. This plan would also involve the continued implementation of the ongoing Fill Management Plan at the harbor's existing CDF. As a result of Operations and Maintenance activities, which would consist of the construction of a series of three interior berms, additional confinement capacity would be gained to extend the useful life of the facility through 2013. In addition, planning would continue for the completion of a new CDF by 2014 that would have the capacity to confine dredged material through 2026; (2) Alternative Plan 2. Under this plan, beneficial use options for the dredged material would be implemented. Beneficial uses could include the restoration of brownfield sites, bank stabilization, habitat creation, and agricultural field development. All material dredged from the harbor could either be transported and de-watered immediately as it is removed or excavated from the existing CDF and transported to the beneficial sites(s). As with Alternative 1, dredged material management and berm-related work would continue within the CDF through 2013 to maximize its confinement capacity; (3) Alternative Plan 3. This plan is similar to Alternative Plan 2, except suitable dredged material would continue to be placed at the designated open-lake site; and (4) Alternative Plan 4. Under this plan, the Federal Government would do nothing to address the need for the future long-term placement of dredged material. At the point that the Fill Management Plan has been fully implemented (2014), no further dredging of the Federal navigation channels at Lorain Harbor would occur. With a lack of acceptable dredged material placement sites, no Federal action would be taken to address the recurring dredging needs at the harbor.

Scoping Process: The Corps of Engineers invites affected Federal, State and local agencies, affected Indian tribes, and other interested organizations and individuals to participate in development of the EIS. The Corps of Engineers anticipates conducting a public scoping meeting for this EIS. The exact date, time and location of this meeting have not yet been set. This information will be

publicized once the meeting arrangements have been made.

The Draft EIS is tentatively scheduled to be available for public review in September 2007.

The Final EIS is tentatively scheduled to be available for public review in February 2008.

Dated: February 16, 2007.

John S. Hurley,

*Lieutenant Colonel, Corps of Engineers,
District Commander.*

[FR Doc. 07-1007 Filed 3-5-07; 8:45 am]

BILLING CODE 3710-GP-M

DEPARTMENT OF DEFENSE

Department of the Navy

Information on Surplus Land at a Military Installation Designated for Disposal: Naval Weapons Station Seal Beach Detachment, Concord, CA

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: This notice provides information on the surplus property at Naval Weapons Station Seal Beach Detachment, Concord, CA.

FOR FURTHER INFORMATION CONTACT: Ms. Kimberly Kesler, Director, Base Realignment and Closure Program Management Office, 1455 Frazee Road, San Diego, CA 92108-4310, telephone 619-532-0993; or Ms. Laura Duchnak, Director, Base Realignment and Closure Program Management Office, West, 1455 Frazee Road, San Diego, CA 92108-4310, telephone 619-532-0994.

SUPPLEMENTARY INFORMATION: In 2005, Naval Weapons Station Seal Beach Detachment, Concord, CA, was designated for closure under the authority of the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, as amended (the Act). Pursuant to this designation, on January 23, 2006, land and facilities at this installation were declared excess to the Department of the Navy (DON) and available to other Department of Defense components and other Federal agencies. The DON has evaluated all timely Federal requests and has made a decision on property required by the Federal Government.

Notice of Surplus Property. Pursuant to paragraph (7)(B) of Section 2905(b) of the Act, as amended by the Base Closure Community Redevelopment and Homeless Assistance Act of 1994, the following information regarding the redevelopment authority for surplus property at Naval Weapons Station Seal Beach Detachment, Concord, CA, is published in the **Federal Register**

Redevelopment Authority. The Local Redevelopment Authority (LRA) for the Naval Weapons Station Seal Beach Detachment, Concord, CA, is the City of Concord. The point of contact is Mr. Michael Wright, Reuse Project Director, City of Concord, 1950 Parkside Drive, MS/1B, Concord, CA 94519, telephone 925-671-3019.

Surplus Property Description. The following is a list of the land and facilities at Naval Weapons Station Seal Beach Detachment, Concord, CA, that are surplus to the needs of the Federal Government.

a. *Land.* Naval Weapons Station Seal Beach Detachment, Concord, CA, consists of approximately 12,882 acres of improved and unimproved fee simple land located within Contra Costa County and the City of Concord. Excluded from this determination of surplus are two parcels of property. The first parcel is approximately 7,791 acres, including six islands. This area will be transferred to the U.S. Army. The second parcel is approximately 63 acres, including approximately 318 residential housing units. This area will be transferred to the U.S. Coast Guard.

In general, the remaining 5,028 acres of property will be available when the installation operationally closes in September 2008.

b. *Buildings.* The following is a summary of the buildings and other improvements located on the above-described land that will also be available when the installation closes. Property numbers are available on request.

(1) Administrative/Training facilities (5 structures). Comments: Approximately 10,020 square feet.

(2) Inert Storage facilities (13 structures). Comments: Approximately 125,000 square feet. Includes inert storage buildings used to store non-explosive ordnance items and materials.

(3) Paved areas (roads and surface areas). Comments: Approximately 781,519 square yards of roads and other surface areas, i.e., sidewalks, parking lots, etc., including approximately 1,642,212 square feet of airfield runway.

(4) Explosive Ordnance Magazines (217 structures). Comments: Approximately 879,000 square feet. Previously used as ammunition storage, high explosive storage, missile magazines, etc.

(5) Operational and Maintenance facilities (40 structures). Comments: Approximately 150,000 square feet. Includes test buildings, ammunition rework shops, maintenance shops, ancillary personnel support facilities, etc.

(6) Miscellaneous facilities (19 structures). Comments: Approximately 11,567 square feet, including security gatehouses, guard towers, etc.

(7) Rail facilities. Comments: Approximately 55 miles of railroad track and 41 barricaded railroad siding structures.

(8) Utility facilities. Comments: Measuring systems vary; includes gas, telephone, electric, storm drainage, water, sewer, fire protection systems, etc.

Redevelopment Planning. Pursuant to Section 2905 (b)(7)(F) of the Act, the LRA will conduct a community outreach effort with respect to the surplus property, and will publish in a newspaper of general circulation in the communities within the vicinity of Naval Weapons Station Seal Beach Detachment, Concord, CA, the time period during which the LRA will receive notices of interest from State and local governments, representatives of the homeless, and other interested parties. This publication shall include the name, address, telephone number, and the point of contact for the LRA who can provide information on the prescribed form and contents of the notices of interest.

Dated: February 27, 2007.

M.A. Harvison,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. E7-3848 Filed 3-5-07; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF DEFENSE

Department of the Navy

Information on Surplus Land at a Military Installation Designated for Disposal: Naval Station Pascagoula, MS

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: This notice provides information on withdrawal of surplus property at Naval Station Pascagoula, MS, Sandhill Landing Housing Area.

FOR FURTHER INFORMATION CONTACT: Ms. Kimberly Kesler, Director, Base Realignment and Closure Program Management Office, 1455 Frazee Road, San Diego, CA 92108-4310, telephone 619-532-0993; or Mr. James E. Anderson, Director, Base Realignment and Closure Program Management Office, Southeast, 4130 Faber Place Drive, Suite 202, North Charleston, SC 29405, telephone 843-743-2147.