May 23, 2013

Engineering & Technical Services
Regulatory Office
File No. LRE-2012-00124-51

Dear Public Notice Commenter:

We are writing in regard to a Department of Army permit application by the Ottawa County Drain Commissioner to construct the Park West Drain near Ottawa Beach Road, Holland, Michigan. We received comments from you concerning the project.

We have issued a Department of Army permit for this project. This activity was judged not to be contrary to the overall public interest. We have also determined that there was sufficient information provided and a public hearing was not warranted. The decision of whether or not to issue a permit is dependent upon our evaluation of the project's probable impact upon the public interest and whether the expected benefits outweigh the detriments. After careful thought and thorough consideration of the record, including your comments, we determined that the project was not contrary to the overall public interest.

Comments received during the evaluation process concerned impacts to water quality in Lake Macatawa, wetlands, navigation, impacts to nearby blueberry farms, erosion, and impacts to drinking water from the contamination plume.

Our office completed a thorough review of each of these concerns, and after revisions to the original proposal by the applicant and special conditions placed on the permit, our office determined that the impacts on these public interest factors would be minor.

The applicant minimized impacts to wetlands by removing a large area of proposed wetland impacts along Ottawa Beach Road from the original proposal. Our Hydraulics and Hydrology Office reviewed the proposal and determined that the work is not expected to lower the water table in the vicinity of the blueberry farms, wetlands or nearby houses except in times of high groundwater. In addition, they determined that the drain is not likely to act as a conduit for contaminated sediments.

Special conditions were added to the permit to require silt curtains during dredging, upland disposal of dredged material, erosion control on uplands, and reseeding disturbed areas. In addition, dredging is prohibited from May 1 to June 30. We also required mitigation in the form of a conservation easement, and a maintenance plan for the bioswales.

These special conditions would minimize impacts to water quality, aquatic organisms, wildlife, wetlands, and conservation and overall ecology by limiting turbidity and erosion in the proposed work areas, prohibiting dredging during critical fish spawning periods, providing preservation of wetlands adjacent to the project area and Lake Macatawa, and ensuring that the
sediments are removed from the bioswales, thus optimizing their effectiveness regarding water filtration and ground water recharge.

Further, all Department of Army Permits state that (1) "This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law" and (2) "This permit does not grant any property rights or exclusive privileges."

Thank you for expressing your concerns. Any further questions should be addressed to James Luke at the above address, by E-Mail at James.D.Luke@usace.army.mil, or by telephone at 313-226-3396. In all communications, please refer to File Number LRE-2012-00124-51-S12.

Sincerely,

[Signature]

John Konik
Chief, Regulatory Office
Engineering & Technical Services