FINDING OF NO SIGNIFICANT IMPACT

HEISE-ROBERTS LEVEE REPAIR, RIGBY, IDAHO

1. BACKGROUND

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to repair three sections of the Heise-Roberts Levee system on the Snake River in rural Madison and Jefferson Counties near Rigby, Idaho. The Heise-Roberts levee system was damaged by high flows in 2011. The Heise-Roberts levee system was first constructed by the Corps in 1952 and turned over to Flood Control District No. 1 of Idaho in that same year for operation and maintenance. An extension of the system was completed in 1966 and transferred to the flood control district in 1968. The Corps is proposing to repair the levee under the authority of Public Law (PL) 84-99 which gives the Corps the authority to undertake activities; including rehabilitation of flood control works (FCW) threatened or destroyed by flood. As a federally constructed locally maintained levee system, the Heise-Roberts levee system is eligible for emergency assistance from the Corps. On August 31, 2011 the flood control district requested assistance from Corps to repair the priority sites identified during an August 2011 inspection. This project is in response to that request.

2. PURPOSE AND NEED

The purpose of the proposed action is to restore flood risk protection provided by the Heise-Roberts levee system on the Snake River near Rigby, Idaho by repairing any of three sections of the Heise-Roberts levee system. This levee system protects private and public property along the Snake River from Heise Hot Springs east of Rigby, Idaho, downstream to Roberts Road west of Rigby. High water flows in June, 2011 damaged the levee system at multiple locations. Inspections during August, 2011 identified three priority sites in need of repair. These three sites protect a local bed and breakfast, the approach to a railroad and highway-bridge, a wetland complex, and a canal system. Without repair, these levees would continue to erode and may eventually fail, leading to the loss of private property and public infrastructure.

3. PROJECT ALTERNATIVES AND PREFFERED ALTERNATIVE

The Environmental Assessment (EA) considered three alternatives: 1. No Action, 2. Levee Rehabilitation/Repair (Proposed Action), and 3. Construction of Setback Levees.

Because the use of setback levees would jeopardize existing infrastructure it was not deemed a viable alternative. Consequently, only the No Action and Proposed Action alternatives were carried forward for analysis.

The Corps identified alternative 2. as the preferred alternative and proposed action. Under this alternative the Corps would repair three sections of levee on the Heise-Roberts levee system during the early spring of 2013 prior to high water flows. These repairs would include: 1. a 285 foot section of levee upstream of State Highway 20, 2. a 94 foot section of levee located on the north bank of the Snake River approximately 1.3 river miles upstream from the confluence of the Snake and Henry's Fork Rivers, and 3. a 170 foot section of levee approximately 2.4 river miles upstream from the Robert's Bridge on State Highway 43. Each site would be cleared and grubbed, the levee slope reshaped and covered with crushed rock, and then covered with approximately two feet of riprap. The work would take about one week per site.

4. ENVIRONMENTAL EFFECTS

The proposed levee rehab would have less than significant effects to several resource areas including water quality, aquatic resources, wildlife, soils, and vegetation. Effects to water quality would include increased sediment transport and increased turbidity at repair sites and for a limited distance downstream. These effects would be localized and short term. To minimize sediment transport and increased turbidity, work would be conducted prior to high flows. Minor disturbance to fish and aquatic organisms may occur at the levee repair sites, while additional disturbance may occur downstream from these sites due to sediment transport and increased turbidity. Some aquatic invertebrates would be lost during excavation, but this loss would be minor relative to the extensive populations of the river system. Clearing and grubbing would remove limited shrub habitat and may impact small birds and mammals in the area.

There may be some loss of small mammals during excavation. Larger, more mobile, species would relocate to nearby habitats. Construction is scheduled to be conducted prior to nesting seasons for migratory birds and would not impact these species. Effects to soil would include the excavation of already disturbed levee sites and soil loss through increased sediment movement. However, these effects would be short-term and would be reversed when levee repairs were completed. Approximately ¼ acre of levee would be cleared of vegetation. The levee is sparsely vegetated with shrubs and grass. No trees would be cleared. The loss of vegetation would be minor relative to extensive shrub and grass habitats in the area.

The Corps selected alternative 2 because it would meet the purpose and need of the project and would have only minor environmental effects.

The Corps coordinated this project with the U.S. Fish and Wildlife Service (USFWS), the Idaho Department of Fish and Game, the Idaho State Historic Preservation Office (SHPO), and Jefferson and Madison Counties.

The Corps determined this project would have "no effect" on species listed under the Endangered Species Act. The Corps has determined that the preferred action would not adversely affect historic properties. The Idaho SHPO concurred with this determination on January 24, 2013. The project does not require a Clean Water Act Section 404 permit as it is exempt under 33 CFR 323.4 November 13, 1986, as amended August 25, 1993. The Project is in compliance with all applicable laws and regulations.

The Corps distributed the EA and draft FONSI on January 18, 2013 for a 15 day public comment period. The Corps received three public comments; two offering assistance in the repair of the Heise-Roberts levee and one requesting clarification on points of the EA. A summary of public comments received and the Corps' responses is attached to this FONSI. No changes were made to the EA based on the public comments.

5. CONCLUSION

In view of the information provided by the EA, public and agency review, and coordination with Federal, State and local agencies, I find that approving the repair of levee sites on the Heise-Robert's Levee system would not result in significant impacts to the quality of the human and natural environment. Consequently, an Environmental Impact Statement is not required.

Date: 11 Feb 2013

Andrew D. Kelly
Lieutenant Colonel, Corps of Engineers
District Commander

ATTACHMENT 1 – COMMENTS ON THE HEISE-ROBERTS LEVEE REPAIR ENVIRONMENTAL ASSESSMENT

The U.S. Corps of Engineers, Walla Walla District (Corps) received three comments on the Environmental Assessment (EA); two offering assistance in the repair of the Heise-Roberts levee and one requesting clarification on points of the EA. Offers to assist in the repair of the levee were directed to the Corps' contracting department, while requests for clarification are addressed below.

Comment 1: What are "setback levees"? I see that they were eliminated from consideration as an alternative but I didn't quite understand (possibly because there were no figures/drawings?) how they would "allow the Snake River to flow even closer to private and public infrastructure".

Response 1: Setback levees are levees that are constructed at a distance from the river channel in order to allow the river to occupy a portion of its floodplain; these levees are usually smaller in size than levees placed immediately adjacent to the river channel. The use of setback levees as an alternative was dismissed because there was no space in which to place them. A setback levee would have been placed on the private lands that they were intended to protect, and would have left the railroad bridge and Highway 20 unprotected.

Comment 2: To avoid and minimize transport of sediment and impacts to fish while working below ordinary high water, will the area be dewatered?

Response 2: Because of the small size of the project and the limited time in-water, the area adjacent to the levee will not be dewatered. All efforts are being made to make repairs prior to high flows so that impacts to resources will be minimized. There will be some minimal contribution of sediment to the system, but this contribution will be short in duration and would be less than the overall sediment input contributed from the damaged levee if left unrepaired. In addition, practicable methods for de-watering the area would create greater quantities of sediment than the actual levee repair.

Comment 3: Will the levee be re-vegetated with the same native vegetation in those areas that are cleared to perform work?

Response 3: The reconstructed levee will not be vegetated. The face of the levee will be armored with large riprap, while the top will be constructed of gravel and road-base. Only the back side of the levee would have soils suitable for vegetation and disturbance to this part of the levee will be minimal. Any disturbance to the back side of the levee will be allowed to re-vegetate naturally.