



US Army Corps
of Engineers®
Seattle District

Notice of Availability of Draft Post Authorization Decision Document/Environmental Assessment

Planning, Environmental, and Cultural Resources Branch
PO Box 3755
Seattle, Washington 98124-3755
Attn: Chemine Jackels (PMP)

Notice Date: 28 Nov 2017
Expiration Date: 28 December 2017
Reference: CENWS-PM-ER-18-03

U.S. ARMY CORPS OF ENGINEERS, ALBENI FALLS DAM FISH PASSAGE PROJECT, BONNERS COUNTY, ID

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) proposes to construct and operate a permanent upstream fish passage facility including an entrance, ladder, holding and sorting area, fish lift, and truck loading area at Albeni Falls Dam (AFD), which is subject to approval and appropriations. Operation of the passageway would be year-round, excluding the warmest month of August when temperatures exceed lethal thresholds for bull trout and during winter periods of river or facility ice-over. After three years of operation, data will be evaluated to determine if adjustment of the trap and haul schedule is necessary to best meet the migration demands of bull trout. The purpose of this Public Notice is to solicit comments on the draft integrated Post-Authorization Decision Document/Environmental Assessment (PADD/EA) from interested persons, groups, and agencies.

AUTHORITY

Congress authorized construction of the Albeni Falls Project on the Pend Oreille River under the Flood Control Act of 17 May 1950 (Public Law 81-516) as part of a comprehensive plan for the development of the Columbia River System. The congressionally authorized purposes of AFD are flood control, power generation, navigation, recreation, and fish and wildlife conservation. AFD's authorizing documents allow for the study of fish passage feasibility at the facility and, if determined necessary, for construction of fish passage facilities. Congress, through the authorizing documents, effectively delegated the determination of this type of modification at AFD to the Assistant Secretary of the Army for Civil Works (ASA (CW)) and the Corps (see Chief's reports).

BACKGROUND

On June 10, 1998, the Columbia River Distinct Population Segment (DPS) of bull trout (*Salvelinus confluentus*) was listed as "Threatened" under the Endangered Species Act (ESA) (USFWS 1998). A portion of this DPS resides in the Pend Oreille River, a tributary of the Columbia River located in Washington (WA), Idaho (ID), and British Columbia. Prior to AFD's construction in 1951, native fish, including bull trout, passed Albeni Falls, a natural change in gradient, in both the upstream and downstream directions. Because AFD was constructed without fish passage facilities, upstream fish passage ceased when AFD became operational in June 1952 and fish populations below the dam subsequently have been isolated from upstream habitat.

The 2000 U.S. Fish and Wildlife Service Biological Opinion (BiOp) for the Federal Columbia River Power System evaluated the effects of the ongoing operations and maintenance of the federal Columbia River hydropower projects, including AFD.

The 2000 BiOp incidental take statement requires the Action Agencies for the FCRPS (Corps, BPA, and USBR) to implement a series of reasonable and prudent measures (RPMs) for operation of the FCRPS.

Specifically, the incidental take statement requires the Action Agencies to, among other things, conduct a feasibility study for reestablishment of two-way passage for bull trout at AFD.

Although the 2000 USFWS BiOp incidental take statement refers to two-way passage, at this time the draft PADD/EA is focused on upstream passage of adult and sub-adult (6 inch minimum length) bull trout. Downstream fish movement is possible at AFD through entrainment, and a 2014 survivability study completed by the Corps revealed a downstream survivability rate through the dam of over 95 percent for bull trout surrogate species (see Sec. 1.7 of the Draft PADD/EA for more information on this study). Given the study results and available information on this dam and other facilities, AFD is a fairly benign project for impacts to entrained fish (through either the spillway or turbine). Therefore, the Corps is at this time only seeking to address upstream fish passage at AFD.

