



US Army Corps
of Engineers

Detroit District

Public Notice

Applicant: Au Train Township

In Reply Refer To: Corps File No. LRE-2005-380531-U15

Date: 9 April 2015

Expires: 29 April 2015

Completed and Proposed Dredging in Lake Superior at the Au Train River at Au Train, Michigan

Applicant: Thomas Balmes, Au Train Township Supervisor, on behalf of Au Train Township, P.O. Box 33, Au Train, MI 49806-0033

Project Location: The site is located at the mouth of the Au Train River at Au Train, Section 32, Township 47 N, Range 20 W, Alger County, Michigan, 49806.

Federal Authority: The applicant has applied for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

State Authority: Section 401 of the Clean Water Act requires that all discharges of dredged or fill material must be certified by the State as complying with applicable effluent limitations and water quality standards. Coastal Zone Management Certification (or waiver thereof) is required from the State of Michigan if this proposed activity would occur within the designated coastal zone.

Project Description: As shown on the attached plans, the applicant has completed dredging of approximately 90 cubic yards of sand and ice from a 300 ft x 4 ft x 2 ft new channel at the mouth of the Au Train River to alleviate flooding caused by an ice dam. The applicant sidecast the material onto the adjacent areas. The applicant proposes to dredge an additional 445 cubic yards of sand and ice from a 300 ft x 8 ft x 5 ft channel on an 'as-needed' basis for the next 10 years. The dredged material is proposed to be sidecast as beach nourishment in a 270 ft x 30 ft along both sides of the channel. The purpose of the completed and proposed work is to prevent residential flooding in the Township as a result of shoaling of ice and sand at the mouth of the river during inclement weather.

Avoidance & Minimization: The applicant has stated the following concerning avoidance and minimization of impacts to Waters of the United States: An ice dam at the mouth of the river was causing flooding of roads and basements of township residence and was resolved by dredging of the ice/sand dam. Only the minimum amount of sand and ice were removed in order to get the river flowing.

The Corps has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

Compensatory Mitigation: The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States:

The applicant has stated that compensatory mitigation is not necessary or appropriate for the proposed work as the aquatic environment will not be harmed.

The Corps has not verified the adequacy of this mitigation proposal at this time.

Other Authorizations:

A permit is required from the Michigan Department of Environmental Quality under applicable provisions of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451. The State file number is 15-02-0001-P.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number LRE-2005-380531-U15. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with:

Charles M. Simon
Chief, Permit Evaluation Western Branch
Regulatory Office
Detroit District, Corps of Engineers
477 Michigan Avenue
Detroit, Michigan 48226-2550

Comments may be e-mailed to: Robert.D.Deroche@usace.army.mil, but must include a name and mailing address.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on evaluation of the probable impacts of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to

accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This activity involves the discharge of dredged or fill material into waters of the United States. Therefore, the U.S. Army Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator of the Federal Environmental Protection Agency, under the authority of Section 404(b)(1) of the Clean Water Act.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. The following species are, or potentially are present at the project site or vicinity: Piping Plover (*Charadrius melodus*). We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property.

The District Engineer invites responses to this public notice from federal, state and local agencies, historical and archaeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

Additional Information: This public notice and drawings are also available for

viewing/printing at:

<http://www.lre.usace.army.mil/Missions/RegulatoryProgramandPermits/PublicNotices.aspx>. Questions concerning this application may be directed to Robert Deroche at the Corps of Engineers address listed above, or telephone number 906-225-8089.

