



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 (DNS)

Name of Proposal: FRESHWATER SLOUGH LEVEE REPAIR

Description of Proposal: WDFW proposes to repair the existing levee that was damaged during the 2006 floods. Approximately 40 linear feet (approximately 300 cubic yards) will be repaired by regrading the waterward slope. Native vegetation such as willows will be planted to improve habitat and help stabilize the slope. Also, the backside of the levee will be filled with the material removed from the waterward side and regraded to maintain the levee's width.

Proponent/Applicant:

Washington Dept of Fish and Wildlife
Capitol Programs & Engineering Division
600 Capitol Way North
Olympia, WA 98501-1091

WDFW Contact Person: Marty PeoplesFish and Wildlife Biologist
Telephone Number: (360) 902-8426
Fax Number: (360) 902-8367
E-Mail: peoplmdp@dfw.wa.gov

Consultant Contact: Brian Missildine, Environmental Scientist
Skillings Connolly, Inc
Environmental Scientist
Telephone Number: (360) 491-3399
Fax Number: (360) 491-3857
E-Mail: bmissildine@skillings.com

Location of Proposal, including street, if any: From I-5 north take exit 221 or the Lake McMurry exit, head west on the Pioneer Hwy. Go over the interstate and take the first right onto Fir Island Road through Conway and about 1.8 miles to left on Wylie Road go to the end of Wylie and stay left onto the Wildlife Area. From this point, WDFW personnel will escort visitors by boat to the project site.

There is no street address for the proposed project. The closest town, Conway, is approximately 2 miles to the northeast, Washington, Skagit County; Section 03, Township 24 North, Range 33 EastWM

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

WDFW has determined that this proposal likely will not have a significant adverse impact on the environment. Therefore, state law¹ does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us. If you want to review this information, please contact WDFW at the address below.

Agencies, affected tribes, and members of the public are invited to comment on this proposal.

We issued this DNS according to state rules.² We will **not act on this proposal for 14 days** from the date we issued the DNS. If you have comments about this DNS or the proposal, you must send your comments to us so that we receive them within 14 days. This means we must receive your comments by **July 29, 2008**.

When you send us your comments, please provide the name of proposal in your comment letter, and mail the letter to:

Responsible Official: Teresa A. Eturaspe

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

Address: 600 Capitol Way North, Olympia, WA 98501

You can also send your comments via email to SEPAdesk@dfw.wa.gov, or via fax to (360) 902-2946.

If you have questions about this DNS or the details of the proposal, contact Teresa Eturaspe at the address, e-mail, or fax number above; you can also call her at (360) 902-2575.

DATE OF ISSUE: July 15, 2008

SIGNATURE: 

Footnotes

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

SEPA Log Number: 08 -050. dns

Distribution of Environmental Document:

Department of Ecology, Environmental Review Section, Olympia
Department of Natural Resources, SEPA Center, Olympia
U.S. Fish and Wildlife Service, Western Washington Office, Lacey
U. S. Army Corps of Engineers, Seattle
NOAA-Fisheries, Seattle
State Parks and Recreation Commission, Olympia
Dept of Archaeology and Historic Preservation
Skagit County Planning Department, Mount Vernon
Skagit County Public Works, Mount Vernon
Northwest Indian Fisheries Commission, Olympia
Lummi Indian Natural Resources, Bellingham
Lummi Nation Tribal Historic Preservation Office
Nooksack Tribe, Deming
Suquamish Tribe, Suquamish
Swinomish Tribe, La Conner
Skagit System Cooperative, La Conner
Upper Skagit Tribe, Sedro Wooley
WDFW, Habitat Program, Region 4, Mill Creek
WDFW, Fish Program, Region 4, Mill Creek
WDFW, Wildlife Program, Region 4, Mill Creek

FILE ONLY: DO NOT COPY

FILE: FRESHWATER SLOUGH LEVEE REPAIR

COUNTY: SKAGIT COUNTY

FINAL DATE: July 15, 2008

DISTRIBUTION:

- ECOLOGY; ENVIRONMENTAL REV, OLYMPIA**
- DNR, SEPA CENTER, OLYMPIA**
- USFWS; WESTERN WA OFFICE, LACEY**
- ACOE, SEATTLE**
- NOAA-FISHERIES, SEATTLE**
- STATE PARKS AND RECREATION COMMISSION, OLYMPIA**
- DEPT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
- SKAGIT COUNTY PLANNING, MOUNT VERNON**
- SKAGIT COUNTY PUBLIC WORKS, MOUNT VERNON**
- NORTHWEST INDIAN FISHERIES COMMISSION, OLYMPIA**
- UPPER SKAGIT TRIBE, SEDRO WOOLEY**
- LUMMI INDIAN NATURAL RESOURCES, BELLINGHAM**
- LUMMI NATION TRIBAL HISTORIC PRESERVATION OFFICE, BELLINGHAM**
- NOOKSACK TRIBE, DEMING**
- SWINOMISH TRIBE, LA CONNER**
- SUQUAMISH TRIBE, SUQUAMISH**
- SKAGIT SYSTEMS COOPERATIVE, LA CONNER**
- WDFW; HABITAT PROGRAM; REG 4; ATTN: J. KAMPS**
- WDFW; FISH PROGRAM; REG 4;BRETT BARKDULL**
- WDFW; WILDLIFE PROGRAM; REG 4:M. DAVISON**
- APPLICANT: M. PEOPLES**
- READER FILE**

