



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

Refer to:
2001/01414

December 19, 2003

Robert E. Willis
Chief, Environmental Resources Branch
Department of the Army
Corps of Engineers, Portland District
PO Box Portland, OR 97208-2946

Re: Requested Coordination on Project Modifications to the Miller-Pillar, Lois Island Embayment, and Martin Island Embayment Projects Included in the Columbia River Channel Improvement Project

The National Marine Fisheries Service (NOAA Fisheries) is responding to your November 13, 2003, letter requesting our written concurrence that project modifications to the restoration actions in the Columbia River Channel Improvement Project (CRCIP) biological opinion do not require reinitiation of formal consultation under section 7 of the Endangered Species Act (ESA). Formal consultation was completed on the CRCIP on May 20, 2002. The project modifications discussed in your letter were based on the states of Oregon and Washington Coastal Zone Management Act (CZMA) and Clean Water Act 401 Water Quality Certification (401 Certification) reviews. The projects being affected are the Miller-Pillar, Lois Island embayment, and Martin Island embayment projects.

The Miller-Pillar and Lois Island embayment ecosystem restoration features were proposed as ESA section 7(a)(1) projects by the Army Corps of Engineers (Corps). As part of the CRCIP, the Corps proposed to use its authorities to further conservation of ESA-listed anadromous fish in the lower Columbia River. These ecosystem restoration features were not proposed or required as mitigation for impacts from the CRCIP to those ESA-listed species. The potential effects of the Miller-Pillar and Lois Island embayment ecosystem restoration features were analyzed and accounted for in our May 20, 2002, biological opinion.

Concerning the Lois Island embayment ecosystem restoration feature in particular, NOAA Fisheries suggests that this project be placed on hold until further information becomes available regarding future funding for the Tongue Point Select Area Fishery. We have also previously commented to the Corps in a letter dated July 9, 2003, about our agency's concerns over the currently proposed location and use of the deep water ocean disposal site from the standpoint of essential fish habitat. Our agency still believes that the Lois Island embayment ecosystem restoration feature constitutes a viable restoration alternative for the beneficial use of these dredged disposal materials in lieu of their placement in the deep water ocean disposal site.

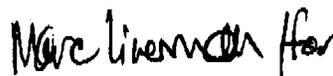


The Martin Island embayment project was designed to mitigate for wildlife habitat loss due to upland dredge material disposal. The Corps proposed creating tidal marsh habitat that, in addition to benefitting certain wildlife species, would also benefit ESA-listed anadromous fish. The potential effects of this wildlife mitigation project was also analyzed and accounted for in our May 20, 2002, biological opinion.

In conclusion, NOAA Fisheries concurs that the described changes to the Miller-Pillar, Lois Island embayment, and the Martin Island projects do not constitute a need to reinstate formal consultation on the CRCIP. We base our decision on the information provided to us in your November 13, 2003, letter and the affects analysis we presented in our May 20, 2002, biological opinion for the CRCIP.

Thank you for your continued coordination on the CRCIP. If you have any questions, please contact Ms. Cathy Tortorici, Project Manager, of my staff at 503.231.6268.

Sincerely,



D. Robert Lohn
Regional Administrator

cc: Kemper McMaster, FWS