

APPENDIX E
CORRESPONDENCE
FOR THE
DREDGED MATERIAL MANAGEMENT PLAN
UPPER SAGINAW RIVER, MICHIGAN



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

November 12, 1999

IN REPLY REFER TO:

Programs and Project Management

Mr. Larry Witte
Chief, Land and Water Management Division
Michigan Department of Environmental Quality
P.O. Box 30028
Lansing, Michigan 48909

Dear Mr. Witte:

I am writing to inform you that we are terminating the study of a confined disposal facility (CDF) for the Upper Saginaw River under the authority of Section 123, Public Law 91-611. We base this decision on the long-term decline in the level of PCB contaminants in the material to be dredged from this area.

Our thanks go to you, Mr. Hal Harrington, and staff throughout the old MDNR for your cooperation on this project over the years. We look forward to continue working cooperatively with your staff in reaching a solution to managing dredged material from the Upper Saginaw River.

Any such solution requires a placement area, if only as a transfer site for beneficial use. The State of Michigan is the local sponsor of navigation improvements in the Saginaw River. As such, the State took responsibility for providing, without cost to the United States, suitable areas required for placement of dredged material. Since 1978, PL 91-611 has provided substantial Federal investment to satisfy this responsibility at no cost to the State. Material from the Upper Saginaw required confinement because of the level of PCBs in it. The material was transported an average distance of about 17 miles to the Bay CDF. A graph of the declining PCB levels is enclosed. The Upper Saginaw is roughly the portion of the graph where channel distance from the bay exceeds 30,000 feet. Now that we have determined that the material from the Upper Saginaw no longer needs confinement, effective management practice dictates that we reserve the limited space available in the Bay CDF for material from the Lower Saginaw.

A placement site located closer to dredging operations in the Upper Saginaw would save us most of the cost we now incur to transport the material. In order to secure a nearby placement area, we committed significant resources to plan and engineer a CDF for the Upper Saginaw under PL 91-611 authority. However, once the level of contaminants in the dredged material declined to the point where confinement was no longer necessary, PL 91-611

Enclosure 3

authority no longer applied to the Upper Saginaw. Based on legislation authorizing construction and maintenance of the channel, the responsibility for identifying a suitable placement area for the Upper Saginaw reverted to the local sponsor.

Typically, the Corps contracts nearly \$1 million every two to three years for maintenance dredging in the Upper Saginaw River. This expenditure covers dredging and transporting the material to the CDF in Saginaw Bay. A more cost effective placement area appears to be available at a site situated near the dredging activity in the Upper Saginaw River, in the proximity of the Zilwaukee Bridge. Use of this or a comparable site would substantially reduce the cost of our maintenance dredging operations in the Upper Saginaw River. We last dredged in both the Lower and Upper Saginaw River in 1995. Due to the greater haul distance, the cost to dredge the Upper Saginaw was \$3.50 per cubic yard more than the cost to dredge the Lower Saginaw. In addition, the space in the CDF also has a value.

In this era of constrained budgets, our operations and maintenance practices must continually demonstrate sound economic decision making. The status quo of using the Bay CDF for disposal of material dredged from the Upper Saginaw, all at full Federal expense, may be unacceptable. We are examining our options. Among these options is the possibility that we will no longer accept material from the Upper Saginaw at the Bay CDF.

The Michigan Department of Natural Resources reorganized in 1995. We assume that your office now acts for the State of Michigan as the local sponsor for this project. Our point of contact for this issue is Mr. Joe Mantey at (313) 226-3445. Your designee should contact him to discuss our requirements and associated responsibilities.

