

Finding of No Significant Impact
for the
Tittabawassee River – Saginaw River & Bay
Natural Resource Trustee Councils
Supplemental Restoration Plan and Environmental Assessment
(Final Plan)

In 1998, the Natural Resource Trustees for the Saginaw River and Bay negotiated a settlement for natural resource damages with the General Motors Corporation, Bay City, and the City of Saginaw. The settlement provided for substantial cleanup of contamination and restoration of fish and wildlife habitats resulting from the release of polychlorinated biphenyls (PCBs) in the Saginaw River and Bay. Sufficient funding remained from the 1998 settlement to allow the Trustees to undertake planning for additional restoration actions in 2020. The Trustees published a Final Restoration Plan to guide the use of these remaining funds in March 2021.¹

Beginning as early as the 1890s, the Dow Chemical Company (Dow) released into the environment a wide range of hazardous substances from its plant in Midland, Michigan, including polychlorinated dibenzo-*p*-dioxins (PCDDs) and dibenzofurans (PCDFs). In March 2020, the Natural Resource Trustees for the Tittabawassee River published a Final Restoration Plan² that described restoration actions identified within a negotiated settlement reached with Dow.

Both these previously published restoration plans made provision for the future consideration, funding, and implementation of stakeholder identified restoration actions. The geographic areas of interest for the two Trustee Councils are identical, both cases seek to restore natural resources affected by the release of hazardous substances into aquatic systems within the Saginaw Bay watershed, and their criteria for evaluating restoration proposals, as described within their respective restoration plans, are similar. Therefore, the two Trustee Councils combined their efforts to jointly develop a Supplemental Restoration Plan to evaluate stakeholder-identified restoration actions. This joint effort ensured that administrative costs of the two Trustee Councils would be minimized so that the funding dedicated to ecological restoration in the Saginaw Bay watershed would be efficiently used in the public's interest.

Both Trustee Councils include representatives of the U.S. Fish and Wildlife Service (Service); the Saginaw Chippewa Indian Tribe of Michigan; the Michigan Department of Natural Resources (MDNR); the Michigan Department of Environment, Great Lakes, and Energy; and the Michigan Department of

¹ USFWS. 2021. Final Restoration Plan & Environmental Assessment for Use of Remaining Funds – 1998 Saginaw River and Bay Settlement.

² USFWS. 2020. Final Restoration Plan / Environmental Assessment For the Tittabawassee River System Natural Resource Damage Assessment.

Attorney General. The Bureau of Indian Affairs serves as a member of the Tittabawassee River Trustee Council.

On November 4, 2021, the two Trustee Councils jointly announced the availability of funding for stakeholder-identified restoration projects to be implemented in the Saginaw Bay watershed, including in and along the Tittabawassee and Saginaw rivers. Two sources provided funding for this effort, the 2020 settlement with The Dow Chemical Company, and the 1998 settlement with the General Motors Corporation. The two Trustee Councils have allocated a total of up to \$5.75 million to fund stakeholder identified restoration projects, in addition to funding projects already identified in the previously published restoration plans for the two settlements.

Stakeholders were directed to a web-based application portal to facilitate the online submission of restoration proposals. Project proponents were asked to ensure that proposed projects “provide some benefit to the natural resources that were injured as a result of the release of contaminants at issue in one of the relevant court settlements.” The application portal was open to stakeholders until December 31, 2021. The Trustees received 23 project proposals, with projects focused on habitat restoration (12), recreation (4), monitoring and research (4), land acquisition or easement (2), contaminant removal (1), and stocking of fish (1). The project proposals requested a total of approximately \$7.9 million, surpassing the available funding.

After screening the 23 proposals, the Trustees determined that 16 restoration project ideas were eligible for consideration by the Trustees. The project proposals were evaluated, ranked, and further developed, as necessary with the project proponents. Some of the proposals were combined, further reducing the number of projects evaluated as the Preferred Alternative within the Draft Supplemental Restoration Plan. The Trustees used a collaborative approach to refine proposals with proponents. Several of the projects have been modified to incorporate additional emphasis on restoration or to enhance the capacity to deliver natural resource restoration.

