

**U.S. ARMY CORPS OF ENGINEERS
DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

**Flowering Rush Control Cost Share Program
Idaho, Montana, Oregon, and Washington**

June 2019

I. Project Description and Background Information

The US Army Corps of Engineers, Walla Walla District (Corps), proposes to share the costs with the states of Washington, Oregon, Idaho, and Montana to treat flowering rush infestations on non-Federal waters in the states of Washington, Oregon, Idaho, and Montana. The proposal to cost share control of flowering rush would be authorized under the Aquatic Plant Control (ACP) Program, Section 104 of the River and Harbor Act of 1958, as amended and codified at 33 U.S.C. §610. Of amounts appropriated for the ACP Program in Fiscal Year (FY) 2018 and FY 2019, specific allocations were provided for the control of flowering rush. The Consolidated Appropriations Act, 2018 (P.L. 115-141), and the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (P.L. 115-244), each allocated \$1,000,000 in funds for activities for the control of the flowering rush.

Flowering rush is invasive and displaces native aquatic plants in a variety of habitats. Flowering rush is indigenous to Europe and Asia where the plant thrives in areas of slow-moving or relatively stagnant water. In the United States, it converts diverse native plant communities into monocultures that provide excellent habitat for nonnative, warm water fish, often predators of native, threatened and endangered salmon and steelhead.

II. Proposed Action

The Corps proposes to share the costs with the states of Washington, Oregon, Idaho, and Montana to treat flowering rush infestations on non-Federal lands. The Corps, on a reimbursable basis, and the Pacific States Marine Fisheries Commission (PSMFC), acting on behalf of the four member states, would each contribute 50 percent of the costs for flowering rush control operations. Annual program expenses would be documented in Statements of Work submitted each year by the PSMFC in advance of treatment. The goal of flowering rush control is to prevent or minimize the impacts of flowering rush invasion on habitat, irrigation, and recreation. The aim is to eradicate known and future flowering rush populations and provide continued subsequent control at a much-reduced effort.

III. Purpose and Need

The purpose of the proposed action is to treat and control current and future flowering rush infestations within the four-state area (FSA) – Idaho, Montana, Oregon, and Washington, under Section 104 of the River and Harbor Act of 1958 (33 U.S.C. §610),

as amended. The proposed action is needed to reduce the negative impacts of flowering rush, an invasive noxious and nuisance weed, in state waterways. Flowering rush forms dense monocultures that provide excellent habitat for nonnative, warm-water fish including northern pike, walleye, smallmouth bass, and other aggressive, nonnative juvenile salmonid predators. Flowering rush also interferes with boating, swimming, fishing, and other recreational opportunities along rivers and lake shores. Additionally, flowering rush supports habitat for the great pond snail (*Lymnaea stagnalis*) that hosts parasites that can burrow into the skin of swimmers and waders, causing Cercarial Dermatitis. Flowering rush can also invaded irrigation canals where it blocks flow and requires expensive herbicide and mechanical treatments to maintain the water conveyance system.

IV. Project Alternatives

Two alternatives are evaluated in the Environmental Assessment (EA). The No Action Alternative and Alternative 2 - Flowering Rush Control Cost Share Plan (the Proposed Action Alternative). The No Action Alternative does not satisfy the project's purpose and need, but NEPA requires analysis of the No Action Alternative to set the baseline from which to compare other alternatives.

V. Environmental Effects

The Proposed Action Alternative and the No Action Alternative were analyzed for potential effects to the following resources: water quality, wetlands and aquatic vegetation, aquatic wildlife, terrestrial wildlife, threatened and endangered species, historic and cultural properties, socioeconomics and environmental justice, and recreation. This analysis is detailed in Section 3 of the EA. The analysis concluded there would be no significant effects to any of the resources from implementation of the Proposed Action Alternative.

The Corps also considered the cumulative effects of the Proposed Action Alternative along with other past, present, and reasonably foreseeable future actions in the four States. The Corps concluded that the proposed alternative would not cause a significant cumulative effect.

VI. Consultation and Compliance with Other Laws and Regulations

The Endangered Species Act (ESA) established a national program for the conservation of threatened and endangered fish, wildlife, and plants and the habitat upon which they depend. Section 7(a)(2) of the ESA requires Federal agencies to consult with the USFWS and NMFS (hereafter, "the Services"), as appropriate, to ensure that their actions are not likely to jeopardize the continued existence of endangered or threatened species or adversely modify or destroy their critical habitats.

The Corps has determined that impacts to threatened and endangered species from the proposed flowering rush treatment methods, as described above, would range from "no

effect” to “may affect, but not likely to adversely affect” depending on the species present and treatment methods employed in a given treatment scenario. Initial Statements of Work discussed in the EA have been consulted on with the Services in 2019 and the methods described in this document were determined to “not likely to adversely affect threatened or endangered species.” Initial consultation will be considered complete upon the reception of Letters of Concurrence from the Services, at which time a final FONSI could be signed.

The Corps will engage in programmatic framework consultation for future Statements of Work, but would conduct standard Section 7 consultation with the relevant Service(s) for each submitted flowering rush treatment Scope of Work until the completion of programmatic framework consultation. If possible adverse effects are identified, the Corps would first attempt to modify any project potentially affecting threatened or endangered species, and/or designated critical habitat, to avoid or minimize any potential impacts.

In accordance with the Corps supplemental NEPA regulations (33 CFR §230.11), the Corps will provide notice of the availability of the EA and this FONSI when signed to concerned agencies, organizations and the interested public by a news release issued to all area news agencies. The EA and signed FONSI will also be posted to the Corps website at <http://www.nww.usace.army.mil/Missions/Environmental-Compliance/> .

See Section 4 of the EA for a discussion of how the proposed action complies with other laws, regulations, and Executive Orders.

VII. Findings and Decision

Having reviewed the Flowering Rush Control Cost Share Program EA, I find that the document provides sufficient discussions on the purpose of and need for the proposed action, alternatives, the environmental effects of the proposed action and the alternatives, and a listing of agencies consulted. These documents provide sufficient evidence and analysis to meet the Corps requirements pursuant to the National Environmental Policy Act. Based on this information, I find that implementation of the proposed action would not result in significant impacts on the quality of the human environment and that an Environmental Impact Statement is not required. The Corps will proceed to fund the proposed project under the authority of Section 104 of the RHA of 1958, using funds appropriated under Section 1178 of Water Infrastructure Improvements of the Nation Act of 2016.

CHRISTIAN N. DIETZ
Lieutenant Colonel, EN
Commanding

Date