



IN REPLY REFER TO:

Planning Office  
Environmental Analysis Branch

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

APR 30 2014

## TO ALL INTERESTED AGENCIES, PUBLIC GROUPS, AND CITIZENS

This notice provides an update on the U.S. Army Corps of Engineers, Detroit District, (USACE) Frankenmuth Dam Fish Passage project, located on the Cass River, Saginaw County, Michigan (**Enclosure Page 1, Figure 1**). An Environmental Assessment (EA) was prepared in 2012 and a Finding of No Significant Impact (FONSI) was signed on November 30, 2012<sup>1</sup>. The purpose of this notice is to provide an update pursuant to the National Environmental Policy Act (NEPA) regarding several modifications to the project: 1) relocation of access road; 2) addition of a floodplain cut; and 3) a minor upgrade to an existing levee/floodwall system.

### **Project Background and Recent Modifications**

**Background:** The Frankenmuth fish passage project involves the proposed construction of a rock ramp starting approximately 350 feet downstream of the Frankenmuth Dam and creating rock weirs and resting pools along a gradual slope (approximately 2.9%) up to and encompassing the existing dam's footprint. The design of the proposed rock ramp remains unchanged since the 2012 EA and FONSI (**Enclosure Page 1, Figure 1**). The rock ramp would provide passage for walleye (a fish species targeted for recovery in the Great Lakes fishery) and various other aquatic species, and help improve aquatic biodiversity in the ecosystem.

**Access Road:** Upon further study and coordination, it was decided to modify the proposed access road from along the length of the riverbank adjacent to the former landfill, to a permanent access road extending from just north of the City's wastewater treatment plant east, and gradually down and along the riverbank (**Enclosure Page 1, Figure 1**). Relocating the access road reduces the amount of vegetation and land disturbance, as well as reduces the distance construction vehicles must travel to reach the construction site. The access road area is currently a mix of concrete fill, deciduous upland trees, shrubland, and an existing minimally developed path. Only vegetation needing to be removed for road construction will be removed. Minimal cut (approx. 240 cubic yards) and fill (approx. 1,625 cubic yards) is needed to meet required grade and width for the road and to protect existing subsurface infrastructure. Fill along the riverbank to support the road would be a mixture of concrete and/or stone, and match existing and proposed bank conditions in this area.

**Floodplain Cut:** Per Michigan Department of Environmental Quality (MDEQ) Regulations, a compensating cut must be taken for fill placed between the ordinary high water mark (OHWM) and the base flood elevation for the 100-year event. Based on current cut and fill volumes associated with the project, a compensating cut is proposed at the Fortress Golf Course driving range located

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<sup>1</sup> This Notice and Final EA is available at <http://www.lre.usace.army.mil/Missions/EnvironmentalServices.aspx>

immediately west of the project site (**Enclosure Page 1, Figure 1**). The driving range is currently open landscape vegetated with grass. The proposed cut will be approximately 8,220 cubic yards, covering an area of approximately 0.77 acres (280' by 120') with excavation depths up to 2 to 5 feet. The cut area will be re-vegetated with grass to match existing conditions and will continue to be used as a driving range. The excavated material will be placed at the former landfill site above the 100-year flood elevation.

Upgrade of Existing Levee/Floodwall System: After coordinating the project and hydraulic modeling for the proposed project with the MDEQ Floodplain Management Office, Water Resources Division, it is proposed to convert a sand bag closure located between the existing Federal floodwall/levee system and mill building to a permanent floodwall/earthen levee feature. This feature would provide flood protection to the base flood elevation. The proposed improvement would convert a sandbag closure to a permanent levee/floodwall barrier along an approximately 65 foot wide area between the existing levee and mill building (**Enclosure Pages 1-2, Figures 1-2**). The current concept plan involves raising an existing retaining wall, constructing a new retaining wall, constructing a pedestrian ramp, and constructing a new floodwall between the proposed ramp and existing mill building (**Enclosure Page 3, Figure 3**). The area is currently occupied by grass and a sidewalk.

