

LTC Adam Czekanski
District Engineer
U.S. Army Corps of Engineers, Buffalo District
1776 Niagara Street
Buffalo, New York 14207-3199

RE: Letter of Intent
Novation Agreement
Lorain Harbor Contained Spoil Disposal Facility

Dear LTC Czekanski:

The Lorain Port Authority ("Port Authority") has completed its review of the draft Novation Agreement related to the transfer of non-Federal sponsor obligations under the Agreement for Local Cooperation between the City of Lorain ("City") and the Department of the Army ("the Government") for the Lorain Harbor Contained Spoil Disposal Facility ("the Project").

The Port Authority understands that, pursuant to the Novation Agreement, all rights, responsibilities, and obligations of the City, as stated in the Agreement for Local Cooperation, shall be transferred to and assumed fully by the Port Authority, subject to the exceptions provided in the Novation Agreement.

The Port Authority has determined that the draft Novation Agreement contains terms which are acceptable. The Port Authority has the ability, the capability, and the full legal authority to fulfill all of the non-Federal sponsor obligations contained in the aforementioned Agreement for Local Cooperation and the Novation Agreement as drafted. The Port Authority intends to enter into the Novation Agreement with the Department of the Army for ANY/ALL OF THE FOLLOWING: design, construction, implementation, operation, and maintenance of the Project.

It is understood that the purpose of this letter is to establish the intent and ability of the Port Authority to serve as the non-Federal sponsor of the project, and does not financially or legally obligate the Port Authority or the Federal Government.

Richard M. Novak
Executive Director
Lorain Port Authority