

Date of Public Notice: **[DATE]**

Cuyahoga County

PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION

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 water quality certification for a project to construct an armor stone revetment, concrete modular seawall, L-shaped pier, and steel walkway. The application was submitted by Mr. and Mrs. Elias Coury. The project is located at 30708 Lake Road, Bay Village, Cuyahoga County. The Buffalo District Corps of Engineers Public Notice Number for this project is 2009-01658. The Ohio EPA ID Number for this project is 134073.

As required by the Antidegradation Rule, rule 3745-1-05 of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would place 2,255 cubic yards (CY) of material below the ordinary high water mark (OHWM). The applicant's proposed minimal degradation alternative, if approved, would place 1,820 CY of material below the OHWM. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of Lake Erie. Ohio EPA will review the application, and decide whether to grant or deny the application, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting **[DATE OF PUBLICATION]**, copies of the application and technical support information may be inspected on Ohio EPA-DSW website:

www.epa.ohio.gov/dsw

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written 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 within thirty days of the date of this public notice.