



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Name of Proposal: MDNS 18-064: LEQUE ISLAND ESTUARY RESTORATION

Description of Proposal:

The Project would restore tidal inundation to 250-acres on Leque Island. This is the final proposed phase of restoration at this time. Project components include:

- Excavation of up to 5,800 linear feet of new interior tidal channels, including minor modifications to the alignments of the channels constructed in 2017.
- Fill of up to 2.7 acres of existing artificial drainage features (ditches, borrow areas) interior of the perimeter dike, and well as one tidal channel to redirect water away from the new wave attenuation berm.
- Removal of the perimeter levee (about 12,000 linear feet), including two existing tide gates and material (rock, concrete blocks, sand bags) previously used to repair several sections of the levee.
- Excavation of five new breaches to connect the interior tidal channel network to the adjacent tidal estuary, including two breaches to Davis Slough, two breaches to Port Susan (Puget Sound), and one breach to South Pass (Stillaguamish River).
- Removal of Eide Road and an existing parking lot.
- Removal of all chain link fence and underground utility infrastructure.
- Construction of a wave attenuation berm along the northeastern portion of the project area.
- Construction of a new parking area on the northern (exterior) side of the wave attenuation berm, near the entrance to the project area from State Route (SR) 532.
- Construction of a new access to an informal hand-carry boat launch in the northwestern corner of the project area.

Note that some project activities described in MDNS 17-011 for the Preparation phase of the project will continue through 2019.

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

Water Quality and Fisheries

- A site-specific Storm Water Pollution Prevention Plan (SWPPP) will be developed prior to project implementation. The SWPPP will identify best management practices (BMP) and erosion/sediment control to minimize the inadvertent delivery of sediment or hazardous materials to waterbodies or runoff areas. Representative BMPs include:
 - Sediment traps/basins, temporary berms, inlet (tide gate) protection, and other measures will be used to limit movement of soil into waterways and wetlands.
 - Construction materials that may leak petroleum products, fuel, lubricants, or other hazardous materials will be staged in designated areas, away from waterbodies or runoff areas.

- Vehicles and equipment will not be washed onsite.
- Work will stop if rain conditions that may cause siltation, erosion, or a dangerous work environment are encountered during construction.
- Site inspections will be completed at least one time per week and after storm events of 0.5 inches or greater to verify erosion and sediment controls are in good working order.

Biological Resources

- To the extent possible, construction, staging and access areas will be limited to designated areas, including paved roads and berms, to minimize the potential for injury to less mobile terrestrial wildlife species. Construction access within Leque Island will be limited to as few routes as possible.
- To the extent possible, construction activities, including vegetation removal, will be limited to the period outside the typical breeding season for most bird species (i.e., April to July).
- Adverse effects on water quality, which may affect fish utilizing adjacent waters, would be minimized by implementing site-specific erosion control measures to reduce sediment delivery to waters during construction (see above).
- To protect fish and other aquatic resources, WDFW will implement all applicable conservation measures and design criteria provided in the federal programmatic biological opinions that apply to the project (NMFS reference NWR-2013-10221; USFWS reference 01EOFW00-2014-F-0222).

Cultural Resources

- All construction personnel will participate in cultural resource training and orientation prior to the start of any ground-disturbing construction activities. New construction personnel added after construction begins will be trained before working on the site. The training will inform construction personnel what constitutes cultural resources and inadvertent finds, and what steps to take in the event of an inadvertent discovery. Cultural resource training and orientation will be developed and provided by a qualified archaeologist.
- A qualified archaeologist will be available to monitor select ground-disturbing activities during construction, as identified in the Monitoring and Inadvertent Discovery Plan (MIDP) for the project. The monitor will have the authority to stop work in the event cultural materials are discovered during construction.
- Regulatory agencies and potentially affected tribes will be notified of any inadvertent discovery of cultural resources by the archaeological monitor in accordance with the MIDP. Protective buffers will be established to protect the resource, as needed.

The project will restore tidal conditions to 250 acres of historic salt marsh habitat. Over 80% of historic salt marsh habitat has been lost in the Stillaguamish river delta which has had significant detrimental effects to several species, including Endangered Species Act-listed Chinook salmon. The project will connect 3.7 miles of channels to Port Susan Bay and the Stillaguamish River, which will immediately allow fish to begin using the site upon completion of the project.

Proponent/Applicant: Washington State Department of Fish and Wildlife (WDFW)
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Location of Proposal: Leque Island, immediately west of Stanwood and south of State Route 532, Snohomish County, Washington: Township 32N, Range 5E, Section 26.

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 December 5, 2018**.

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: November 21, 2018

SIGNATURE:



Footnotes

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

SEPA Log Number: 18-064.mdns