

Appendix J: Summary of Public Comments and Trustee Responses

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This appendix summarizes the written and verbal public comments by topic and provides the response of the Trustees to each issue. A copy of the written public comments is provided in Appendix K.

Support for Proposed Projects

One commenter noted that the recommended project ideas are all worthy projects that will ultimately improve the Kalamazoo River and its surrounding communities. None of the commenters expressed any concerns with the proposed preferred projects.

Trustee Response:

The Trustees appreciate the positive comment and have selected all of the proposed preferred projects that were described in the Draft DARP/EA.

Battle Creek Concrete Channel Restoration

One commenter urged the Trustees to include the removal of the channelized portion of the Kalamazoo River within the City of Battle Creek in this NRDA process as well as for an NRDA that is currently being conducted for the Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site that is downstream of the portion of the Kalamazoo River that was impacted by the discharges of oil from the Enbridge Line 6B. This latter NRDA is referred to as the PCB NRDA in the comment. The commenter suggested that funding from the Enbridge NRDA settlement be used to fund a full hydrology study of the system and that the PCB NRDA could be used toward removal of the concrete channel. This commenter described the project in some detail in an attachment to her comment. An additional 33 commenters expressed support for this comment.

Trustee Response:

The Trustees have carefully reviewed this proposed project and have expanded their description of this project in the Final DARP/EA (Section 4.9.1). The Trustees agree that this project could provide significant benefits to natural resources in-stream and along a restored riparian corridor, if feasible, and have shared this suggestion and the information provided with the Trustees for the PCB NRDA. Because the Trustees can provide benefits to natural resources to compensate for the losses through the other proposed preferred projects at a lower cost, the Trustees did not select the Battle Creek concrete channel restoration project at this time.

Additional Restoration Suggestions

In addition to supporting the Battle Creek concrete channel restoration, one commenter suggested additional ideas for locations where land could be purchased to expand or create riparian parks and where paddling park features could be added in the Battle Creek area, including removing a low head dam at the Washington Ave Bridge and replacing it with a white water paddling feature.

Trustee Response:

By accepting as restoration the creation and expansion of riparian parks that Enbridge has already completed, the Trustees believe that the public has been fully compensated for interim recreational lost use of natural resources.

Proposed Penalties

One commenter stated that the proposed penalties for Enbridge were “grossly insufficient”.

Trustee Response:

NRDA is a compensatory process, not punitive. Penalties for Enbridge are being addressed under different authorities.