PROPOSED PROJECT

Through the Corps planning process, the Corps has identified a tentatively selected plan for an upstream fish passage facility at AFD and completed a feasibility-level design of this plan. The planned facility includes an entrance structure designed to discharge 300 cubic feet per second (cfs) with two vertical slot entrances, a gravity water supply system, a Half Ice Harbor ladder consisting of 19 pools, a pre-sort pool, a fish lock for lifting fish, a sorting area, and a truck loading area. The recommended action includes the further design, construction, and operation of the facility, as well as best management practices to reduce impacts to bull trout. At the current level of design, the proposed operation is anticipated to be year-round, excluding the warmest month of August when temperatures exceed lethal thresholds for bull trout and during winter periods of river or facility ice-over. The proposed facility is designed to operate with tailwater elevations between 2030 ft and 2048 ft. The proposed gravity water supply would operate at forebay elevations as low as 2047 ft and forebay-tailwater elevation differentials as low as 4 ft.

The proposed entrance structure would be located on the west side of the powerhouse (See Figure 5-1 of the PADD/EA) and would have two entrance locations. One would be located the furthest upstream that a fish can swim to, has strong year round flows from the turbines to attract fish to the entrance, and would be oriented perpendicular to powerhouse flows. The second would be located just downstream on the island facing downstream. The ladder would extend about 200 ft along the north shore of the rock island to the fish lock. A dedicated water supply system from the forebay would provide a gravity-supplied source of water to operate the fish passage facility. Once a bull trout has entered the trap and is captured, they would be sorted from non-target species for transport upstream via truck to a release location approximately five miles upstream of the dam. Non-target species (non-native and possibly some native fish) will either be returned below AFD or be routed directly to the forebay (native fish) upstream of the Dam, or euthanized by the resource agencies or tribes (see Section 5.1.3 of the PADD/EA).

Overall, the construction of the fishway would permanently impact the island and temporarily affect water quality and noise of the Pend Oreille River at the construction site. Up to 20 bull trout could be handled and transported per day during the operation of the facility during peak migration, and could increase if populations increase with basin wide fish passage and restoration efforts. . It is difficult to predict how many bull trout could pass through the facility in a year, however the Pend Oreille Bull Trout Recovery Team estimated that a minimum of 1500 migratory adult bull trout would be necessary to consider Pend Oreille River bull trout population recovered. It is expected that other species may enter the AFD fish trap and the facility would allow processing of all fish, up to a daily maximum of 5,000 fish (see Appendix A for detailed discussion of anticipated numbers of fish). Figure 5-1, Figure 5-2, and Figure 5-3 of the PADD/EA depict the general location of the structure, the entrance structure, and the auxiliary water supply intake.

ANTICIPATED IMPACTS

Unavoidable adverse effects of the proposed project include:

1. During construction: noise disturbance and mortality to fish, and disturbance to wildlife and area residents in the vicinity due to blasting rock and the operating heavy machinery during excavation and construction activities. It is anticipated that most wildlife and fish would avoid the area while work is in progress. To reduce impacts to area residents, work would be conducted only during daylight hours in accordance with local noise ordinances.
2. During construction: excavation and removal of approximately 20,000 cubic yards of rock.
3. During construction: temporary increase in turbidity; however, these effects would be minimized by the use of best management practices.
4. During operation: trapping, handling, and transport stress on fish.
5. During operation and construction: emissions of air pollutants and GHGs.
6. Impacts to AFD Historic District by introducing a modern structure and an incremental loss of integrity regarding the design, material, and workmanship and construction of the dam from its period of historic significance.

ENVIRONMENTAL COMPLIANCE

The proposed activities will be reviewed in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); Section 404 of the Clean Water Act (33 U.S.C. 1344); and the National Historic Preservation Act of 1966 as amended (54 U.S.C. 300101 et seq.).

