

Draft Restoration Plan/Programmatic Environmental Impact Statement

for the Allied Paper, Inc. / Portage Creek /
Kalamazoo River Superfund Site

Public Meeting
September 15, 2015
Kalamazoo, Michigan

Kalamazoo Natural Resource Trustee Council

Topics



- ▶ Who are the members of the Natural Resource Trustee Council and what is a Natural Resource Damage Assessment (NRDA)?
- ▶ How does this relate to Superfund cleanup?
- ▶ What is a Restoration Plan/Programmatic Environmental Impact Statement and why is it needed?
- ▶ What are the Trustees proposing?
 - Restoration alternatives, approaches, projects
- ▶ Where do we go from here?

Who Are the Members of the Natural Resource Trustee Council?

- ▶ The Natural Resource Trustee Council consists of agencies authorized under federal and Michigan law to seek environmental restoration:
 - Michigan Department of Natural Resources (MDNR)
 - Michigan Department of Environmental Quality (MDEQ)
 - Michigan Attorney General
 - U.S. Fish and Wildlife Service (USFWS)
 - National Oceanic and Atmospheric Administration (NOAA)



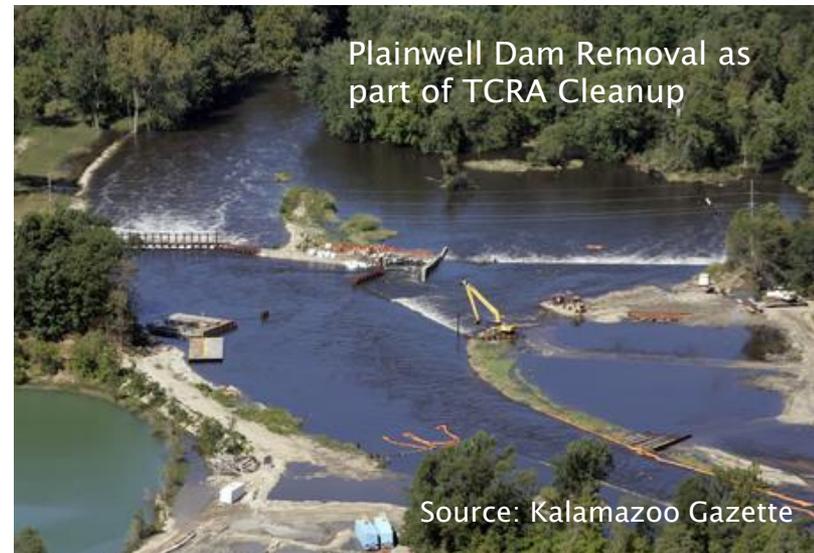
What is NRDA?

- ▶ A process that the Trustees use to:
 - assess injuries to natural resources that have been caused by releases of hazardous substances
 - plan and conduct restoration actions that can compensate for injuries
 - ▶ The purpose is to make the public whole, beyond site cleanup
 - ▶ The responsible party is required to provide for restoration
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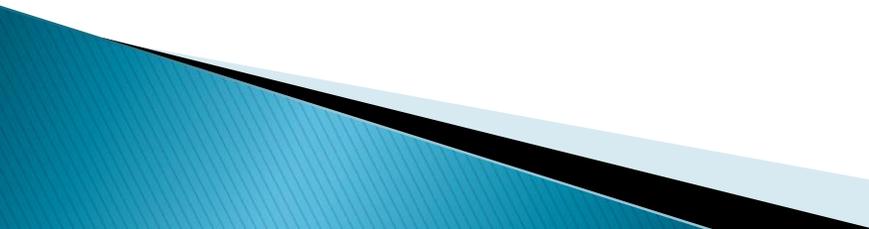
NRDA at this Site

