



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

January 5, 2004

CENWS-PM-PL-ER

**North Wind's Weir Intertidal Restoration Project
Tukwila, King County, Washington**

Draft Finding of No Significant Impact

Background.

The lower Green/Duwamish River estuary was historically an area of very low gradient with a sinuous, meandering main channel. The estuarine mud flats and marshes were nearly completely destroyed by dredging and filling activities that occurred between the late 1800's and the mid-1900's. The once-braided flows of the lower river have been extensively channelized and reduced to a single permanent channel for most of its length (the Duwamish Waterway) through dredging and filling of river meander channels. Only about 1 percent of an estimated 4,000 acres of tidal and intertidal habitat remains. Today, thin bands of mudflat and small, widely scattered patches of intertidal saltmarsh fringing the toe of rip rapped shorelines characterize the lower Duwamish River.

The project site is located along the eastern bank of the lower Duwamish River at approximately River Mile 6.2, within the City of Tukwila Washington. The project area encompasses approximately 3.27 acres (including areas waterward of Mean Higher High Water that are exposed at low tide) and is bordered on the west by the Duwamish River and an approximately 0.176-acre patch of native saltmarsh. Existing land use consists of vacant industrial land on top of approximately more than 14 feet of historic fill material held in place by an armored shoreline. Portions of the fill material are contaminated with hydrocarbons and a single exceedance in arsenic levels in the groundwater has been recorded at the site. All structures have been demolished and the fill material is largely unvegetated, with the exception of scattered red alder and black cottonwood trees.

Proposed Action.

The United States Army Corps of Engineers, Seattle District (Corps) proposes to restore the North Wind's Weir site by excavating the fill material and regrading the site to intertidal elevations, reconnecting the site to the river, restoring the natural shoreline, and planting native intertidal and riparian vegetation. The majority of the site would be lowered to elevations ranging from -1 to +4 feet NGVD 88 (+1.35 to 6.35 MLLW) and would be connected to the Duwamish River via an entrance off the east side of the rock weir and its associated scour pool. This would create approximately 1.66 acres of tidal channel and associated intertidal mudflat (below elevation +4 NGVD 88) and approximately 0.76 acres of intertidal and high marsh between elevations +4 and +10 feet NGVD 88 (+6.35 and +12.35 MLLW). A scrub-shrub wetland community between

elevations +10 and +12 feet NGVD 88 (+12.35 and +14.35 MLLW) of approximately 0.17 acres would gradually transition to a forested riparian buffer encompassing approximately 0.29 acres to the top of the area of excavation. The upstream side of the entrance channel would be armored and bank stabilized with approximately 300 cubic yards of angular rock to better maintain the existing hydrodynamics of the shoreline, better preserve the undisturbed portion of the existing saltmarsh, and support a self-maintaining channel opening. The top and backside of the armoring would be capped with soil and planted with vegetation to increase habitat function and improve aesthetics.

Much of the existing riprap and abandoned rubble along the shoreline would be excavated and removed. Approximately 0.06 acres of the western side of the existing intertidal marsh would be disturbed to match graded contours with existing contours, but would be salvaged and replanted within the restoration site. A crushed rock trail from South 112th Street around the outer buffer of the site would direct visitors down to the river's edge while providing them viewing areas to see the restoration site and read interpretive signs. The trail would end at the river's edge with a crushed rock boat ramp suitable for hand-launch crafts such as kayaks and canoes.

Summary of Impacts.

A draft Environmental Assessment (EA) has been prepared pursuant to the National Environmental Policy Act (NEPA) for the proposed action and is attached. The draft EA describes the environmental consequences of the project, which are briefly summarized below.

The project would eliminate approximately 234 lineal feet of armored shoreline, as well as approximately 2.6 acres of industrial fill and associated chemical constituents from the shoreline of the lower Duwamish River and would properly dispose of these materials at approved facilities. The petroleum-contaminated soil would be removed or isolated from contact with or migration to intertidal surfaces. Any underground objects and associated contamination would be removed. Any measures that are necessary to take with respect to the arsenic in the groundwater would be performed.

There would likely be small-scale, temporary increases in turbidity and decreases in dissolved oxygen within the river channel as a result of construction activities. Much of the work to connect the regarded site with the Duwamish River will be tide dependent to minimize in-water work and associated turbidity. Increases in turbidity and dissolved oxygen impacts will be localized and temporary, occurring only during the portions of the construction sequence that require 'in water' work. In order to reduce these impacts and potential related effects on juvenile salmonids in the river, all 'in-water' construction work will take place during the appropriate fish window (August 1 to August 31, or as otherwise determined by WDFW) and will take place during the lowest portions of the tidal cycle. Avoiding 'in-water' work during peak salmonid out migration periods (generally between February 15 and July 15) would minimize the short-term effects of the project on juvenile salmonids and allow for maximum recovery of the benthic, epibenthic, and forage fish communities prior to the subsequent year's juvenile salmonid outmigration period.

The in-water construction of this project would occur when federally listed threatened juvenile and adult Puget Sound chinook salmon and Coastal/Puget Sound bull trout are least likely to be present in the Duwamish River, and during the portion of the year when bald eagles are not nesting and are most tolerant of disturbance. The Corps has received concurrence with a 'may effect, but not likely to adversely effect' determination for listed species in relation to the North Wind's Weir restoration project via a concurrence letter dated March 27, 2001 from USFWS and via a concurrence letter dated April 10, 2001 from NOAA Fisheries.

Impacts to the human environment would also be temporary and localized. There will be no effect on known Native American and cultural resource sites. Archaeological monitoring during construction will be conducted to minimize the potential for excavation to affect unrecorded historic properties below the existing fill material. There will be no impacts to fishing rights of Native American Tribes. Due to the highly industrialized area surrounding the project, it is unlikely that this project site would become a recreational destination or that this project would otherwise significantly increase recreational visitors to the immediate area of the project. Construction vehicles may temporarily disrupt local traffic, increase air emissions and noise in the vicinity of the site, increase the volume of traffic on adjacent streets during excavation, and decrease the aesthetic attractiveness of the general area during excavation of the site. Noise, traffic, and air quality issues will be managed through implementation of appropriate control plans. Thus, these impacts will be temporary and highly localized.

Finding.

Based on the analysis detailed in the draft EA (attached) and summarized above, this project is not a major Federal action significantly affecting the quality of the human environment and, therefore, does not require preparation of an environmental impact statement. A 404(b)(1) evaluation is being prepared and a 401 Water Quality Certification is currently being sought from the Washington Department of Ecology.

Date

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