

FOR: District Engineer

SUBJECT: Signature for Finding of No Significant Impact for the 2012 St. Maries Levee Rehabilitation

1. This memorandum transmits a Finding of No Significant Impact (FONSI) (enclosure 1) for your signature. The 2012 St. Maries Levee Rehabilitation Project is a federal action recommending repair and rehabilitation of damaged levees within the St. Joe River watershed for the benefit of local communities and critical infrastructure. The action consists of emergency response activities during the flood event of March 2011, and the proposed execution of final repairs to the levee system scheduled for 2012.

This EA evaluates the environmental effects of multiple Federal actions. Of these Federal actions, one has already taken place as of the finalization of this EA document, and is thus evaluated here retrospectively; the execution of 2012 repairs is prospectively reviewed in this document. During fall/winter 2012, repairs to three sites would be constructed. The 2012 repairs remain on track for construction this fall/winter and have sufficient environmental coordination to warrant completion of the NEPA process. This FONSI is a decision document completing the environmental planning process conducted pursuant to the National Environmental Policy Act. The environmental assessment is attached for reference.

2. Request District Engineer signature on FONSI and return of same to Bobbi Jo McClain, PM-ER, the Environmental Coordinator. Questions may be directed to Bobbi Jo McClain at x6968 or Mr. Bob Thomas at x3480.



Evan Lewis
Chief, Environmental and Cultural
Resources Branch

Encl

cc:
PM-ER (McClain)
EN-GB-SS (Gonia)

MCCLAIN/PM-ER *PM* 5 Sept 12
~~KANABY~~ *SoC BMA*
~~DAVIDE~~/PM-ER 10 Sept 12

GONIA/EN-GB-SS *12/21* 5 SEPT 2012

WETZLER/PM-CP-C *DM* 9/15/12

LEWIS/s/PM-ER *12* 9/10/12

LEONG/OC *DESS* 9/12/12

SWANSON/PM *FOR 100* 9/12/12

STOLL/DD *105* 9/12/12

ESTOK/DE/s *ETC*

Return to McClain 9/14/12

MFR: FONSI for 2012 St. Maries Levee Rehabilitation Project. Request DE signature. FONSI with attached Environmental Assessment is enclosed. MCCLAIN x 6968

ROUTING

FINDING OF NO SIGNIFICANT IMPACT
2012 St. Maries Levee Rehabilitation
Benewah County, Idaho

1. Background. Flooding occurred on the St. Joe River in May/June 2008, March 2011, and again in April 2012. Flooding resulted in damage of the St. Maries Levees in three non-contiguous locations. High river flows damaged pipelines and seepage paths developed at one site (Site 1) while high velocity flows resulted in scour and sloughing at two other locations (Sites 2 and 3). Emergency repairs occurred at Site 2 during the March 2011 flood event; however, this site requires further work to fully restore flood protection.

The US Army Corps of Engineers was authorized by the Flood Control Act of 1938 (Public Law 75-761) to construct flood control works along the St. Joe River to protect the city of St. Maries from flooding. The project built an earthen levee and an earth filled timber crib wall with a combined length of 2.5 miles. The project included two pumping stations to remove accumulated drainage waters behind the levee plus the diversion of Mutch Creek through the levee to allow drainage to the river. Construction of the authorized project occurred between September 1941 and January 1942. The project is located in Section 22, Township 46 North, Range 2 West of the Boise Meridian. In the pre-damaged condition, this levee system provided 100-year level of protection to portions of the city of St. Maries and surrounding areas. With the damage, the levee provides only a 5-year level of protection.

The purpose of this Federal rehabilitation assistance project is to repair the damaged portions of the St. Maries Levee to restore adequate and reliable flood risk reduction for the residences, commercial buildings, and public infrastructure that is protected by the levee. The levee protects about 38 residences and 13 commercial businesses within St. Maries, including the Potlatch Corporation, a lumber mill complex which is the largest employer in Benewah County. The need for this project is to ensure that the levees are returned to these pre-damage levels of protection in order to minimize chances of further levee damage or breaching from flood events.

2. Proposed Action. The project includes repairs to three non-contiguous locations, including one emergency repair at Site 2 which was constructed during the 2011 flood season and will be reworked as part of the proposed 2012 construction activities. The Site 1 repair includes construction of a seepage berm by raising 1500 feet of Railroad Avenue 3 to 4 feet in height. Site 1 repairs also include replacing 150 feet of the 48-inch Mutch Creek diversion pipe and replacing 120 feet of the 20-inch pump house outlet line beneath the road and levee.

Emergency work was completed at Site 2 from 31 March to 1 April 2011. The emergency repair comprised 180 feet of rock placement on the riverward slope, including 75 feet of work in the water. The proposed repair includes removing a portion of the material placed during the flood to restore a stable riverward slope. The total length of overburden removal is approximately 145 feet and would include excavation only above the waterline.

The repair at Site 3 includes replacing a previously earthen bank with an armored bank for 160 ft. The repair will tie into existing rock at the downstream end and will extend to a natural bench

just below ordinary high. Depending on the water level at the time of construction, the repair may require rock placement in the water.

