



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Idaho Fish and Wildlife Office

Northern Idaho Field Office

11103 East Montgomery Drive
Spokane Valley, Washington 99206



File

July 17, 2012

Evan Lewis
Chief, Environmental and Cultural Resource Branch
Department of the Army
Seattle District, Corps of Engineers
Seattle, Washington 98124

Subject: Section 7 Consultation for the City of Bonners Ferry Levee Repair Project
(FWS Ref: 01EIFW00-2012-I-0286; CONS 100-(a))

Dear Mr. Lewis:

This responds to your June 5, 2012, letter referencing the Biological Assessment (BA) for initiation of consultation for the City of Bonners Ferry Levee Repair Project (Project). Specifically, the U.S. Army Corps of Engineers (COE) is completing consultation for levee repair work that was conducted during an emergency flood event that occurred May and June 2011, and which is the subject of an emergency consultation initiated by the COE on May 21, 2011, under emergency consultation provisions of the Endangered Species Act of 1973, as amended (Act). Additionally, the COE is initiating consultation for levee repair work to be completed September 2012, which will take place on the Kootenai River in Boundary County at Township 62 North, Range 1 East, Section 28, Boise Meridian, Idaho. We understand that the COE is requesting initiation of consultation to address potential effects of Project implementation upon bull trout (*Salvelinus confluentus*) and its designated critical habitat, as well as Kootenai River white sturgeon (*Acipenser transmontanus*; white sturgeon) and its designated critical habitat. Your letter was received in our office June 11, 2012, and requested U.S. Fish and Wildlife Service (Service) concurrence with your determination of effect for bull trout, designated bull trout critical habitat, white sturgeon, and designated white sturgeon critical habitat.

Emergency Consultation

In late May 2011, emergency actions were taken in four locations as a result of an extended period of high water. Emergency actions were taken to stop ongoing erosion and scour of levees and overbank flooding. A total length of 1,134 feet of riverbank was stabilized. The following provides a brief description of the treatments applied to stabilize specific sections of riverbank:

- 623 linear feet (lf) of scour protection was placed along the left bank levee downstream of the City. Approximately 9,840 tons of riprap was placed along this reach of the levee.
- 206 lf of scour protection was placed on the left bank near Ambush Rock. Approximately 3,250 tons of riprap was placed along this reach of the levee.

- 138 lf of scour protection was placed along the right bank at the upstream end of the City of Bonners Ferry right bank levee. Approximately 2,180 tons of riprap was placed along this reach of the levee.
- 167 lf of scour protection was placed on the cutoff levee upstream of town on the left bank, in the Fodge Mill area. Approximately 1,462 tons of embankment material and approximately 500 tons of riprap were placed at the cutoff levee.

Proposed Action

As stated in the BA, the purpose of the proposed Project is to minimize riverbank erosion and subsequent sediment delivery to the Kootenai River by installing rock riprap and willow bundles. Proposed construction is expected to occur September 2012, and is anticipated to take approximately one week to complete.

The Project will include placement of rock riprap along the riverbank of the Kootenai River at two sites. The total length of the levee repair work is approximately 350 lf (site #1 requires 300 feet of repair and site #2 requires 50 feet). Excavation of a toe trench is not anticipated during Project implementation; however riprap will extend horizontally into the river approximately 8 to 9 feet to provide a base for the riprap. Work will also consist of riverbank shaping and placement of 48-inch rock riprap on the riverward slope. The voids in the riprap will be filled with 2-4 inch quarry spall filter cap approximately 1-foot in depth, and the horizontal top of the riprap on the levee will be capped with a 1-foot layer of top soil. An excavator working from the top of the riverbank will be used for Project implementation. All disturbed surfaces will be hydroseeded with native grasses and willows bundles will be planted.

Conclusion

Emergency Consultation

For the reasons described below (i.e. poor quality habitat, low densities of bull trout and sturgeon, etc.), the actions completed under emergency consultation are expected to have resulted in insignificant effects to bull trout, white sturgeon, and their designated critical habitat(s).

Proposed Action

Bull trout and white sturgeon are present in the Kootenai River and implementation of the proposed action has potential to result in short term increases in suspended sediment, noise and turbidity. Bull trout use this portion of the river primarily as a migration corridor to and from upstream spawning and rearing areas and are not expected to be in the area during work activities conducted in September. Additionally, white sturgeon are not expected to be present at the Project site during construction activities, as water flows in September typically produce shallow, warm river conditions near the riverbank. As such, we expect white sturgeon to seek out deeper and thus colder areas of the river away from the project site during Project implementation. Furthermore, the expected impacts of the proposed action is not likely to significantly affect bull trout and white sturgeon, as activities related to Project implementation will be conducted in an area that is considered to be relatively poor quality habitat (actively eroding banks, little riparian vegetation, low channel complexity, lack of cover, etc.) for both species. Also, this reach of the Kootenai River has a high density of infrastructure (highway bridge, railroad bridge, gas line, the city of Bonners Ferry), which contributes to an overall low density of bull trout and white sturgeon in this section of river. Additionally, Project implementation is not likely to significantly affect the ability of the Kootenai River to function biologically as migratory habitat for bull trout or spawning habitat for white sturgeon. As a result, due to the minimal amount of disturbance, timing of the proposed Project, and use

of conservation measures, potential short-term minor impacts to bull trout and white sturgeon and their designated critical habitat that may occur as a result of Project implementation are expected to be insignificant.

The BA states that best management practices specifically targeted to minimize sediment input into the river, and minimize the likelihood of leaks or spills from heavy equipment will be utilized. These include vegetating disturbed areas with native grass and planting willow bundles. Best management practices designed to minimize the likelihood of leaks or spills include refueling equipment at least 100 feet from the river; as well as other proven effective measures described in the BA.

We have reviewed the information provided and concur with your finding that the emergency action “affected, but did not adversely affect” bull trout and white sturgeon and their designated critical habitat. Furthermore, we also concur with your finding that the proposed Project “may affect, but is not likely to adversely affect” bull trout and white sturgeon and their designated critical habitat. Relative to the proposed action, concurrence by the Service is contingent upon implementation of the proposed Project as described in the BA.

This concludes informal consultation pursuant to section 7(a)(2) of the Act. This Project should be re-analyzed if new information reveals that effects of the actions may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; and/or if a new species is listed or critical habitat is designated that may be affected by the Project.

If you have further questions about this letter, or your responsibilities under the Act, please contact Jay Martini of my staff at the above address (telephone: 509-893-8002; fax: 509-891-6748).

Sincerely,



Ben Conard
Field Supervisor

cc:
IDFG, CdA (Corsi)

