



**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

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Name of Proposal: MDNS 14-007: FIR ISLAND FARM ESTUARY RESTORATION

Description of Proposal:

The Fir Island Farm Estuary Restoration Project will restore the tidal ecosystem processes of the Skagit River delta to the project site through the following actions as illustrated on Joint Aquatic Resource Permits Application (JARPA), Figure 3:

- Remove approximately 3,900 lineal feet (lf) of existing coastal flood dike. Use the native substrate materials from the existing flood dike to back fill the existing man made drainage channel and borrow channel along the south and north toe of the existing dike.
- Construct approximately 5,900 lf of new setback flood dike.
- Retain and augment approximately 550 lf of existing Brown Slough flood dike along the east shore south of the existing Brown Slough tide gate complex.
- Construct 200 lf of a new spur dike that extends the existing and augmented flood dike along the east shore of Brown Slough south into the existing intertidal marsh.
- Armor the bayside toe and face of the new flood dike with large rock materials.
- Remove and dispose the of the existing Claude O. Davis Slough tide gates.
- Construct new tide gates in No Name Slough along the alignment of the new setback flood dike.
- Construct a new log boom structure on the bayside of the new No Name Slough tide gates.
- Construct a new 5- to 7-acre drainage storage pond (approximately 200 feet [ft] wide) along the landward side of the new setback dike connected to the No Name Slough interior drainage channel.
- Use existing dike materials to elevate the farm field elevations at select areas along the south side of the new flood dike to created and support high marsh habitat restoration.
- Construct a new floodgate or flow control structure that connects the new drainage storage pond with the Dry Slough interior drainage channel.
- Construct a new pump station between the new drainage storage pond and new setback flood dike. Consistent with the Skagit Drainage and Fish Initiative requirements, the new pump station will be constructed a minimum of 300 feet from the interior drainage channels of No Name Slough and Dry Slough to avoid potential juvenile salmonid entrainment.
- Construct a new culvert/tide gate at the existing Dry Slough tide gate complex.
- Excavate new tidal pilot channels in the farmland area of the project site. Use native substrate material excavated from the new tidal pilot channels to elevate the farm field

elevations at select areas along the south side of the new flood dike to be created and support high marsh habitat restoration.

- Relocate the southern end of the existing public access road towards the west, near the toe of the existing Brown Slough flood dike.

The actions associated with this restoration project are expected to restore approximately 127.5 acres of complex tidal marsh and 17.4 acres of tidal channels and produce an estimated 65,000 to 320,600 juvenile Chinook smolts annually. Snow goose management, public access, and agriculture will be maintained at the project site. Agriculture drainage, flood protection, and protection from saltwater intrusion will be maintained for the remaining farmland at the project site and for the neighboring farms. The new setback dike design incorporates the results of a 3D Hydrodynamic Model analysis of the existing coastal process of Skagit Bay as well as the latest climate change and sea level rise predictions.

The proponent shall incorporate the following mitigation measures into the project:

Snow Geese

- The boundary of WDFW's existing snow goose reserve will be retained
- Hunting will continue to be prohibited at WDFW's snow goose reserve.
- 120 acres of WDFW's snow goose reserve will continue to be farmed for winter snow goose forage.
- 120 acres of WDFW's snow goose reserve will continue to be share cropped to a local farmer.
- The share crop agreement will include a requirement for the farmer to plant, at a minimum, 130 acres of additional farmed winter snow goose forage.
- The restored tidal marsh habitats will provide foraging, resting, and nesting habitats for wildlife species including snow geese.
- Construction activities will be minimized between November and April to avoid disturbing snow goose use of the site.

Bald Eagles

- Construction activities will be minimized within 660 feet of an existing eagle nest during the breeding season.
- WDFW will develop an eagle management plan that protects the eagle nest and nesting activity if disturbance above background conditions occurs within 660 feet of the existing eagle nest during the nesting season.

Fish

- Construction activities associated with removal of the existing dike and activities on the bay side of the existing dike will not occur February 15 through July 31 of any year for protection of migrating juvenile salmonids. Defishing activities will occur following approved protocols for in-water work within existing interior drainages 300 feet from the existing tide gates in Claude O. Davis Slough, consistent with the Skagit Drainage and Fish Initiative.
- Appropriate best management practices will be implemented during construction to protect fish life.
- 127 acres of new tidal marsh habitats and 17.7 acres of new tidal channels that provide critical rearing habitat for a variety of fish species including juvenile Chinook salmon will be created.
- The restored area is expected to produce approximately 65,000 Chinook salmon smolts annually.