Construction is anticipated for 2012-2013. Site 1 construction may need to be split into two phases if cold weather hits early in the fall and prohibits proper installation of roadway materials. The current proposal is to complete Site 1 from October to December 2012, with potential for delay until spring/summer 2013 for all or a portion of the construction, as needed. Site 2 includes no inwater work and is expected to be completed in fall/winter 2012. Work at Site 3 is proposed for November 2012, during the inwater work window for bull trout (July 15 - Sept 1 and Nov 1 - Feb 28).

3. Impacts Summary. Pursuant to the National Environmental Policy Act (NEPA), the attached Environmental Assessment (EA) has been prepared. The EA evaluates the environmental impacts associated with the emergency actions and the proposed action and whether those actions would cause significant effects to the quality of the human environment as briefly summarized below.

Through a combination of Corps project priority determinations and funding timelines, it was not feasible for the Corps to complete all NEPA procedures prior to accomplishing the Federal actions of emergency response activities during the flood event of March/April 2011. The emergency action taken 2011 was an emergency response designed to avert more widespread – and possibly catastrophic – damage that may have resulted from progressive levee failure originating at the vulnerability point generated by flooding damage. In March 2011, the District Engineer made real time decisions, communicated verbally, to proceed with any action having the potential to affect the quality of the human environment, in the absence of full NEPA evaluation and documentation, in light of the urgent circumstances then presented. The agency complied with NEPA "to the fullest extent possible" under the circumstances, with respect to emergency response activities during the flood events of March 2011.

A 401 Certification from Coeur d'Alene Tribe was received on 5 September 2012. Construction will be completed in accordance with the water quality certification. The construction at Site 1 includes over an acre of ground disturbance, thereby also triggering Section 402 of the Clean Water Act, the National Pollutant Discharge Elimination System. A Construction General Permit from the Environmental Protection Agency will be obtained prior to construction.

The project has complied with the National Historic Preservation Act (NHPA) and the Corps has coordinated with the Coeur d'Alene Tribal Historic Preservation Officer (THPO).

Archaeological monitoring will occur during ground disturbing activities. The cultural resources report and monitoring plan were sent to the Coeur d'Alene THPO on 29 May 2012 detailing the "No Adverse Affect to Historic Properties [with Conditions]" for the St. Maries levee rehabilitation project. Under Section 106 of the NHPA, tribes or state agencies have 30 days to respond. If no objection to the determination is received within 30 days, Section 106 is complete. While the 30 day comment period has passed and no formal response has been received from the THPO, communications regarding the project and monitoring plan has been on-going and will continue throughout the construction phase of this project.

A Biological Evaluation (BE) of the impacts of the proposed and completed repairs on ESA-listed species was sent to USFWS on 23 July 2012. The BE analyses concluded that with the use of best management practices, conservation measures, and the minimization of in-water work, the St. Maries Levee Rehabilitation Project may affect, but is not likely to adversely affect Columbia River DPS bull trout (*Salvelinus confluentus*) and their designated critical habitat. The USFWS has reviewed the document and provided concurrence with our findings in a letter dated 9 August 2012.

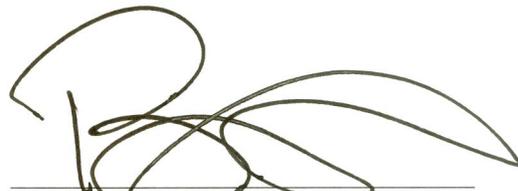
The proposed project is located in close proximity to an active Superfund cleanup site known as St. Maries Creosote. Sediments, soils and groundwater at the cleanup site are contaminated with creosote from a former wood-pole treating plant. The site is currently undergoing remedial design. The Corps is closely coordinating the proposed levee repair project with the EPA to avoid working in contaminated areas and avoid disturbing the existing contamination. The proposed levee repairs will not prevent the EPA from proceeding with the CERCLA cleanup process at the St. Maries Creosote Superfund Site.

Unavoidable adverse effects associated with this project include: (1) a temporary and localized increase in noise and emissions, which may disrupt fish and wildlife in the area, (2) a temporary and localized disruption of traffic by construction vehicles, (3) a temporary and localized increase in turbidity levels during in-water construction which may affect aquatic organisms in the area, (4) temporary impacts to wetlands, and (5) removal of vegetation from within the proposed construction areas. The vegetation removal has the longest duration of impact due to the length of time needed for trees to regrow to a similar size. However, the availability of similar nearby habitats and the minimization of tree removal to the extent possible limits these impact to less than significant levels. The other unavoidable impacts would be short in duration and are considered insignificant.

4. Conclusion. I find that the proposed action will not result in significant adverse environmental impacts and complies with all applicable laws, regulations, and agency consultations, including the Clean Water Act, Endangered Species Act, Coastal Zone Management Act, and National Environmental Policy Act, as well as Executive Orders. Based on the analysis described above and provided in more detail in the accompanying Environmental Assessment, the 2012 St. Maries Levee Rehabilitation is not a major Federal action significantly affecting the quality of human environment, and therefore, does not require preparation of an environmental impact statement.

14 Sep 2012

DATE



Bruce A. Estok
Colonel, Corps of Engineers
Commanding