FINAL RESTORATION PLAN AND ENVIRONMENTAL ASSESSMENT

FOR THE NORTH BRONSON INDUSTRIAL SITE

BRONSON, MICHIGAN

Final

December 27, 2007

Prepared by:
U.S. Department of the Interior
Fish and Wildlife Service

UNITED STATES FISH & WILDLIFE SERVICE

ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of (describe action):

____ is a categorical exclusion as provided by 516 DM 6, Appendix 1 and 516 DM 2, Appendix 1. No further documentation will therefore be made.

_X_ is found not to have significant environmental effects as determined by the attached Environmental Assessment and Finding of No Significant Impact.

____ is covered under an existing Environmental Assessment entitled _____ as described in sub-section _____ which was approved on _____.

____ is found to have significant effects, and therefore further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

____ is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.

____ is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list):

_X_ Environmental Assessment and FONSI

____ Public comments

____ Section 7 Form

____ Compatibility Determination

Stephanie M. Miller 12/27/07
(1) Initiator Date

1-28-08
(2) RHPC Date

Lynn M. Lewis 1/28/08
(3) ARD Date

Charles M. Wooley 1/28/08
(4) RD Date

Charles M. Wooley
Acting Regional Director

for Craig Czarnecki
East Lansing FO
Acting FOS
1-23-08

Facility: East Lansing, MI, Ecological Services Field Office
Title: North Bronson, MI Superfund Site – Natural Resources Damage Assessment and Restoration

FINDING OF NO SIGNIFICANT IMPACT

For the reasons briefly presented below and based on an evaluation of the information contained in the supporting references enumerated below, I have determined that the restoration plan for the North Bronson site of Branch County Michigan describing restoration projects within the Swan Creek Watershed, is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969. An Environmental Impact Statement will, accordingly, not be prepared.

Reasons:

1. Restoration projects within the Swan Creek Watershed will provide compensation for the lost ecological services related to discharge of hazardous substances at the North Bronson Superfund site, located in Branch County, Michigan.
2. The Restoration Plan directs no site-specific action. Therefore, it has no impact on threatened, endangered, and candidate species, or on designated critical habitat. Each specific project later approved will be evaluated for possible impacts.
3. The Restoration Plan directs no site-specific action. Therefore, it has no impact on historic buildings. Each specific restoration project later approved will be evaluated to determine if historic buildings will be affected.
4. The Restoration Plan directs no site-specific action. Therefore, it has no impact on archaeological resources. Each specific restoration project later approved will be evaluated separately to determine if archaeological resources will be affected.
5. There will be benefits to biological resources, including migratory birds.

Supporting References:
1. Environmental Assessment

Lynn Wooley
ACTING Regional Director, FWS, Region 3

Date: 1/28/08

Distribution:
Wash., DC (OEC)
State Clearinghouse

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LIST OF ACRONYMS AND ABBREVIATIONS

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CD	County Drain
CFR	Code of Federal Regulations
DOI	U.S. Department of the Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
MBTA	Migratory Bird Treaty Act
MDNR	Michigan Department of Natural Resources
NCP	National Contingency Plan
NEPA	National Environmental Policy Act
NRDAR	Natural Resource Damage Assessment and Restoration
PRPs	Potentially Responsible Parties
RP	Restoration Plan
RP/EA	Restoration Plan and Environmental Assessment
Service	U.S. Fish and Wildlife Service
Site	North Bronson Industrial Area
USC	United States Code

EXECUTIVE SUMMARY

In February 2000, a natural resource damage settlement was achieved for the North Bronson Industrial Area Superfund Site (Site). The Service, on behalf of the DOI, was the sole settling natural resource Trustee. The funds available from the settlement for restoration activities total approximately $100,000. This Final Restoration Plan and Environmental Assessment (Final RP/EA) is being released for public comment in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980 as amended, (CERCLA) (42 U.S.C. 9601 et seq.), the Department of the Interior's Natural Resource Damage Assessment Regulations (43 CFR, part 11), and the National Environmental Policy Act (NEPA) 45 U.S.C. 4371 et seq., and 42 CFR part 1500.