Sincerely,


W. Scott Parker, P.E.
Ch, Programs & Project
Management

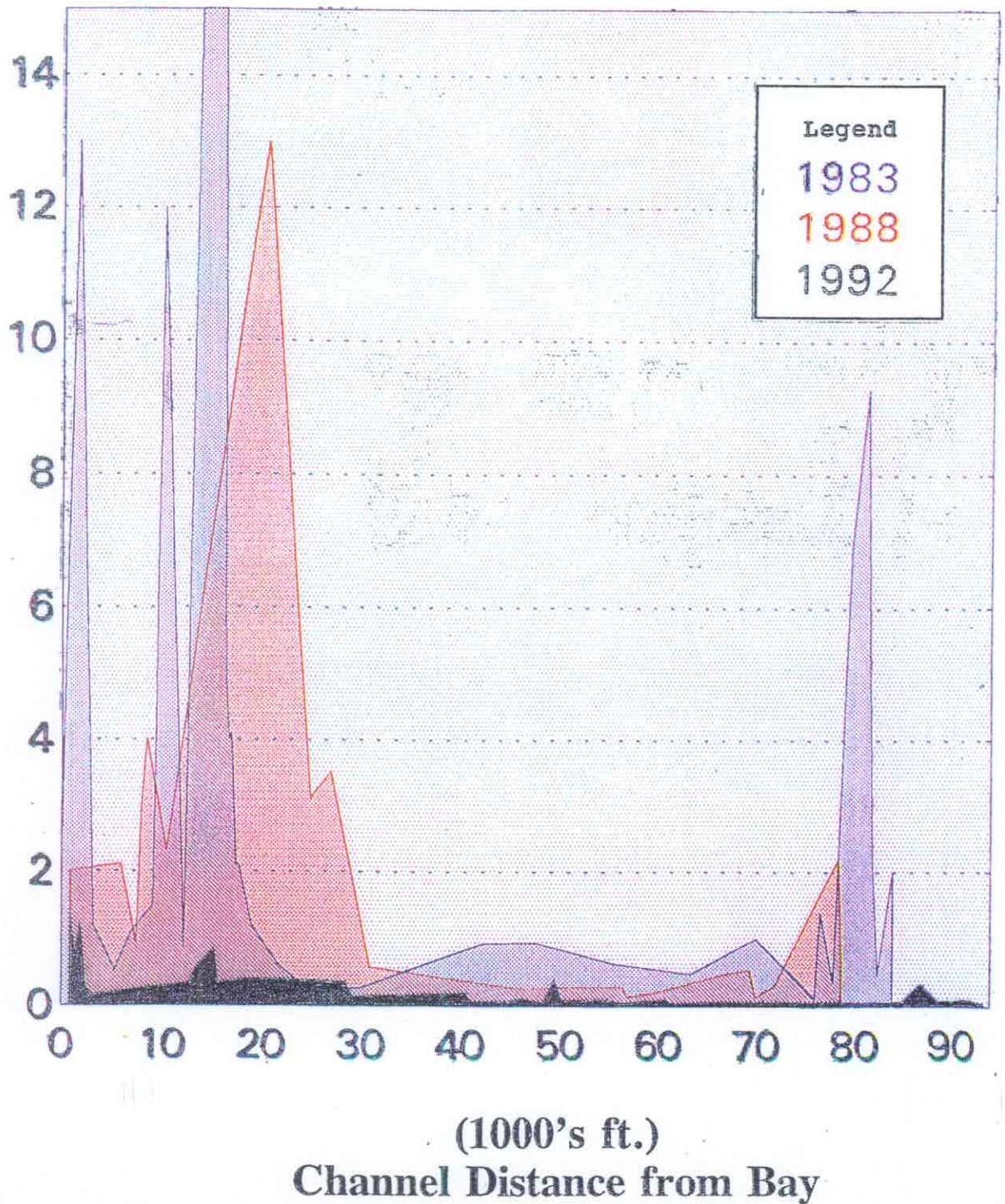
Copies Furnished:

Mr. Larry Karnes, MDOT, P.O. Box 30050, Lansing, MI 48909
Mr. Thomas Hickner, County Executive, Bay County, 515 Center Ave., Bay City, MI 48708
Mr. William Wright, Saginaw Co. Planning Director, 111 S. Michigan Ave., Saginaw, MI 48602
Mr. Charles Wooley, USFWS, East Lansing Field Office, 2651 Coolidge Rd., East Lansing, MI 48823

Declining PCB Levels

Saginaw River Channel, MI

PCB's (PPM)





JOHN ENGLER, Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

"Better Service for a Better Environment"

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INTERNET: www.deq.state.mi.us

RUSSELL J. HARDING, Director

June 21, 2000

Lieutenant Colonel Robert Davis
District Engineer
U.S. Army Corps of Engineers, Detroit District
P.O. Box 1027
Detroit, MI 48231-1027

Dear Colonel Davis:

The lower water levels in the Saginaw Bay and the Saginaw River have reduced the effective drafts of freighters delivering products to the upper Saginaw River. The restricted navigational depths in the federal channel are having an adverse economic impact on Bay and Saginaw Counties and the surrounding communities. This situation will continue to deteriorate in coming years with the continued failure to maintain the river channel.

The state of Michigan, the county of Bay, and the county of Saginaw request that you prepare a dredge material management plan (DMMP) to assist in determining the feasibility of siting and constructing a confined disposal facility (CDF) for the upper Saginaw River. We would prefer that the CDF not impact any wetlands, if possible. Impacts resulting in a loss of floodwater storage capacity should be identified for potential sites that are located in flood prone areas. The DMMP should also look at a "no action" alternative to determine if it is economically viable to create a CDF for the continued maintenance of the upper Saginaw River.

The state of Michigan, the county of Bay, and the county of Saginaw are identified as the local sponsors for the requested DMMP. It is our understanding that this phase is at no cost to the local sponsors. Following the DMMP's completion, the determination will be made to continue with implementation, terminate the program, or explore other alternatives.

