



US Army Corps
of Engineers®
Seattle District

30 Day Notice of Environmental Assessment Public Notice

Environmental and Cultural
Resources Branch
P.O. Box 3755
Seattle, WA 98124-3755
ATTN: Leslie (PM-ER)

Public Notice Date: 7/16/2012
Expiration Date: 8/15/2012
Reference: PM-ER-12-11
Project Name: Shorty's Island/Meander Reach
Ecosystem Restoration Project

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) has prepared, pursuant to the National Environmental Policy Act (NEPA), a draft Environmental Assessment (EA) to address the potential environmental impacts associated with proposed habitat restoration for early life stage survival of Kootenai River White Sturgeon (KRWS), in Bonners Ferry, ID. The purpose of this Public Notice is to solicit comments from interested persons, groups, and agencies. A copy of the draft EA is available on the Seattle District Corps website under the project title Shorty's Island/Meander Reach:

<http://www.nws.usace.army.mil/Missions/CivilWorks/ProgramsandProjects/Projects/ShortysIslandMeanderReachEcosystemRestorationProject.aspx>

AUTHORITY

This Integrated Detailed Project Report and Environmental Assessment is submitted under Section 1135 of the Water Resources Development Act of 1986 (Public Law 104-303), as amended. Section 1135 projects are part of a larger Continuing Authorities Program (CAP) under which the Assistant Secretary of the Army, Civil Works, acting through the Chief of Engineers, is authorized to plan, design, and implement certain types of water resources projects without additional project-specific authorization. The Section 1135 authority allows the Corps to carry out projects for improving the quality of the environment when it is determined that such modifications are feasible, consistent with the authorized project purpose, and will improve the quality of the environment in the public interest. Projects under this authority can include modifications to the structures and operations of water resources projects constructed by the Corps or restoration projects can be at locations where a Corps project has contributed to degradation of the environment. Construction costs of approved Section 1135 Projects are cost shared at a rate of 75% federal and 25% non-Federal. The federal study and implementation cost limit for any one Section 1135 CAP project is \$5,000,000. Operation and maintenance costs are 100 percent the responsibility of the project sponsor.

PROJECT NEED AND PURPOSE

The purpose of the Shorty's Island/Meander Reach Ecosystem Restoration Project is to identify and implement cost-effective, self-sustaining ecosystem restoration actions to improve ecosystem function and habitat attributes for the early life stage survival of the Endangered Species Act (ESA) listed KRWS.

The first known bottleneck related to reproduction and survival of KRWS is the lack of suitable substrate for egg attachment, incubation, and embryo cover. Fish currently cue to spawn in an area where suitable habitat for egg attachment and early life stage development is currently nonexistent or extremely limited. Improvement in suitable habitat of the Kootenai River for early life stage survival is critical to support recovery efforts for the continued survival of wild KRWS.

The need for this project is to provide suitable habitat for survival of the early life history stages for KRWS. Restoration of ecosystem function and habitat attributes is a critical component of KRWS conservation and recovery. The project will address the lack of suitable habitat for survival of the early life stages, which will contribute towards the recovery of a sustainable natural population of the species.

PROPOSED ACTION

The preferred alternative includes substrate placements at the Shorty's Island South and Myrtle Creek sites that will provide the physical attributes necessary to support wild KRWS early life stage survival and contribute to the recovery of a sustainable natural population of the species. Shorty's Island South placements are located in the main channel east of Shorty's Island between river mile (RM) 143 and RM 143.5. The Myrtle Creek substrate placements are located approximately 1,000 feet downstream of the Myrtle Creek confluence with the Kootenai River at RM 145.5. Substrate placements at these two sites provide significant contiguous sections of suitable substrate, have acceptable total costs, and are cost effective. The project has been designed to be as sustainable as possible and there is a viable approach to address uncertainties. The recommended plan will create 3,351 new linear feet of suitable substrate and provide 288,040 square feet of effective area suitable for egg attachment and support KRWS early life stage survival within Meander Reach 1 of the lower Kootenai River. Using an adaptive management approach provides an opportunity to implement the project in a timely manner to meet the critical need for the project while also addressing uncertainty related to the sustainability of the recommended substrate placement at Shorty's Island South and Myrtle Creek.

