

# **FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

## **Levee Rehabilitation Program Assistance Public Law 84-99**

### **Heise-Roberts Levee System Upper Snake River Jefferson County, Idaho**

**October 2019**

#### **I. Project Description and Background Information**

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to repair three sections of the Heise-Roberts Levee System along the Snake River in Jefferson County, Idaho. The levees were damaged by sustained high flows during the 2019 flood season.

All three sites incurred similar damage during high spring runoff. The slopes and levee toes eroded away which has caused the slopes to become steeper than 2 Horizontal:1 Vertical (2H:1V), which is unstable for riprap. Some riprap remains, but does not provide a competent revetment surface. This displaced riprap has exposed the levee shell material underneath, which needs to be protected with quarry spalls before placement of riprap.

The Corps proposes to repair the damaged levee sections by adding quarry spalls (4-6" diameter rock) and then riprap (2-4' diameter) to cover the exposed levee fill material. The total estimated volume of quarry spalls is about 1,500 cubic yards and riprap placement is estimated at about 5,500 cubic yards.

Repair of the damaged sites would begin in mid-November 2019 and take about six weeks to complete.

#### **II. Authority**

On June 3, 2019, Idaho Flood Control District #1 (FCD1), requested assistance from the Corps, Walla Walla District, to repair the damage to the levees under Public Law (PL) 84-99, Flood and Coastal Storm Emergencies. Under this law, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities including disaster preparedness, Advance Measures, emergency operations (Flood Response and Post Flood Response), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of federally authorized shore protective works threatened or damaged by coastal storm and provisions of emergency water due to drought or

contaminated source. In response to the Flood District's request, the Walla Walla District prepared a "Rehabilitation Project Information Report for Heise-Roberts Levee System" which was determined acceptable by the U.S. Army Corps of Engineers, Northwestern Division, on August 26, 2019. As required by PL 84-99, a Cooperation Agreement for Rehabilitation of a Federal Flood Control Work was executed between the Corps and the FCD1 on October 4, 2019.

### **III. Purpose and Need**

The Corps proposes to repair three locations on the Heise-Roberts Levee System along the Snake River in Jefferson County, Idaho. The purpose of the proposed action is to provide flood risk management to affected areas of Jefferson County. The levees protect nearby homes, agricultural land and municipal facilities that are now at increased risk from flood damages. Rehabilitation would include repairing the levees to "as-was condition" in a manner that would not change the character, scope, or size of the original fill design. The action is needed because all three sites incurred similar erosion damage and now the slopes are steeper than 2H:1V which is unstable for riprap.

### **IV. Project Alternatives**

Two alternatives are evaluated in the Environmental Assessment (EA); the No Action Alternative and the Proposed Action Alternative. The statutory objectives/scheme supporting an action can serve as a guide to determine the reasonableness of objectives outlined in the EA – in this case assistance under PL 84-99. Additionally, an agency's obligation to consider alternatives under an EA is a lesser one than under an Environmental Impact Statement. Consequently, only the No Action and Proposed Action Alternatives were analyzed further. The No Action Alternative does not satisfy the project's purpose and need, but the National Environmental Policy Act requires analysis of the No Action Alternative to set the baseline from which to compare other alternatives. No Action does not mean there would be no environmental impacts from this alternative.

### **V. Environmental Effects**

The Proposed Action Alternative and the No Action Alternative were analyzed for potential effects to the following resources: water quality, aquatic resources, wildlife, vegetation, threatened and endangered species, cultural resources, soils, socioeconomics, recreation and effects of climate change. The analysis is detailed in Section 3 of the EA. The analysis concluded there would be no significant adverse 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 proposed action area. The Corps concluded that repair of the levees would not cause a significant cumulative effect.

## **VI. Consultation and Compliance with other Laws and Regulations**

The Corps determined that the proposed action would have “no effect” on all listed or proposed species or their designated or proposed critical habitats.

The Corps has determined that this action, as proposed, would result in no adverse effect to historic properties. The Idaho State Historic Preservation Office concurred with the Corps finding in an email dated September 26, 2019. The Corps did not identify any historic properties of potential religious or cultural significance to Native American tribes so no tribes were consulted.

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 Heise-Roberts Levee Rehabilitation Project EA and supporting appendices, I find that the documents provide 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 Public Law 84-99, Flood and Coastal Storm Emergency Act, when funds are made available for that purpose.

