

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Columbia River Federal Navigation Channel Operations and Maintenance Dredging and Dredged Material Placement Network Update Rice Island Shoreline Placement and Howard Island In-Water Dredged Material Rehandling Site (Sump) Army Corps of Engineers, Portland District**

I find the proposed action, as described in the environmental assessment (EA) for “*Columbia River Federal Navigation Channel Operations and Maintenance Dredging and Dredged Material Placement Network Update Rice Island Shoreline Placement and Howard Island In-Water Dredged Material Rehandling Site (Sump)*”, will not significantly affect the quality of the human environment and that an environmental impact statement is not required. The EA was prepared by the Corps of Engineers, Portland District.

#### **PROJECT PURPOSE AND NEED**

The purpose of these actions is to improve dredged material placement network function to accommodate dredging activities intended to maintain the Columbia River Federal Navigation Channel (CR FNC) at the requisite depth for safe passage of shipping traffic.

The need for the proposed actions is to ensure safe and reliable passage of shipping traffic along the CR FNC by supplementing the dredge material placement network, which is nearing capacity. The actions are also needed to prevent further erosion of the Rice Island placement site, and to facilitate efficient movement of dredged material to the Howard Island upland placement site.

#### **BACKGROUND**

Periodically, new placement sites need to be added to the Columbia River dredge material placement Network. Placement activities at existing sites may also need to be modified to accommodate dredging needs and/or adapt to changing conditions, which is the case for the proposed activities addressed in the EA. The two dredge material placement actions (shoreline placement at Rice Island and dredging a sump near Howard Island), covered under this analysis, are considered minor modifications to the existing Network that would help maintain the balanced approach the Corps employs for planning dredged material placement along the CR FNC.

The proposed actions (shoreline placement at Rice Island and creating a sump off Howard Island) would occur on the eastern shoreline of Rice Island (46.25436°N, -123.68909°W) and on the CR FNC side of Howard Island between RM 68 and 69 (46.08685°N, -122.91473°W). Rice Island straddles the Washington/Oregon state line; however, placement activity would take place only on the Washington side of the island. Howard Island is located in the State of Washington; however, the proposed sump is located on the opposite side of the FNC in the State of Oregon. The sump is commonly referred to as the “Howard Island sump” to provide an approximate river

location, and because material placed temporarily at the sump will ultimately be dredged and pumped onto the existing Howard Island upland placement site.

## **PROPOSED ACTION**

### *Rice Island Shoreline Placement*

The Corps intends to place approximately 375,000 cubic yards (CY) of fill on the upstream end of Rice Island (all in Washington) to restore the shoreline footprint of the upland site. As placed material is eroded away by natural processes, shoreline placement will continue to be conducted periodically to protect the integrity of the upland site. The total area covered by the fill material is expected to be approximately three acres. The effects of shoreline placement at Rice Island, including the benefits, are consistent with existing shoreline placement actions in the Columbia River estuary.

### *Howard Island Sump*

The Corps intends to create a sump off of Howard Island. The Howard Island sump will be created in the flowlane outside the navigation channel where depths generally range from 30-52 ft. The addition of a 30-40 acre sump capable of storing 400,000 cubic yards (CY) of material would improve efficiency of placing material upland and improve overall channel maintenance.

## **PUBLIC AND AGENCY INVOLVEMENT**

Environmental coordination with permitting agencies and stakeholders has been ongoing throughout the project development. The agencies and stakeholders have been invited to comment on the actions and aid in determining effects of the project on fish and wildlife species. Specific actions are outlined below.

The U.S. Fish and Wildlife service was engaged in the Endangered Species Act consultation process via phone call on May 5, 2015, where the Service concurred with the Corps' determination that the effects on bull trout and streaked horned larks are covered under previous biological opinions, the findings of which would not change under the proposed action. This consultation was documented in a memorandum to the file dated May 20, 2015. The National Marine Fisheries Service (NOAA Fisheries) was engaged in the ESA consultation process as well via phone call on May 21, 2015, and via e-mail on May 22, 2015. In a July 16, 2015, e-mail, NOAA Fisheries concurred with the Corps' determination that the proposed action would have no effects on ESA-listed species not already covered under previous biological opinions.

The states of Oregon and Washington were involved in the environmental compliance process associated with this project. On May 22, 2015, the Corps engaged the Oregon Department of Environmental Quality (DEQ) in the water quality certification process by submitting an application to amend the current water quality certification for CR FNC O&M activities on May 27, 2015. On July 31, 2015, DEQ issued a public notice for issuance of a water quality certification amendment to the Corps, and the amended certification was received by the Corps on September 8, 2015. Washington Department of Ecology (DOE) was sent a Coastal Zone Management Act (CZMA) determination concurrence request and a water quality certification amendment request on May 22, 2015. The DOE water quality certification amendment was

received by the Corps on July 15, 2015, and no response was received during the 60-day CZMA review period; therefore, concurrence is presumed.

