



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

Ohio EPA 11/20/2020  
Entered Directors Journal

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: *[Signature]* Date: \_\_\_\_\_

11/20/2020

**Re: DA Dock 26W Rehabilitation  
Permit - Intermediate  
Approval  
401 Wetlands  
Cuyahoga  
DSW401206799**

**Transmitted Electronically**

November 20, 2020

Mr. William Friedman, President and CEO  
Cleveland-Cuyahoga County Port Authority  
1100 West 9<sup>th</sup> Street, Suite 300  
[Nicholas.lapointe@portofcleveland.com](mailto:Nicholas.lapointe@portofcleveland.com)

Subject: Approval of a Director's Authorization Application to Exceed 401 WQC  
Thresholds of Nationwide Permit (NWP) No. 3  
DA Dock 26W Rehabilitation  
Corps Project No. LRB-2007-000146  
Ohio EPA ID No. 206799

Dear Mr. Friedman:

On May 4, 2020, the Ohio Environmental Protection Agency (Ohio EPA) received a Director's Authorization application to exceed thresholds listed under the 401 Water Quality Certification (WQC) for Nationwide Permit (NWP) No. 3, issued on March 17, 2017. You requested to impact 1,110 linear feet of Lake Erie Shoreline for the purpose of repairing the existing Dock 26W bulkhead located at 600 Erieside Avenue, Cleveland, in Cuyahoga County.

In accordance with Part One (D)(1) of the 401 WQC certifying the NWPs, based upon the information provided in the application, Ohio EPA has determined that the impacts to water quality are minimal. An individual 401 WQC is not necessary provided all other terms and conditions of the 401 WQC certifying the NWPs have been met. This Director's Authorization shall remain valid and in effect as long as the provisional NWP authorization issued on March 24, 2020, is valid.

**For your reference a copy of the 401 WQC for the 2017 Nationwide Permits is available online at:**

**<http://www.epa.ohio.gov/Portals/35/401/Final%20Signed%20401%20WQC%20NWP%202017.pdf>**

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 30 days after notice of the director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the director within three days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
30 East Broad St, 4th Floor  
Columbus, Ohio 43215

Sincerely,



Laurie A. Stevenson  
Director

ec: Pete Krakowiak, [peter.j.krakowiak@usace.army.mil](mailto:peter.j.krakowiak@usace.army.mil), Department of the Army,  
Buffalo District, Corps of Engineers  
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