- ▶ This Trustee Council has been working on the Kalamazoo River NRDA since 2000

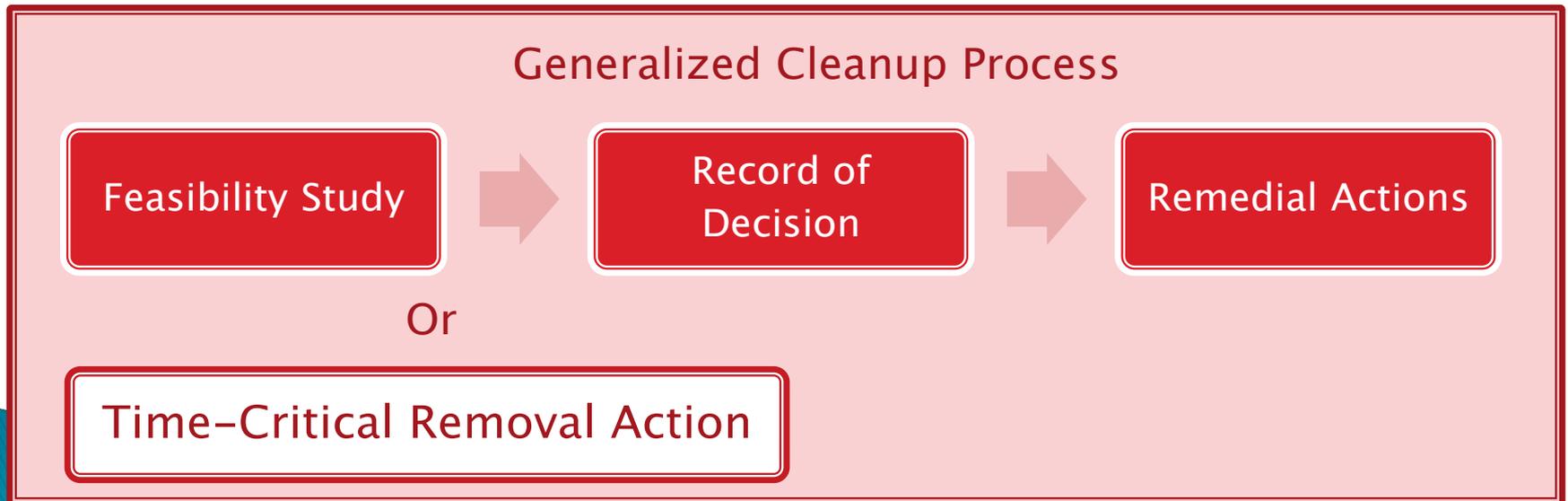
- Assessment plan and reports
- Input on cleanup projects
- Restoration projects compiled
- Project selection criteria
- Bankruptcy settlements
- Restoration planning...
- Information at www.fws.gov/midwest/es/ec/nrda/KalamazooRiver



How Does this Relate to Superfund Cleanup?

- ▶ EPA is charged with cleaning up PCB contamination based on risk to humans and environment
 - Removal actions, e.g. Portage Creek, Plainwell Impoundment
 - Remediation, e.g. landfills
 - ▶ The Trustee Council is charged with ensuring that natural resource restoration compensates the public for injuries to natural resources
 - ▶ Restoration is coordinated with cleanup actions and can occur in parallel
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Generalized Restoration and Cleanup Processes



Why are the Trustees doing restoration planning now?

- ▶ The natural resources of Kalamazoo River and Portage Creek have been contaminated with PCBs from the recycling of carbonless copy paper
 - PCBs are persistent and accumulate in organisms
 - PCBs are toxic to fish, birds, mammals, and other wildlife
- ▶ Trustees are seeking restoration from Potentially Responsible Parties
 - Bankruptcy settlement from Plainwell Inc. and Plainwell Holding Co. in 2005 for \$890,000
 - Bankruptcy settlement with Lyondell in 2009 for ~\$2M
 - Other settlements possible as legal agreements are negotiated in parallel with remedial actions
- ▶ Trustees are seeking public input into geographic scope and types of restoration projects

Restoration Planning: What is an RP/PEIS?

- ▶ A RP/PEIS is a document intended to
 - Guide the Trustees in selection of potential restoration projects that can serve as compensation for injuries to natural resources
 - Notify the public about these potential projects
 - Help with coordination among agencies to ensure that proposed restoration actions will not conflict with proposed remedial actions
- ▶ The Trustee agencies are asking for your comments on this RP/PEIS by **October 29, 2015**.

Public Release Draft Restoration Plan and Programmatic
Environmental Impact Statement for Restoration
Resulting from the Kalamazoo River
Natural Resource Damage Assessment



Photo credit: Lisa Williams, U.S. Fish and Wildlife Service (USFWS)

Photo credit: USFWS National Conservation Training Center Image Library.