FOR THE DISTRICT ENGINEER:

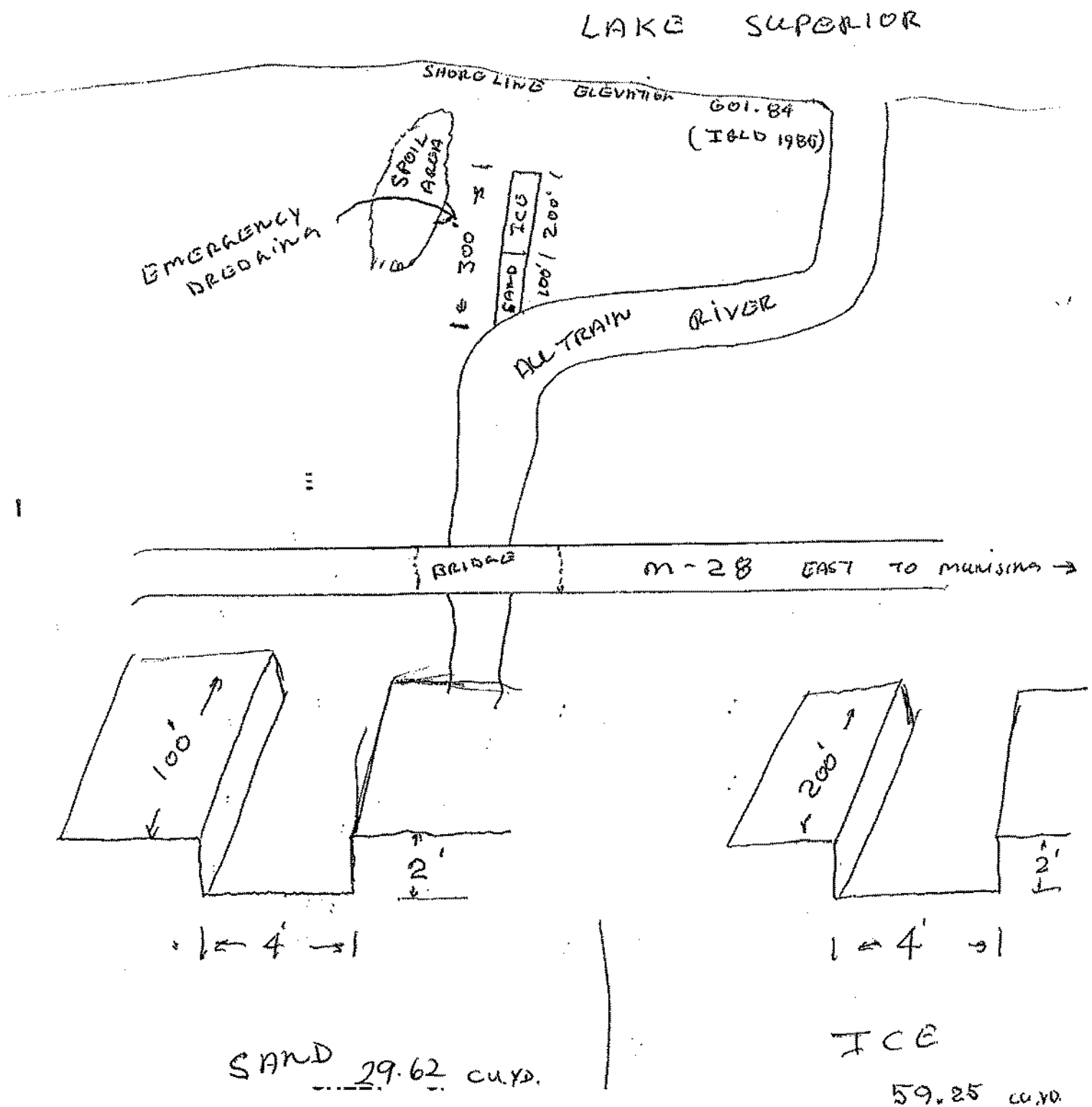
Charles M. Simon
Chief, Permit Evaluation Western Branch
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.

COMPLETED WORK

On Tuesday, January 6, 2015, the Au Train Township Board was noticed that the Au Train Rivers flow was blocked due to an ice dam. The blockage caused significant flooding to the roads, yards and basements of Au Train Village residents. The issue was resolved by having Oberstar dredge out the river with construction equipment on Thursday, January 8, 2015.

