

**MARCIA L. FUDGE**  
11TH DISTRICT OF OHIO

**COMMITTEE ON AGRICULTURE**  
RANKING MEMBER, SUBCOMMITTEE ON  
DEPARTMENT OPERATIONS, OVERSIGHT, AND NUTRITION

SUBCOMMITTEE ON HORTICULTURE, RESEARCH,  
BIOTECHNOLOGY AND FOREIGN AGRICULTURE

**COMMITTEE ON EDUCATION  
AND THE WORKFORCE**  
SUBCOMMITTEE ON EARLY CHILDHOOD, ELEMENTARY,  
AND SECONDARY EDUCATION

SUBCOMMITTEE ON WORKFORCE PROTECTION

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

**WASHINGTON OFFICE**  
U.S. HOUSE OF REPRESENTATIVES  
2344 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-7032; (202) 225-1339 FAX

**DISTRICT OFFICES**  
RICHMOND HIGHLAND CENTER  
4834 RICHMOND ROAD, SUITE 150  
WARRENSVILLE HEIGHTS, OHIO 44128  
(216) 522-4900; (216) 522-4908 FAX

LAWTON COMMUNITY CENTER  
1225 LAWTON STREET  
AKRON, OHIO 44328  
(330) 835-4758; (330) 835-4863 FAX

E-MAIL: <http://fudge.house.gov>

March 13, 2014

Craig Butler  
Director  
Ohio Environmental Protection Agency  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Dear Director Butler

I respectfully ask the Ohio Environmental Protection Agency (OEPA) to reject the proposal by the United States Army Corps of Engineers (USACE) for open lake disposal of dredged material. The OEPA has the responsibility, under Section 401 of the Federal Clean Water Act, to certify whether the proposed discharge of dredged material into the open waters of Lake Erie complies with State of Ohio water quality standards.

The proposal by the USACE would result in the placement of historic levels of contaminated sediment from the Cuyahoga River and Cleveland Harbor within a mile of the drinking water intake for the Cleveland municipal water supply. USACE's proposal suggests the sediment from dredging in Cleveland Harbor and the Cuyahoga River is no longer contaminated, making it safe for open lake dumping; however, I have serious concerns with this conclusion.

Based on a report by the OEPA, several scientists have determined the Army Corps' study misrepresents the relative harmlessness of the toxins contained in the sediment samples collected. The uncertainty of the sediment quality gives me pause to support the proposed open lake disposal of dredged material.

While dredging and other required maintenance of our lake help stimulate economic growth, there must be concentrated and coordinated efforts to make dredging as harmless as possible. The Great Lakes are a source of drinking water for 26 million people. We cannot afford to take action that jeopardizes the health and wellbeing of our constituents.

During USACE's 30 day comment period, several entities have gone on record as unanimously opposed to the USACE proposal. Furthermore, both the Cleveland City Council and the Cleveland-Cuyahoga County Port Authority Board of Directors have passed resolutions expressing their opposition to the proposal.

I appreciate the USACE's efforts to find a solution to a serious problem, but unfortunately, this is not the appropriate path forward. I respectfully urge you to disapprove the USACE proposal for open lake disposal of dredged material.

Sincerely,

A handwritten signature in blue ink that reads "Marcia L. Fudge". The signature is written in a cursive style with a large, stylized "M" and "F".

Marcia L. Fudge  
Member of Congress