United States Department of the Interior

FISH AND WILDLIFE SERVICE

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Ms. Joyce E. Casey
Chief, Environmental Resources Branch
Portland District, Corps of Engineers
P.O. Box 2946
Portland, Oregon 97208-2946

Subject: Major Rehabilitation of the Jetty System at the Mouth of the Columbia River Navigation Channel, Clatsop County Oregon and Pacific County, Washington (USFWS Number: 13420-2011-I-0082)

Dear Ms. Casey:

This is in response to your letter received on February 8, 2011, transmitting a Biological Assessment (BA) and request for concurrence on the proposed rehabilitation of the North and South Jetties and Jetty A at the mouth of the Columbia River (MCR) navigation channel, Clatsop County Oregon and Pacific County, Washington. Of interest to the Fish and Wildlife Service (Service) is your evaluation of the impacts to listed bull trout (*Salvelinus confluentus*) and critical habitat, marbled murrelet (*Brachyramphus marmoratus*), and western snowy plover (*Charadrius alexandrinus nivosus*). The BA submitted for this proposed action includes your determination that the proposed action "may affect but is not likely to adversely affect" the above species and critical habitat. Our review and comments regarding these determinations are provided pursuant to section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1536 et seq.).

Consultation History

The Service has coordinated with the Corps on this evolving preferred alternative since 2005. Previously, the Corps submitted an earlier version of this BA proposing a larger jetty rebuild. That BA was withdrawn in January of 2008 due to significant changes in the proposed action. On February 10, 2010, the Service sent comments to the Corps based on a revised environmental assessment (CENWP-PM-E-10-03) received in our office January 14, 2010. The current proposal constitutes a new proposed action with a smaller project footprint and was determined to be the preferred alternative.

Proposed Action

The North and South Jetties and Jetty A have badly deteriorated areas where degradation has accelerated in recent years due to increased storm activity and loss of sand shoal material upon which the jetties are constructed. The purpose of this proposal is to perform modifications and repairs to the jetties at the mouth of the Columbia River that would strengthen the jetty structures, extend their functional life, and maintain deep-draft navigation. Scheduled repairs addressing the existing loss of cross sections and the addition of engineering features designed to minimize future cross section instability are planned. New groins will be constructed primarily on existing relic stone and the head capping will be placed on relic as well as jetty stone that is above MLLW. An armor stone cap of stone or equivalent concrete armor will be placed on the head the jetties. Detailed descriptions of the repair schedule, placement, and rock tonnage are provided in the BA and are incorporated here by reference.

The proposed jetty repair would be conducted by marine and/or land access activities which would include stone placement from both land and water. This includes the construction of haul roads and access ramps, placement of mooring dolphins for barges delivering stone to the jetties, and construction of equipment and rock storage areas. Placement by water could occur via the use of a jack-up barge on the South Jetty, and regular dredging and disposal of infill is expected to occur at off-loading facilities. The duration of the construction schedule is 20 years, with a 50-year operational lifetime for the MCR jetty system. Jetty rehabilitation work would occur throughout the year, where weather and other conditions allow for safe operation.

Conclusion

Based upon the information in the biological assessment, we concur with your determination that the proposed action **"may affect but is not likely to adversely affect"** bull trout and proposed critical habitat for the following reasons: 1) it is unlikely bull trout will be within the action area; and 2) the primary constituent elements of critical habitat are not likely to be degraded to an extent that is measureable or permanent.

Based upon the information in the biological assessment, we concur with your determination that the proposed action **"may affect but is not likely to adversely affect"** marbled murrelet for the following reasons: 1) conservation measures will be implemented to reduce potential noise disturbance by haul trucks through nesting habitat at Cape Disappointment State Park; 2) abundant foraging habitat is available adjacent to the activity and any disturbance would be minor and temporary; and 3) effects to prey resources would be temporary and would not impact resources known to be limiting factors to murrelet populations.

Based upon the information in the biological assessment, we concur with your determination that the proposed action **"may affect but is not likely to adversely affect"** the western snowy plover because it is unlikely to occur within the action area, and therefore exposure to effects of the proposed action is low.

Conservation Recommendations

Section 7(a)(1) of the Act directs Federal agencies to utilize their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, and to help implement recovery plans or to develop information. The Service recommends that the following conservation measures be implemented as a means of furthering the conservation of western snowy plovers:

1. The construction activities are proposed in the vicinity of areas known to have historical winter and breeding snowy plover populations, and are directly adjacent to the Columbia River South Jetty Snowy Plover Management Area (SPMA). During this 20-year project timeframe, the Oregon Park and Recreation Department (OPRD) will be implementing a management plan for plovers within the SPMA to restore sufficient habitat for snowy plover nesting and brood rearing to occur, reduce the amount of predators present, and keep human disturbance to a minimum. If snowy plovers attempt to nest adjacent to this activity, they could experience disturbance effects. Therefore, the Corps should survey for plover presence during the nesting season (March 15 through September 15) in areas of suitable habitat. This will help determine if snowy plovers are nesting in any given year during the life of this project. Surveys should be conducted with the Service Breeding Window Survey Protocol and coordinated with OPRD and the Service. Monitoring of plovers should be conducted a minimum of once every two weeks during the nesting season. Nesting surveys could cease after July 15, if plovers are not observed. Should plovers be observed, the Corps should immediately contact the Service and determine the next steps.

2. The Corps should consider using the heavy equipment that will already be in place at the south jetty staging area to restore and enhance nesting habitat on Clatsop Spit by removing European beach grass (*Ammophila arenaria*) or other invasive species. This area has been identified as a SPMA and is an important area for restoration of suitable habitat under the Oregon State Parks Habitat Conservation Plan for the western snowy plover.

3. The Corps should work with the OPRD to identify and prioritize specific areas for habitat creation. The Corps should consider the beneficial use of dredging material from the off-loading facilities to cover and eliminate European beach grass, especially if there is an opportunity for dune augmentation at the SPMA.

4. All garbage should be contained or removed regularly from the project site to minimize the risk of attracting additional predators, such as corvids, to the area.

If you have any questions or need more information, please Kathy Roberts of my staff at (503) 231-6179.

Sincerely,

for Paul Henson, PhD
State Supervisor