This Final RP/EA is intended to describe the Service's selected alternative to restore natural resources injured as a result of the discharge of hazardous substances at or from the Site. Injury at the Site results from both direct toxicity to trust resources and through toxicity to, and disruption of, supporting habitat. The U.S. Environmental Protection Agency is in the process of Site remediation and providing for the protection of natural resources there, but this process is expected to take several more years. Based on an evaluation of various restoration alternatives, the preferred restoration alternative for these settlement funds consists of off-Site restoration projects. These projects can be initiated before completion of Site remediation. These projects would involve entering into cooperative agreements with willing landowners to enhance and protect wetland and stream habitats for the benefit of migratory birds and other trust resources that use these habitats.

1. INTRODUCTION

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, through its Natural Resource Damage Assessment and Restoration (NRDAR) provisions, allows Natural Resource Trustees to seek compensation for "damages for injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss" caused by releases of hazardous substances into the environment. This Final Restoration Plan and Environmental Assessment (Final RP/EA) was released for public comment as partial fulfillment of the responsibilities of the U.S. Department of the Interior (DOI), acting through the U.S. Fish and Wildlife Service (Service) as a Natural Resource Trustee. These responsibilities include restoration, rehabilitation, and/or replacement of injured Service trust resources, including migratory birds, interjurisdictional fish, and federally-listed endangered and threatened species, as well as other wildlife. This document also serves as an Environmental Assessment (EA) as required under the National Environmental Policy Act (NEPA).

This Final RP/EA presents proposed actions to address natural resources injured by the release of hazardous substances within the North Bronson Industrial Site (Site).

1.1 Purpose and Need for Restoration

The purpose of the NRDAR procedure is to restore trust resources to the condition that they would have been in, had releases of the hazardous materials not occurred. Another purpose is to compensate the public for loss of trust resource services caused by the release of hazardous materials. Services in this case would be the functions provided by the Site (e.g., habitat, food source) to fish and wildlife that were impaired due to contamination. The alternatives proposed in this plan will provide compensation for injuries to Service trust resources in a cost-effective and beneficial manner.

Section 107(f)(1) of CERCLA, 42 U.S.C. § 9607(f), requires that monies recovered as natural resources damages by Natural Resource Trustees may only be used to restore, replace, or acquire the equivalent of the injured natural resources.

1.2 Site Description and History

The North Bronson Industrial Area Superfund Site is located in the city of Bronson, Branch County, Michigan. The Site is located in portions of the northeast quarter of section 11 and the northwest quarter of section 12, Township 7 south, Range 8 west and occupies the northern (industrial) area of the city of Bronson. The Site is bounded to the east by Lincoln Street , northward to County Drain #30 (CD #30) , to the north by CD #30 , to the west by Burr Oak Road , northward to CD #30 , and to the south by Fillmore and Union Streets (Figure 1).

Contamination detected at the Site is the result of industrial activities and waste handling practices in the North Bronson area since the early 1900's. Industries in the area include plating operations, machine shops, agricultural supply, bulk petroleum storage, and manufacturing plants. Initially, several industries discharged plating and other industrial wastes directly into CD#30 (MDNR, 1992a). Due to fish kills and cattle deaths occurring along the drain, the city of Bronson constructed waste lagoons to retain the waste generated by industry.

The Site encompasses 220 acres with a maximum topographic relief of 12 feet, with the lowest point on the Site being CD #30. CD#30 is the main tributary within the Site and flows east to west into Swan Creek and then to the St. Joseph River (MDNR 1992a). Two predominant features and contaminant source areas are waste lagoons located in the northeast and northwest sections of the Site.

The U.S. Environmental Protection Agency (EPA), in accordance with the CERCLA, included the Site on its National Priorities List in 1986. Under CERCLA, Natural Resource Trustees may evaluate the injuries to any natural resources caused by the release of hazardous materials into the environment, and assess damages resulting from these injuries.