Tribes with interest in the affected area were notified of the proposed project via letter sent on June 3, 2015. Formal government-to-government consultation was not requested. On August 7, 2015, the Corps issued a public notice to media outlets on the Portland District Web page announcing the opening of a 30-day comment period on the EA. On August 10, 2015, the Corps sent an e-mail to interested parties notifying them of the availability of the EA for public comment. One comment was received from the Oregon State Historic Preservation Office. A summary of the comment and the Corps' response can be found in Section 8.1 of the EA.

### **ENVIRONMENTAL EFFECTS**

The EA covers many environmental issues including: water quality (Section 6.9); hydrology (Section 6.10); fish and wildlife (Sections 6.3); federally listed threatened and endangered species (Section 6.4); cultural resources (Section 6.12); socio-economic resources (Section 6.13); and cumulative impacts (Section 6.16). The following summarizes the environmental compliance activities of the leading issues.

#### *Biological Impacts*

The material placed on the Rice Island shoreline may develop into useful forage areas for streaked horned larks. Additionally, the new shoreline edge and its associated shallow water habitat would be available for use by aquatic species after placement and the action would restore shallow water habitat on the eastern end of the island to its prior location in the river. Rice Island would continue to function as a training structure to stabilize the navigation channel in this reach and minimize dredging needs. Dredging and placement of dredged material in the Howard Island sump may temporarily disrupt the deepwater aquatic habitat during and immediately after work; however, no significant direct or indirect impacts on the biological environment are expected.

#### *ESA-Listed Species Impacts*

The minor direct and indirect effects from shoreline placement at Rice Island are within the range of effects considered in the NOAA Fisheries 2012 Biological Opinion. The Corps consulted with NOAA Fisheries and on July 16, 2015, NOAA Fisheries determined the proposed action does not alter the effects conclusions outlined in the 2012 Biological Opinion for the CR FNC O&M Program. Temporary effects to listed species during placement and removal of dredged materials of the sump are expected to dissipate quickly once work is completed. Like shoreline placement at Rice Island, the direct and indirect affects on ESA-listed fish species are also within the range of effects considered in the NOAA Fisheries 2012 Biological Opinion. NOAA Fisheries concurred with this determination on July 16, 2015.

The effects of shoreline placement including construction activities at Rice Island on streaked horned larks are addressed in the 2014 ESA consultation with USFWS, which is hereby incorporated by reference. The anticipated direct and indirect effects on bull trout that may result from dredging at the Howard Island sump were previously addressed in the 2010 informal

ESA consultation with the USFWS. Shoreline placement at Rice Island and using the Howard Island sump are not likely to adversely affect USFWS ESA-listed species or designated critical habitat.

### *Water Quality*

Placement of dredged material on the Rice Island would increase turbidity at the water/shore interface zone as sediment is placed both directly into the shore and/or subsequently moved by earth-moving equipment into the water to create the shoreline profile. There may be a temporary and localized reduction in water quality during dredging operations at the Howard Island sump. These impacts would be minor and temporary in nature, and would cease once dredging/placement is completed. Current water quality certifications have been updated to include the Rice Island shoreline placement activity and the Howard Island sump.

### **FINAL DETERMINATION**

**Authority:** Congress authorized CR FNC projects through various Rivers and Harbors Acts (RHA), the earliest one being enacted in 1878. The RHAs gave way to the Water Resources Development Acts (WRDA) starting in 1973. Maintenance dredging and in-water placement of dredged sediments to maintain authorized navigation channels is conducted under the provisions of Sections 102 and 103 of the Marine Protection, Research and Sanctuaries Act of 1972, Sections 401 and 404 of the Clean Water Act of 1977, and in accordance with regulations at 33 Code of Federal Regulations (CFR) parts 335 through 338 (“Operation and Maintenance of Army Corps of Engineers Civil Works Projects Involving Discharge of Dredged or Fill Material into Waters of the U.S. or Ocean Waters” and affiliated procedures, etc).

The Corps is required by the National Environmental Policy Act to determine if the impacts of the selected alternative are significant. 40 CFR 1508.27 lists ten tests of significance, whether impacts rise to the level of “significantly affecting the human environment.” Following are the ten tests from (1) to (10):

- 1) Impacts that may be both beneficial and adverse: Shoreline placement at Rice Island may benefit streaked horned larks by creating a larger forage area on the eastern end of the island (Section 6.4). Localized increased turbidity due to placement and dredging activities may cause temporary adverse impacts on aquatic species and habitat in the vicinity of the project. However, those impacts are likely to be short-lived as the construction activity is temporary in nature (Section 6.9). Neither the beneficial, nor the adverse impacts, discussed in the EA are expected to be significant.
- 2) The Degree to which the Action Affects Public Health and Safety: Public health and safety would not be adversely affected by these actions. Dredge material placement and dredging work is performed by Corps contractors who are required to adhere to strict safety measures while working (Section 6.16). The general public is not allowed to enter the construction site while dredging operations are underway or while material placement activities are taking place.