The Final Supplemental Restoration Plan is being issued to inform the public of the Trustees’ Selected Alternative for the use of these funds under the authorities and responsibilities of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.* and the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. § 4321 *et seq.*

SELECTED ALTERNATIVE

The Trustees evaluated two restoration alternatives. These included a No Action Alternative and the Trustees’ Selected Alternative which evaluates restoration actions identified by stakeholders with an interest in the ecological condition of the Saginaw Bay watershed.

Briefly, these alternatives can be summarized as the following:

- a No Action Alternative that would provide no funding by the Trustee Councils for restoration actions identified by stakeholders in the Saginaw Bay watershed. Resources or subsequent recreational opportunity that might otherwise be improved would rely on the uncertainty of natural recovery.

- the Trustees' Selected Alternative wherein the Trustees would use settlement funds to implement stakeholder-identified restoration actions to improve ecological condition and provide natural resource-based opportunity in the Saginaw Bay watershed.

The Final Supplemental Restoration Plan describes these two alternatives and also includes a discussion of projects that were proposed and evaluated using the Trustees' criteria but were then not included in the Selected Alternative. The Final Supplemental Restoration Plan evaluated effects on the human environment and assessed the significance of the impacts that could result from the alternatives.

"Significant" under NEPA requires consideration of the degree of the proposed action's short- and long-term effects, beneficial and adverse effects, and effects on public health and safety within the setting of the proposed action in accordance with 40 CFR §1501.3(b).

The Trustees' Selected Alternative consists of ten projects that are expected to provide substantive ecological value for riparian or coastal wetlands, provide public access for nature-based experience, or provide both ecological uplift and public access (Table 1).

Of the ten projects, two projects are still in the feasibility phase. Trustees will fund a feasibility study for the bank stability portion of the Thomas Township project and then use it to make a final decision on the balance between costs and benefits in proceeding with full implementation of the project before funding implementation. The Smith's Crossing Bridge Fishing Access project needs resolution of some feasibility concerns before the Trustees will make a final decision on providing funding for it. This latter project was evaluated by the Trustees so that if the feasibility issues are resolved, the Trustees could move forward with providing funding for the project.

Table 1. Restoration projects included in the Selected Alternative that would be implemented under the joint direction and control of the Tittabawassee River and Saginaw River & Bay Trustee Councils.

Selected Project	Project Description
Crow Island State Game Area - Maxwell Trust Land Acquisition	This project will consist of acquisition of approximately 360 acres from the Maxwell Land Trust to be added to the Crow Island State Game Area within its approved acquisition boundary. This parcel lies within the Michigan Wildlife Action Plan's Great Lakes Marsh and Inland Emergent Wetlands priority area for conservation action. The acquisition also lies directly along the Bay-Zil Rail Trail, a leg of the statewide Iron Belle Trail system. Following acquisition, the MDNR plans to convert this row-cropped property to an area of emergent wetlands.

Tittabawassee River Floodplain Protection and Restoration	The Tittabawassee River Floodplain Protection and Restoration Project will protect and enhance two privately owned lands, Stevens Family Farm and the 6200 Club, totaling 310 acres, within the floodplain of the Tittabawassee River in Shields, Michigan. This project will restore and permanently protect natural hydrology and provide functional floodplain services, enhance biological diversity and wildlife habitat within the riparian corridor of the Tittabawassee River. To achieve the goals of this project, Ducks Unlimited will hold conservation easements and provide restoration and stewardship on the two properties.
South Riverfront Restoration, Midland, Michigan	The South Riverfront Restoration Project is designed to transform a blighted industrial site into a floodplain park that will provide connections between the downtown area of the City of Midland and the Tittabawassee River. The overall project will provide accessible walkways and overlooks, a pedestrian bridge across the Tittabawassee River, and a restored ecosystem in the riparian corridor of the Tittabawassee River that includes wetlands and meadows planted with native species of grasses, forbs, shrubs, and trees. Funding from the Trustees will be used for the habitat restoration components of the project.
Saginaw River Headwaters Rec Area Restoration and Recreational Access	The project will expand on the ongoing efforts to enhance a 334-acre brownfield site, the former Saginaw Malleable Iron automobile manufacturing complex. The Trustees will provide funding to the Saginaw County Parks and Recreation Commission to construct an accessible fishing pier along the Saginaw River to provide recreational opportunities to an under-served community and to expand treatment of <i>Phragmites</i>, in partnership with the Saginaw Basin Land Conservancy, to address the remaining impacted areas of the site (approximately 100 acres). In addition, the narrow band of trees along the river will be broadened and enhanced with the planting of native species to provide improved structural stability to the shoreline, benefits to pollinators, and visual appeal to site visitors.

