

**Finding of No Significant Impact  
For the Salt River Ecosystem Restoration Project**

NOAA National Marine Fisheries Service

In compliance with the National Environmental Policy Act (NEPA), a memorandum for the Record has been prepared that adopts the Environmental Assessment (EA) for the Salt River Ecosystem Restoration Project. The EA was prepared by the U.S. Army Corps of Engineers (USACE) and finalized September 25, 2012. The USACE EA describes the overall proposed restoration actions and environmental consequences related to the restoration of the Salt River and its Estuary to functional riverine and tidal wetlands. The Adoption Memorandum explains and incorporates the analysis developed in the USACE EA as it relates to a proposed action by the National Oceanic and Atmospheric Administration Restoration Center (NOAA RC) and explains that the NOAA RC is adopting that EA for its own action.

The NOAA RC proposed action is to provide funding through our partnership with Ducks Unlimited to implement a portion of the Salt River Ecosystem Restoration Project. The project involves restoring the Salt River channel and Estuary to historic riverine and wetland function in Humboldt County in the City of Ferndale, California. As explained in detail in the Adoption Memorandum, the action that the NOAA RC proposes to fund is within the scope and scale of the project analyzed in the USACE EA. Using the information and analysis of the adopted EA, the NOAA RC has independently determined that its proposed action will not cause significant environmental impacts and consequently makes this Finding of No Significant Impact (FONSI).

NOAA Administrative Order 216-6 (May 20, 1999) contains criteria for determining the significance of the impacts of a proposed action. In addition, the Council on Environmental Quality (CEQ) regulations at 40 C.F.R. 1508.27 state that the significance of an action should be analyzed both in terms of "context" and "intensity." Each criterion listed below is relevant to making a finding of no significant impact and has been considered individually, as well as in combination with the others. The significance of this action is analyzed based on the NAO 216-6 criteria and CEQ's context and intensity criteria. These include:

1) Can the proposed action reasonably be expected to cause substantial damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Act and identified in FMPs?

Response: The proposed action is to provide funding for a restoration program described in the USACE EA. The overall ecosystem restoration program will remove excess sediment from the river channel and restore tidal influence to the Salt River Estuary at the Riverside Ranch property. More specifically, the project includes improvements to the Salt River Estuary through removal and replacement of existing levees; creation of new tidal channels; implementing

storm drain upgrades; excavating areas of the Salt River channel; installing sediment retention basins; re-contouring riverine and levee side slopes; and re-vegetating marsh and riparian areas.

In compliance with the Magnuson-Stevens Fishery Conservation and Management Act, the NOAA National Marine Fisheries Service (NMFS) Southwest Regional Office Habitat Conservation Division was consulted regarding potential impacts to Essential Fish Habitat (EFH). NMFS determined that some aspects of the project would result in adverse effects to EFH but concluded these impacts would be short term only, and completion of the project would overall result in long-term benefits to coho salmon and Chinook salmon EFH that substantially outweigh the temporary impacts. Therefore, NMFS believes the proposed project will result in a net long-term benefit to EFH.

2) Can the proposed action be expected to have a substantial impact on biodiversity and/or ecosystem function within the affected area (e.g., benthic productivity, predator-prey relationships, etc.)?

Response: Long-term impacts to biodiversity or ecosystem function will be beneficial and not significant. While there may be short-term adverse impacts to ecosystem function, the project will enhance biodiversity by restoring 7.7 miles of riverine habitat and 264 acres of tidal estuary to full function. This project is expected to provide habitat for invertebrates, fish, bird, and plant life and improve overall ecosystem function in the Salt River.

3) Can the proposed action reasonably be expected to have a substantial adverse impact on public health or safety?

Response: The NOAA RC has reviewed the analyses of potential adverse impacts to public health and safety and has concluded that the project is unlikely to have adverse impacts to human health and safety. As explained in Section II of the adopted USACE EA, resources including air and water quality, hydrology, noise, land and recreation uses, aesthetics, and ground transportation were analyzed and were not expected to result in substantial adverse impacts.

4) Can the proposed action reasonably be expected to adversely affect endangered or threatened species, their critical habitat, marine mammals, or other non-target species?

Response: As explained in the Adoption Memo, the U.S. Fish and Wildlife Service (USFWS) and NMFS Biological Opinions (BiOps) conclude that although there would be some adverse impacts to listed species as a result of implementing this project, the overall result would be a net benefit. The BiOps determined that the proposed action is not likely to jeopardize the continued existence of listed species, or result in the destruction or adverse modification of designated critical habitat for listed species. The action would result in the incidental take of some species, and incidental take statements (ITS) were issued

with non-discretionary reasonable and prudent measures and terms and conditions, which are expected to further reduce incidental take as a result of the proposed action.

In summary, the temporary adverse impacts would be outweighed by the substantial net benefit to listed species and their habitats. The completed restoration would substantially improve ecosystem function and increase available habitat that would provide direct long term benefits to listed species.

5) Are significant social or economic impacts interrelated with natural or physical environmental effects?

