

DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)

CITY OF VALE WATERLINE INSTALLATION SECTION 408 PERMISSION CITY OF VALE, OREGON AUGUST 2016

I. Introduction/Background

The Walla Walla District Corps (Corps) proposes to grant permission pursuant to 33 U.S.C. 408 (Section 408), and Engineer Circular EC 1165-2-216 (or successor policy/guidance), for alterations to a portion of the Corps-constructed levee on the Malheur River in the City of Vale (City). The Corps constructed the Malheur River Flood Risk Reduction Project in the 1960's to reduce the risk of flooding within the City and surrounding communities. Subsequently, the Corps turned over operation and maintenance of the levee to the City. The levee system extends on both sides of the Malheur River for approximately 2 miles east of Saddlehorn Lane to Ash Street on the northern shore and from Lytle Boulevard to U.S. Hwy 26.

The City is the non-federal sponsor for the Malheur River Flood Risk Reduction Project. Operation and maintenance of the levee must comply with the Corps Operation and Maintenance Manual for the Malheur River Flood Risk Reduction Project, and any amendments or regulations adopted by the Corps for levee projects.

II. Proposed Action

The levees may be altered by the directionally drilling of a 14-inch water pipeline to be bored a minimum of 10 feet below the Malheur River. The current 8-inch water transmission line needs to be replaced with a 14-inch water transmission line to increase water pressure and circulation capabilities within the City. The current water pressure does not meet the City's fire control requirements. The City would bore two pits, one on each side of the river, approximately 15 feet outside of the existing levees. The new transmission line would be drilled under the levees and Malheur River for approximately 371 feet. Any lines landward of the levee system would be installed using an open trench.

III. Purpose and Need

The Corps is proposing to grant a Section 408 permission to the City to bore under the levees and Malheur River for the purpose of installing a water transmission line to service the City. The larger pipe size is needed to improve the City's water pressure, circulation, and water quality for the City's residents. The current water pressure does not meet the City's fire control standards.

IV. Alternatives Considered

The National Environmental Policy Act and 33 CFR Part 230 *Procedures for Implementing NEPA* require a reasonable range of alternatives be considered during the planning process. Alternatives considered under NEPA must include, at least, the proposed action and the “No Action” Alternative, which provides a baseline from which to compare other alternatives.

Alternatives for the City’s waterline installation were limited by the location of Rhinehart Reservoir, the City, and the Malheur River, as well as existing road corridors and rights-of-way. The City considers boring under the Malheur River, “the preferred alternative” over attaching the waterline to the Lyle Bridge or installing the waterline using the open trench method. The City considered connecting the waterline to the Lyle Bridge; however the City found this alternative to be cost prohibitive as well as the additional risk of failure from exposure to the weather and higher risk of vandalism. The following alternatives were evaluated in detail in the Environmental Assessment (EA):

1. No Action: Under this alternative, the Corps would not grant Section 408 approval for this project. This alternative would consist of maintaining the levee in its current state, without further modification. The City would continue to utilize the undersized Rhinehart transmission waterline; and therefore, not have adequate water pressure to operate fire hydrants. The No Action Alternative does not meet the project purpose and need, however it is carried forward in the EA for comparative purposes as required by NEPA.
2. Proposed Action: The Corps would approve the potential alterations under Section 408 for the boring the new transmission line under the City levees. The current transmission line would remain in place however be replaced with a new 14-inch transmission line.
3. Alternative Action: The Corps would approve the alterations under Section 408 for attaching the new transmission line to the Lyle Bridge. The current transmission line would remain in place but be replaced with a new 14 inch transmission line at the Lyle Bridge crossing.

V. Environmental Effects

The proposed action would improve water quality by improving water circulation through the public drinking supply. No woody vegetation is to be removed.

There is no proposed work within wetlands or waters of the U.S. The project will minimize effect to water quality during construction activities by implementing erosion and sediment control measures and implement a stormwater pollution prevention plan. There would likely be little or no effect on the local community due to construction activities.

VI. Public Comment/Involvement

The EA and Draft FONSI will be made available to the public and local, state, and federal agencies for a 30-day review and comment period from August 15nd to September 15nd, 2016.

VII. Compliance with other Laws and Regulations

The Corps completed a review of Endangered Species Act (ESA) and determined “no effect” to ESA listed species within the vicinity of the project area. Therefore, the project did not require coordination with the United States Fish and Wildlife Service or the National Marine Fisheries Service.

The Corps has reviewed the National Historic Preservation Act Section 106 compliance performed by the City and concurred with the finding of “no adverse effect”. The City is coordinating with the Oregon State Historic Preservation Office for concurrence of findings. The Corps decision will be documented in the Final FONSI, if the FONSI is deemed applicable.

See Section 4 of the EA for a discussion of compliance with other laws, regulations and Executive Orders. The proposed action complies with other federal laws, applicable regulations and Executive Orders.

VIII. Findings and Decision

Having reviewed the City of Vale Waterline Installation EA, I find that the document provides sufficient discussions on the purpose of and need for the proposed action, alternatives, the environmental effects of the proposed action and the alternatives, and a listing of agencies and persons consulted. I have taken into consideration the technical aspects of the project, best scientific information available and public comments received. These documents provide sufficient evidence and analysis to meet the Corps’ requirements pursuant to the National Environmental Policy Act. Based on this information, I find that implementation of the proposed action would not result in significant impacts on the quality of the human environment and that an environmental impact statement is not required.

Damon A. Delarosa
Lieutenant Colonel, Corps of Engineers
District Commander

Date