

memorandum

DATE: September 21, 2005

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-192-A2)

TO: Ben Zelinsky
Fish and Wildlife Project Manager – KEWL-4

Proposed Action: Blind Slough Restoration Project – Addendum #2

Project No: 2003-015-00

Watershed Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Watershed Management Program EIS): 1.0 Channel Modification Techniques; 1.13 Culvert Removal/Replacement; 1.17 Rearing Habitat Enhancements.

Location: Clatsop County, Oregon, about 3 miles northeast of Knappa and 17 miles east of Astoria near the community of Brownsmead.

Proposed by: This project is a joint effort among Columbia River Estuary Study Taskforce (CREST), Clatsop Diking Improvement Company No. 7, U.S Army Corps of Engineers Portland District, Bonneville Power Administration, U.S. Fish and Wildlife Service, Lower Columbia River Estuary Partnership, Northwest Power Planning Council, Nicolai Wickiup Watershed Council, North Coast Watershed Association, and Sea Resources Watershed Learning Center.

Description of the Proposed Action: This project proposes to restore tidal connection between the Columbia River Estuary and Blind Slough through the replacement and/or installation of culverts, installation of water control devices, breaching of dikes, and channel enhancement. These enhancements would restore connectivity to approximately ten (10) miles of slough channels previously isolated from tidal influence due to dikes, road crossings, and constrained culverts.

This phase of the project covered under this supplement analysis includes installation of culverts, data collection, post-restoration monitoring, and report writing, the elements of which are listed below:

- Leino Lane Site (Action Item #5 in Environmental Assessment (EA)) – Breech existing roadfill and install two 60-inch (80 feet long) culverts at Leino Lane.
- Private Road Site (Action Item #4 in EA) – Breech existing roadfill and install one 48-inch culvert (60 feet long) at Leino Lane.
- Collect water quality data including temperature, salinity, dissolved oxygen, and depth at selected sites along Blind Slough.
- Collect fish presence/absence and relative abundance data through both beach and purse seining techniques.
- Collect elevation data from up to eight surface water gauges throughout Blind Slough.
- Produce and submit scientific findings report and other quarterly reports.
- Manage and administer projects.

Analysis: The compliance checklist for this project was completed by Matt Van Ess and Allan Whiting of CREST, and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

On October 1, 2001, the Corps of Engineers requested informal consultation with the USFWS, as required on the Endangered Species Act. The Biological Assessment prepared by the Corps identified federally listed species that may occur within the proposed project area; Columbian white-tailed deer, marbled murrelet, bald eagle, northern spotted owl, and *Howellia*.

The Corps concluded that the proposed action was not likely to adversely affect the bald eagle; restoring and improving access to salmonids within the sloughs may provide greater foraging opportunities for eagles. Also, no significant impact on Columbia white-tailed deer is expected. Marbled murrelets, northern spotted owls and *Howellia* are expected to be unaffected by the project. Concurrence was received from USFWS on January 16, 2003.

On June 10, 2003, the Corps requested formal consultation with NOAA Fisheries. The Corps determined in the BA that the proposed action was likely to adversely affect twelve species of ESA-listed salmonid fishes. Also, the proposed project may adversely affect designated Essential Fish Habitat (EFH).

NOAA Fisheries prepared a Biological Opinion issued on December 22, 2003 (see enclosed BO). They concluded that the proposed action is not likely to jeopardize the continued existence of twelve species of ESA-listed salmonid fishes, or destroy or adversely modify their designated critical habitat. As required by section 7 of the ESA, NOAA Fisheries included reasonable and prudent measures with nondiscretionary terms and conditions that are necessary to minimize the impact of incidental take associated with this action. These measures will be implemented.

NOAA Fisheries also concluded that the proposed action may adversely affect designated EFH for Pacific salmon, groundfish, and coastal pelagic species. They included conservation recommendations, which they believe will avoid, minimize, mitigate, or otherwise offset adverse effects on EFH.

Bert Rader, Portland District cultural resources team leader, reviewed the EA and all available data for the area and found that no historic properties have been recorded in the area. The closest cultural resource survey was conducted along the Columbia River shoreline by Allen Cox and Robert Wenger (1979) as reported in *A Survey for Archaeological Resources Along the Columbia River in Columbia County, Oregon*. This survey concentrated along the shoreline and as most of the interior lands are in private ownership, it is unlikely that there would have been any additional surveys to review.

The Corps concluded that the constructed portions of the dikes and plug are 10 to 15 feet thick or greater underneath the roads and extend below the present waterline. Installing larger culverts and tidegates in fill are not likely to affect any intact cultural resources. This conclusion applied to all actions proposed in the EA except for action items 3 and 4. The Corps concluded that these items would need to be re-evaluated for a survey at the time they are initiated. The Oregon State Historic Preservation Office concurred with this determination on June 17, 2003. The Private Road Site, included for analysis in this SA, is action item 4 in the EA. On October 6, 2003, the USFWS, under a Programmatic Agreement with the Oregon State Historic Preservation Office, evaluated action item 4 for potential impact to cultural resources and concluded that they did not anticipate affect or impact to cultural resources. This determination was reported to the SHPO in their FY2003 annual report, submitted in late 2003.

Section 401 water quality certification was received from DEQ on March 8, 2004 with conditions (see enclosed letter). All conditions will be met. The Corps verified that the project is authorized under the terms and limitations of Nationwide Permit No. 27 (Stream and Wetland Restoration Activities) and

No. 33 (Temporary Construction, Access, and Dewatering). All project activities will be conducted in accordance with the conditions found in Regional Conditions and General Conditions and specific conditions included in their letter of January 26, 2004 (see enclosed letter).

The Corps completed an EA/FONSI for the project, which included a public comment period. Newspaper articles informed the public in the affected area of the opportunity to comment on the EA. CREST kept the local community informed about the project through informal discussions, CREST council meetings, and Nicolai Wickiup Watershed Council meetings. Comments from the public both through the EA process and through informal contacts have been very supportive of project implementation and monitoring.

Coordination continues to occur amongst the affected parties including CREST, Clatsop County Diking Improvement Company No. 7, Clatsop County Planning Department, Nikolai-Wickiup Watershed Council, various State agencies Lower Columbia River Estuary Partnership, Sea Resources Watershed Education Center, Clatsop Soil Water Conservation Service, NOAA Fisheries-Hammond Laboratory, USFWS, Portland District Corps of Engineers, and local governments.

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Nancy A. Wittpenn

Nancy A. Wittpenn

Environmental Protection Specialist – KEC-4

CONCUR:

/s/ Katherine S. Pierce

Katherine S. Pierce

NEPA Compliance Officer – KEC-4

DATE: September 26, 2005

Documents on File:

Attachments included in Blind Slough Restoration Project Supplement Analysis dated 7/9/04

NEPA Compliance Checklist for Watershed Management Projects

Environmental Assessment/FONSI Brownsmead Section 1135 Habitat Restoration Project

Endangered Species Act – Section 7 Consultation Biological Opinion

Water Quality Certification, letter dated 3/8/04

Section 404 authorization letter dated 1/26/04

cc:

Mr. Allan Whiting, Columbia River Estuary Study Taskforce