



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVE.
DETROIT, MICHIGAN 48226-2550

IN REPLY REFER TO:

Executive Office

Amended¹ Finding of No Significant Impact Dredged Material Management Plan, Green Bay Harbor, Wisconsin

In accordance with the National Environmental Policy Act of 1969, the U.S. Army Corps of Engineers (USACE), Detroit District, has assessed the environmental impacts of reconstructing the Cat Islands and expanding the Bayport Confined Disposal Facility (CDF) as the selected 20-year Dredged Material Management Plan (DMMP) for Green Bay Harbor, Brown County, Wisconsin. Three islands would be constructed with stone wave barriers and filled with clean dredged material from the outer harbor in Green Bay.

An Environmental Assessment (EA) was prepared for the selected DMMP. The EA, dated September 2010, indicates that adverse effects of the Bayport CDF expansion would be minor and similar to current operational effects. Adverse effects of island construction would be minor and are considered short-term but repeating with each dredging and/or construction cycle. These include smothering of benthos in the island/wave barrier footprint; localized and short-lived turbidity increases; localized and temporary noise, air, and water quality effects; and displacement of fish during construction. These minor adverse effects are outweighed by the project benefits including restoration of aquatic and terrestrial island habitat, and benthic colonization of the wave barrier stone. Island filling activities would be managed to avoid adverse effects on migratory birds. No significant adverse secondary effects are expected to occur. Nor are any significant cumulative or long-term adverse environmental impacts expected to result from island construction and filling or from the Bayport expansion.

Public Review of the EA and DMMP report resulted in three comment letters expressing concerns with long-term trucking over the 20-year project period, property values, road damages, invasive species, as well as noting a desire for a public meeting. These comments were addressed in individual response letters. None of the concerns raised involve significant environmental effects, and the trucking effects only occur for a few years during stone delivery, as the dredged material would be delivered by barge from the navigation channel. A public meeting was held in October 2010 during the EA/DMMP public review period. The public commented about the stone dike blocking snowmobile passage along the shore, and expressed concerns with road damage from trucking stone. It was determined that snowmobiles could cross the stone dike/access road on shore where the elevation is lower, and that roads used for project access to construct the stone barriers will be repaired to pre-project condition.

1 Amendments include a discussion of public review and the state permit conditions.

An evaluation, pursuant to Section 404(b)(1) of the Clean Water Act (CWA), on the effects of the discharge of fill material into waters of the United States for island construction, was prepared in September 2010 and circulated for review with the EA. The project has been determined to be in compliance with Section 404 of the CWA. The State of Wisconsin has granted water quality certification pursuant to Section 401 of the CWA through the issuance of a State Chapter 30 Lakebed and Wetland Permit (permit), which was issued to the non-Federal project sponsor, Brown County on November 22, 2010. The permit requires the formation of a project and island management advisory team to include members from Brown County, the Wisconsin Department of Natural Resources, the U.S. Fish and Wildlife Service, the USACE, and interested stakeholder groups. The team would advise on the development and implementation of a management plan to be administered by Brown County for the project and island chain area consistent with improving water quality, invasive species management, wildlife habitat, and recreation in the area. The permit also includes a variety of conditions to protect water quality and the environment, to limit and control invasive species, and to help ensure safety for recreational users. Because the project extends over a multi-decade time period, the State of Wisconsin reserves the right to require project modifications, after meetings and hearings, to ensure that the project continues to serve the public interest.

The proposed island reconstruction and Bayport CDF expansion comply with the Federal Executive Order on Flood Plain Management (E.O. 11988); the island project and Bayport expansion are within the coastal zone and would be "consistent to the maximum extent practicable" with the Wisconsin Coastal Management Program.

Review of the proposed island reconstruction and Bayport CDF expansion, and review of the comments received during public review of the EA, indicate that reconstruction of the Cat Islands and expansion of the Bayport CDF do not constitute a major Federal action significantly affecting the quality of the human environment; therefore, an Environmental Impact Statement will not be prepared.

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Date



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