Agriculture

- Flood protection for the agriculture fields and residences of Fir Island will be enhanced through the construction of a new engineered setback dike designed to provide protection during predicted extreme winter storm events and for the medium level 50 year sea level rise prediction for the area.
- Drainage for the adjacent farms and agriculture fields within the No Name Slough watershed on Fir Island will be maintained through the construction of new tidegates in No Name Slough, a new drainage storage pond adjacent to No Name Slough, a new pump station in the new drainage storage pond and a new drainage connection between the drainage storage pond and Dry Slough.
- The restoration project has been designed to minimize impacts to the drainage in Brown Slough. A new spur dike along the eastern shoreline of Brown Slough will be constructed to reduce the project related impacts to the drainage in Brown Slough.
- The restoration project has been designed to minimize impacts to the drainage in Dry Slough. A new tidegate in Dry Slough will be constructed to address project related impacts to the drainage in Dry Slough.
- Ground water wells have been installed in adjacent farm fields to monitor project effects on groundwater.
- Water surface level monitors have been installed Brown Slough, Dry Slough and No Name Slough to monitor the project effects of surface drainage.
- An adaptive management plan will be developed in consultation with the local diking district where actions will be identified to address unexpected impacts to the agricultural drainage.

Water Quality

- Residential wells will not be impacted by the project.
- Appropriate water quality best management practices will be implemented at the project site during construction.
- Areas of the project site disturbed during construction will be re-vegetated to stabilize the soils and minimize sediment inputs to watercourses and bay.
- The restored tidal marsh will provide biofiltration benefits.

Public Access and Recreation

- The access road to the existing public parking lot will be retained though its route may be slightly modified.
- The existing public parking lot will be retained.
- Existing watchable wildlife recreation activities will be retained.
- The existing point destination dike top trail be retained and enhanced.

Proponent/Applicant: Washington Department of Fish and Wildlife (WDFW)
Attention: Brian Williams
PO Box 1100
La Conner, WA 98257
(360) 466-4345 ext. 250

Location of Proposal: WDFW Fir Island Farm, Fir Island, Skagit County, Washington; Section 22, Township 33N, Range 3E, WM.

Lead Agency: Washington Department of Fish and Wildlife (WDFW)

WDFW has determined that this proposal will likely not have a significant adverse impact on the environment. Therefore, state law¹ does not require an environmental impact statement (EIS). WDFW made this mitigated determination of nonsignificance (MDNS) after we reviewed the environmental checklist and other information on file with us.

We issued this MDNS according to state rules.² We will **not act on this proposal for 14 days** from the date we issued the MDNS. Agencies, affected tribes, and members of the public are invited to comment on this proposal or MDNS. We must receive your comments within 14 days of the date of this letter. The comment period will end at **5:00 pm on February 21, 2014**.

Method of Comment:

The following procedures shall govern the method to comment on agency SEPA proposals. Comments received through these procedures are part of the official SEPA record for this proposal.

You can submit your comments any one of the following ways:

- Email to SEPAdesk2@dfw.wa.gov
- Online at the WDFW SEPA website comment link at: <http://wdfw.wa.gov/licensing/sepa/>
- Fax to (360) 902-2946;
- Mail to the address below.

Responsible Official: Lisa Wood

Position/Title: SEPA/NEPA Coordinator, WDFW Regulatory Services Section

Address: 600 Capitol Way North, Olympia, WA 98501-1091

After the comment period closes, applicants may view the updated status of this proposal on the WDFW SEPA website: <http://wdfw.wa.gov/licensing/sepa/>. Once the status is posted as final, applicants and permittees may take action on the proposal. When a proposal is modified or withdrawn, notice will be given in accordance with state law.¹

If you have questions about this MDNS or the details of the proposal, contact Lisa Wood at the address, e-mail, or fax number above; you can also call her at (360) 902-2260.

DATE OF ISSUE: February 6, 2014

SIGNATURE:



Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).

SEPA Log Number: 14-007. mdns