Prepared for:

Michigan Department of Natural Resources
Michigan Department of Environmental Quality,
Michigan Attorney General,
U.S. Fish and Wildlife Service,
and
National Oceanic and Atmospheric Administration

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SC13483

Why Else Are the Trustees Preparing an RP/PEIS?

- ▶ A Restoration Plan is required under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
 - Specific for NRDA
- ▶ An EIS is required under the National Environmental Policy Act (NEPA)
 - Federal agencies must evaluate the impact of their decisions on the environment
 - Compared to no action
 - Programmatic EIS is being used
 - Restoration program
 - Specific projects



What Are the Criteria for Restoration Projects?

- ▶ **Based on NRDA regulations**
 - Case-specific criteria included in Assessment Reports (2005) and are also in the RP/PEIS
- ▶ **Screening Criteria (yes/no)**
 - Comply with laws and regulations
 - Address resources injured by hazardous substance
- ▶ **Evaluation Criteria (ranking)**
 - Focus on on-site, in-kind and benefitting priority trust resources
 - Benefits measurable and likely from cost-effective, reliable methods
 - Consistent with natural resource policies and regional planning
 - Considers completed or anticipated response actions
 - Provides large range of benefits to natural resources and diverse public
- ▶ **Based on types of injuries here, priority will be given to projects that:**
 - Improve aquatic and riparian habitat and habitat connectivity
 - Benefit fish, birds and fish-eating mammals

What are the Restoration Alternatives Being Considered?

- ▶ Alternative A– “No Action” Alternative
 - ▶ Alternative B– Restoration within the Superfund Site
 - ▶ Alternative C– Restoration within the Kalamazoo River watershed, including within the Superfund Site
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Kalamazoo River Watershed



Alternative A– No Action

- ▶ Trustees would not conduct restoration actions to restore injured natural resources or compensate the public for natural resource damages
 - ▶ State and Federal agencies would continue management of Kalamazoo River environment without NRD actions
 - ▶ This alternative is considered for the comparison of the impacts of the other alternatives
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Alternative B – Restoration within the Superfund Site

- ▶ Restoration in and along 80 miles of the Kalamazoo River and 3 miles of Portage Creek
 - ▶ Restoration would focus on connecting habitats along the creek and river
 - ▶ May achieve efficiencies by working with Potentially Responsible Parties, EPA and MDEQ in design, equipment and labor
 - ▶ Constrained by space of the Superfund Site and timing of remediation
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Alternative C – Restoration Within the Kalamazoo River Watershed

- ▶ Consists of entire Kalamazoo River watershed, including the Superfund Site area
- ▶ Restoration could include both longitudinal connectivity along the creek and river as well as lateral connectivity of floodplain and upland habitats
- ▶ Same potential benefits of working with PRPs, EPA and MDEQ as Alternative B
- ▶ More opportunities for early restoration and potential for projects in a larger area
 - Restoration criteria still apply

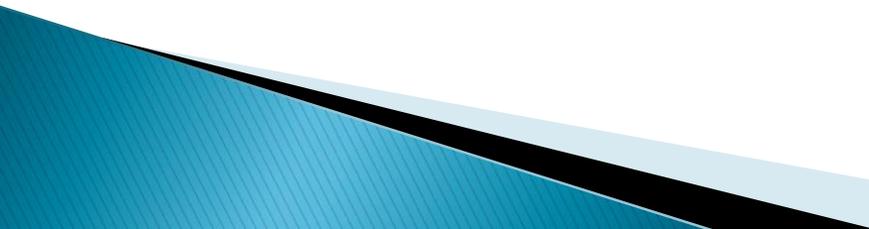
Trustee's Preferred Alternative

- ▶ Alternative C–Restoration within the Kalamazoo River watershed
 - Would provide opportunities for early restoration, not totally contingent upon response actions
 - Would provide more opportunities for lateral connectivity
 - Would allow more flexibility in working with partners and selecting projects to maximize restoration benefits