1.3 Trustee Responsibilities

The United States Fish and Wildlife Service (Service), acting on behalf of the Secretary of the Interior, is the Natural Resource Trustee for the Site pursuant to the National Contingency Plan (NCP) (40 CFR 300) and CERCLA. As the Trustee, the Service acts on behalf of the public to assess injuries to natural resources from releases of hazardous substances and to develop and implement restoration plans to restore injured resources. The Service determined that concentrations of contaminants at the Site exceeded thresholds for causing injuries to trust resources. That determination is further described in Section 2 of this document.

1.4 Summary of Settlement or Judgment

In 1997, the EPA began negotiations with the Potentially Responsible Parties (PRPs) to obtain funding or work commitments for remediation of the Site and notified the Department of the Interior (DOI) and the State of Michigan of the negotiations. On behalf of the Secretary of the Interior, the Service participated in the negotiations as a Natural Resource Trustee for the Site. No other Natural Resource Trustees participated in the negotiations. A Consent Decree between the PRPs and the United States was lodged with the United States District Court, Western District of Michigan in June of 1999 and the motion to enter the decree was granted by the court on February 29, 2000 (Civil Action No. 1:99-CV-490).

The Consent Decree specified that Defendants would perform the remediation of the Site and that they could either restore approximately 20 acres of habitat for natural resources alleged to have been injured on the Site under a plan approved by the Trustee or they could pay the Trustee $100,000, plus $4,740.45 for attorney fees, for the Trustee to restore natural resources. The Defendant chose to pay $104,740.45 to the Trustee and the funds were deposited in the DOI's Natural Resource Damage and Restoration Account.

1.5 Compliance with Other Authorities

Other environmental laws, regulations, and executive orders are important to consider in the restoration planning process because they may impose limits or standards for project completion. Each specific project that is later approved as part of the Final RP/EA will have to comply with these and any other identified applicable laws and regulations and obtain all necessary permits.

Endangered Species Act: The federal Endangered Species Act (ESA), 16 USC 1531, et seq., 50 CFR Parts 17, 222, 224, directs all federal agencies to conserve endangered and threatened species and their habitats and encourages such agencies to utilize their authority to further these

purposes. Section 7 of the ESA directs all Federal agencies to utilize their authorities in furtherance of the purposes of the Act by carrying out programs for the conservation of endangered and threatened species. Section 7 also requires Federal agencies to consult with the Service to insure that any action they authorize, fund, or carry out, is not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of critical habitat. As this Final RP/EA directs no site-specific action, it has no effect on species, and a Section 7 consultation is not necessary. However, each specific project later approved under the Final RP/EA will be subject to Section 7 consultation.

Clean Water Act: The Clean Water Act, 33 USC 1251, et seq., is the principal law governing pollution control and water quality of the nation's waterways. Section 404 of the law authorizes the permit program that allows for the disposal of dredged or fill material into navigable waters. The U.S. Army Corps of Engineers administers this program. Restoration projects that move material into or out of waters or wetlands require individual Section 404 permits or may be addressed under nationwide permits.

Fish and Wildlife Conservation Act: The Fish and Wildlife Conservation Act, 16 USC 2901-2911, authorizes federal financial and technical assistance to the States for the development, revision, and implementation of conservation plans and programs for non-game fish and wildlife.

Fish and Wildlife Coordination Act: The Fish and Wildlife Coordination Act, 16 USC 661, et seq., states that wildlife conservation shall receive equal consideration with other features of water resource development. The Act requires federal permitting and licensing agencies to consult with the Service and state wildlife agencies before permitting any activity that in any way modifies any body of water to minimize the adverse impacts of such actions on fish and wildlife resources and habitat.

Migratory Bird Treaty Act: The Migratory Bird Treaty Act (MBTA), 16 USC 715, et seq., provides for the protection of migratory birds. The MBTA does not specifically protect the habitat of migratory birds but may be used to consider time of year restrictions for remedial activities on sites where it is likely migratory birds may be nesting, and to stipulate maintenance schedules that would avoid the nesting seasons of migratory birds.