- 3) Unique Characteristics of Geographical Area: As discussed in Chapter 5 of the EA, the project area is located within the Columbia River. Rice Island, though frequently used as a placement site, is habitat for approximately 50% of the streaked horned lark population in the lower Columbia River Estuary. Shoreline placement at the island is part of a five year placement plan in the estuary to place dredge material in strategic locations that will ensure suitable habitat is available for streaked horned larks. The sump is located entirely within an anchorage area designated by the U.S. Coast Guard and upstream of a stern anchor buoy for deep draft vessels. Ongoing coordination with the Columbia River Pilots will ensure that sump operations are compatible with anchorage operations.
- 4) Highly Controversial Effects on the Quality of the Human Environment: The effects of the proposed actions are not controversial. No Congressional interest is associated with the project, nor has there been substantial public or Tribal interest in the project.
- 5) Highly Uncertain, Unique, or Unknown Risks: Updating the dredge material placement Network, as proposed in the EA, is considered routine activity that has predictable outcomes. No portion of the project is associated with highly uncertain, unique, or unknown risks. Shoreline placement at Rice Island will rebuild the shoreline to its former footprint, and dredging the Howard Island sump will increase efficiency of dredging operations in the area.
- 6) Future Precedents: The actions and associated impacts described in the EA are considered minor modifications to the dredge material placement Network and routine in nature. Neither shoreline placement at Rice Island, nor dredging a sump off of Howard Island, would set a precedent for future actions undertaken by the Corps. Both types of actions typically take place within the CR on an annual basis and nothing related to the two new actions would deviate from methods, timing, or impacts associated with previous activities of a similar nature.
- 7) Significant Cumulative Impacts: The impacts analysis for the proposed actions presented in the EA did not reveal significant cumulative impacts (Section 6.17). Adding shoreline placement on Rice Island and dredging a sump off Howard Island are not likely to result in significant cumulative impacts when combined with the impacts of other past, present, and future actions. Several other actions are taking place and/or scheduled to take place within the CR FNC; however, none of them is associated with individual impacts that would result in significant cumulative impacts when combined with other actions.
- 8) National Register of Historic Places (NRHP) and Other Historical and Culturally Significant Places: Rice Island is a manmade island formed from dredge material placements. No cultural resources are located on Rice Island. No human habitation or other use of the island with the exception of dredge disposal has occurred. Therefore, using the eastern shoreline for material placement does not have the potential to cause direct or indirect effect on cultural resources. Multi-beam bathymetry data taken in July 2014, and reviewed by Corps cultural resources staff, revealed no anomalies on the river bottom at the proposed Howard sump location. There is no potential for historic properties, particularly shipwrecks or related material, eligible for listing to the NRHP to

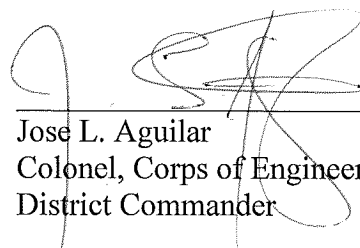
exist. Due to these conditions, dredging the sump off Howard Island has no potential to effect cultural resources (Section 6.12).

- 9) Endangered or Threatened Species or Critical Habitat: As discussed above and in the Section 6.4 of the EA, potential impacts on ESA-listed species are not expected to be significant. The direct and indirect effects of this project on ESA-listed fish species are within the range of effects considered in the NOAA Fisheries 2012 Biological Opinion. NOAA Fisheries concurred with this determination in an e-mail dated July 16, 2015. The anticipated direct and indirect effects on USFWS ESA-listed species, that may result from shoreline placement at Rice Island and dredging at the Howard Island sump were previously addressed in the 2010 informal ESA consultation with the USFWS (bull trout), and the 2014 formal consultation (streaked horned larks). The project is not likely to adversely affect USFWS species or designated critical habitat and the direct and indirect effects of this project on USFWS ESA-listed species are within the range of effects considered in the 2014 and 2010 ESA consultations. This determination was confirmed with USFWS on May 5, 2015, and recorded in a memorandum to the file dated May 20, 2015.
- 10) Other Legal Requirements: Discussion of compliance with applicable environmental laws or requirements is identified in the EA. This project will not violate any environmental laws and regulations.

### CONCLUSION

Based upon the impacts analysis contained in the subject EA and the information discussed above, I have determined that the proposed actions to add shoreline placement at Rice Island and dredge a sump off Howard Island would not have a significant effect on the human environment; therefore, do not require the preparation of an EIS.

Date: 2015 04 08

  
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District Commander