

LEGAL NOTICE

The following matters are the subject of this public notice by the Ohio Environmental Protection Agency. The complete public notice, including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal may be obtained at: <http://www.epa.ohio.gov/actions.aspx> or Hearing Clerk, Ohio EPA, 50 W. Town St. P.O. Box 1049, Columbus, Ohio 43216. Ph: 614-644-3037 email: HCLerk@epa.ohio.gov

Notice of Receipt of 401 Application
2020 Nationwide Permit Modification and Reissuance
All Counties in Ohio, OH
Facility Description: 401 Modification & Public Hearing
Receiving Water: Surface waters of the state
ID #: DSW401206975
Date of Action: 12/14/2020

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 developed DRAFT Clean Water Act Section 401 water quality certifications for the following Nationwide Permits as proposed in the September 15, 2020 Federal Register (Volume 85, No. 179):

1) Aids to Navigation, 2) Structures in Artificial Canals, 3) Maintenance, 4) Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities, 5) Scientific Measurement Devices, 6) Survey Activities, 7) Outfall Structures and Associated Intake Structures, 8) Oil and Gas Structures on the Outer Continental Shelf, 9) Structures in Fleeting and Anchorage Areas, 10) Mooring Buoys, 11) Temporary Recreational Structures, 12) Oil or Natural Gas Pipeline Activities, 13) Bank Stabilization, 14) Linear Transportation Projects, 15) U.S. Coast Guard Approved Bridges, 16) Return Water From Upland Contained Disposal Areas, 17) Hydropower Projects, 18) Minor Discharges, 19) Minor Dredging, 20) Response Operations for Oil or Hazardous Substances, 21) Surface Coal Mining Activities, 22) Removal of Vessels, 23) Approved Categorical Exclusions, 24) Indian Tribe or State Administered Section 404 Programs, 25) Structural Discharges, 26) [Reserved], 27) Aquatic Habitat Restoration, Establishment, and Enhancement Activities, 28) Modifications of Existing Marinas, 29) Residential Developments, 30) Moist Soil Management for Wildlife, 31) Maintenance of Existing Flood Control Facilities, 32) Completed Enforcement Actions, 33) Temporary Construction, Access and Dewatering, 34) Cranberry Production Activities, 35) Maintenance Dredging of Existing Basins, 36) Boat Ramps, 37) Emergency Watershed Protection and Rehabilitation, 38) Cleanup of Hazardous and Toxic Waste, 39) Commercial and Institutional Developments, 40) Agricultural Activities, 41) Reshaping Existing Drainage or Irrigation Ditches, 42) Recreational Facilities, 43) Stormwater Management Facilities, 44) Mining Activities, 45) Repair of Uplands Damaged by Discrete Events, 46) Discharges in Ditches, 47) [Reserved], 48) Commercial Mariculture Aquaculture Activities, 49) Coal Remining Activities, 50) Underground Coal Mining Activities, 51) Land-Based Renewable Energy Generation Facilities and 52) Water-Based Renewable Energy Generation Pilot Projects, 53) Removal of Low-Head Dams, 54) Living Shorelines, A) Seaweed Mariculture Activities, B) Finfish Mariculture Activities, C) Electric Utility Line and Telecommunications Activities, D) Utility Line Activities for Water and Other Substances, E) Water Reclamation and Reuse Facilities

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of surface waters of the state, including wetlands, streams and lakes. In accordance with OAC Rule 3745-1, an antidegradation review of the application has been conducted. No exclusions or waivers apply or may be granted by the director of Ohio EPA, as outlined by OAC Rule 3745-1-05.

Starting December 14, 2020, copies of Ohio EPA's draft certification and technical support information may be inspected on Ohio EPA-DSW website:
<http://www.epa.ohio.gov/dsw/401/permitting.aspx>

Ohio EPA will hold a virtual public hearing relative to issues of lower water quality on February 4, 2021 at 3:30 p.m. at <http://epa.ohio.gov/virtual>.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project.

Ohio EPA will continue to accept written comments on the application and DRAFT certification through the close of business on February 11, 2021. Comments received after this date may not be considered as part of the official record of the hearing. Anyone may submit written comments or requests to be placed on a mailing list for information by email to epa.dswcomments@epa.ohio.gov.