National Environmental Protection Act: The National Environmental Protection Act of 1969 established a national policy for the protection of the environment. NEPA applies to federal agency actions that affect the human environment. Federal agencies are obligated to comply with NEPA regulations adopted by the Council on Environmental Quality. NEPA requires that an Environmental Assessment be prepared to determine whether the proposed restoration actions will have a significant effect on the quality of the human environment. If an impact is considered significant, then an Environmental Impact Statement (EIS) is prepared. If the impact is considered not significant, then a Finding of No Significant Impact (FONSI) is issued.

The Service has integrated this Final RP with the NEPA EA requirement. After the Draft RP/EA report was completed, made available for public comment, and the Service reviewed and considered comments received, the Service determined to issue a FONSI for the proposed action. The FONSI was circulated by the Authorized Official at the same time the Draft RP/EA report was finalized.

1.6 Coordination and Scoping

The EPA, Michigan Department of Natural Resources (MDNR), and the Michigan Department of Community Health (MDCH) have performed investigations and assessments of the Site. The Remedial Investigation Report (MDNR, 1992a) and the Baseline Risk Assessment (MDNR, 1992b) were used as references for the creation of this restoration plan. As the Service is the only Trustee for this Site, there has been no formation of a Trustee Council.

The U.S. Fish and Wildlife Service, through the Michigan Private Lands Office, is cooperatively working with local conservation organizations, including county conservation districts, to identify and implement restoration projects on private lands in the Swan Creek Watershed.

1.7 Public Notification and Meetings

The Service published and distributed the Draft RP/EA, and a notice of availability was published in "The Daily Reporter", a newspaper serving communities in Branch County, for public review. No public meetings were proposed.

1.8 Responsible Party Involvement

After the Consent Decree was entered, the PRPs chose to settle via payment. Since then, the PRPs have not been involved in restoration activities. However, they continue to work with EPA to address on-Site remediation activities.

1.9 Administrative Record

The administrative record can be viewed at the Service's East Lansing Field Office located at 2651 Coolidge Rd, Suite 101; East Lansing, MI, 48823. To schedule a review of the Record, contact Craig Czarnecki, Project Leader, at 517-351-2555.