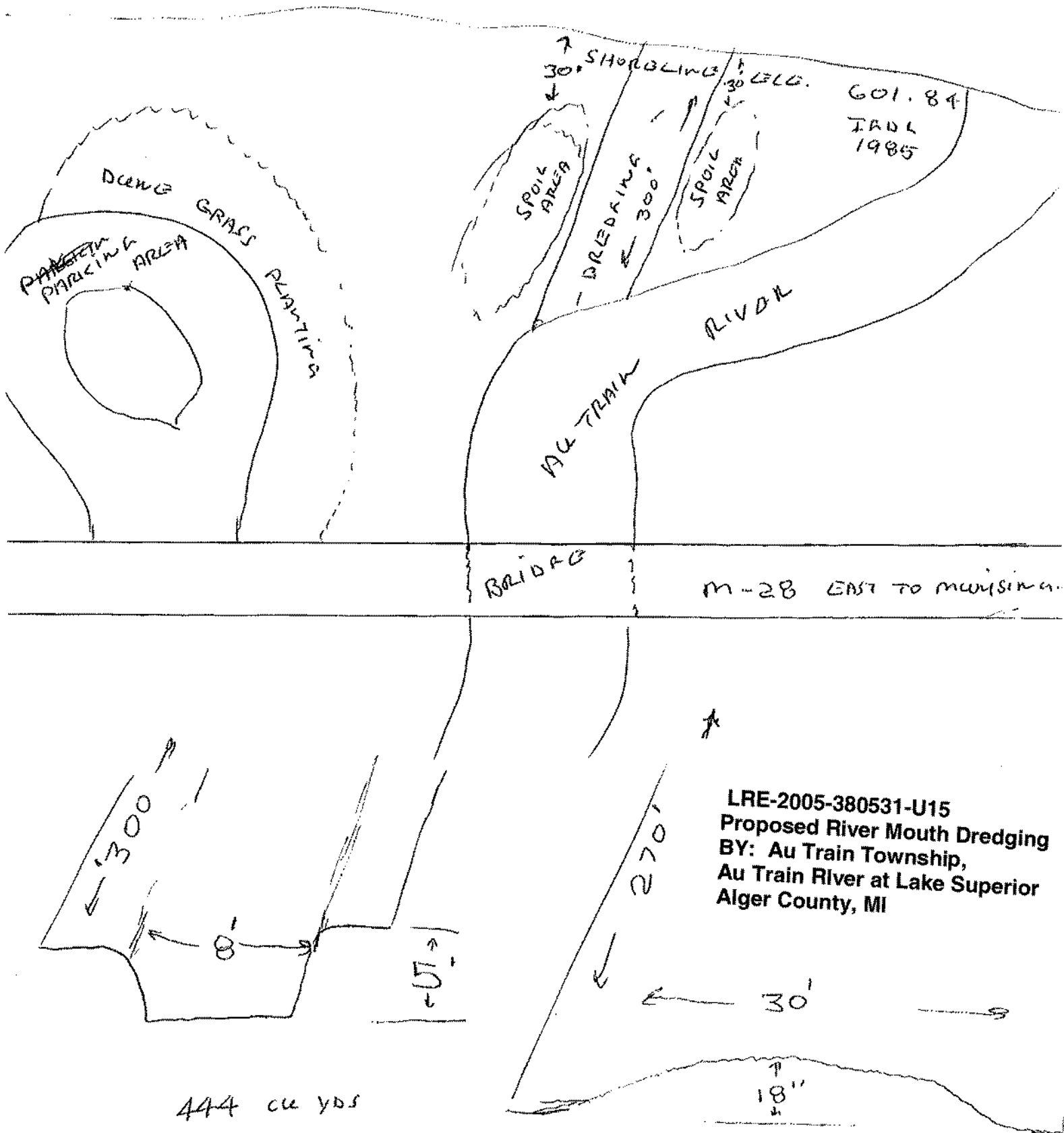


W X L X D

27

LRE-2005-380531-U15
 Proposed River Mouth Dredging
 BY: Au Train Township,
 Au Train River at Lake Superior
 Aluer County, MI