**Environmental Analysis of Project Modifications**

An environmental review of the project modifications noted above was conducted with respect to the existing EA, FONSI, and the NEPA. A summary table of anticipated impacts follows:

<b><u>Impact / Resource Categories</u></b>	<b><u>PROPOSED PROJECT MODIFICATIONS</u></b>		
	<b><u>Relocation of the Access Road</u></b>	<b><u>Floodplain Cut at Driving Range</u></b>	<b><u>Upgrading Levee / Floodwall System</u></b>
Physical Setting and Land Use	Negligible Effect, improved access to river	Negligible Effect, land use will be same	Negligible Effect
Cultural Resources	No Effect (see determination below)	No Effect (see determination below)	No Effect (see determination below)
Federally Listed Threatened and Endangered Species	No Effect (see determination below)	No Effect (see determination below)	No Effect (see determination below)
Floodplains & Hydrology	Negligible Effect, minor amounts of stone would be placed at edge of river to provide support for the access road. Material would be similar to existing rip-rap and proposed material for rock ramp.	Minor, permanent benefits, floodplain storage capacity would be increased	Negligible Effect, flood protection would be by a permanent barrier (levee/floodwall) vs. current removable barrier (sandbags)
Vegetation	Minor, permanent removal of vegetation, no long term significant impact	Minor, temporary removal of grass during construction, will be replaced	No Effect
Water & Sediment Quality	Negligible Effect, short-term impacts from minor amount of stone placed at edge of river to provide support for the access road. Material placed would be similar to the existing rip-rap.	No Effect	No Effect

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Wildlife & Birds	Negligible Effect, short-term displacement during construction	No Effect	No Effect
Aquatic Organisms, Habitat, & Fishery	Negligible Effect, short-term displacement during construction	No Effect	No Effect
Air Quality, Noise, Traffic & Aesthetics	Short-term, minor impacts during project construction	Short-term, minor impacts during project construction	Short-term, minor impacts during project construction
Prime Farmland & Wetlands	No Effect	No Effect	No Effect
Coastal Zone Management	No Effect	No Effect	No Effect
Exotic & Invasive Species	No Effect	No Effect	No Effect
Hazardous, Toxic & Radiological Wastes (HTRW)	No Effect	No Effect	No Effect
Recreation	No Effect	No Effect	No Effect
Social Setting & Environmental Justice	No Effect	No Effect	No Effect
Climate Change	No Effect	No Effect	No Effect
Cumulative Impacts	No Effect	No Effect	No Effect

### **Specific Determinations**

**Federally Listed Threatened and Endangered Species:** Potential impacts to Federally listed threatened and endangered species by the proposed project modifications were evaluated and coordinated with the U.S. Fish and Wildlife Service. The proposed project modifications are consistent with and do not change from the determinations made in the EA.

- 1) There would be no effect to the Eastern massasauga rattlesnake (*Sistrurus catenatus*), candidate species, or the Eastern prairie fringed orchid (*Plantathera leucophaea*), threatened.
- 2) By restricting tree cutting (of certain size) in the project area to outside the Indiana bat's active period of April 1 to October 31, unless a survey is conducted and shows that suitable nesting trees are not present in the project site, tree removal at the site may affect but is not likely to adversely affect the federally listed species, Indiana bat. FWS concurred<sup>2</sup> with the USACE's determination that the proposed tree removal is not likely to adversely affect the Indiana bat.

**Cultural Resources:** The proposed project modifications were coordinated with the Michigan State Historic Preservation Office (SHPO) and local Tribes. The Michigan SHPO indicated in letters dated

<sup>2</sup> Letter from FWS dated January 13, 2012. Letter is included as an attachment to the Final EA, available at <http://www.lre.usace.army.mil/Missions/EnvironmentalServices.aspx>

March 17, 2014 and April 18, 2014 that the proposed project modifications would have no adverse effect on historic properties.

Water and Sediment Quality: The proposed project modifications have been coordinated with the Michigan Department of Environmental Quality. The proposed project modifications are consistent with the 404(b)(1) analysis conducted for the EA which concludes with the determination that the proposed action is in compliance with Section 404 of the Clean Water Act. The DEQ issued a 401 water quality certification for the proposed project and the project modifications on March 18, 2014.

### Conclusion

Based on the evaluation above, we have determined that no significant environmental effects (short-term, long-term, or cumulative) would be expected to result from the following proposed modifications to the Frankenmuth fish passage project: 1) relocation of the proposed access road; 2) addition of a proposed floodplain cut at the nearby driving range; and 3) upgrading of the existing levee/floodwall system by converting a sandbag closure to a permanent levee/floodwall barrier.