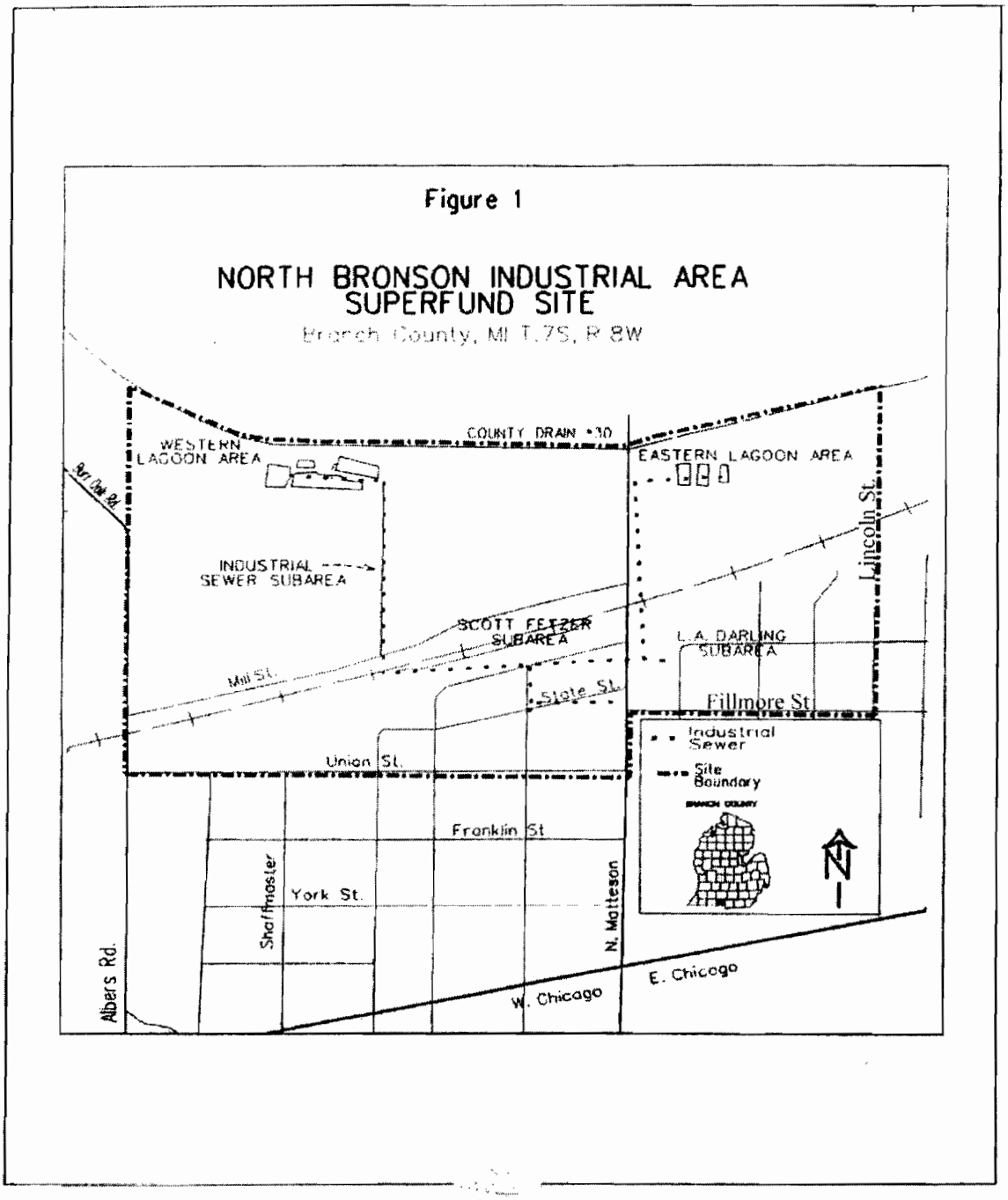

Figure 1. Map of the North Bronson Industrial Area Superfund Site.

2. INJURY ASSESSMENT AND DESCRIPTION OF AFFECTED AREA

2.1 Description of the Releases of Hazardous Materials

Contaminants detected at the Site were found in several media (soil, groundwater, surface water, sediments, lagoon water, and lagoon sludge) at numerous locations, and varying concentrations. Contaminants include: trichloroethylene, 1,2-dichloroethylene, vinyl chloride, polychlorinated biphenyls, polyaromatic hydrocarbons, metals (including arsenic, antimony, barium, cadmium, chromium, copper, nickel, and zinc), nitrate, nitrite, and cyanide (MDNR, 1992 a).

2.2 Exposure Pathways

Soils, sediments, and surface waters have been contaminated by the release of hazardous materials. Sediments and surface waters have been further contaminated by runoff from contaminated soils, as well as by wind-driven dust and other particulates from contaminated areas (MDNR, 1992 a). Migratory birds and wildlife species have been contaminated by a variety of pathways including through direct contact with, or ingestion of, contaminated soils, sediments and water; and through food chain accumulation and bioaccumulation.

2.3 Environmental Resources

Much of the Site is commercial/industrial property intermixed with residential development. CD #30 and the western lagoon area provide wildlife habitat. Birds, mammals, reptiles, and amphibians were observed in the area during field investigations (MDNR, 1992b).

The habitat along CD #30 ranges from tall grasses and scrub to a thick canopy of deciduous trees (MDNR, 1992b). This habitat is suitable for a range of bird species, small mammals (including burrowing mammals), rabbits, raccoons, skunks, and amphibians. Numerous avian species were observed along CD #30 during field surveys. The edges of the western lagoons are vegetated with short herbaceous species. The land further back from the banks is thickly vegetated with deciduous scrub and woodland. During the field survey, numerous bird species were observed as were turtles, raccoons, and deer. In addition, the standing water in the lagoons would be attractive to waterfowl.