SHEET 2 of 4

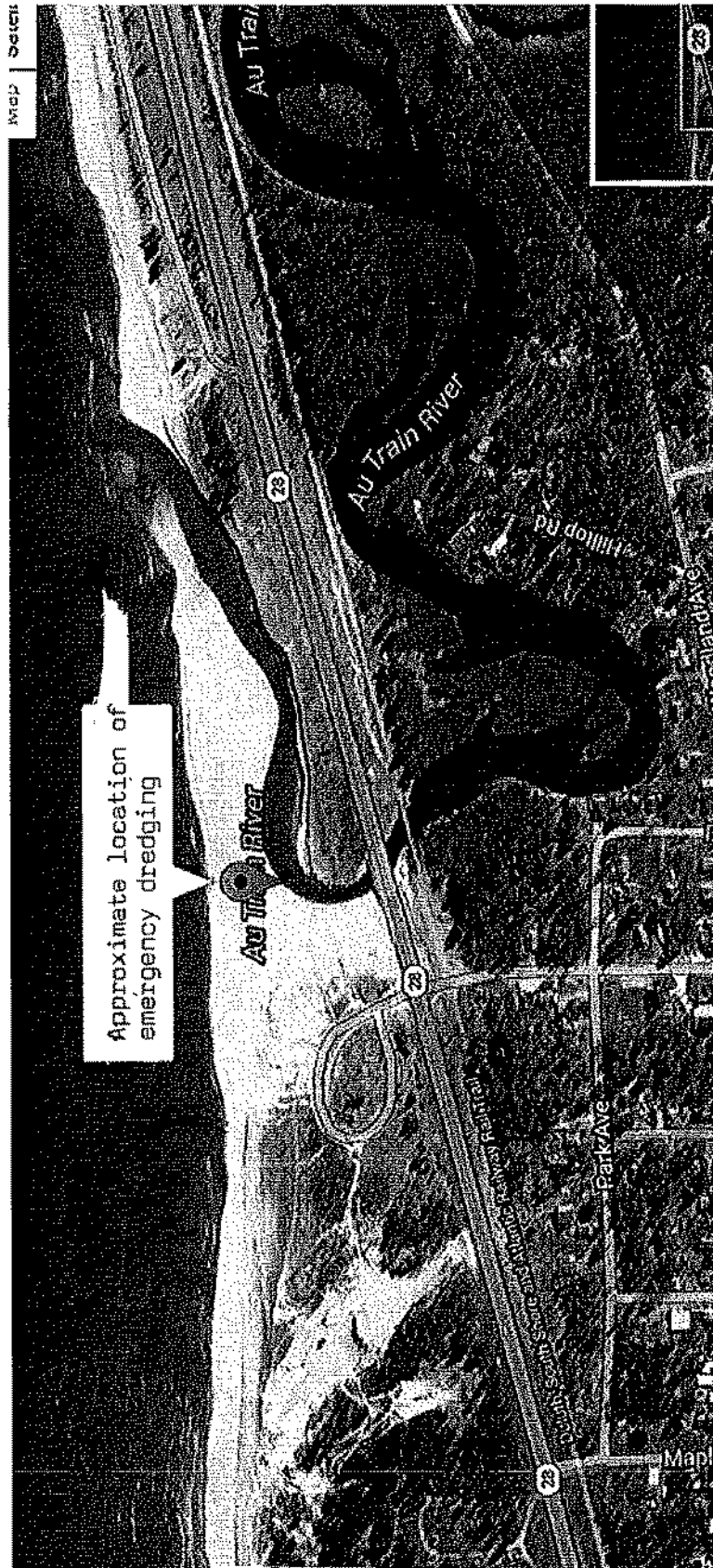


444 cu yds

8 x 5 x 300

BEACH NOURISHMENT

SHEET 3 of 4



SHEET 4 of 4

LRE-2005-380531-U15
Proposed River Mouth Dredging
BY: Au Train Township,
Au Train River at Lake Superior
Alger County, MI

