

PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a project to expand and enhance an existing State-owned marina and to construct campground facilities on Middle Bass Island in Lake Erie. The application was submitted by the Ohio Department of Natural Resources, 2045 Morse Road, Building F-3, Columbus, Ohio 43229. The project is located on the southern end of Middle Bass Island. The Buffalo District of the U.S. Army Corps of Engineers' Project Number for this application is 2001-00701(4). The Ohio EPA ID Number for this project is 052324.

The project location contains 9 jurisdictional wetlands totaling approximately 21.83 acres. There are approximately 3.95 acres of Category 1 wetlands, 8.74 acres of Category 2 wetlands, and 9.14 acres of Category 3 wetlands. However, final categorization of all the wetlands is still under review. Another 2.08 acre wetland exists nearby on a potential mitigation site, Parcel A, owned by the Ohio Department of Natural Resources. The existing marina is 14.89 acres in size. Within the marina are about 1.25 acres of vegetated shallow beds and 2.30 acres of vegetated deep water beds. Just outside the current marina entrance in Lake Erie are approximately another 2.48 acres of vegetated shallow beds and 3.57 acres of vegetated deep water beds. The U.S. Army Corps of Engineers has not yet verified the delineation of waters report.

The applicant's Preferred Alternative to expand the marina to 512 boat slips and to construct a campground, if implemented, would result in impacts to a total of 11.33 acres of wetlands, including 3.95 acres of Category 1 wetlands, 7.10 acres of Category 2 wetlands, and 0.28 acres of potentially Category 3 wetlands. Impacts to wetlands associated with the marina expansion would total 7.76 acres. Construction of the campgrounds would result in impacts to 2.80 acres of wetlands. Marina expansion would require excavation of some upland areas and removal of the existing peninsula. A new steel crib bulkhead totaling about 2,800 linear feet, would be installed around the west, south, and east sides of the expanded marina. The northern side of the existing marina would have a 1,200 linear foot stone revetment constructed just outside the existing wetland in order to protect the wetland from wave action. A new concrete boat ramp, 93 feet long by 30 feet wide, would be constructed in the northwest corner of the new marina. Relocating the marina entrance northward would enhance water circulation patterns in the marina, resulting in improvements in water quality. The relocated marina would also provide increased boater safety and protection from waves and wind. The entrance would be 125 feet wide and be bounded on both sides by new rubblemound breakwaters with navigation lights mounted on either side. The existing marina entrance would be restored to a more natural shoreline by the construction of a 670 linear foot stone revetment and two detached breakwaters, which will allow for the formation of a sand and cobble beach/wetland area.

The applicant's Minimal Degradation Alternative to expand the marina to 360 boat slips and

to construct a campground, if implemented, would result in impacts to a total of 8.85 acres of wetlands, including 3.95 acres of Category 1 wetlands, 4.62 acres of Category 2 wetlands, and 0.28 acres of potentially Category 3 wetlands. Impacts to wetlands associated with the marina expansion would total 5.28 acres. Construction of the campgrounds would result in impacts to 2.80 acres of wetlands. Approximately 2,100 linear feet of steel crib bulkhead would be placed around the inside of the marina on the west, south, and east sides. Approximately 300 linear feet of stone revetment would be placed on the northwest side of the marina near a new concrete boat ramp 93 feet long by 30 feet wide. The marina would also include a gas dock and pumpout station that is 10 feet wide and 110 feet long. Another stone revetment of approximately 515 linear feet would be constructed along the north edge of the marina just inside of the new entrance channel. The plans for the marina entrance relocation are the same as for the Preferred Alternative.

All of the shallow and deep water vegetated beds would be impacted by both the Preferred and the Minimal Degradation Alternatives.

The applicant's Non-Degradation Alternative would have no impacts to waters of the state. The existing marina would continue to operate as is, with the 26 transient docks.

The applicant seeks approval of the Minimal Degradation Alternative.

The applicant has submitted a conceptual mitigation plan which utilizes on-site preservation and enhancement along with the off-site construction of a wetland island in Middle Harbor near Catawba Island.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie (HUC 04120200). The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation or lowering of water quality, will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Beginning August 22, 2005, copies of the application for the certification and technical support information, including the conceptual mitigation plan, may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the Ohio EPA Northwest District Office by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on Tuesday, October 11, 2005 starting at 1:00 p.m. at the Middle Bass Island Town Hall, 985 Fox Road, Middle Bass Island, Ohio 43446. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project and all persons who do so may, at the discretion of the presiding officer, be questioned by others present. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. Written comments must be received by the Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio, 43216-1049 by the close of business on Tuesday, October 25, 2005. Comments received after this date may not be considered as part of the official record of the hearing.

Persons wishing to be on Ohio EPA's interested parties mailing list for this project, or wish to submit comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on Tuesday, October 25, 2005.