2.4 Effects on Trust Natural Resources

Injury at the Site results from both direct toxicity to trust resources and through toxicity to, and disruption of, supporting habitat. The concentrations of several hazardous substances on the Site are sufficient to be directly toxic to migratory bird species and other wildlife. In addition, concentrations of metals in soils exceed those known to be toxic to plant species. Metal concentrations in the lagoons and CD #30 exceed those shown to be toxic to aquatic species. This adversely impacts trust resources through disruption of food sources, as well as direct toxicity.

3. RESTORATION ALTERNATIVES

This section describes the Service's goals and objectives for restoration, and identifies a reasonable range of restoration alternatives to address natural resource injuries at the Site. The selected restoration alternative is to be conducted in addition to, and separate from, on-Site remedial actions taken by the PRPs and the EPA. Consistent with the NRDAR Regulations (43 CFR Part 11) and the NEPA Regulations (40 CFR Parts 1500-1508), the Service evaluated several alternatives before choosing a preferred alternative.

3.1 Goals and Objectives of Restoration

The goal of restoration is to make the public and environment whole for injuries to natural resources and their services resulting from the release of hazardous substances. The primary restoration goal is to cost effectively restore habitat for migratory birds and other wildlife that have been injured due to the release of hazardous substances at the Site. The term "restoration" is defined in the NRDAR Regulations as "...actions undertaken to return an injured resource to its baseline condition, as measured in terms of the injured resource's physical, chemical, or biological properties or the services it previously provided...". Activities associated with restoration may include "restoration, rehabilitation, replacement, and/or acquisition of equivalent resources".

3.2 Criteria for Identifying and Selecting the Proposed Restoration Action/Preferred Alternative and Alternatives

The Service used several guidelines to formulate alternatives. They are:

- The extent to which each alternative is expected to meet the Service's goals and objectives;
- likelihood of success of each alternative;
- extent to which each alternative benefits the specific trust resource from the claim (e.g. migratory birds);
- extent to which each alternative benefits more than one natural resource and/or service;
- if an alternative occurs off-Site, is it in proximity to CD #30 and/or Swan Creek; and
- cost to carry out the alternative.

Based on a thorough evaluation of these standards, as well as other factors, the Service selected a preferred alternative for restoration of natural resources.

3.3 Summary of Restoration Alternatives

Alternative A: No Action/Natural Recovery

A no action alternative is addressed to fulfill requirements under NEPA, and is consistent with the damage assessment process under the CERCLA's NRDAR regulations. Under this alternative, no restoration actions (including rehabilitation or replacement) would be taken, on- or off-Site, to compensate for the loss of ecological services and damages to trust resources.

Alternative B: On-Site Restoration

This alternative would involve the restoration of habitat along CD #30 and waste lagoons on the Bronson Industrial Site. As part of the Site remediation, as described in the EPA's Record of

Decision, contamination at the Site will eventually be prevented from entering the environment. After remediation is complete, habitat restoration could be planned and implemented to provide suitable habitat for migratory bird species and other wildlife.

Alternative C: Off-Site Replacement

This alternative would involve the purchase of existing wildlife habitat for management by state or federal agencies. The purpose would be to replace the Site's degraded habitat and services with other similar, but non-degraded, habitat into perpetuity.

Alternative D: Off-Site Restoration

This alternative would be taken to improve currently degraded habitat conditions at locations different from the Site, thereby providing comparable resources and services to those injured at the Site. Specifically, this option would involve entering into voluntary cooperative agreements with willing landowners to enhance and protect wetland and stream habitats for the benefit of migratory birds and other trust resources that use these habitats.

3.4 Affected Environment

Branch County, Michigan is a rural/agricultural area in south central Michigan along the border of Indiana. The county has a total area of 519 square miles, of which 2.33% is water (lakes, wetlands, creeks and streams). The abundance of water features and agricultural land use affords many opportunities for establishing cooperative agreements with local landowners to increase migratory bird habitat.

