

Subject: Public Comment — Certification Should Not Issue Until Outstanding Questions Are Resolved

Dear Ohio EPA:

I am asking Ohio EPA not to issue an unconditional Section 401 Water Quality Certification for NEORSD's proposed Horseshoe Park construction project unless and until the agency is satisfied that the record demonstrates compliance with applicable water-quality requirements.

Important issues remain concerning:

- current wetland conditions;
- ORAM and wetland assessments;
- avoidance and minimization;
- alternatives;
- mature canopy loss;
- stream temperature;
- erosion and sedimentation;
- construction disturbance;
- mitigation;
- predicted future ecological conditions;
- and the currency and completeness of technical information.

Ohio EPA has authority to require additional information and, where appropriate, impose conditions necessary to protect water quality.

If the existing record does not allow the agency to make the required findings with confidence, the appropriate response is not to assume the unanswered questions away.

It is to require the applicant to answer them.

I therefore ask Ohio EPA to:

1. resolve material factual and technical uncertainties before certification;
2. require additional analysis where existing information is incomplete or outdated;
3. impose enforceable conditions necessary to protect water quality and aquatic resources;
4. ensure that avoidance and minimization occur before reliance on mitigation;
5. and withhold certification if the applicable water-quality requirements have not been demonstrated.

The public is being asked to accept permanent changes to a historic and ecological landscape.

Those changes should not be authorized on the strength of assumptions that have not yet been tested.

Thank you for considering my comment.

Sincerely,

[Name][Address / City][Optional personal observation]