



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

**Finding of No Significant Impact**  
**Union Street Dam FishPass Project**  
**Traverse City, Grand Traverse County, Michigan**

The U.S. Army Corps of Engineers (USACE), Detroit District, has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The Environmental Assessment (EA), and a Public Notice (dated April 24, 2020) addresses the environmental consequences of reconstruction of the Union Street Dam (FishPass Project), Traverse City, Grand Traverse County, Michigan, and the construction of one natural channel and one artificial channel to determine the feasibility of the implementation of fish sorting techniques to identify methods to potentially block non-native fish (primarily sea lamprey) and pass native fish species. The USACE is completing this project on behalf of the Great Lakes Fishery Commission, U.S. Section pursuant to 10 USC 7036(e) and 16 USC 935 and 939(a).

The EA, incorporated herein by reference, evaluated various alternatives for fish sorting and passing techniques at the Union Street Dam. The recommended plan includes:

- Labyrinth weir and nature-like by-pass channel on the south side of the river to pass the required river flows, dual fish-sorting channel on the north bank, and park improvements for access and public use.

In addition to a “no action” plan, two action alternatives were evaluated: 1) Arced Labyrinth Weir and sorting channels on South Bank, and 2) Arced Labyrinth Weir on South Bank and sorting channels on North Bank. The selected alternative and recommend plan is Alternative 2 as it is the least impacting alternative meeting the project design criteria as discussed in Section 2 of the EA

For all alternatives, the potential effects were evaluated, as appropriate. Potential effects of the recommended plan are summarized in Table 1. Environmental review indicates that no significant cumulative or long-term adverse environmental effects would be expected from implementing the proposed action. Adverse effects would be minor, limited primarily to short-term noise and air emissions from equipment operation, minor disruption of local aquatic species, loss of benthic (bottom dwelling) organisms in the immediate work area which will re-colonize the habitat and loss of existing riverbank vegetation. If the fish selective fish passage design is successful, positive effects of fish blocking and sorting technologies may result in the identification of techniques that, if implemented in the future, would reduce the use of lampricide chemicals in 2,500 km of river segments requiring treatment annually. A reduction in the use of lampricides is in the public interest providing benefits to the Great Lakes fishery for residents, tourists and commercial entities both in the U.S. and Canada. After dam reconstruction, the urban

public park will re-open to the public for recreational use to include fishing, kayak portaging, river viewing, strolling and gathering by residents and tourists alike. Historic bridges located up and downstream from the work site are within the view shed and would not be impacted from project implementation.

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aquatic Habitat, Fisheries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clean Water Act Evaluation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate Change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Zone Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contaminant Consideration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Exotic/Invasive/Species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Farmland	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federally Listed Species (T&E)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Groundwater/Drinking Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Health and Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traffic, Noise and Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social Setting/Environmental Justice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wildlife and Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the selected alternative and recommended plan. Best management practices (BMPs) as detailed in the EA will be implemented, if appropriate, to minimize impacts. No compensatory mitigation is required as part of the recommended plan.

Public review of the EA and Preliminary FONSI was completed on April 24, 2020. All comments submitted during the public review period were considered and responded to by email.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the recommended plan will have no effect on federally listed species or their designated critical habitat, with the exception of the northern long-eared bat. A USFWS letter dated December 17, 2019, indicates that the proposed action “may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service’s PBO [Programmatic Biological Opinion] dated January 5, 2016” and that “Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o).”

Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the USACE determined that no historic properties will be affected by the proposed project as there are no historic properties within the area of potential effect (APE). The SHPO concurred with this “no historic properties affected” determination on May 29, 2018. Public review of the EA raised a concern that a United Methodist Church located adjacent to the work area may be eligible for listing in the National Register of Historic Properties (NRHP) and may be affected by the work. The USACE contacted the United Methodist Church which indicated that it had previously determined that the Church itself was ineligible for the NRHP. USACE concurs with that conclusion. As the Church is ineligible for the NRHP and is located outside the APE, possible impacts to the Church are not reviewed under Section 106 of the NHPA.

The State of Michigan issued the necessary state permit authorizations for project construction on April 29, 2020. Issuance of the state permit to the non-federal sponsor, City of Traverse City, provides the necessary state authorizations, which include a water quality certification pursuant to section 401 of the Clean Water Act. All conditions of the water quality certification shall be implemented in order to minimize adverse impacts to water quality.

The USACE completed a federal consistency determination and sent it to the State of Michigan on July 16, 2018. The USACE determined that the project is consistent to the maximum extent practicable with the enforceable policies of the approved State of Michigan Coastal Zone Management Program. The State of Michigan did not concur with or object to USACE’s federal consistency determination within 60 days. Instead, the State of Michigan concurred that the project is consistent with the State of Michigan’s Coastal Zone Management Program in the State permit issued to the non-federal sponsor on April 29, 2020. All conditions of the State permit will be implemented.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed. The project complies with Executive Order 11988, Flood Plain Management, because there is no practicable alternative to construction in the floodplain and the project would not promote floodplain development nor restrict floodplain capacity. Implementing the proposed action would not result in significant cumulative or long-term adverse environmental effects, would cause no or insignificant minor adverse impacts to the waters of the U.S. and associated

natural resources, will not result in filling of special aquatic sites or wetlands, will not adversely affect historic properties/cultural resources, navigation, water quality, federally-listed endangered or threatened species and their habitat, nor be injurious to the public interest.

All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on the April 2020 EA, and the reviews by other Federal, State and local agencies, Tribal, and public comments received, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

---

Date Signed

---

Gregory E. Turner  
Lieutenant Colonel, Corps of Engineers  
District Commander