

DIKE 14 NATURE PRESERVE COMMITTEE

P.O. BOX 81031, CLEVELAND, OHIO 44181

December 3, 2008

Mr. Joshua Feldmann, Project Manager, Cleveland DMMP/EIS
U.S. Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, NY 14207

Re: Proposed Confined Disposal Facility at East 55th Street in Cleveland, Ohio

Dear Mr. Feldmann,

We are very concerned about the proposal for a Confined Disposal Facility (CDF) that the Army Corps is currently studying that is intended to be built as a 200 acre CDF built in several stages in Lake Erie at East 55th Street in Cleveland. The Dike 14 Nature Preserve Committee is a grassroots group of citizens and organizations in Northeast Ohio that has been working for eight years to create a nature preserve at the former Army Corps CDF, Dike 14, in Cleveland.

The proposal of the Cleveland-Cuyahoga County Port Authority to move its industrial port operations to a new 200 acre facility to be located on filled land of the proposed CDF at East 55th would be detrimental to the nature preserve at Dike 14 and to public access at Cleveland's Lakefront. *We oppose* the Port's planned move and the construction of a 200 acre CDF at East 55th St. that would destroy the existing Cleveland Lakefront State Park and Marina. More than 500 citizens of Northeast Ohio have joined our cause by signing a petition opposing the 200 acre CDF at East 55th and the Port's move.

We do *not* oppose the construction of a CDF at East 55th Street, as long as the CDF is built to complement and allow the continued existence of the park and marina facilities at the East 55th Lakefront State Park. Therefore, we call upon the Army Corps to proceed with its planned design and Environmental Impact Statement (EIS) for a new CDF on Cleveland's lakefront at East 55th St., but we request that either the primary or alternative siting and design for the new CDF be made complementary to the existing state park facilities at East 55th St., with the end use of the CDF identified as expanded parkland for public access.

In addition, we request that the Army Corps' EIS for the proposed 200 acre CDF at East 55th St. evaluate not only the environmental impact of constructing and locating a CDF in Lake Erie at East 55th, but that it also include a full analysis of the environmental impact of the Port's proposed move of its operations and facilities to the proposed, new 200 acre site – including the environmental impact that the pollution, noise and lights of an industrial facility, the large ships, and the security zone for the Port around the site would have on the public's recreational lakefront access from Burke Airport to Bratenahl, especially the impact on Gordon State Park or a relocated East 55th St. park and marina, the impact on recreational boating around the Port's proposed facility, the impact on the Dike 14 Nature Preserve, and the impact on air and water quality, and wildlife.

We are anticipating the scheduling of a public hearing on the Army Corps' EIS sometime in the first half of 2009. We ask to be notified directly of this and any other hearings and meetings conducted by the Army Corps on these issues. Additionally, in the Army Corps' EIS and at any

public hearing at which the EIS is presented, the Army Corps must clearly present at least the following information:

- The anticipated cost of the CDF, and the amounts to be paid by the Corps and the Local Cooperating Agency (LCA), which we presume will be the Port Authority.
- The additional cost necessary to construct a CDF capable of functioning as an industrial Port facility, including, without limitation, to allow ships to pull up to the outer walls, to build the dikes of the CDF in stages, to engineer the site to allow for a railroad bridge, rail lines, truck roads, crane operations, buildings, storage of industrial materials such as stone or cement, storage of bulk cargoes, etc.
- The cost of the construction and filling of a CDF at East 55th St. that would accommodate future public state park usage, rather than an industrial usage.
- The planned timeline for the construction and filling of the CDF at each stage, and the extent to which non-federal dredge and non-dredge material will be permitted to be disposed of in the CDF, and the tipping charges to be applied.
- The need for an extension to the outer harbor federal breakwall, the cost of construction for such an extension, who will be obligated to pay the cost, and the planned timing for the construction of an extension.

Full public disclosure by the Corps of the financial costs, timing, and environmental impact of the construction of a CDF for the purpose of creating an industrial facility – one that destroys parkland along the lakefront – is of critical importance in order for the entire community to evaluate the alternatives and cost-benefit of the proposal. This is an unusual situation and one fraught with the potential to cause permanent damage to the public's access and recreational use of the City's lakefront and Lake Erie. Equally important is full public disclosure by the Corps of the financial costs, timing and environmental impact of the construction of a CDF for the purpose of creating an expansion to the existing and popular Cleveland Lakefront State Park & Marina at East 55th Street.

Sincerely,

Barbara A. Martin, Chair
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