WA DEPARTMENT OF ECOLOGY
ENVIRONMENTAL REVIEW SECTION
POST OFFICE BOX 47703
OLYMPIA WA 98504-7703

WA DEPARTMENT OF NATURAL RESOURCES
SEPA CENTER
POST OFFICE BOX 47015
OLYMPIA WA 98504-7015

US ARMY CORPS OF ENGINEERS
SEATTLE DISTRICT
REGULATORY BRANCH
PO BOX 3755
SEATTLE WA 98124-2255

US FISH AND WILDLIFE SERVICE
WESTERN WASHINGTON OFFICE
510 DESMOND DRIVE SE SUITE 102
LACEY WA 98503

NOAA -FISHERIES
KATHE HAWE
REG. NEPA COORDINATOR
7600 SAND POINT WAY NE
SEATTLE WA 98115

SKAGIT COUNTY PLANNING AND PERMIT CENTER
ENVIRONMENTAL REVIEW
1800 CONTINENTAL PLACE
MOUNT VERNON WA 98273-5625

NORTHWEST INDIAN FISHERIES COMMISSION
ENVIRONMENTAL REVIEW
6730 MARTIN WAY EAST
OLYMPIA WA 98506

UPPER SKAGIT TRIBE
ENVIRONMENTAL REVIEW
25944 COMMUNITY PLAZA
SEDRO WOOLLEY WA 98284

LUMMI TRIBE NATURAL RESOURCES
ENVIRONMENTAL REVIEW
2616 KWINA ROAD
BELLINGHAM WA 98226-9298

NOOKSACK TRIBE
ENVIRONMENTAL REVIEW
5048 OLD DEMING ROAD
PO BOX 157
DEMING WA 98244

SUQUAMISH TRIBE
ENVIRONMENTAL REVIEW
PO BOX 498
SUQUAMISH WA 98392

SWINOMISH TRIBE
ENVIRONMENTAL REVIEW
PO BOX 817
LA CONNER WA 98257

SKAGIT SYSTEMS COOPERATIVE
ENVIRONMENTAL REVIEW
PO BOX 368
LA CONNER WA 98257

SKAGIT COUNTY PUBLIC WORKS
ENVIRONMENTAL REVIEW
1800 CONTINENTAL PL
MT VERNON WA 98273

CHRIS REGAN, ENVIRONMENTAL PROGRAM MANAGER
Washington State Parks and Recreation Commission
7150 CLEANWATER DRIVE, PO BOX 42650
OLYMPIA, WA 98504-2650

**Lummi Nation Tribal Historic Preservation
Office**
2616 KWINA ROAD
BELLINGHAM WA 98226

WA DEPT ARCHAEOLOGY AND HISTORIC PRESERVATION
PO BOX 48343
OLYMPIA WA 98504



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

**NOTICE OF FINAL DETERMINATION
FRESHWATER SLOUGH LEVEE REPAIR
DATE ISSUED-July 15, 2008 DATE FINAL-July 30, 2008 SEPA NUMBER-#08050**

Under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2), the Washington Department of Fish and Wildlife (WDFW) issued a

- Determination of Nonsignificance (DNS)**
 Mitigated Determination of Nonsignificance (MDNS)
 Revised Determination of Nonsignificance (RDNS)


This decision by the WDFW Responsible Official to issue a DNS is hereby:

- Retained** (i.e., an EIS will not be required).
 Withdrawn. WDFW is considering making substantial changes to the proposal. This is based on our evaluation of new information we gathered during the comment period. WDFW will make a new threshold determination after we revise the proposal.
 Extended. WDFW has not made a final threshold determination. We are still reviewing this SEPA proposal. WDFW will notify you when we make a final determination.

WDFW has attached comments that may have been received for this proposal. Comments we received may affect future permits required for this proposal. You may want to review all comments and respond to them in light of possible future permits.

This document is a part of the official SEPA record. Please retain this with your original checklist and determination.

Sincerely,


Teresa A. Eturaspe
WDFW SEPA Responsible Official
SEPA/NEPA Coordinator

TAE:tae

cc: J. Kamps AHB Region 4