



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
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IN REPLY REFER TO:

Executive Office

**STATEMENT OF FINDINGS &
FINDING OF NO SIGNIFICANT IMPACT**

**Pile Breakwater Reconstruction
Grand Marais Harbor, Alger County, Michigan**

Proposed Action: The U.S. Army Corps of Engineers, Detroit District (USACE), proposes to reconstruct the breakwater that once existed at Grand Marais Harbor. The proposed action is to reconstruct the breakwater on a rotated alignment, approximately 55 degrees landward from the original breakwater alignment. The reconstructed breakwater would attach to the east harbor entrance jetty and extend landward approximately 2500 feet to provide a protected basin for boater safety. The breakwater reconstruction is needed to protect the harbor basin, a designated Harbor of Refuge, from storms and infilling with sand. Alternatives considered include 1) No Federal Action, 2) Original Breakwater Alignment, 3) Rotate Alignment 15 Degrees Landward, and 4) Rotate Alignment 55 Degrees Landward.

Coordination: The proposed breakwater reconstruction for Grand Marais Harbor, Michigan, has been coordinated with the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, the Michigan Department of Environmental Quality, the Michigan State Historic Preservation Office, the National Park Service at the Pictured Rocks National Lakeshore, and various Native American Tribes and groups.

Environmental Effects: The Detroit District, Corps of Engineers, has assessed the environmental impacts of the proposed breakwater reconstruction project. The EA indicates that the proposed rubble-mound breakwater would not result in significant adverse environmental effects. Nor would it be expected to result in any significant cumulative or long-term adverse effects. Adverse effects are minor, including short-term noise and air emissions from equipment operation; temporary turbidity from construction operations; temporary displacement of fish; destruction of any bottom-dwelling organisms in the immediate work area; and modification of shoreline habitat and associated effects on shorebirds, including the Federally listed piping plover and piping plover critical habitat. Adverse effects on piping plover and piping plover critical habitat are mitigated through habitat created along the new breakwater, and by special mitigative measures. The project would be beneficial in preventing further sand filling of the harbor basin and by providing shelter from storm waves in the harbor. A rock breakwater would provide aquatic habitat in place of the existing shifting sand substrate. Fish would return upon completion of construction and the breakwater would be colonized by aquatic organisms and would provide habitat for fish and other wildlife.

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The EA addresses project impacts on the Federally and State-listed piping plover and Federally designated piping plover critical habitat, which occurs on many of the beaches at Grand Marais. The selected breakwater reconstruction alternative has the least adverse impact on piping plover of the three alignments considered. In accordance with the Federal Endangered Species Act, a Biological Assessment (BA) of project effects on piping plover and piping plover critical habitat was prepared. The BA concluded that changes in shoreline dynamics attributable to the proposed breakwater project are likely to adversely affect piping plover and piping plover critical habitat, by accelerating the loss of habitat in West Bay (Carpenter Creek area) versus the no action alternative; however, over time the project is expected to create nesting habitat. The U.S. Fish and Wildlife Service, prepared a Biological Opinion (BO), which concluded in a statement that the proposed action would not jeopardize the Great Lakes population of piping plover and estimated a take of 66 birds over a projected 30-year period. The BO provides mitigative measures required as a part of the incidental take.

Agency & Public Review: The January 2010 EA was provided to agencies, Indian tribes and interests, residents and land owners of the Grand Marais area, and other interested parties for a 30-day review and comment period. Responses to the comments were provided in individual letters. None of the comments identified any significant project effects on the human environment.

Determinations: The proposed rubble-mound breakwater reconstruction has been reviewed pursuant to the following Acts and Executive Orders: Fish and Wildlife Act of 1956; Fish and Wildlife Coordination Act of 1958; National Historic Preservation Act of 1966; National Environmental Policy Act of 1969; Clean Air Act of 1970; Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 1971; Coastal Zone Management Act of 1972; Endangered Species Act of 1973; Clean Water Act of 1977; Executive Order 11988, Flood Plain Management, May 1977; and Executive Order 11990, Wetland Protection, May 1977. The proposed project has been found to be in compliance with these acts and executive orders.

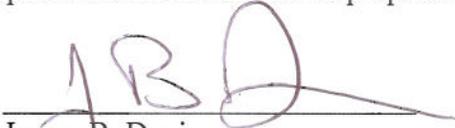
The proposed action complies with the Federal Executive Order 11988, Flood Plain Management, because there is no practicable alternative to construction in the flood plain, the project would not impact flood stages, and would not encourage development in the floodplain. The project would be “consistent to the maximum extent practicable” with the Coastal Zone Management Act. The State of Michigan stated in correspondence of May 5, 2010, that the project would comply with Michigan’s Federally approved Coastal Management Program.

The EA includes a Section 404(b)(1) Evaluation, pursuant to the Clean Water Act (CWA), for placement of rock fill material into the waters of the United States as part of the breakwater reconstruction. The proposed rubble-mound breakwater has been determined to be in compliance with Section 404 of the CWA. The State of Michigan stated in correspondence of May 5, 2010, that the project would comply with State water quality standards, pursuant to Section 401 of the CWA.

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Grand Marais Harbor, Alger County, Michigan (continued)

Finding and Conclusion: Review of the proposed breakwater reconstruction at a 55 degree angle from the original alignment for Grand Marais Harbor, Michigan, and of the comments received during agency/public review of the EA and Section 404(b)(1) evaluation, indicates that the 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.

12 May 2010
DATE


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