



DEPARTMENT OF THE ARMY
U.S ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT
4735 EAST MARGINAL WAY SOUTH BLDG 1202
SEATTLE, WA 98134-2388

August 13, 2021

Planning, Environmental, and Cultural Resources Branch

Michael Tehan
Assistant Regional Administrator
National Marine Fisheries Service
Interior Columbia Basin Area Office
1201 NE Lloyd Blvd, Suite 1100
Portland, OR 97232

Dear Sir:

The Seattle District, U.S. Army Corps of Engineers (Corps) has prepared a biological assessment (BA; enclosed), as required under Section 7(a) of the Endangered Species Act (ESA) of 1973 (16 USC, 1531 et seq.) to address all Federally listed species affected by the proposed repair of the Yakima Right Bank Federal Levee, and Yakima Wastewater Treatment Plant (WWTP) Levee within the city of Yakima, Washington, and to initiate formal consultation.

Repairs to the Right Bank and WWTP levees are authorized by Public Law 84-99 (33 U.S.C. Section 701n). The Corps' repair work under this authority is limited to the repair of flood control works damaged or destroyed by floods. The statute authorizes rehabilitation to the level of protection exhibited by the flood control work prior to the damaging event. The County of Yakima is the local sponsor for the Right Bank levee repair. The City of Yakima is the local sponsor for the WWTP repair.

The purpose of the project is to repair the Right Bank to the 100-year level of protection, and to repair the WWTP levee to the 20-year level of flood protection.

A February 2020 flood event damaged approximately 300 linear feet (LF) of the Right Bank levee at two locations: Site 1 200 LF, and Site 2 is 200 LF. The WWTP levee also requires emergency repairs due to the February flood event along a total of 300 LF. Repairs will restore adequate and reliable flood protection to the same level provided by the levees prior to the February damaging flood event.

The Corps plans to repair both the Right Bank Site 1 and the WWTP in-kind within the pre-damage footprint of the levee using Class V riprap to replace the existing Class III riprap. At the Right Bank Site 2, the waterward edge of the levee toe will be moved landward approximately two feet, and the slope will be altered from approximately 2.5:1 to 2:1. The proposed design is considered to be a minor deviation in the structure's configuration.

The Corps requests initiation of formal consultation with the National Marine Fisheries Service for the proposed levee repair with transmittal of this BA and requests your concurrence with our determination of effects. The Corps is also requesting consultation under the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996. The Corps' determination is that the proposed action is likely to adversely affect Essential Fish Habitat for Pacific salmon.

Conservation measures include hydroseeding, on-site plantings of native shrubs at both levees, additional off-site plantings to compensate for loss of vegetation at the Right Bank Site 1 repair, post-construction monitoring, a slope layback at the Right Bank Site 2 repair location, and limiting construction to the coordinated in-water work window.

If you have any questions or need additional information, Mr. Zachary Wilson is the Environmental Coordinator for this project and can be reached at (206) 316-3896 or zachary.m.wilson@usace.army.mil; and Mr. Fred Goetz, Endangered Species Coordinator, can be reached at (206) 764-3515 or frederick.a.goetz@usace.army.mil. I may also be contacted at (206) 764-6761 or laura.a.boerner@usace.army.mil.

Sincerely,

Laura A. Boerner, LG, LHG
Chief, Planning, Environmental, and
Cultural Resources Branch

Enclosure

cc:

Justin Yeager