

**FINDING OF NO SIGNIFICANT IMPACT
CASPIAN TERN NESTING HABITAT MANAGEMENT
EAST SAND ISLAND, CLATSOP COUNTY, OREGON**

I find that the selected course of action, the *recommended plan*, will not significantly affect the quality of the human environment. The recommended plan is the No Action Alternative as described in the *Final Environmental Assessment, Caspian Tern Nesting Habitat Reduction on East Sand Island, Clatsop County, Oregon* (U.S. Army Corps of Engineers or Corps, March 2014) (hereafter EA) including the potential effects of the No Action Alternative.

In February 2014, the Corps issued the draft EA for public review. The EA proposed to reduce Caspian tern nesting acreage on East Sand Island in the Columbia River Estuary by 0.5 acre, from its current size of 1.58 acres to 1.08 acres. The Corps proposed the project because the number of nesting pairs on the island was estimated at over 7,000 in 2013 which, for the area provided, was more than twice that predicted by the 2005 *Caspian Tern Plan and Environmental Impact Statement* (EIS) developed by the Corps, U.S. Fish and Wildlife Service, and National Marine Fisheries Service (NMFS) and the 2006 Corps' Record of Decision. As a result, more than twice the number of juvenile salmonids listed under the Endangered Species Act (ESA) were consumed by nesting terns at the East Sand Island colony in 2013; approximately 4.7 million.

As part of a gradual nesting acreage reduction on East Sand Island in recent years in an effort to meet objectives of the Caspian Tern Plan and the Biological Opinion (BiOp) issued by NMFS for operation of the Federal Columbia River Power System (FCRPS) (2008/2010), nesting habitat has been created in the interior of Oregon and California at about a 2:1 ratio to compensate for acreage reductions made on East Sand Island and to establish a more dispersed population of Caspian terns (terns). Drought conditions in the interior in 2014, however, are creating undesirable nesting conditions for terns. This is resulting in "land-bridging" of islands where nesting colonies are located, which allows for access and nest predation by a variety of mammals and by poor foraging conditions for the terns created by low water. Failed nesting in the interior would likely result in these terns relocating to the mid-Columbia region and/or back to the estuary. The diets of these relocated terns would likely consist of a greater percentage of juvenile salmonids than terns in the vicinity of East Sand Island because of the increased scarcity of marine forage fish with distance upriver. For these reasons, the Corps proposes to pursue the No Action Alternative of maintaining the colony at 1.58 acres in 2014 in an effort to keep more terns in the lower estuary where juvenile salmonids represent less of a percentage of the diet than farther upriver. Reduction of the number of nesting pairs on East Sand Island and commensurate reduction in predation on Columbia Basin juvenile salmonids, however, remains a long-term goal of the Corps in accordance with the FCRPS BiOp.

While acknowledging the impacts discussed in the EA and outlined above, the Corps is required by the National Environmental Policy Act (NEPA) to make a determination of the significance of those impacts. A checklist of considerations that help in making the determination of whether impacts of a project rise to the level of *significantly affecting the quality of the human environment* is provided at 40 CFR 1508.27. Following is the checklist from (1) to (10).

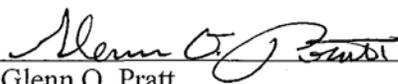
- (1) ***Significant impacts include both beneficial and harmful impacts:*** The No Action Alternative likely will result in less Caspian tern predation on Columbia Basin ESA-listed juvenile salmonids in 2014.
- (2) ***Public health and safety:*** The No Action Alternative will have no adverse impacts to public health and safety.

- (3) **Unique characteristics of geographical area:** No unique geographical characteristics of the area were identified. There will be no impacts or changes to the geographical characteristics of the area with the No Action Alternative.
- (4) **Are effects on the quality of the human environment controversial?:** Based on public input, there is interest in pursuing actions to benefit the Caspian tern population as well as pursuing actions to benefit Columbia Basin salmonids. The No Action Alternative is predicted to result in less predation on Columbia Basin juvenile salmonids compared to the Action Alternative, as described in the EA.
- (5) **Are the risks uncertain or unique?:** It is unknown as to how many Caspian terns will be present at East Sand Island in 2014, but the Corps estimates that there will not be substantially more than in 2013 because of low production of the colony since 2010.
- (6) **Future Precedents:** The action is not likely to establish a precedent for future actions with significant effects because this action is not unusual in and of itself, nor does it lead to any further actions that are unique.
- (7) **Cumulative Impacts:** The effects of the No Action Alternative have been considered along with other past, present and reasonably foreseeable future actions within and adjacent to the project area. The No Action Alternative will not result in any adverse cumulative impacts.
- (8) **National Register of Historic Places and Other Historical and Culturally Significant Places:** Bird management on East Sand Island was not adequately addressed under the National Historic Preservation Act (NHPA) in the past when it began over a decade ago. The Corps has determined that the No Action Alternative will result in a determination of 'no historic properties affected' under the NHPA. The Corps' Cultural Resources Team is coordinating with the Oregon State Historic Preservation Office (SHPO) and interested Tribes and will complete consultation until it has received SHPO concurrence.
- (9) **Endangered Species Act:** No ESA-listed species will be impacted by implementation of the No Action Alternative.
- (10) **Other Legal Requirements:** The No Action Alternative will not result in any violations of any federal, state, or local laws.

The EA and this Finding of No Significant Impact have listed all of the important considerations and their environmental impacts. These, both individually and cumulatively, are not *significant* as *significant* has been defined by NEPA regulations and case law.

Based upon the EA prepared for this project and the information included in this document, I have determined that selecting and implementing the No Action Alternative in 2014 will not significantly affect the quality of the human environment and that an Environmental Impact Statement is not required.

Date: 21 MARCH 2014

Signed: 
Glenn O. Pratt
Lieutenant Colonel, Corps of Engineers
District Commander