The Draft EA is integrated with the Post-Authorization Decision Document (PADD/EA). The Draft PADD/EA will be available electronically at:

<http://www.nws.usace.army.mil/Portals/27/docs/environmental/resources/2016EnvironmentalDocuments/PUBLIC-2017-AFD-Draft-PADD-EA-main-report%20with%20appendices.pdf?ver=2017-11-28-160742-727>

A copy of the Draft PADD/EA will also be available at the Sand Point Library. After the end of the comment period, the Corps will consider the input in the course of finalizing the PADD/EA. Once complete, the Corps will post the Final PADD/EA on the Seattle District web site listed above.

The Corps prepared a biological assessment (BA) addressing the construction, operation, and maintenance of the proposed facility for review by U.S. Fish and Wildlife Service (USFWS) under Section 7(a)(2) of the Endangered Species Act. For ESA-listed species that occur within the vicinity of the project, a determination of “may affect, and likely to adversely affect” has been made for aquatic species and “no effect” for terrestrial species. The BA has been submitted to U.S. Fish and Wildlife Service. The proposed in-water work window for construction of the facility will be from 1 July to 30 September to avoid impacts to ESA listed species. Completion of consultation is currently pending review of the BA and issuance of a Biological Opinion (BiOp) by USFWS.

The Corps is coordinating with the Idaho Department of Environmental Quality in compliance with the Clean Water Act section 401. In conducting activities involving the discharge material into waters of the United States, the Corps will abide by the applicable conditions of the existing WQC to ensure compliance with State water quality standards.

The Corps has coordinated the work with the Idaho State Historic Preservation Office (SHPO) and the Kalispel Tribe of Indians, the Kootenai Tribe of Idaho, and the Confederated Salish and Kootenai Tribes. Furthermore, the Corps has discussed the project with the AFD Cultural Resources Cooperating Group (CRCG) whose members include the aforementioned Tribes, the BPA, the Idaho SHPO, the Corps, the Idaho Panhandle National Forest (IPNF), and the Bureau of Land Management (BLM). The Corps is

currently working with the Idaho SHPO and other consulting parties on developing a Memorandum of Agreement (MOA) to resolve the adverse effects to cultural resources. The Corps and Idaho SHPO are currently in the processing of consulting to determine appropriate mitigation for adverse effects on historic properties.

PUBLIC INTEREST EVALUATION

The decision to proceed with the construction, operation, and maintenance of a fish passage facility at Albeni Falls Dam will be preceded by a determination of whether the proposed activity would be in the public interest. All factors which may be relevant to the proposal's public interest will be considered; among those are water quality; wetlands; endangered species; historic resources; scenic and recreation values; fish and wildlife; applicable state/regional/local land use classifications, determinations, and/or policies; conservation; economics; shoreline erosion and accretion; safety; and considerations of property ownership.

As a foundation for its public interest determination the Corps will consider, on an equal basis, all alternatives that are both reasonable and practicable, i.e., available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

COMMENT AND REVIEW PERIOD

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the effects of this activity. To make this decision, comments are used to assess impacts on ESA listed species, historic properties, water quality, general environmental effects, and other public interest factors listed above. The proposed action will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. Conventional mail or e-mail comments on this Public Notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. Submitted comments should include on the subject line the public notice number. The comment must include the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office no later than the expiration date of this public notice to ensure consideration.

PUBLIC MEETING

A public meeting will be held during this public comment period in the Priest River/Sandpoint, ID area. The date and location is still to be determined the Corps will provide details on the public meeting via a separate email and mail notification.

COMMENTS TO THE CORPS OF ENGINEERS

Replies to this Public Notice should be mailed to reach the District Engineer, ATTN: CENWS-PMP-18-03, PO Box 3755, Seattle, Washington 98124-3755, not later than December 28, 2017 to assure consideration. Written comments may also be submitted electronically via e-mail to:

CENWS-AFDComments@usace.army.mil

For additional information please contact Ms. Chemine Jackels, Environmental Coordinator, (206) 764-3646 or via email at Chemine.R.Jackels@usace.army.mil.

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