



United States Department of the Interior

FISH AND WILDLIFE SERVICE
East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:



July 19, 2012

Ms. Melanie Haveman
U.S. Environmental Protection Agency
Wetlands and Watersheds Branch (WW-16J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3507

Re: State of Michigan File No. 12-81-0027-P, applicant Michigan Consolidated Gas Company

Dear Ms. Haveman:

We have reviewed the Public Notice for the above referenced file, concerning an application for a Michigan Department of Environmental Quality (MDEQ) permit. We submit these comments under the authority of section 404(j) of the Clean Water Act and in accordance with the Endangered Species Act of 1973, as amended (Act) and the U.S. Fish and Wildlife Service's Mitigation Policy.

According to the information provided in the Public Notice, the applicant proposes to dredge, place fill and construct two recreational whitewater features in Huron River; discharge fill in adjacent wetland and 100-year floodplain; and construct a boardwalk across an existing wetland. The proposed project would occur in T2S, R6E, Section 20, City of Ann Arbor, Washtenaw County, Michigan.

Fish and Wildlife Comments

The U.S. Fish and Wildlife Service (Service) administers several programs and initiatives that focus on restoring aquatic habitat and improving aquatic organism passage. The National Fish Passage Program (NFPP) was initiated to address structures (e.g., dams, culverts) built on rivers and their effects on fish and other aquatic species by working with local communities and partner agencies to restore natural flows and fish migration by removing or bypassing barriers. The Great Lakes Basin Fish Habitat Partnership's (GLBFHP) mission is to protect, restore, enhance and

sustain fish habitat in the Great Lakes basin, by providing leadership, coordination and collaboration with existing and future partners. The purpose of the Great Lakes Fish and Wildlife Restoration Act (GLFWRA) is to provide assistance to States, Indian Tribes, and other interested entities to encourage cooperative conservation, restoration and management of the fish and wildlife resources and their habitats in the Great Lakes basin.

Our Fisheries program, which administers the aforementioned programs/initiatives, has several concerns with the recreational whitewater park (WWP) features proposed for construction in Huron River. Concerns related to the construction of WWP features include, but are not limited to, the potential to negatively affect stream hydrology and hydraulics, sediment and debris transport, channel morphology and stability, in-stream habitat for biota, fish passage, floodplain connectivity, and overall stream function.

The data presented in the permit do not provide sufficient information to determine the potential ecological impacts of the proposed project. A full geomorphic survey, biological evaluation, and riparian habitat assessment would need to be conducted. These studies would help determine if the proposed whitewater features will effectively provide fish passage for multiple species and life stages or would result in potential negative impacts. Flow velocities through the project feature should be modeled, preferably using a three-dimensional model that would most accurately depict as-built field conditions (rather than a one-dimensional, steady-state model with gradually varied flow).

We recognize the Argo dam is currently located immediately upstream of the project area. In Michigan, however, dam removal projects are growing increasingly common due to aging infrastructure and the loss of its intended purpose. Dams are man-made structures engineered to last approximately 50 to 100 years. Thus, the presence of a dam on a system should not be considered permanent when weighing the impacts of whitewater features.

Endangered Species Comments

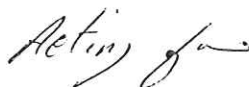
Our records do not indicate the presence of any species federally listed as endangered or threatened, species proposed for listing, candidate species, designated critical habitat, or areas proposed as critical habitat in the immediate project area. At this time, no actions to protect federally listed species are required. If more than six months pass, project plans change, or new information becomes available that indicates listed species, proposed species or critical habitat may be affected, you should conduct further coordination with our office. This information is provided as technical assistance only and does not constitute consultation under section 7 of the Act.

Summary Comments

We have concerns that the collective impact of the proposed whitewater features could have negative influences upon the native fisheries in this area. The project as currently designed could be an impediment to both native fish and sediment transport. We recommend the applicant conduct a geomorphic survey in order to fully evaluate the potential effects to the river's fisheries before the MDEQ considers issuing a permit for the proposed project.

We appreciate the opportunity to provide our resource protection recommendations. For further discussion, please contact Jamie Bettaso of this office at james_bettaso@fws.gov or 517.351.5293.

Sincerely,



Scott Hicks
Field Supervisor

cc: MDEQ, Water Resources Division, Lansing, MI (Attn: Colleen O'Keefe)
MDEQ, Water Resources Division, Jackson, MI (Attn: James Sallee)

