



DEPARTMENT OF THE ARMY

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IN REPLY REFER TO:
Planning Division
Environmental Analysis Branch

Finding of No Significant Impact and Statement of Findings

Upper Saginaw River Dredged Material Disposal Facility Saginaw And Bay Counties, Michigan

Prepared by: U.S. Army Corps of Engineers, Detroit District

Proposed Action: The Corps of Engineers is proposing to construct and operate a Dredged Material Disposal Facility (DMDF) for disposal of sediments from maintenance dredging of the upper Saginaw River Federal navigation project. The site would be constructed on 281 acres of farmland located within portions of Saginaw and Bay Counties, Michigan. The facility is designed to hold 3.1 million cubic yards of material to be dredged over a minimum 20-year period. The facility site is underlain by clay and would have clay perimeter dikes constructed to a height of approximately 11 feet. The proposed DMDF includes a weir to release effluent to the Saginaw River. Sediments to be placed in the DMDF are contaminated with elevated levels of dioxin. Maintenance of the Federal channel in the upper Saginaw River would allow continued economic benefits associated with navigation. The local sponsor for this project is Saginaw County.

Coordination: A public notice dated May 20, 2004, announced and made available to all interested agencies, public groups and citizens the *Phase II Report, draft dredged Material Management Plan and Environmental Assessment for the Upper Saginaw River, Michigan*. Coordination with interested parties including the State of Michigan and its Department of Environmental Quality (MDEQ), Department of Natural Resources and Historic Preservation Office, as well as, U. S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and Saginaw County have been ongoing throughout development of this project.

Comments in response to the Environmental Assessment were received from various individuals and organizations. Overall, agencies and local governments are in support of the project. The U.S. Fish and Wildlife Service requires a "no work" window between January 15 and May 10 of every year the project is authorized, so as not to adversely affect the bald eagle.

Concerns of nearby residents have to do with health and safety issues, wildlife protection, preference for an alternate location, as well as a desire to see an Environmental Impact Statement prepared. Impacts to nearby residents have been considered. The design of the facility, and operation features, would provide containment for the nature and contaminant level in the dredged material to be placed. Once in the facility the material will vegetate quickly and will not

impact human exposure. The entire facility from the outside perimeter of the clay dikes will be fenced. Intermittent disturbances to residents from operations at the facility have been acknowledged.

Effects and Impacts: Impacts associated with the proposed project include the irretrievable loss of farmland. The project would result in a change to farm habitat and aesthetics. Construction of the facility would involve creating perimeter dikes from on site materials, which would result in temporary truck traffic, noise, vibrations, and air emissions. Wildlife may be temporarily displaced at the site. Environmental consequences of periodic disposal activity would be local in scope and of minor magnitude. No significant impacts to threatened or endangered species, wetlands, archeological or historical sites/items would be expected to occur due to the proposed action. Project benefits include continued maintenance of the commercial navigation project in the Upper Saginaw River and the continued economic benefits associated with it. The project is located within the 100-year floodplain; however, the project would not encourage floodplain development, nor would it impact flood stages. The proposed action complies with the Federal Executive Order 11988, Flood Plain Management, because there is no practicable alternative to construction in the flood plain.

Discharges to the Saginaw River would be monitored to meet specified standards and would be in compliance with Section 404 of the Clean Water Act. The MDEQ has issued a Section 401 of the Clean Water Act, water quality certification, dated March 16, 2005.

Determinations:

The Section 401 water quality certification for the project includes controls to ensure the effluent to be discharged from the facility meets state water quality standards. The certification does not allow a discharge from the DMDF to groundwater.

The Section 401 water quality certification requires preparation of a DMDF Management Plan, which preserves the long term integrity of the facility, includes closure requirements and minimizes exposure of wildlife. A Management Plan for the facility will be prepared in coordination with MDEQ to ensure safe operation and management of the facility.

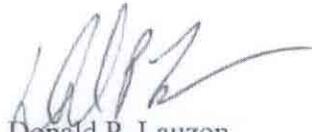
Periodically, shoaled areas in the navigation channel would be sampled to determine the character of the material under existing condition. For each dredging event, a dredging plan would be developed. Based on current soundings and recent 2004 sediment data, the next dredging event would remove shoals from river mile 4.7 to 16.5. The dioxin levels in the material to be dredged (river mile 4.7 to 16.5) average 321 ppt, because of one small shoal with an elevated level. This shoal would be dredged first and subsequently covered by the remaining dredged material, which has an average of 166 ppt. of dioxin. In the future, if testing in the Federal channel indicates much higher dioxin levels, disposal, burial and handling would be considered and further environmental documentation may be required.

A number of alternatives for disposal of dredged material from the Upper Saginaw River have been investigated over a 26-year period. Recent alternatives evaluated include an adjacent farmland site, a type III landfill option and the no action alternative.

Findings and Conclusion: The project, if constructed and operated properly, will not present unacceptable risks to public health, safety and the environment. The Environmental Assessment and 404(b)(1) evaluation indicate that the proposed project does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an Environmental Impact Statement will not be prepared. It is my determination to proceed with the proposed Upper Saginaw River Dredged Material Disposal Facility.

25-Mar-05

Date



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District Engineer