



FEMA

FINDING OF NO SIGNIFICANT IMPACT
Federal Emergency Management Agency (FEMA)
Midway Creek Fish Culvert and Road Abandonment Project
Washington Department of Natural Resources
Cowlitz County, Washington
FEMA-1734-DR-WA

The Washington State Department of Natural Resources (DNR) has applied for funding, through the Washington State Emergency Management Division (EMD), to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) for Public Assistance funding to install a fish-passable culvert in Midway Creek, remove existing culverts, and abandon a small segment of road. The purpose of the Public Assistance program is to award financial grants to assist state and local governments, federally recognized Tribal governments, and certain private nonprofit entities with the response and recovery from disasters.

Heavy rains in December 2007 damaged DNR forest road C-4500 in Capitol Forest, Thurston County. DNR determined that the public welfare would not be best served by restoring the damaged road because the area served by the road is accessible via other roads, road repair would require extensive engineering, and the potential for repetitive damage would still exist. The DNR proposed an alternate project to install a fish passable culvert in Midway Creek for the E-4300 Road, abandon a 955-foot segment of the E-4310 Road, and remove two culverts considered fish barriers on the E-4310 Road.

The alternate project is located north of State Route (SR) 4, approximately 11.5 miles northeast of Cathlamet, in western Cowlitz County, Washington. The project area is in the NW 1/4 of Section 9, Township 9 North, and Range 4 West, Willamette Meridian. The project coordinates are latitude 46.28010 and longitude -123.17940.

The project would include: On E4310 Road - removal of three culverts, road abandonment and revegetation with native ground cover; and on E4300 Road - road improvement (new surfacing and addition of drainage structures), a temporary bypass to divert flow around the work area, and installation of the culvert (12-foot diameter metal culvert to ensure fish passage). Channel restoration would take place on both roads. Work is expected to take approximately 3-4 weeks.

The Proposed Action is subject to DNR's State Trust Lands Habitat Conservation Plan (HCP) (DNR 1997) and the Forest Practices Habitat Conservation Plan (FPHCP) for the DNR Forested Practices Division (DNR 2005), as well as the Forest Practices Rules (FPR) (Washington Administrative Code [WAC] 222), and Road Maintenance and Abandonment Plan (RMAP) (WAC 222-24). According to the provisions in the WDFW Hydraulic Project Approval (HPA), construction work below the ordinary high water mark (OHWM) would occur between July 1 and September 30.

In accordance with the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations [CFR] Part 1500 through 1508), and FEMA's implementing regulations (44 CFR 10.9), FEMA

prepared a Draft EA to identify and evaluate potential environmental impacts resulting from the alternatives presented in the EA, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Alternatives evaluated in the EA include: the No Action Alternative, and the Preferred Alternative (or Proposed Action) toward which FEMA would contribute funding. Other alternatives were also considered but not carried forward. After comparing the potential impacts from the alternatives, Alternative B (the Proposed Action) is also the environmentally preferred alternative because significantly less construction would be required compared to the other alternatives. The Draft EA was available for public comment for 30 days. FEMA did not receive any comment letters on the Draft EA.

CONDITIONS

The proposed project includes numerous Best Management Practices (BMPs) and mitigation measures included in the HCP, FPHCP, FPR, and RMAP. In addition, the following conditions apply, and failure to comply with these conditions may jeopardize the receipt of Federal funds:

1. The applicant shall obtain all required local, state, and federal permits and approvals prior to implementing the Proposed Action and comply with any and all conditions imposed
2. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other laws and Executive Orders.
3. During ground disturbing activities, the applicant will monitor the ground disturbance, and if any potential archaeological resources are discovered, the applicant will immediately cease construction in the area and notify the State Historic Preservation Office and FEMA.

FINDING

Based upon the grant application and Final EA; and in accordance with FEMA's regulations in 44 Code of Federal Regulations (CFR) Part 10 for environmental consideration, including Executive Orders (EO) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898), FEMA determined the proposed project will not significantly affect the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.8) and the project as described in the PA grant application and Final EA may proceed.

APPROVALS



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FEMA Region 10

12-5-11

Date