Thomas Township – Invasive Species Treatment and Tittabawassee Riverbank Stabilization Feasibility Study	This project will advance restoration work underway in the core 60 acres of the Thomas Township Nature Preserve, located in the Tittabawassee River floodplain within the urban area of Thomas Township, Saginaw Charter Township, and the City of Saginaw. The new work will re-establish a native overstory using maples (<i>Acer</i> spp.), American elm (<i>Ulmus americana</i>), American beech (<i>Fagus grandifolia</i>), and birch (<i>Betula</i> spp.) on approximately 20 acres of property surrounding the core area already being restored from agricultural use. As part of re-establishing native trees, Thomas Township will remove or control non-native and invasive species that currently dominate this area. The Township also proposes to stabilize a steep eroding bank along the Tittabawassee River on the Township's Nature Preserve property. The Trustees will fund a feasibility study to determine whether the benefits likely to be produced from bank stability measures feasible at this location are sufficient to justify funding their implementation.
Chippewa Nature Center – Habitat Restoration and Maintenance	The Chippewa Nature Center is a 1,500-acre natural area located at the confluence of the Pine and Chippewa rivers to the west of Midland, Michigan, close to where the Chippewa River joins the Tittabawassee River. In addition to providing extensive natural resource related programming for regional youth and adults, the Chippewa Nature Center serves as a regional conservation organization providing restoration services throughout the Saginaw Bay watershed. This project will build the capacity of the Chippewa Nature Center to restore sensitive ecosystems such as floodplains, forested wetlands, and open grasslands within the Saginaw Bay Watershed through the purchase of a forestry mower and trailer package.
Saginaw Bay Coastal Wildlands	The Saginaw Bay Coastal Wildlands Project is a partnership initiative with the Saginaw Basin Land Conservancy and the Saginaw Chippewa Indian Tribe of Michigan that will create and maintain a landscape-level coastal wildlife sanctuary and outdoor recreation destination, encompassing the Saginaw River Delta. The project will provide readily accessible, high-quality natural areas that conserve coastal habitats while delivering recreational, ecological, and cultural value to area communities. The project provides funding for treatment of non-native and invasive species, establishment of native vegetation, trail development, a long-range management plan, and a skid steer with implements to expand the capacity of the Land Conservancy to maintain project benefits and deliver restoration services in the Saginaw Bay watershed.

Bay City State Park - Habitat Restoration and Maintenance	The Trustees will provide funding for the Saginaw Bay Cooperative Invasive Species Management Area (<u>CISMA</u>), in coordination with partners in the Arenac Conservation District, Michigan Department of Natural Resources, the Michigan Natural Features Inventory, and Michigan Technological University, to control invasive species within the management area for at least three years. Within the management area, Bay City State Park, and most notably the Tobico Marsh, provide crucial habitat for rare wildlife, such as the common gallinule and the state endangered king rail. The marsh is also an historical spawning ground for northern pike, yellow perch, largemouth bass, and other valuable sport and game fish species; is a National Natural Landmark; and is also one of the largest remaining coastal wetlands on the Great Lakes.
Saginaw Bay Sturgeon - Support, Monitoring and Restoration of a State Threatened Species	This project will build capacity to support the long-term effort to restore Saginaw Bay's lake sturgeon population by providing funding for hatchery support, public education, and the proposed expansion and support of the Great Lakes Acoustic Observation System to more locations in the watershed. This project will be managed by The Conservation Fund and the Saginaw Bay Watershed Initiative Network. Lake sturgeon are considered threatened or endangered in seven of the eight Great Lakes states. Lake sturgeon populations have been devastated by overharvest and habitat destruction. In addition to being long-lived species that feed close to bottom sediments, sturgeon accumulate significant body burdens of contaminants and are known to be sensitive to dioxin-like compounds.
Smith's Crossing Bridge Fishing Access	This project, if found to be feasible when further developed, would provide recreational fishing access near the Smith's Crossing Bridge. As such, if completed this project will address natural resource services directly affected by the release of hazardous substances into the Tittabawassee River, namely the loss of fishing opportunity and nature-based observation, either within or immediately adjacent to a Dow-implemented restoration project that protects and restores natural resources along the river. The Trustees analyzed this project so that if the project can be sited and designed such that it remains consistent with the Trustees' evaluation with the project ranking criteria, then the Trustees could provide funding for this project in the future.

