

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Levee Rehabilitation Program Assistance Public Law 84-99

Heise-Roberts Levee System Upper Snake River Jefferson County and Madison County, Idaho

July 2018

I. Project Description and Background Information

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to repair several sections of the Heise-Roberts Levee System along the Snake River in Jefferson and Madison counties, Idaho. The levees were damaged by sustained high flows during the 2017 and 2018 flood seasons.

Significant spring runoff caused erosion damage to and now threatens several sections of the Heise-Roberts Levee System. In 2017, damage occurred to seven discrete locations along several miles of the river. Four locations are on the left bank in Jefferson County, and three locations are on the right bank in Madison County. The sites are located from 8.3 miles upstream and 4.7 miles downstream of the Lorenzo Bridge.

In May 2018, major damage occurred at another location downstream of the Lorenzo Bridge near the Hall Dairy (Site 18-1). Emergency repairs to prevent the levee from breaching were initiated on May 19, 2018 and concluded on May 22, 2018. Without expedited repair, this levee would have breached and substantial flooding damage could have occurred. This emergency flood-fight consisted of placing approximately 6,200 cubic yards of riprap and 800 cubic yards of quarry spalls along a 300 foot segment of the levee. Additional repair work to tie-in both ends of the newly repaired levee to restore it to the as-was condition (400 feet upstream and 100 feet downstream) would be conducted in September and October 2018.

Another site (Site 18-2, Roth Impingement), was also damaged in May 2018 and repair work consisting of filling a hole in the levee with riprap (approximately 25 feet in length) and adding 50 feet of armoring to tie into the existing levee would be conducted this fall along with the repairs to Sites 17-1 through 17-5, 17-7 and 17-8.

The Corps proposes to repair the damaged levee sections by adding quarry spalls (4-6" diameter rock) and then riprap (2-4' diameter) to cover the exposed levee fill material. The total estimated volume of quarry spalls is about 9,000 cubic yards and riprap placement is estimated at about 15,000 cubic yards.

Repairs to eight sites (17-1 through 17-5, 17-7, 17-8, and 18-2) and additional repair to Site 18-1 would be conducted in 2018 during the in-water work window for this area, which is September 15 through October 31. It is anticipated that construction activities would occur during the entire six-week period. Some stockpiling of repair materials would occur prior to September 15th at locations selected by the contractor throughout the project area.

II. Authority

On July 5, 2017, Idaho Flood Control District #1(FCD1), requested assistance from the U.S. Army Corps of Engineers, Walla Walla District, to repair the damage to the levees under Public Law (PL) 84-99, Flood and Coastal Storm Emergencies. Under this law, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities including disaster preparedness, Advance Measures, emergency operations (Flood Response and Post Flood Response), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of Federally authorized shore protective works threatened or damaged by coastal storm and provisions of emergency water due to drought or contaminated source. In response to the Flood District's request, the Walla Walla District prepared a "Rehabilitation Project Information Report for Heise-Roberts Levee System" which was determined acceptable by the U.S. Army Corps of Engineers, Northwestern Division, on February 7, 2018. As required by PL 84-99, a Cooperation Agreement for Rehabilitation of a Federal Flood Control Work was executed between the Corps and the FCD1 on March 16, 2018.

III. Purpose and Need

The Corps proposes to repair several sections of the Heise-Roberts Levee System along the Snake River in Jefferson and Madison counties, Idaho. The purpose of the proposed action is to provide flood risk management to affected areas of Jefferson and Madison counties. Rehabilitation would include repairing the levees to "as-was condition" in a manner that would not change the character, scope, or size of the original fill design. The action is needed because the levees protect nearby homes, agricultural land and municipal facilities that are now at increased risk from flood damages.

IV. Project Alternatives

Two alternatives are evaluated in the Environmental Assessment (EA); the No Action Alternative and the Proposed Action Alternative. The statutory objectives/scheme supporting an action can serve as a guide to determine the reasonableness of objectives outlined in the EA – in this case assistance under PL 84-99. Additionally, an agency's obligation to consider alternatives under an EA is a lesser one than under an Environmental Impact Statement. Consequently, only the No Action and Proposed Action Alternatives were analyzed further. The No Action Alternative does not satisfy the project's purpose and need, but the National Environmental Policy Act requires

analysis of the No Action Alternative to set the baseline from which to compare other alternatives. No Action does not mean there would be no environmental impacts from this alternative.

V. Environmental Effects

The Proposed Action Alternative and the No Action Alternative were analyzed for potential effects to the following resources: water quality, aquatic resources, wildlife, vegetation, threatened and endangered species, cultural resources, soils, socioeconomics, recreation and effects of climate change. The analysis is detailed in Section 3 of the EA. The analysis concluded there would be no significant adverse effects to any of the resources from implementation of the Proposed Action Alternative.

The Corps also considered the cumulative effects of the Proposed Action Alternative along with other past, present, and reasonably foreseeable future actions in the proposed action area. The Corps concluded that repair of the levees would not cause a significant cumulative effect.

VI. Consultation and Compliance with other Laws and Regulations

Potential effects to threatened and endangered species were analyzed in the "*Heise-Roberts Levee Rehabilitation Project Biological Assessment*" (BA) prepared by the Corps in April 2018. The Corps determined that "this action, as proposed, may affect, but is not likely to adversely affect yellow-billed cuckoo and would not adversely modify its proposed critical habitat." The Corps also determined "the action may affect, but is not likely to adversely affect Ute ladies'-tresses and the action will have no effect on all other listed, or proposed species or their designated or proposed critical habitats." The Corps requested informal consultation with the U.S. Fish and Wildlife Service (USFWS) on the original eight repair sites on May 8, 2018 and received a Letter of Concurrence on June 4, 2018 (Appendix B). Emergency consultation with the USFWS was initiated on May 17, 2018 and completed on June 1, 2018 for emergency repairs at Site 18-1. It was determined the emergency action had no effect on Endangered Species Act (ESA)-listed species, but coordination with the USFWS was determined appropriate under the circumstances. Site 18-2 was not included in the original consultation, but the Corps has determined there would be no effect to any ESA-listed species at this site. Therefore, no further ESA consultation is required. There are no ESA-listed species in the proposed action area that are under the jurisdiction of the National Marine Fisheries Service.

The Corps has determined that this action, as proposed, would result in no adverse effect to historic properties. The Idaho State Historic Preservation Office concurred with the Corps finding in a letter dated June 22, 2018 (Appendix C). The Corps did not identify any historic properties of potential religious or cultural significance to Native American tribes so no tribes were consulted.

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

VII. Findings and Decision

Having reviewed the Heise-Roberts Levee Rehabilitation Project EA and supporting appendices, I find that the documents provide 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 consulted. 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. The Corps will proceed to fund the proposed project under the authority of Public Law 84-99, Flood and Coastal Storm Emergency Act, when funds are made available for that purpose.



DAMON A. DELAROSA
Lieutenant Colonel, EN
Commanding



Date