



**WASHINGTON DEPARTMENT
OF FISH AND WILDLIFE
FINAL DETERMINATION OF
NON-SIGNIFICANCE**
April 5, 1999

State of Washington

DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N - Olympia, Washington 98501-1091 - (360) 902-2200, TDD (360) 902-2207
Main Office location: Natural Resources Building - 1111 Washington Street SE - Olympia, WA

**DETERMINATION OF NONSIGNIFICANCE,
ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT,
AND ENVIRONMENTAL DOCUMENT ADDENDUM**

Description of proposal:

The proposed project is located on lands owned by the Washington Department of Fish and Wildlife (Skagit Wildlife Area) on the south fork of the Skagit River. The project area includes approximately 567 acres of diked fields in and around Deepwater Slough and approximately 247 acres of partially diked fields on adjacent Milltown Island.

Management of the project area currently emphasizes waterfowl production and waterfowl oriented recreation. Existing dike structures in the project area are used to maintain a system of habitats that are disconnected from natural tidal and riverine hydrologic processes. As a consequence, there is extremely limited access to and utilization of the project area by fish and wildlife species that are dependent upon estuarine habitats of the lower Skagit River. In addition, detrital export from the project area to the Skagit River estuary and Skagit Bay nearshore marine environment is severely limited. The primary intent of this proposal is to restore natural estuarine functions, including tidal and riverine processes, to a portion of these diked areas while at the same time maintaining some of the existing waterfowl production and hunting activities.

Within the Skagit River system, several salmonid stocks are currently at depressed levels of abundance due to numerous factors. More specifically, Skagit River chinook have been included in the Puget Sound Ecologically Significant Unit (ESU) for chinook which the National Marine Fisheries Service (NMFS) has proposed for listing under the Endangered Species Act. A determination on this proposed listing will likely be made by NMFS in the spring of 1999. The proposed restoration at Deepwater Slough and Milltown Island is primarily motivated by the need to restore Skagit River estuarine habitats and ecological processes beneficial to salmon life history needs and survival. However, restoration of tidal and riverine processes to achieve enhanced and sustainable natural estuarine and riverine habitats will be beneficial to numerous species of fish and wildlife. Blind and subsidiary channels, and natural estuarine habitats that result from the project will be particularly beneficial to Skagit River salmonids.

The proposed project will modify existing dike structures for the purpose of restoring tidal and riverine influence to approximately 235 acres in and around Deepwater Slough. In addition, the proposed project will enhance tidal and riverine influence to approximately 247 acres on adjacent Milltown Island. Approximately 332 acres of dikes and diked farmland in and around Deepwater Slough will be maintained for continued planting of grain for waterfowl and associated recreation opportunities. To accomplish this, approximately 10,000 linear feet of existing dikes will be augmented and 14,000 linear feet will be breached or abandoned. In addition, approximately 8,300 linear feet of new dikes will be constructed.

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In addition to the dike modifications, a bridge 18 feet wide and approximately 100 feet long will be constructed across the north end of Deepwater Slough to provide access for farm equipment between the two areas bordering Deepwater Slough that will be maintained for planting crops beneficial to waterfowl.

Note: Acreage calculations are based on Army Corps of Engineers survey information and CAD (computer aided design) drawings.

Proponent:

Washington Department of Fish and Wildlife
600 Capitol Way N.
Olympia, Washington 98501-1091

Location of current proposal:

The proposed project is located on lands owed by the Washington Department of Fish and Wildlife (Skagit River Wildlife Area) on the south fork of the Skagit River in Skagit County. Sections 25, 30, 31, 36 , Township 33 North , Range 03 East, Skagit County, Washington

Title of document being adopted:

Deepwater Slough Section 1135 Restoration Project near Conway, Washington
Ecosystem Restoration Report And Environmental Assessment

Agency that prepared document being adopted:

US Army Corps of Engineers

Date adopted document was prepared:

December, 1998

Description of document (or portion) being adopted:

The document is a final response to the Section 1135 study authority and addresses the need for and desirability of undertaking a plan to restore river and tidal influence to areas of the Skagit Wildlife Area that have been affected by the Corps navigation project authorized by the Rivers and Harbors act of 1910.