FINDING OF NO SIGNIFICANT IMPACT

Based on review and evaluation of the information contained in the supporting references, I determined that the Selected Alternative is not a major Federal action that would significantly affect the quality of the human environment, within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969. Accordingly, an Environmental Impact Statement will not be prepared.

Rationale:

1. The Final Plan includes ten specific projects, identified by stakeholders with interests in the ecological, social, and cultural values within the Saginaw Bay watershed, that have been evaluated by the Trustees for their eligibility for funding, feasibility, focus with respect to resources injured by contaminants, and likelihood and magnitude of benefits expected over time. The ten projects selected were those that ranked highly based on Trustees' published criteria, which are described in the Final Plan.
2. The Michigan Ecological Services Field Office (MIFO) completed intra-service consultation under the Endangered Species Act of 1973 for the projects in the Selected Alternative. Given the locations of the selected projects, the scope of actions contemplated, measures to be taken to avoid effects to listed species, or the nature of actions designed to be wholly beneficial to listed species, the projects in the Selected Alternative will either not affect listed species, are not likely to adversely affect listed species, or may be wholly beneficial (Table 2). For the two projects in the feasibility stage, MIFO will initiate consultation if and when the projects are designed, prior to funding implementation.
3. Federally listed endangered, threatened, and candidate species within the counties in which the selected projects will occur include the following, as described in Table 2: Indiana bat, northern long-eared bat, piping plover and piping plover critical habitat, rufa red knot, eastern massasauga rattlesnake, northern riffleshell mussel, snuffbox mussel, monarch butterfly, eastern prairie fringed orchid, and Pitcher's thistle.

Table 2. Federally listed threatened and endangered species that may occur within the Saginaw Bay watershed in proximity to project areas of the Selected Alternative

Species	Federal Status	Habitat Associations & Considerations
Indiana Bat <i>Myotis sodalis</i>	Endangered	Small to medium river corridors with well-developed riparian woods; woodlots within 1-3 miles of rivers and streams; upland forests. Caves and mines as hibernacula. Undocumented within project areas, but conservation measures include prohibition of cutting potential roost trees or elimination of structures that may serve as roosts without first verifying absence of use by bats.
Northern Long-Eared Bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines, swarming in surrounding wooded areas in fall. Roosts and forages in upland areas. Undocumented within project areas, but conservation measures would include prohibition of cutting potential roost trees or elimination of structures that may serve as roosts without first verifying absence of use by bats.
Tricolored Bat <i>Perimyotis subflavus</i>	Proposed	Hibernates in caves and mines, swarming in surrounding wooded areas in fall. Roosts and forages in upland areas. Undocumented within project areas, but conservation measures would include prohibition of cutting potential roost trees or elimination of structures that may serve as roosts without first verifying absence of use by bats.
Piping Plover <i>Charadrius melodus</i>	Endangered	Uses wide, sandy beaches that are flat and have very little vegetation. Nesting territories may encompass small creeks and wetlands. Undocumented within project areas. In the event that species were to occur within project areas (e.g., Bay City State Park), projects would be redesigned or modified so as to avoid harm or harassment of the species.
Piping Plover – Critical Habitat	Critical	Approximately 2.0 km (1.2 mi) of Lake Huron shoreline in Iosco County, Michigan. The entire designated area is within the Tawas Point State Park. No actions are planned within, or in proximity to, Piping Plover Critical Habitat.
Rufa Red Knot <i>Calidris canutus rufa</i>	Threatened	Large wetland complexes during the migratory window of May 1-Sep. 30. Undocumented within project areas. In the event that species were to occur within project areas (e.g., Bay City State Park), actions that may harm or harass the Rufa Red Knot would cease during migratory occupancy of the project areas.