4. ANALYSIS OF ENVIRONMENTAL CONSEQUENCES

This section provides a comparison of the proposed restoration alternatives presented in Section 3.3. Each alternative is evaluated on the basis of the selection criteria (described in Section 3.2), in order to select a preferred alternative that will best meet the Service's goals and objectives (described in Section 3.1).

4.1 Alternative A: No Action/Natural Recovery

The no action alternative relies on natural recovery alone to restore the loss of ecological services. The effect of this alternative is that water and habitat quality at the Site would remain injurious to fish and wildlife for an indefinite time-period without clean habitat restored or protected elsewhere for the benefit of fish and wildlife resources.

This alternative would be unacceptable because it fails to restore injured resources in a timely manner. No environmental benefits would be realized from the settlement with the PRPs for the Site. Additionally, the Service would not fulfill its obligations as a Natural Resource Trustee in accordance with the Consent Decree and the provisions of CERCLA. For these reasons, this option was not chosen as the preferred alternative.

4.2 Alternative B: On-Site Restoration

Remedial actions at the Site are still being undertaken by EPA and contamination sources still exist. Therefore, exposure to contaminants and the associated injuries persist. Ongoing contamination of soil, sediments, surface water, and groundwater make on-Site restoration

infeasible. Actions that would attract fish and wildlife to such a potentially hazardous area would likely increase injuries. Therefore, remediation of the Site would have to be completed prior to restoration activities. The EPA has indicated that CD #30 will likely be dredged and waste lagoons stabilized and capped in 2008. A timeframe has not been established for addressing groundwater contamination.

This alternative is not optimal because contaminated groundwater is still entering CD #30, and it is unknown when the sources of that contamination will be addressed. Waiting until the remediation process is complete would adversely delay restoration activities. For these reasons, this option was not chosen as the preferred alternative.

4.3 Alternative C: Off-Site Replacement

Off-Site replacement would preserve favorable conditions at a different location than the Site. The purchase and management of property would protect natural resources and ecological services from being lost or diminished due to future land use changes and/or other factors. Although this alternative would result in long-term protection of wildlife habitat, there is no property adjacent to state or federally-owned property in the immediate area that could be purchased and managed efficiently by the state or federal government. Due to the cost of acquiring acreage, the funds available from the settlement would only purchase minimal acreage. Additionally, the managing public agency would incur long-term operations and maintenance costs associated with any purchased properties. For these reasons, this option was not chosen as the preferred alternative.

4.4 Alternative D: Off-Site Restoration

Off-Site restoration provides several benefits when compared to the other alternatives. Implementing projects under this alternative would result in increased water quality and increased wildlife habitat at a relatively nominal cost. One advantage to this alternative is that it will restore habitat on marginal farmland adjacent to wetlands and streams in the Swan Creek Watershed, thus reducing sedimentation and runoff. One disadvantage is that the Service uses 10-year agreements with landowners, and a landowner may choose to revert the land at the end of the agreement period. Potential projects are likely to have a high probability of success because they are based on proven techniques, and have been successfully applied in other locations under similar circumstances. Therefore, this alternative was chosen as the preferred alternative.

As a pilot project, $15,000 of settlement funds were allocated for one wetland (completed in August, 2004) and one stream (completed in August, 2005) restoration project. Pilot projects were initiated to determine if this alternative was both viable and efficient. The Service's Michigan Private Lands Office worked cooperatively with the Branch County Conservation District to find willing landowners and implement these projects. Both projects resulted in increased wildlife habitat. Using the rest of the settlement funds in a similar manner would enable other restoration projects to be undertaken, resulting in cost-effective habitat restoration in the Swan Creek Watershed.

4.5 Summary of Restoration Actions by Alternative

The table below provides a summary of restoration alternatives.