These modifications were coordinated with the relevant local resource agencies including U.S. Fish and Wildlife Service, Michigan Department of Environmental Quality, Michigan Department of Natural Resources, the Michigan State Historic Preservation Office, local tribes, and other local interests.

The proposed modifications to the project are minor, and as described herein are considered design improvements per Section 4.3 of the EA that do not change the overall environmental effects of the project as described in the 2012 EA. Therefore, we have determined that no further formal NEPA documentation is necessary and that a supplement to the 2012 EA and FONSI is not warranted.

We will take into consideration, and provide responses as applicable to, all comments received within 30 days of the date on this notice. Any questions may be directed to Ms. Bridget Rohn (313) 226-2222 or me (313) 226-2476.

Sincerely,

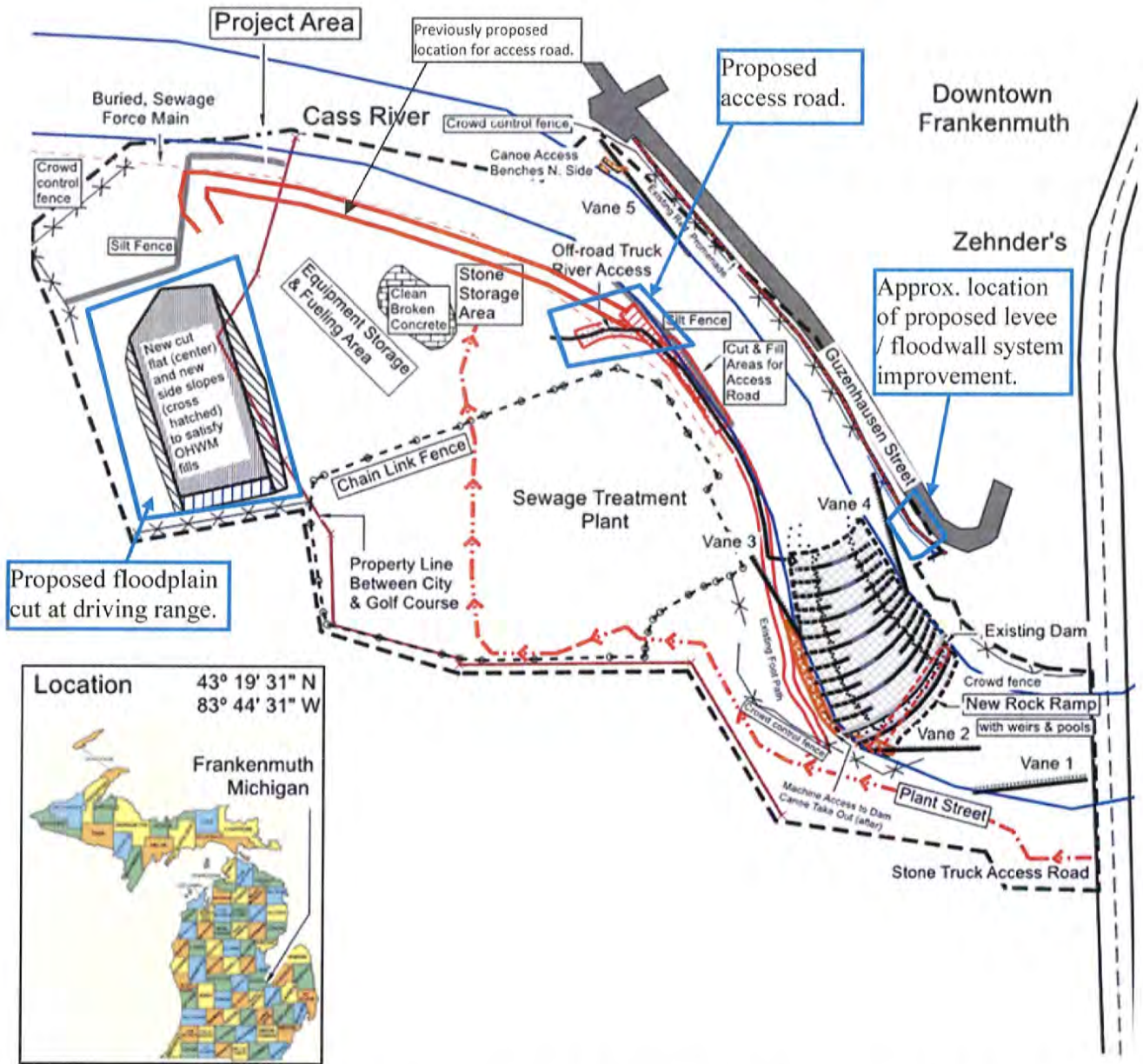


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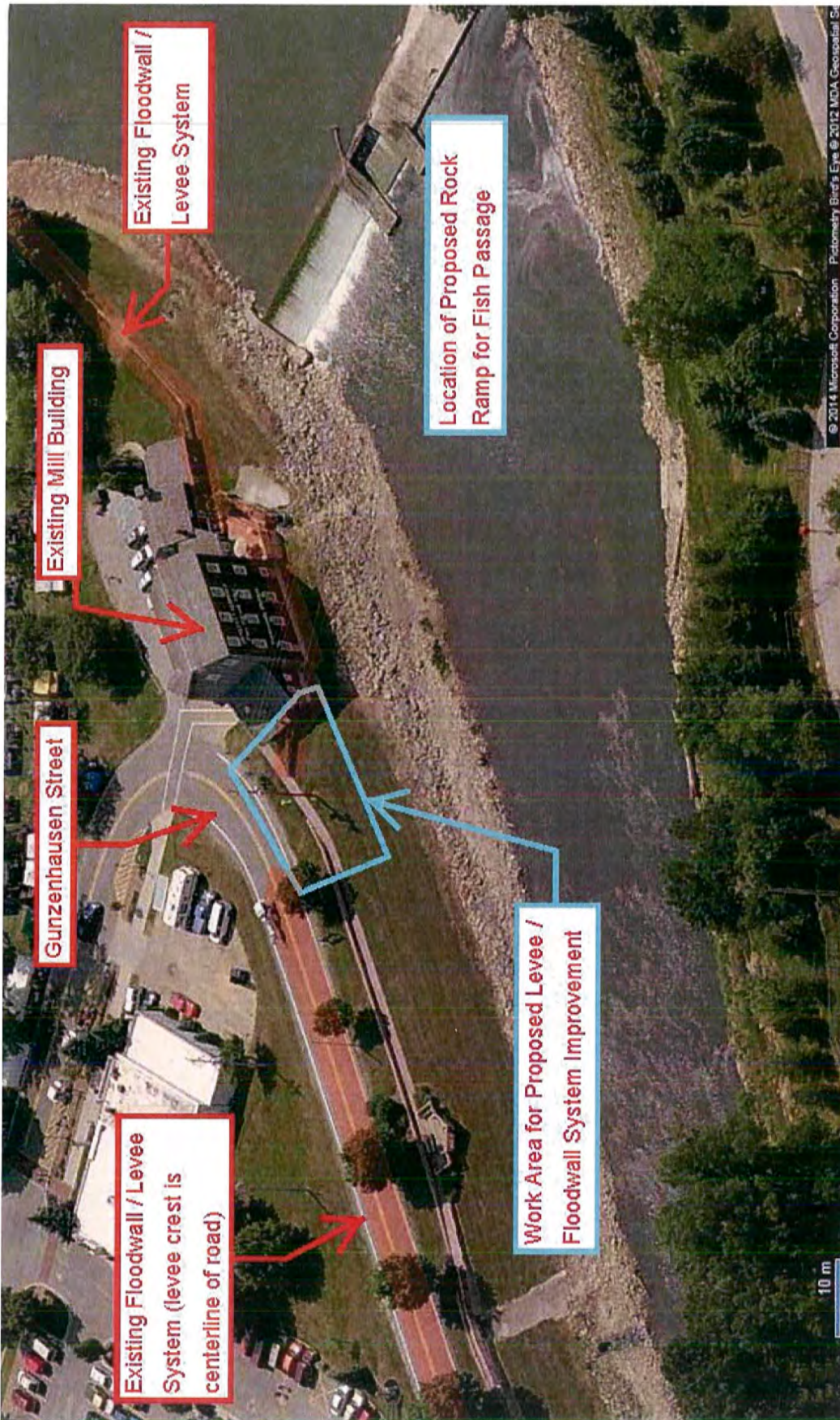
Charles A. Uhlarik, Chief  
Environmental Analysis Branch

Notice Posted to the USACE-Detroit District Website and sent to EA Distribution List