Species	Federal Status	Habitat Associations & Considerations
Eastern Massasauga Rattlesnake <i>Sistrurus catenatus</i>	Threatened	Shallow wetlands or shrub swamps in spring. Crayfish towers or small animal burrows which are adjacent to upland open shrub forest sites. During summer, massasaugas move to drier upland areas. Undocumented within project areas, but within the range of this species. Restoration actions (e.g., treatment of non-native invasive species, restoration of lakeplain prairie) would be unlikely to impact the massasauga. Earth-moving activities associated with wetland restoration would occur in an area of unsuitable, highly altered habitat, and the best management practices found in the Michigan Ecological Services Field Office's General Project Design Guidelines will be used, making effects to the species discountable.
Northern Riffleshell <i>Epioblasma torulosa rangiana</i>	Endangered	Found in small to large streams. Buries itself in bottoms of firmly packed sand or gravel. Undocumented within project areas. Lacks suitable habitat within project areas.
Snuffbox Mussel <i>Epioblasma triquetra</i>	Endangered	Found in small creeks to large lakes, and inhabiting areas with a swift current. Adults burrow in sand, gravel, or cobble substrates. Undocumented within project areas. Lacks suitable habitat within project areas.
Monarch Butterfly <i>Danaus plexippus</i>	Candidate	This showy, large butterfly species is obligatorily associated with habitats that support milkweed species for reproduction. Habitats such as lakeplain prairie associated with the Trustees' Selected Alternative are likely to support and benefit this species.
Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i>	Threatened	Mesic to wet prairies and meadows. Undocumented within project areas, but suitable habitat is present or may be restored within project areas (Saginaw Basin Land Conservancy, Coastal Wildlands Project). Suitable habitats will be managed so as to enhance and maintain suitable habitat for this species, which may ultimately benefit this species, including by providing sites for re-introduction.
Pitcher's Thistle <i>Cirsium pitcher</i>	Threatened	Grows on the open sand dunes and low beach ridges of Great Lakes shores. Found in near-shore plant communities or non-forested areas of dune systems. Undocumented within project areas. Lacks suitable habitat within project areas.

4. The MIFO evaluated projects for compliance with the National Historic Preservation Act of 1966, as amended (NHPA) and received concurrence from the Service's Regional Historic Preservation Office that the projects in the Selected Alternative either had no potential effect relative to the NHPA or that a site was present, but the action would have no effect. MIFO and the Saginaw Chippewa Indian Tribe of Michigan developed a Discovery Plan that will be used for the projects that involve soil movement to prepare for unanticipated discoveries of artifacts or remains.
5. Implementation of certain restoration actions in the Selected Alternative may result in temporary and localized adverse impacts due to soil disturbance. Soil disturbance will occur as part of the following projects: South Riverfront Restoration Project, the Saginaw River Headwaters Rec Area Project, and the Tittabawassee River Floodplain Protection and Restoration Project.

Project proponents will be required to obtain the appropriate state and local permits to operate and perform construction activities within riparian floodplains. This will ensure the requisite implementation of conservation measures intended to minimize disturbance or impact to riparian resources. The use of best management practices, such as the use of silt fences, use of cover crops, or wildlife-friendly erosion control materials to stabilize disturbed soils, along with other avoidance and mitigation measures required by the regulatory agencies, will be used to minimize any loss or movement of soils.

The South Riverfront Restoration Project is an abandoned industrial site, with a uniform surface of aging concrete or asphalt, that will be transformed into an area featuring wetlands adjacent to the Tittabawassee River. Substantial earth moving will be required to remove the existing areas of concrete and asphalt. Permitting requirements for the project will necessitate the use of conservation measures to minimize soil loss and movement. Much of the project area consists of relatively level topography that will enhance the efficiency of conservation measures such as the use of silt fencing. In addition to providing a visually appealing wetland area in an urban setting, the installation of wetlands at a site previously characterized by an impermeable layer of concrete and asphalt will serve to filter surface water runoff and mitigate flooding from the river. Though substantial disturbance will occur, site characteristics and conservation measures should be sufficient to minimize soil loss; substantial ecological function will be gained in an area where this function was previously impaired.