If the document being adopted has been challenged (197-11-630), please describe:

WDFW is not aware that the document has been challenged.

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The document is available to be read at (place/time):

WDFW - Habitat and Lands Services Program,
Natural Resources Building, 5th floor
1111 Washington Street SE, Olympia, WA
Monday - Friday 8:00 am - 5:00 pm.

WDFW - Mill Creek, Region 4 Office
16018 Mill Creek Boulevard, Mill Creek, WA
Monday - Friday 8:00 am - 5:00 pm

WDFW - LaConner, District Office
111 Sherman Street, LaConner, WA
Monday - Friday 8:00 am - 5:00 pm

WDFW - Montesano, Region 6 Office
48 Devonshire Road, Montesano, WA
Monday - Friday 8:00 am - 5:00 pm

Washington State Library - State Library Building,
16th and Water Street, Olympia, WA
Monday - Friday 10:00 am - 5:00 pm

Washington State Library - Natural Resources Library
Natural Resources Building, 2nd Floor
1111 Washington Street SE, Olympia, WA
Monday - Friday 9:00 am - 1:00 pm.

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision maker.

Name of agency adopting the document: Washington Department of Fish and Wildlife

The lead agency is providing updated information on this project which may be of interest to other agencies or the public. The updated information provided below does not substantially change the analysis of significant impacts contained in the adopted Environmental Assessment.

Concerns have been raised that decades of duck hunting in the area may have resulted in lead contaminated soil within the project area. A 1986 survey of nearby vegetated tidelands within Skagit Bay found an average of approximately nine lead shot per square foot distributed over the area. Due to changes in waterfowl hunting regulations in the 1980's that prohibited use of lead shot, accumulation of lead at this site is no longer significant. Areas currently proposed for restoration to estuarine emergent wetland most likely contain lead from shot, although amounts and distribution have not been quantified.

Based on current site knowledge and the consultation of several experts, the presence of lead at the proposed project site is highly unlikely to cause adverse impacts to organisms that utilize the restored site for the following reasons:

1. The impact of lead shot on waterfowl populations is well documented. Indeed, past studies of waterfowl from the area show toxic levels of lead in birds as a result of ingestion of lead shot while feeding. The proposed restoration project, however, is expected to reduce the exposure of waterfowl to lead shot. The project area currently consists of fields planted in cereal grain to provide feed for migrating waterfowl. Once the project is complete, this area will be subject to tidal inundation and floodwaters of the Skagit River. These events will transport fine sediments into the area and should result in burial of the lead shot. Over time, this deposition should isolate the shot from the upper sediments in which organisms live and feed. The availability of lead should thus be reduced by these natural processes. Also, the conversion of the area from farmland to estuarine emergent wetland will remove the area from grain production, thereby reducing waterfowl feeding in the area. Consequently, feeding waterfowl should be less likely to consume lead shot.
2. In the completed project area, receding tides may have a small effect on the local availability of lead to the food chain. These local effects, however, are expected to be insignificant and will be suppressed by the volume of the subsequent flood tide and changing river flows. Therefore, given the high rate of water exchange that will occur in the project area, food chain impacts are not expected. Finally, lead does not bio-magnify as it is passed up the food chain. Therefore, with the low potential for introduction of lead at lower trophic levels, impacts to fish and other vertebrates are highly unlikely.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of the environmental assessment being adopted, the environmental document addendum, and other information on file with the lead agency. This information is available to the public at the above-referenced offices on request.

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This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 20 days from the date of issue below. Comments must be submitted by: March 28, 1999

Contact person if other than responsible official: Lyle Nelson **Phone:** (360) 466-4345 ext 260

Responsible Official: Peter Birch **Phone:** (360) 902-2641 **Fax:** (360) 902-2946

Position/Title: Environmental Review and Technical Assistance Division Manager

Address: 600 Capitol Way North, Olympia, WA 98501

Please contact: Neil Rickard **Phone:** (360) 902-2575 or **e-mail:** ricknar@dfw.wa.gov if you have questions about this adoption.

DATE OF ISSUE: March 8, 1999 **SIGNATURE:** *Neil A. Rickard* for Peter Birch

SEPA Log Number: 99017