



THE BAY CITY TIMES

Too-fast forward: Saginaw River dredgings dump repeats mistakes of the past

Sunday, December 17, 2006

By **TERRY R. MILLER**

When do we learn?

As I attended a variety of environmental meetings this month, once more it struck me how infrequently we learn from the past, despite all of the admonitions.

While various stakeholders pursue federal cleanup dollars for the Great Lakes; funds for the Kawkawlin watershed; projects that enhance coastal wetlands; and the Dow cleanup - all sincere and important efforts to address decades of disregard for our river and bay - we continue to violate the very procedures meant to prevent future problems.

Anyone who has lived in the Tri-Cities for more than five years knows by now of how idiotic the placement of a landfill in the Middlegrounds was; how dumb it was allowing Hartley and Hartley to bury hazardous waste, radioactive thorium and place an incinerator in the largest marsh in Michigan; and the failed corporate decision to discharge dioxin into the Tittabawassee River.

The conventional wisdom excuses these examples by the comforting nostrum: "We didn't know better back then." I think that's hogwash.

I believe either profit or expediency is closer to the mark, perhaps both.

Today, front page stories in The Times have dramatized the outcome of declining water levels, errant winds, and a silt-filled Saginaw River - stuck ships.

Lone Tree Council recognizes the problem, sympathizes with upstream businesses and supports the dredging of the Saginaw River. But we also believe the past practice of expediency should not govern the search for an appropriate site to deposit the spoils.

For holding this unpopular position, we are made the scapegoats, the Luddites, the opponents of business by delaying the placement of dredge spoils in a slurry pit in Frankenlust Township. That accusation is neither true nor accurate.

Sadly, that is how we repeat the past.

The story of the dredge location may not be familiar to some readers, so in brief the sorry story goes like this. A group of "deciders," including the Saginaw County Public Works director, Jim Koski; the U.S. Army Corps of Engineers and the governor's office, were determined to address the problem of finding a site to dump dredge spoils. This was potentially controversial: Two previous efforts failed, and recent discoveries of elevated levels of Dow's dioxin in the river silt made the problem worse. Who would want this stuff in their back yard? The "search committee" made no effort to create a transparent process, and identified only three locations - an empty farm field in Buena Vista Township; a 400-acre corn field in Zilwaukee and Frankenlust Townships in a floodplain next to the Crow Island State Game Area and near a residential strip on the river; and an existing but only partially used General Motors landfill also on the river, a

brownfield.

Which did they choose? When I recently offered these options to students in a guest lecture at SVSU, they looked at me in puzzlement. "Is this some kind of trick question?"

Buena Vista was too far and thus too expensive to transport spoils, GM became reluctant to accept responsibility for Dow's dioxin, so the "deciders," rather than search for other alternatives or undergo negotiations with GM, picked the cornfield.

And once that fateful decision was made, what in the '60s we referred to as The Establishment took over. The Saginaw County Board of Commissioners accepted sponsorship and the chambers of commerce jumped on board; the governor's office gave its approval; the DEQ defended its safety; the Corps was pleased it had a site; and Mr. Koski, well, Mr. Koski did what he does best - set out to buy the land and start the digging.

Like the commitment to invade Iraq, once the decision was made, everyone fell in line. There were no independent voices on the Bay County Board of Commissioners - Democratic or Republican; nothing from the Bay County executive; and The Times applauded the choice. The same happened in Saginaw.

The residents who lived near the site were to be sacrificed for the greater good or worse - sued when they dared to try find out what was happening.

Proper evaluation of the site was subordinated to, yes, expediency - the need to quickly find a location. As a result, the normally cautious state Department of Environmental Quality provided a floodplain permit, despite the location being underwater in 1986, and a water certificate, despite no proposed water treatment. The Corps, instead of doing an Environmental Impact Statement (EIS), simply issued a self-serving Environmental Assessment (EA), which dismissed pages of U.S. Environmental Protection Agency concerns. Without a functional construction plan or an operation and management plan reviewed by the public or other agencies, Mr. Koski saw to it that good black dirt was excavated and removed - that is not good government or good public policy.

The affected communities, Zilwaukee and Frankenlust, resisted. So did the environmentalists. Things just didn't seem right, they were going too fast. In as much as all the traditional efforts at review were blocked, both groups sought the courts - to address zoning, water permits and environmental review. None of those actions to date, however, have impeded or impacted the construction of the site.

Most recently, the result of a Freedom of Information Act request by Lone Tree Council resulted in thousands of documents from the EPA, many disclosing alarm with the project and one pointing to negotiations with Dow and the Corps to use the site for a potential dioxin cleanup. Was this the plan all along?

When that memo became public, The Times, to its credit, weighed in opposition. And some Saginaw commissioners actually became concerned, going so far as to create a resolution banning Dow's use of the facility. Once more, however, the "deciders" went into defense mode and in a big affair at the Horizons Center assured the commissioners that the site was safe and secure; they were the experts. No elected officials challenged the "deciders," and at this point the resolution remains in limbo - that is group think or intimidation, it isn't good government.

The location for the slurry pit is a bad one, the process is a flawed one, and if Dow is allowed to use the site, it compounds the mounting errors to create a dangerous precedent and the potential for a Hartley and Hartley for the next generation.

It is a sad commentary that this tragedy is being fostered on our watershed by people who know our past. The public, and our river and bay, certainly deserve better.

- Terry R. Miller is chairman of the Lone Tree Council, Bay City.

©2006 Bay City Times

© 2006 Michigan Live. All Rights Reserved.