Response: Section II.C.5 of the USACE EA evaluated potential impacts of the project to the social and economic environment, and concluded that no impacts on the social and economic environment would occur. As described in Section II.C.3 of the adopted USACE EA, the Salt River Ecosystem Restoration Project is not expected to have adverse effects on the natural or physical environment. Therefore, there are no significant social or economic impacts interrelated with natural or physical environmental effects.

6) Are the effects on the quality of the human environment likely to be highly controversial?

Response: The effects of the proposed action are not expected to generate any controversy or opposition. There is no dispute regarding the project's size, nature, or effect. In addition, the NOAA RC is not aware of any public comments raising substantial questions as to whether the project may cause significant degradation of some human environmental factor.

As described in the Adoption Memo, a 30-day Public Notice describing the project was issued on September 10, 2010, and was sent to all interested parties including appropriate federal and state agencies.

The 2010 Public Notice did not generate any substantive comments by the public or by other government agencies. None of the federal resource agencies identified the project as causing "substantial and unacceptable impacts to aquatic resources of national importance" in accordance with the Section 404(q) MOA.

7) Can the proposed action reasonably be expected to result in substantial impacts to unique areas, such as historic or cultural resources, park land, prime farmlands, wetlands, wild and scenic rivers, essential fish habitat, or ecologically critical areas?

Response: Impacts to historic or cultural resources are addressed in item 10 below, and impacts to EFH and ocean/coastal habitat are addressed in item 1 above. The other unique areas listed here are not present. There are no substantial impacts to unique areas.

8) Are the effects on the human environment likely to be highly uncertain or involve unique or unknown risks?

Response: Potential effects are not likely to be highly uncertain or involve unique or unknown risks. As described in section II.C.5 of the adopted USACE EA, the proposed action would not be expected to result in unavoidable adverse effects to the human environment. Where the potential for unavoidable adverse effects has been identified, appropriate mitigation measures (described in Section II.G.2 of the USACE EA) have been incorporated into the project scope to minimize the potential for these to occur.

9) Is the proposed action related to other actions with individually insignificant, but cumulatively significant impacts?

Response: As described in section II.C.7 of the adopted USACE EA, the USACE concludes and NMFS agrees that the project is not related to any other actions, and will not result in any long-term cumulative impacts. All cumulative impacts associated with the project will be temporary or short-term and associated with construction activities.

10) Is the proposed action likely to adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources?

Response: Potential impacts to Cultural or Historical resources are evaluated in Section II.C.6 of the USACE EA. The Salt River and Estuary will continue to operate as state and private agricultural lands after project implementation. Therefore, this discussion is limited to potential impacts to cultural or historic resources during construction. The USACE EA evaluation did not identify any culturally or historically important resources that could be affected by construction.

11) Can the proposed action reasonably be expected to result in the introduction or spread of a nonindigenous species?

Response: The project would not result in the transport of nonindigenous species. To minimize the likelihood of the spread of non-native species, Sections II.B and II.C of the USACE EA describe project related impacts to native species and measures to further avoid, minimize, and compensate for unavoidable impacts to native species.

12) Is the proposed action likely to establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration?

Response: The proposed action is limited to funding a portion of Salt River and Estuary restoration project and it would not establish a precedent for future actions with significant effects or establish a decision in principle for future consideration. All future actions will be consistent with those that were previously described and evaluated, otherwise they would require an independent analysis.

13) Can the proposed action reasonably be expected to threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment?

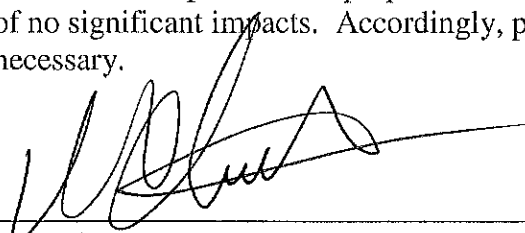
Response: The proposed project is not expected to threaten a violation of any environmental protection laws. The project has undergone environmental reviews and will include required mitigation measures detailed in the USACE EA to minimize any adverse effects to protected resources and other species and their habitats, and to minimize adverse impacts to humans and cultural resources as discussed in the Adoption Memo and USACE EA.

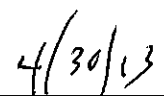
14) Can the proposed action reasonably be expected to result in cumulative adverse effects that could have a substantial effect on the target species or non-target species?

Response: No cumulative adverse effects having substantial effects on species are anticipated. As described in the Adoption Memo and USACE EA, the project will proceed in compliance with required mitigation measures included in the USACE EA to minimize any potential adverse impacts to protected resources and other species and their habitats. Overall, this project will have beneficial impacts on living marine resources and their habitats.

## **DETERMINATION**

In view of the information presented in this document and the analysis contained in the supporting Environmental Assessment prepared for the Salt River Ecosystem Restoration Project by USACE and the NOAA Adoption Memorandum, it is hereby determined that the NOAA RC's funding of the restoration of Salt River and its Estuary will not significantly impact the quality of the human environment. Furthermore, all beneficial and adverse impacts of the proposed action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.

  
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Frederick C. Sutter  
Director, Office of Habitat Conservation

  
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Date