DE... action
XO... sign

Ch, ETS

Action

Need a fairly lengthy letter that lays out the situation and the responsibilities of all parties with the specific difficulties we've experienced on this action over the past few years

CC: DPM

Lieutenant Colonel Robert Davis
Page 2
June 21, 2000

Your assistance in this matter is appreciated. If you have any questions, require further information, or desire a meeting, please contact Mr. Richard A. Powers, Chief, Land and Water Management Division, Michigan Department of Environmental Quality (MDEQ), at 517-373-1170, or you may contact me.

Sincerely,



Russell J. Harding
Director
517-373-7917

cc: U.S. Representative James Barcia
Senator Joel Gougeon
Representative A.T. Frank
Representative Joseph Rivet
Mr. Thomas L. Hickner, Bay County Executive
Mr. M. McGill, Saginaw County Executive
Mr. Edward Rivet, Chair, Bay County Board of Commissioners
Mr. Robert Fish, Chair, Saginaw County Board of Commissioners
Ms. LeAnne G. Wilson, Governor's Washington Office
Mr. Bryan Roosa, Governor's Washington Office
Mr. Matt Hare, Governor's Office
Mr. K. L. Cool, Director, MDNR
Mr. James R. DeSana, Director, MDOT
Mr. Arthur R. Nash Jr., Deputy Director, MDEQ
Mr. Bryan A. Harrison, Acting Legislative Liaison, MDEQ
Mr. Richard A. Powers, MDEQ

July 13, 2000

Planning, Programs & Project Management Division

Mr. Russell J. Harding
Director
Department of Environmental Quality
P.O. Box 30473
Lansing, Michigan 48909-7973

Dear Mr. Harding:

Thank you for your letter of June 21, 2000, requesting us to initiate a Dredged Material Management Plan (DMMP) for the Upper Saginaw River.

We are prepared to initiate the effort for the DMMP study this fiscal year. This study is conducted under the guidance of the National Harbors Program, (EC1165-2-200). The purpose of this study is to determine if additional suitable dredged material placement sites/options are available in the vicinity of the Upper Saginaw River, that will satisfy future dredging requirements over a 20-year planning period. The feasibility document will: (a) review studies that have been conducted to date; (b) provide an economic assessment to justify continued maintenance dredging; (c) discuss potential options that appear viable for disposal of dredged material including "no action"; and (d) determine the "Base Plan" (Federal Standard) that will establish the Federal/Non-Federal implementation cost share. The Federal Standard is based on one potential solution that is engineeringly feasible, least costly, and environmentally acceptable. The Feasibility Phase of the DMMP study is 100% Federally funded.

In regards to the placement of the dredged material, the quality of the dredged material in the Upper Saginaw River has improved over the years, such that the placement classification of dredged materials has changed to, *Upland Unconfined*, and therefore a Confined Disposal Facility (CDF) may no longer be considered. The term Dredged Material Placement Site (DMPS) will be used, which refers to any site where dredge material is placed, often temporarily to dewater, that does not require strict confinement.

Based on updated data from the Upper Saginaw River Letter Report (May 1993), we anticipate the 20-year requirement to include, permit dredging (400,000 cy), backlog dredging (700,000 cy, 1991 estimate), and annual maintenance dredging (2,000,000 cy) for a total of 3,100,000 cy. If the dredged material is not reused for beneficial purposes, then a site of approximately 400 acres will be needed to hold the dredged material. If beneficial uses can be

developed for the dredged material, then the size of site can be reduced.

The following is a list significant factors that were used in prior studies to evaluate alternatives and will be critical factors in the current evaluation; (1) the site should not be in the flood plain, (2) the site cannot be a HTRW site, (3) the site must be within a mile, where practical, of the navigation channel and have access for a pipeline to the navigation channel, in order to hydraulically place material, (4) preferably, the site has minimal impacts to wetlands or wetland free, and (5) the site should be archeologically acceptable, in other words, the site will require an archeological survey, unless it has already been conducted and no artifacts have been found.

As you are aware the local sponsor will be responsible for providing, all lands, easements and right-of way for the DMPS. Therefore, we would expect the State, Bay County and Saginaw County to identify potential upland sites for consideration in the DMMP.

With regard to providing a local sponsor, in your letter you indicated three representatives as the designated sponsor. Although the Corps would prefer one sponsor, we will be happy to work with all three. Please provide points of contact for future coordination efforts. This project needs to be a joint effort and we would expect the Non-Federal sponsor to participate.

The Corps has contacted Mr. Richard Powers of your office to set up an initial coordination meeting which will be in the near future. If you have any questions, please contact Mr. Terry A. Long or Mr. Joseph Wanielista at (313) 226-6758 or (313) 226-6773, respectively.

Sincerely,



W. Scott Parker, P.E.
Deputy District Engineer,
Project Management

CC:
CELRE-ET-OT-T
CELRE-PM-PL

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