Construction of an accessible fishing pier on the Saginaw River by the Saginaw County Parks and Recreation Commission will likely require the installation of support structures within the riparian area of the Saginaw River. However, the footprint of this project will be comparatively small, consisting only of an area sufficient to install a fishing pier that will minimally encroach upon the bed of the Saginaw River and the project will need to meet environmental compliance requirements to obtain the necessary local, state, and federal permits. The riverbed of the Saginaw River is dominated by sand and organic sediments. Construction activities are likely to result in some disturbance, but given the footprint of the project, the likely duration of

construction activities and best management practices required by the necessary permits, and the existing character of the river, it is unlikely that the proposed activities will result in any noticeable impairment to the Saginaw River. Conversely, the pier will provide access to an underserved community in addition to enabling access to the resource to individuals that otherwise would be unable to experience recreational fishing along the Saginaw River.

6. Control of non-native and invasive species will occur as a component of restoration for nearly all projects identified within the Trustees' Selected Alternative. For chemical treatment methods used, only agency-approved herbicides and application methods per label requirements will be used. Conservation measures and best management practices, such as application under conditions of minimal herbicide drift, will be used to minimize impact to non-target species, though some short-term harm to native plant species may occur. The re-establishment of native plant communities is anticipated to improve wildlife habitats and enhance recreational opportunities within the project areas treated for non-native and invasive species. Where substantial land type conversions will occur as a result of restoration, such as is the case for the South Riverfront Restoration or with the eventual restoration of the Maxwell Land Trust Acquisition, substantial habitat gains will occur with the establishment of native plant communities.
7. Creation of new or improved public access to natural resources or the enhancement of unique cultural values is a component of all projects in the Trustees' Selected Alternative with the exception of the Tittabawassee River Floodplain Protection and Restoration Project (which protects unique riparian resources on private land). The Coastal Wildlands project will create a network of publicly accessible coastal habitats of unique cultural value to the Saginaw Chippewa Indian Tribe. Similarly, the lake sturgeon is a species of cultural importance to the Tribe. Several of these projects are intended to provide nature-based opportunities to under-served or urban communities, including the Saginaw Headwaters Rec Area Project. With the establishment of native plant communities, visitors to all the project areas should perceive these areas as having improved with the establishment of native plant communities, increased opportunity for wildlife and nature viewing, and enhanced public amenities provided with the restoration actions.
8. No significant adverse impacts are anticipated to resources such as soil, geologic conditions, energy consumption, wetlands, viewsheds, or floodplains. The Trustees anticipate that soil will be disturbed and energy will be consumed during periods of implementation, but that natural resources will be conserved and enhanced as an outcome of the planned restorations. The selected projects are far enough apart, and separated in terms of implementation schedule, that localized disturbance, erosion, or turbidity during construction are expected to be minimal. Local effects will be mitigated by silt fencing and other erosion control techniques. Permits will be required for construction activities within floodplains and wetlands. The permit process will further ensure that these projects are reviewed in the context of any similar projects that might be implemented in the area, including those by county conservation districts, drain or road commissioners, Michigan Department of Transportation, developers, or others.

