

**Toledo Harbor Dredging Task Force
COMMITTEE MEETING**

Date: April 21, 2010
ODNR Office, Sandusky, OH

Attending Committee Members:

Jeff Reuter, OSU Stone Lab (by phone)
David Romano, USACE (by video conference)
Craig Forgette, USACE (by video conference)
Ron Kozlowski, USACE (by video conference)
Scott Pickard, USACE (by video conference)
Traci Clever, USACE (by video conference)
Jane Ruvolo, Rep. Marcy Kaptur
Everett Woodel, Rep. Robert Latta
Wes Fahrback, Sen. George Voinovich
Danielle Nameth, Sen. Sherrod Brown
Joe Cappel, TLCPA
John Watkins, ODNR
Ed Hammett, OLEC
Tim Schetter, Toledo Area Metroparks
Jeff Tyson, ODNR
Sandy Bihn, WLEWA

Not Present: Steve Smigelski, Kuhlman Corporation
Mark Locker, Ohio Department of Transportation
Gilda Mitchell, Toledo-Lucas County Port Authority

Mr. Watkins welcomed the group, made opening comments, and facilitated introductions.

The Committee approved the minutes from the meeting on 3/29/10.

Communications: It was determined that not all parties had the most recent version of the agenda, the Task Force Roles & Responsibilities document or the Toledo Harbor Sediment Reuse Work Program document. The Committee will strive to have all materials to the Port Authority in advance to allow for proper distribution in the future.

ACE Update: The Army Corps of Engineers presented an updated version of the document titled "Potential Corps Authorities and Appropriations for Maumee Habitat Restoration Unit Projects." The document both summarizes and contains

references to specific language under the authority including Section 441 of WRDA 1999.

WRDA & HMTF: A brief discussion followed regarding the proposed language from Congresswoman Kaptur for the next WRDA legislation. This language was e-mailed previously to task force members by Mr. Cappel and included authorization to appropriate \$60M to plan, design and construct projects in Maumee Bay and River for the purposes of flood risk management and aquatic ecosystem restoration. A 25% non-federal cost share would be required that may include cash and credit for work in kind services. The representative from the offices of elected officials indicated that a new WRDA bill would probably not be passed in 2010 due to the volume of items on the legislative agenda.

A discussion followed regarding the legislation that would force the release of HMTF funding for dredging. Mr. Forgette noted that by the end of the month or in early May he would have cost estimates on a HRU that could contain up to 15 million cubic yards of material located near the Toledo Harbor Light. This information would be useful in determining the amount to request should funding be released from the HMTF or for future proposed WRDA language.

Non-Federal Sponsors: Mr. Watkins noted that there are links on the ODNR website noting potential non-federal cost share sources. Mr. Watkins agreed to send the link to task force members.

The task force agreed that it would consider supporting smaller projects involving beneficial reuse proposed by others who are not on the task force.

Charter: The Committee next reviewed the document titled "Toledo Harbor Task Force Charter." There were some changes proposed under the *Executive Level Project Scope* section dealing with short and long term planning as well as a larger project that would accommodate 20 years worth of material. These changes will be made and sent to the full Committee for review.

The Committee also recognized the need to identify the individuals from each agency that will sign the document representing their respective agencies and agree to the roles for each agency noted in the document. Individuals were assigned to contact representatives from OEPA, ODOD (Mr. Hammett & Mr. Watkins), City of Toledo (Mr. Cappel), City of Oregon (Ms. Bihn), and Maumee River RAP (Mr. Hammett). Mr. Hammett and Mr. Watkins were also assigned the role of contacting USEPA, US F&W, NRCS, and USGS to determine if they were interested in participating or just be kept informed.

The Committee agreed to make best efforts to make changes, find the appropriate representatives and finalize the document at the May meeting.

GLRI: A discussion regarding the State's GLRI proposal followed. The "Toledo Harbor Sediment Management and Reuse" document was discussed. In brief, the document was a condensed version of what was included in the GLRI proposal and will be a useful roadmap for the task force moving forward. The document discusses priorities, tasks and schedule for activities related to sediment management. Members were invited to submit any comments to Mr. Hammett by COB on May 5 (2 weeks).

Near Shore Projects: A discussion followed regarding several near shore projects involving 200-300k cubic yards followed. The group discussed Grassy Island and plans to remove some of the causeway, add material around the island and add material to the interior of the island. The Committee agreed to work to identify a local sponsor that could assume the operations and maintenance of Grassy Island after the projects are completed. Mr. Forgette agreed to identify cost estimates for the operation and maintenance of Grassy Island.

Harborlands: The group next discussed the drawing provided by Mr. Kneisley from the Harborlands Initiative. The Army Corps noted that they have reviewed the draft and made comments back to Harborlands that they will share with the Task Force members.

Great Lakes Commission: Mr. Hammett noted that the Great Lakes Commission may be interested in funding one or two workshops where sediment management alternatives could be discussed and the work of the Task Force could be communicated. The Task Force agreed that outreach and communication are important and the LEC will follow up with GLC to continue to discuss the possibility of the workshops.

2010 Dredging Program: It was noted that the OEPA issued the 401 Permit to the ACE for 800,000 cubic yards of material for lake-disposal in 2010. The Port Authority provided an update on the capacity of the Port's cells at the Facility 3 CDF. The Port noted that there is no capacity for significant amounts of material in their cells without major improvements to the dike walls. The Port Authority is currently meeting with contractors to get cost estimates to add capacity to the facility but noted that the following:

1. The Port Board set rates for disposal into the Facility. The only way the Port can be paid for disposal currently is if the site is contractor provided.
2. The Port must preserve capacity for the disposal needs of the terminal operators, marinas, and others.
3. The Port will not consider accepting dredged material from the federal channel at its portion of Facility 3 until there is an alternative method for handling material from the backlog and for the future dredging needs of

the Port of Toledo that is funded and underway.

Mr. Forgette and Ms. Clever noted that the ACE portion of the Facility 3 CDF has 2 M C/Y of capacity but the ACE can not accept material dredged from areas not deemed by the Corps to be contaminated into their portion under existing regulations.

A discussion followed regarding the letter OEPA and ODNR Directors sent to the ACE voicing Ohio's opposition to the continued open lake disposal method. Ms. Bihn asked if the ACE would consider disposing of half of the material that they are permitted to put into the open lake somewhere else. No members of the Task Force presented any other locations that could accommodate this amount of material in 2010.

In closing, the Task Force agreed to meet again in May at the Lake Erie Center in Oregon. The dates of May 20 and May 24 were suggested and members were encouraged to e-mail Ms. Mitchell with their preference. The agenda for the May meeting will include finalization of the Task Force Charter Document, an update on WRDA, the ACE cost estimate for the 15M c/y project, further discussions regarding Grassy Island, any response to the Ohio letter from the US ACE and possible Task Force subcommittees.

There being no further business, the meeting concluded.