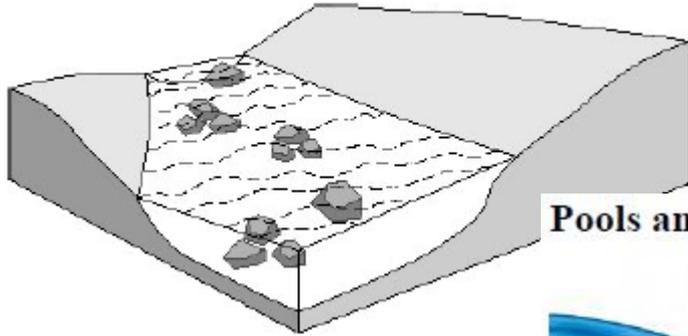
Types of Restoration Projects

- ▶ Aquatic habitat restoration
 - ▶ Riparian and wetland habitat restoration
 - ▶ Aquatic barrier removals
 - ▶ Habitat conservation

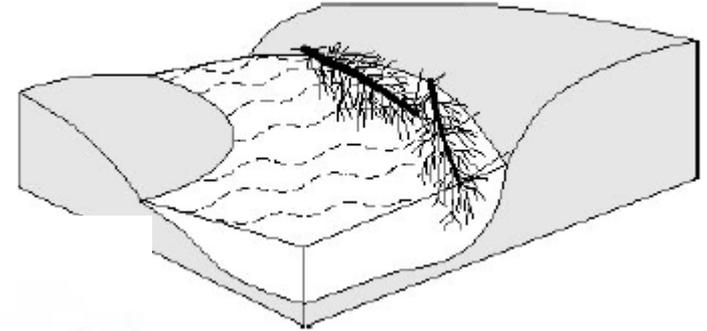
 - ▶ Techniques described in RP/PEIS
 - Might be used in combinations in projects
 - Some would rank more favorably than others
 - Trustees seeking input
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Aquatic Habitat Restoration: In-stream

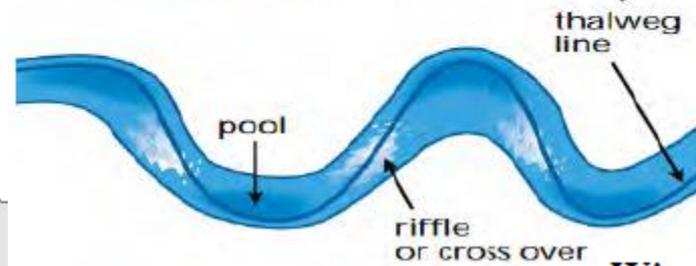
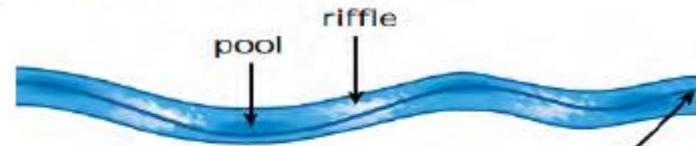
Boulder clusters