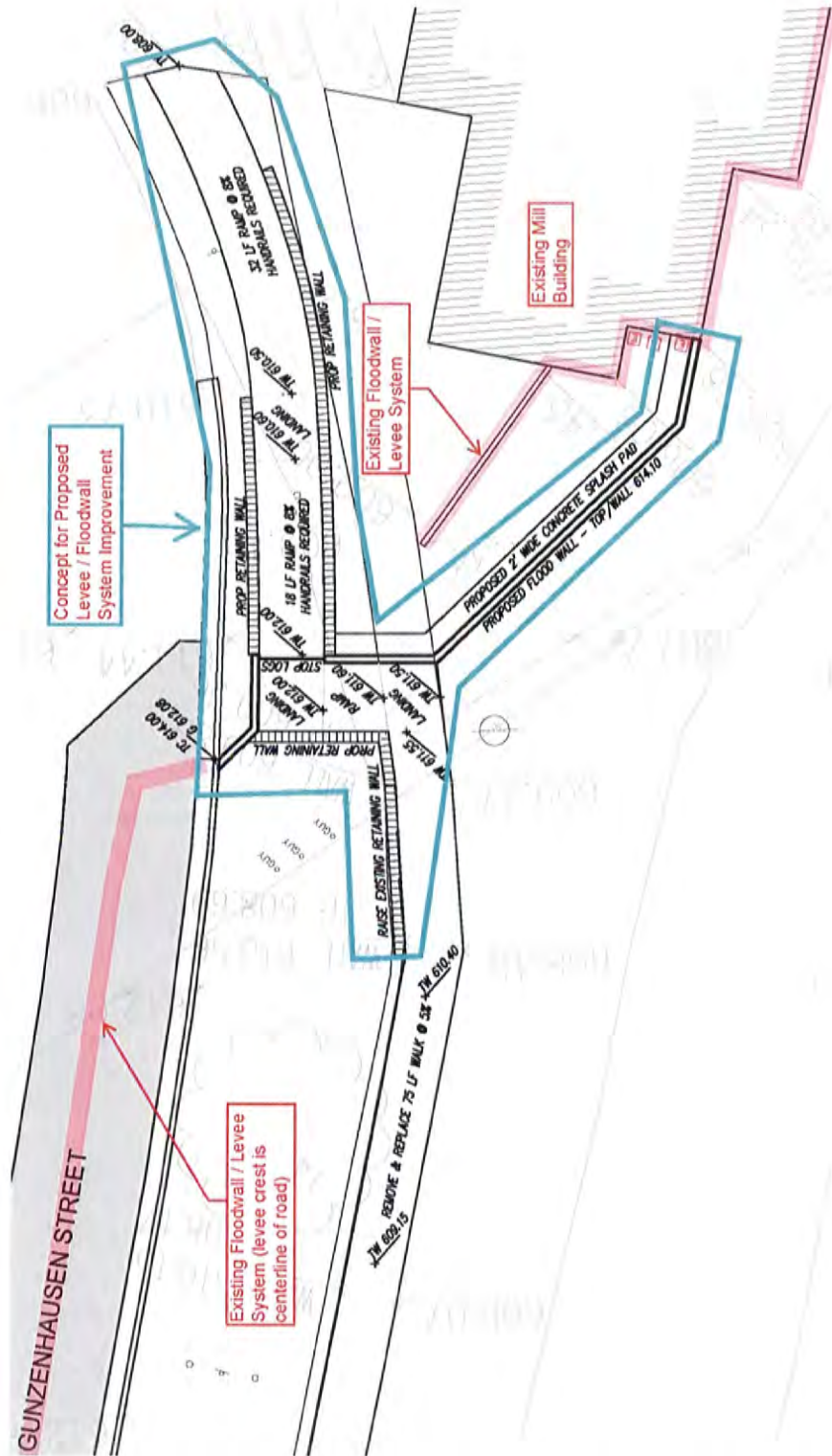
Enclosure



**Figure 1** – Location map and project overview for the proposed Frankenmuth Fish Passage Project (Oct 2013). North is up, not to scale.



**Figure 2** – Location of proposed levee / floodwall system improvement as part of the proposed Frankenmuth Fish Passage Project (Mar 2014).



**Figure 3** – Conceptual design of proposed levee / floodwall system improvement as part of the proposed Frankenmuth Fish Passage Project (Mar 2014).