Alternative	Opportunity to Increase Habitat	Cost per Acre	Probability for Success
A	None	N/A	Low
B	Moderate	Low	Low
C	Low	High	Low
D (Preferred)	High	Low	High

5. MONITORING PROGRAM

The Partners for Fish and Wildlife Program Cooperative Agreements (Habitat Development Agreements) with landowners require that the restoration project be in place for a set time period, generally 10 or more years. During that time, the Service (or its representative) is allowed to access the property to make periodic inspections. Therefore, the Service will be able to monitor efficacy of projects.

The following documents will be kept for each restoration project: cooperative agreement between landowner and the Service (Habitat Development Agreement), project plan, and post-completion reports. All restoration projects completed using North Bronson settlement funds shall be visited/inspected a minimum of three times post construction. These time periods should correspond to one year after project completion, towards the middle of the agreement term, and finally towards end of the agreement term. Inspections may be completed by staff from the East Lansing Field Office or the Michigan Private Lands Office. The purpose of the site inspection shall be to monitor compliance with the habitat management plan and project effectiveness. A brief project narrative (including photo documentation) shall be written after each site inspection and a copy retained by the East Lansing Ecological Services Field Office.

6. BUDGET SUMMARY AND TIMETABLE

A total of $85,000 (plus interest) is available for restoration implementation. Specific potential properties have not yet been identified. Details for future projects, including cost, design, techniques, and construction specifications shall be included as part of the individual Partners for Fish and Wildlife Habitat Development Agreements. This agreement serves as the cooperative agreement between the landowner and the Service. The Service will attempt to keep administrative costs associated with implementation of this Final RP/EA and monitoring of restoration sites to a minimum. Projects will be initiated in FY 2008, and projects will continue to be initiated until restoration funds are depleted, while ensuring sufficient funding for future monitoring of restoration projects.

7. LITERATURE CITED

Michigan Department of Natural Resources 1992a. Draft Remedial Investigation - North Bronson Industrial Area. Warzyn Inc, Novi, Michigan; USA.

Michigan Department of Natural Resources 1992b. Baseline Risk Assessment - North Bronson Industrial Area. Warzyn Inc, Novi, Michigan; USA.

8. LIST OF PREPARERS

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9. PUBLIC COMMENTS AND TRUSTEE'S RESPONSES

(This section will be completed following the 30-day public review and comment period.)

In accordance with NEPA, this Final Restoration Plan and Environmental Assessment has been prepared to determine whether the proposed restoration project is expected to have a significant effect on the quality of the human environment. If a significant effect is expected, an environmental impact statement (EIS) must be prepared. The EIS provides an analysis of alternatives to the proposed project and is subject to review through a public process. If no significant effects are expected from the proposed restoration project, the NEPA process concludes with the environmental assessment and issuance of a finding of no significant impact (FONSI).

In analyzing the potential significance of a proposed project, federal agencies must consider:

(1) the nature of the impacts and whether they are beneficial or detrimental;
(2) impacts on public health and safety;
(3) unique characteristics of the geographic area of the project;
(4) whether the project is likely to generate controversy;
(5) whether the project involves uncertain impacts or unknown risks;
(6) the type of precedent created by implementing the project;
(7) cumulative impacts of the project with future projects;
(8) impacts on national significant cultural, scientific, or historic resources;
(9) impacts on threatened or endangered species or their habitats; and
(10) potential violations of federal, state, or local environmental protection laws.

The Trustees welcome input from the public in evaluating these significance criteria and in analyzing restoration alternatives that might minimize impacts on the environment. This input helps Trustees measure the likely success of the project in making the environment and the public whole for losses suffered from hazardous substance releases. Information currently available suggests that the proposed restoration project will not have a significant effect on the quality of the human environment. If no new substantive information is received during the public comment period that would change the evaluation of the restoration alternatives and the selection of the preferred alternative, then the NEPA process will likely conclude with a FONSI.

The revised document will be available for public review and comment for 30 days from the date of publication of the notice of availability in the "The Daily Reporter" of Coldwater, Michigan.

9.1 Public Comments

No comments were received.

9.2 Trustee Responses to Public Comments

As there were no comments received, there are no responses to public comments.