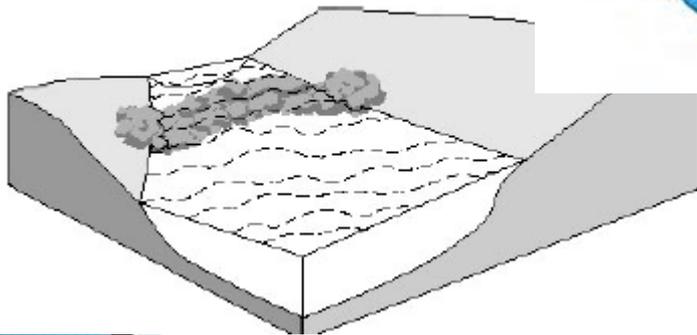
Tree cover



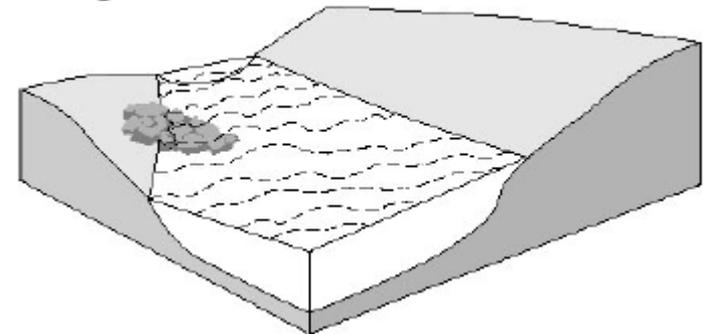
Pools and riffles



Rock weirs

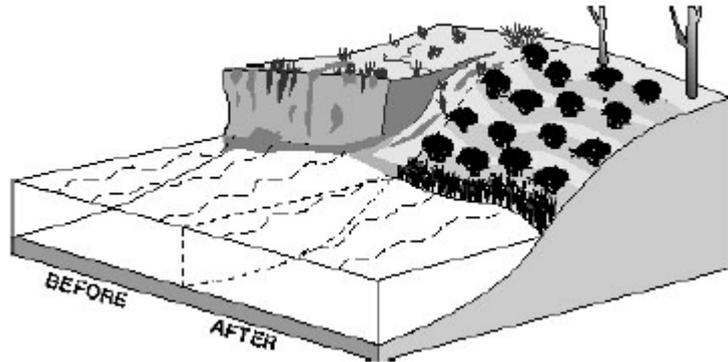


Wing deflectors

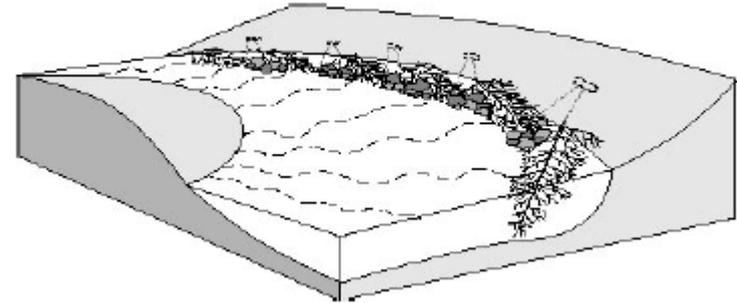


Aquatic Habitat Restoration: Stream Banks

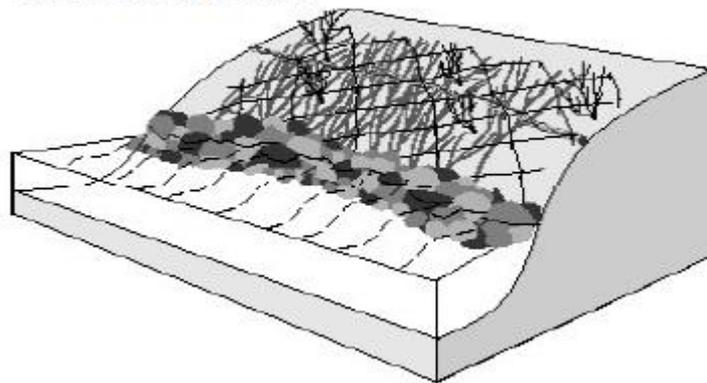
Bank shaping and plantings



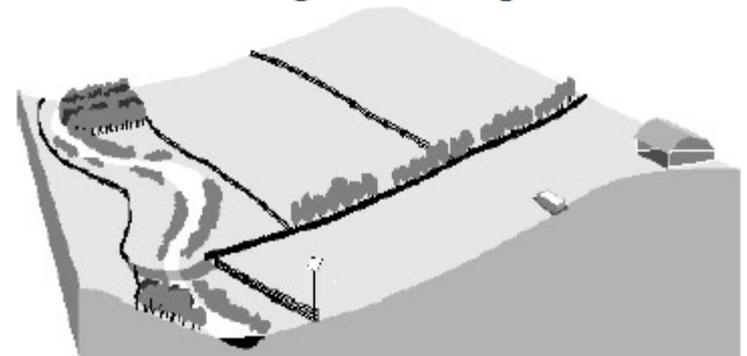
Anchored trees and logs



Brush mattresses

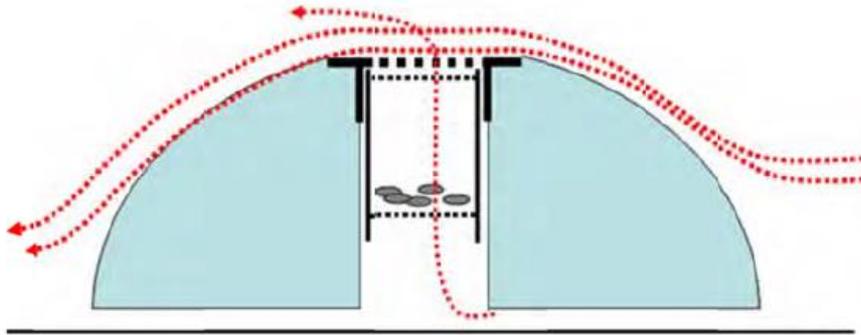


Livestock management in riparian areas



Aquatic Restoration: Species-specific & Invasives Control

Mussel rearing /stocking



Sturgeon rearing/stocking



Courtesy Photo | DNR

Asian clam removal



Lake George Asian Clam Rapid Response Task Force

Riparian and Wetland Restoration

Invasive Control

Purple loosestrife



Source: Photograph taken by B.S. Walters; Reznicek et al., 2011.

Phragmites



Source: Photograph taken by L. Wallis; Reznicek et al., 2011.