ANTICIPATED IMPACTS

The Kootenai River basin supports several threatened and endangered species and their designated critical habitat. The proposed project is designed to benefit KRWS. However, juvenile and subadult KRWS and bull trout may be present in the project area during construction. The Corp has determined that the project **may affect, and is likely to adversely affect** KRWS and bull trout as a result of construction activities. The project **may affect, but is not likely to adversely affect** the critical habitat of KRWS and bull trout. The project would have **no effect** on Canada lynx, grizzly bear, or

woodland caribou. The proposed project would have **no effect** on the critical habitat of Canada lynx and woodland caribou.

The project is expected to cause temporary disruptions to nearby fish and wildlife as a result of construction activities. To lessen the potential impacts to threatened, endangered, and sensitive species, in-water work would take place during the work window of August 1 through November 30. Implementation of best management practices (BMPs), will also minimize impacts to fish and wildlife habitats.

During construction, there may be water quality impacts such as temporary and localized increase in turbidity. Implementation of BMPs would ensure such impacts are minimal and dissipate quickly. No long term effects to water quality are expected to occur.

Unavoidable adverse effects of the proposed project and associated mitigation measures include: (1) increases in turbidity during construction, of which the effects will be minimized by implementation of pollution prevention measures, water quality monitoring, and working within the designated in-water work window (“fish window”); and (2) noise disturbances to wildlife and homeowners in the vicinity due to operating heavy equipment during excavation and construction of the restoration site. Most wildlife is anticipated to avoid the area while work is in progress. Noise disturbance will be mitigated through limiting construction periods to daylight hours only. In addition, the behavior of wildlife and nesting birds will be monitored to ensure disruption is avoided or minimized. Given the temporary, localized, and minor nature of these effects, the Corps has determined that the proposed restoration project would not result in significant adverse environmental impacts.

EVALUATION

The Corps has made a preliminary determination that the environmental impacts of the proposal can be adequately evaluated under the National Environmental Policy Act through preparation of an environmental assessment (EA).

The project will involve a discharge of dredged or fill material into waters of the United States that will be evaluated for substantive compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act.

The Corps will request a certification that the project provides reasonable assurance of compliance with the Water Quality Standards of Idaho State. The Idaho Department of Environmental Quality will review this work for compliance with the applicable water quality standards pursuant to Section 401 of the Clean Water Act.

In accordance with Section 7(a)(2) of the Endangered Species Act of 1973, as amended, federally funded, constructed, permitted, or licensed projects must take into consideration impacts to federally listed or proposed threatened or endangered species and their critical habitats. A Biological Evaluation was prepared and Section 7 ESA

consultation with the U.S. Fish and Wildlife Service will be completed prior to finalization of the NEPA process.

PUBLIC REVIEW PROCESS

The decision on whether to conduct the project will be based on an evaluation of the probable impact on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

Any person who has an interest or that may be affected by the substrate placement actions may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice, and must clearly set forth the following: the interest that may be affected, the manner in which the interest may be affected by this activity, and the particular reason for holding a public hearing regarding this activity.

The Corps invites submission of factual comment on the environmental impact of the proposal. Comments will also be considered in determining whether it would be in the best public interest to proceed with the proposed project. The Corps will consider all submissions received before the expiration date of this notice. The nature or scope of the proposal may be changed upon consideration of the comments received. The Corps will initiate an Environmental Impact Statement (EIS), and afford all of the appropriate public participation opportunities attendant to an EIS, if significant effects on the quality of the human environment are identified and cannot be mitigated.

Submit comments to this office no later than August 15, 2012 to ensure consideration.

Attn: Melissa Leslie
Environmental and Cultural Resources Branch
PO Box 3755
Seattle, WA 98124

In addition to sending comments via mail, comments may be e-mailed to Melissa.L.Leslie@usace.army.mil. Requests for additional information should be directed to Melissa Leslie at 206-764-6587 or the above e-mail address.