9. Projects were evaluated with a criterion that addressed climate resilience and/or adaptability and features of multiple projects in the Selected Alternative include the enhancement of habitat connectivity, conservation of climate susceptible species or habitats, the reduction of environmental stressors such as non-native and invasive species, and the design of features capable of buffering the impacts of severe weather, among others. Projects like the Maxwell Trust Land Acquisition and South Riverfront Restoration Project will increase carbon sequestration and storage over time as land is converted from row crops or hard infrastructure to habitats with deep-rooted perennial vegetation. The majority of projects within the Trustees' Selected Alternative will support the eradication of non-native species and the restoration of native plant communities. Several projects will enhance coastal Great Lakes wetlands or improve riparian corridors along the Saginaw or Tittabawassee rivers. The Maxwell Trust Land Acquisition and South Riverfront Restoration Project will increase flood storage capacity in the watershed. Multiple projects, including the Coastal Wildlands Project, the Saginaw Headwaters Rec Area Project, the Maxwell Land Trust acquisition, The Thomas Township Restoration Project, the South Riverfront Restoration Project, and the Tittabawassee River Floodplain Protection and Restoration Project all serve to enhance or conserve riparian or wetland areas, improving or maintaining habitat connectivity and quality. Cumulatively, the projects provide features that are consistent with the need to improve landscape climate resilience.
10. The restoration projects in the Selected Alternative are anticipated to provide cultural, social, and economic benefits to local communities within the Saginaw Bay watershed. The issue of the loss of property tax revenues in Bay County, Michigan, is a subject of concern by stakeholders when land acquisitions for the purpose of restoration is proposed. Relevant to this issue, one project, the Maxwell Trust Land Acquisition, lies partly in Bay County. In this case, title of the property would reside with the Michigan Department of Natural Resources which maintains a payment-in-lieu of taxes program to compensate counties for the loss of property tax revenues associated with the purchase of recreational properties. Moreover, the property acquisition is expected to enhance the use of the immediately adjacent Bay-Zil Trail system, which is a major feature of Bay County's nature-based recreational attractions.

11. The planned restoration projects are designed to achieve the restoration of natural resources injured as a result of the release of contaminants in the Saginaw Bay watershed. Cumulatively, the environmental outcome will be to achieve net conservation benefit to those natural resources and the services they provide with the creation and conservation of native habitats. Several of these projects, such as the Coastal Wildlands Project and the Maxwell Land Trust Acquisition, will directly benefit Great Lakes Coastal Wetland habitats, improving or creating new wetland areas. Species likely to benefit from these efforts include a diverse assemblage of avian and aquatic species, many of which have been designated as species of special concern or designated as state-listed species. Habitat that may support federally listed species, such as the eastern prairie fringed orchid, will be improved and maintained. All of the planned restoration projects will provide ecological benefit and will also improve recreational uses such as hiking, boating, fishing, hunting, and wildlife observation. Anticipated short-term adverse impacts would be localized, would occur only during project implementation, and would be minimized by using best management practices.
12. A draft of this Final Plan was available for public review and comment from February 23, 2023, through March 27, 2023. The Trustees announced the availability of the Draft Restoration Plan through a press release, posting on the Service's webpage for the Tittabawassee River case, through Service and MDNR social media, and through direct outreach to interested parties and stakeholders, local units of government, conservation organizations, as well as outreach to members of the media. The Trustees received comments from six members of the public. The comments received and the Trustees' response to public comment are incorporated in the Final Plan in Appendix F. Several commenters expressed support for one or more projects. Some commenters had suggestions, questions, or concerns that the Trustees attempted to address in the response to comments and, in some cases, by clarifying language or adding information in the relevant section of the Final Plan. In addition, the Trustees updated the plan with some information received from other sources, e.g., addressing the proposed listing of the tricolored bat.

Supporting References:

1. USFWS. 2020. Final Restoration Plan / Environmental Assessment for the Tittabawassee River System Natural Resource Damage Assessment. Available at: https://www.cerc.usgs.gov/orda_docs/DocHandler.ashx?task=get&ID=6662.
2. USFWS. 2021. Final Restoration Plan & Environmental Assessment for Use of Remaining Funds – 1998 Saginaw River and Bay Settlement. Available at https://www.cerc.usgs.gov/orda_docs/DocHandler.ashx?task=get&ID=6747.
3. USFWS et al. 2023a. Tittabawassee River – Saginaw River & Bay Natural Resource Trustee Councils Draft Supplemental Restoration Plan and Environmental Assessment. Available at <https://www.fws.gov/media/tittabawassee-river-saginaw-river-bay-natural-resource-trustee-councils-draft-supplemental>
4. USFWS et al. 2023b. Tittabawassee River – Saginaw River & Bay Natural Resource Trustee Councils Final Supplemental Restoration Plan and Environmental Assessment (attached)

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