Restoration of hydrology



L. Williams, USFWS

Restoration of disturbance



USFWS



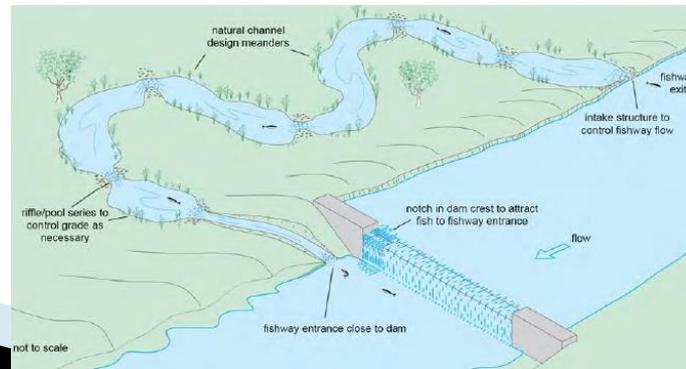
USFWS

Riparian and Wetland Restoration

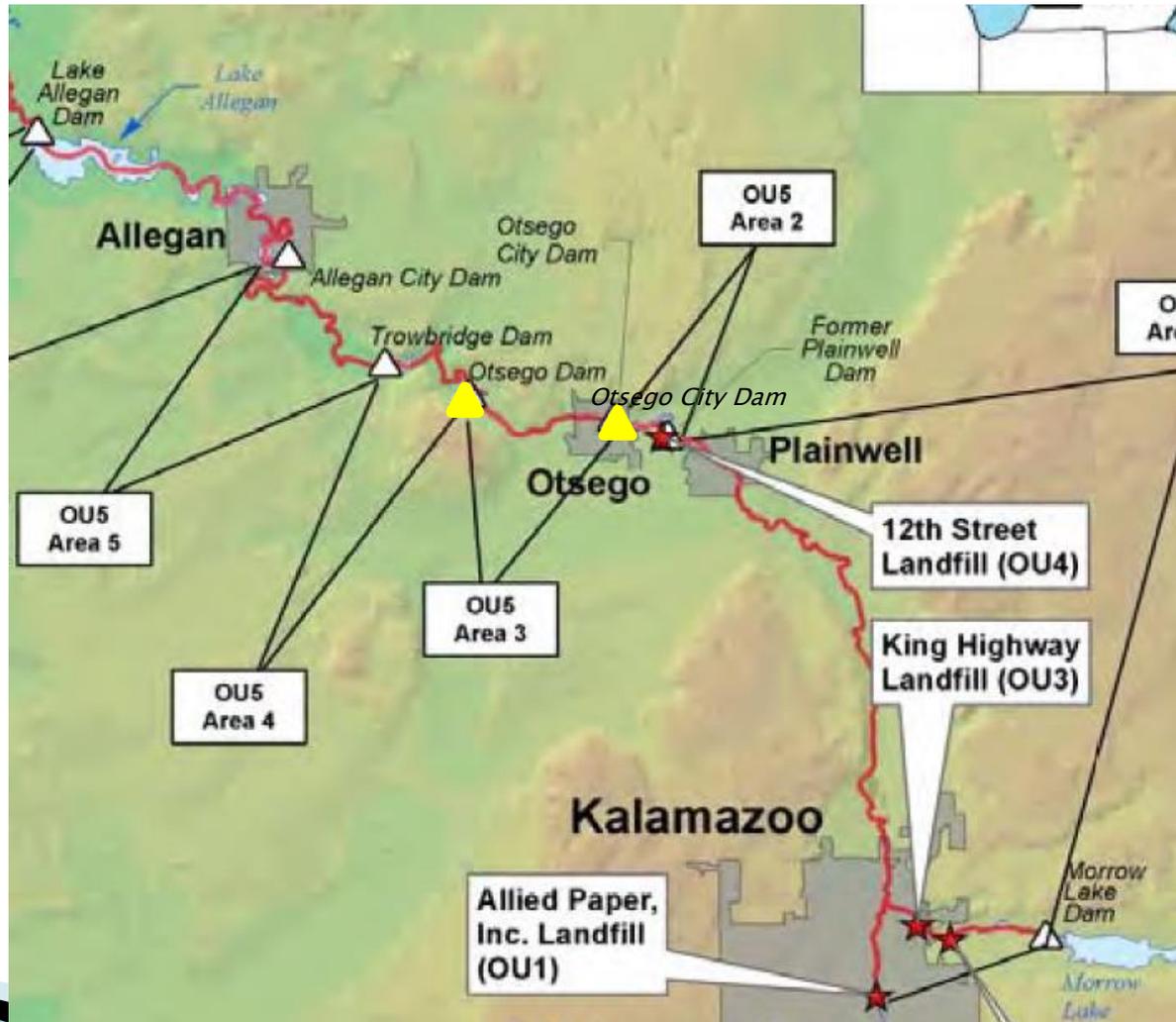
- ▶ Reintroduction and enhancement of native plants
- ▶ Reintroduction and enhancement of native animals
 - Nest and hibernation structures
- ▶ Preventing/limiting invaders
 - Education and monitoring
- ▶ Invasive species control
 - Biological
 - Mowing, cutting, burning, grazing, flooding
 - Herbicides

Barrier Removal

- ▶ Dam removal
 - Otsego City
 - Otsego Township
- ▶ Small barrier removal
 - Road crossings
 - Utility crossings
- ▶ Fish passage
 - Rock ramps
 - Fishways
 - Bypass channels



Otsego City and Township Dams



Specific Restoration Projects for Public Comment – Otsego City Dam

Description: Removal of Otsego City Dam and channel restoration, coordinated with sediment removal

Benefits:

- ▶ Improve upland and wetland habitat for birds, fish, and other species
- ▶ Allow fish, nutrients, woody debris to move
- ▶ Connect habitat and people



Specific Restoration Projects for Public Comment – Otsego Township Dam

Description: Removal of Otsego Township Dam and channel restoration, coordinated with sediment removal

Benefits:

- ▶ Improve upland and wetland habitat for birds, fish, and other species
- ▶ Allow fish, nutrients, woody debris to move
- ▶ Connect habitat and people



Summary

- ▶ Draft RP/PEIS provides opportunity for public input on restoration types, projects, and geographic scope
- ▶ Final RP/PEIS will guide future restoration activities to be carried out by the Trustees or conducted under their oversight.
- ▶ Three alternatives for scope of restoration
- ▶ Criteria for selection of future projects within alternatives
- ▶ Many restoration techniques
- ▶ Two specific dam removal projects
 - Otsego City
 - Ostego Township

Where Do We Go from Here?

- ▶ Public review and comments are welcome!
 - Comments due October ~~19~~ 29, 2015
 - kzoorivernrda@fws.gov
- ▶ Draft RP/PEIS is available for public review:
 - Trustee websites (see fact sheet)
 - Public libraries in Kalamazoo, Plainwell, Otsego, Allegan, Saugatuck–Douglas, and WMU
 - Paper or CD copies available by request
- ▶ Trustees welcome restoration project ideas any time
- ▶ Trustees will review comments
 - Consider changes to RP/PEIS
 - Re-issue a new draft or finalize RP/PEIS

Discussion



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