  
\_\_\_\_\_  
CHRISTIAN N. DIETZ  
Lieutenant Colonel, EN  
Commanding

10/31/19  
\_\_\_\_\_  
Date



**US Army Corps  
of Engineers** ®

Walla Walla District  
BUILDING STRONG-

---

**2019 LEVEE REHABILITATION PROGRAM ASSISTANCE  
PUBLIC LAW 84-99**

**HEISE-ROBERTS LEVEE SYSTEM  
UPPER SNAKE RIVER  
JEFFERSON COUNTY, IDAHO**

**ENVIRONMENTAL ASSESSMENT**

**In compliance with the  
National Environmental Policy Act of 1970**

**ADMINISTRATIVE RECORD – DO NOT DESTROY**

**PROJECT FILE NUMBER: PPL-C-2019-0082**

**October 2019**

# TABLE OF CONTENTS

Section 1 - Project Description.....	1
1.1 Project Name.....	1
1.2 Project Location.....	1
1.3 Project Description .....	1
1.3.1 Background Information .....	4
1.3.2 Authority .....	5
1.4 Purpose and Need .....	5
1.5 Construction Timeline.....	6
Section 2 - Alternatives .....	6
2.1 Alternative 1: No Action .....	6
2.2 Alternative 2: Proposed Action – Levee Repair .....	6
Section 3 - Affected Environment and Environmental Effects.....	7
3.1 Water Quality.....	8
3.1.1 Affected Environment.....	8
3.1.2 Environmental Consequences .....	8
3.1.2.1 Alternative 1: No Action Alternative .....	8
3.1.2.2 Alternative 2: Proposed Action – Levee Repair .....	8
3.2 Aquatic Resources .....	9
3.2.1 Affected Environment.....	9
3.2.2 Environmental Consequences .....	9
3.2.2.1 Alternative 1: No Action Alternative .....	9
3.2.2.2 Alternative 2: Proposed Action – Levee Repair .....	9
3.3 Wildlife.....	9
3.3.1 Affected Environment.....	9
3.3.2 Environmental Consequences .....	10
3.3.2.1 Alternative 1: No Action Alternative .....	10
3.3.2.2 Alternative 2: Proposed Action – Levee Repair .....	10
3.4 Vegetation .....	10
3.4.1 Affected Environment.....	10
3.4.2 Environmental Consequences .....	11
3.4.2.1 Alternative 1: No Action Alternative .....	11
3.4.2.2 Alternative 2: Proposed Action – Levee Repair .....	11
3.5 Threatened and Endangered Species.....	11
3.5.1 Affected Environment.....	11

3.5.2	Environmental Consequences .....	11
3.5.2.1	Alternative 1: No Action Alternative .....	11
3.5.2.2	Alternative 2: Proposed Action – Levee Rehab .....	12
3.6	Historic/Cultural Resources .....	12
3.6.1	Affected Environment.....	12
3.6.2	Environmental Consequences .....	12
3.6.2.1	Alternative 1: No Action Alternative .....	12
3.6.2.2	Alternative 2: Proposed Action – Levee Repair .....	13
3.7	Soils.....	13
3.7.1	Affected Environment.....	13
3.7.2	Environmental Consequences .....	14
3.7.2.1	Alternative 1: No Action Alternative .....	14
3.7.2.2	Alternative 2: Proposed Action – Levee Repair .....	14
3.8	Socioeconomics .....	14
3.8.1	Affected Environment.....	14
3.8.2	Environmental Consequences .....	14
3.8.2.1	Alternative 1: No Action Alternative .....	14
3.8.2.2	Alternative 2: Proposed Action – Levee Repair .....	15
3.9	Recreation.....	15
3.9.1	Affected Environment.....	15
3.9.2	Environmental Consequences .....	15
3.9.2.1	Alternative 1: No Action Alternative .....	15
3.9.2.2	Alternative 2: Proposed Action – Levee Repair .....	15
3.10	Cumulative Impacts.....	15
Section 4 - Compliance with Applicable Environmental Laws and Regulations .....		16
4.1	National Environmental Policy Act.....	16
4.2	Endangered Species Act.....	16
4.3	National Historic Preservation Act.....	17
4.4	Clean Water Act .....	17
4.5	Executive Order 11988 Floodplain Management .....	18
Section 5 - Consultation and Coordination.....		18
Section 6 - References .....		18

**List of Figures**

Figure 1. Project Location surrounded by the Corps Walla Walla District Boundary (NWW) in red. The blue line designates the Snake River.....	1
--	---

Figure 2. Heise-Roberts Levee System – Levee Alignment and Leveed Area .....**Error!**  
**Bookmark not defined.**  
Figure 3. Left Bank Leveed Area – Erosion Damage at Site #19-1(A&B) and #19-3.....2  
Figure 4. Right Bank Leveed Area – Erosion Damage at Site #19-2 (Market Canal). ....3  
Figure 5. Typical Damaged Levee Sections (Displaced Riprap and  
Steepened Slopes) .....4  
Figure 6. Location of the Byrne Quarry Site.....7

**List of Tables**

Table 1. Environmental Resources Not Evaluated Further .....7  
Table 2. ESA-Listed Species that are Listed in Jefferson County, Idaho .....111

**Appendices**

Appendix A, Drawings and Cross Sections  
Appendix B, Idaho SHPO Concurrence Email dated September 26, 2019

This page intentionally left blank

## SECTION 1 - PROJECT DESCRIPTION

### 1.1 Project Name

2019 Levee Rehabilitation Program Assistance, Public Law 84-99, Heise-Roberts Levee System, Upper Snake River, Jefferson County, Idaho

### 1.2 Project Location

The Heise-Roberts Levee System is located on the upper Snake River in eastern Idaho, south of the town of Rexburg (Figure 1). The Heise-Roberts Levee System is separated into three systems: Heise-Roberts 1 (Left Bank (HRL1), Heise-Roberts 2 (Right Bank (HRR1) in Madison County, and Heise-Roberts 3 (Right Bank-Lower) (HRR2) in Jefferson County (Figure 2).

Sites proposed for repair would occur in HRL1 and HRR2. Sites 19-1A and 19-1B located at River Mile (RM) 834 (Halls Dairy) and 19-3 located between RM 820 and 821 (Judy) are located on the left bank in HRL1. Site 19-2 (Market Canal) is located on the right bank also between RM 820 and 821 in HRR2 (Figures 3 and 4).



**Figure 1. Project Location surrounded by the Corps Walla Walla District Boundary (NWW) in red. The blue line designates the Snake River.**

### 1.3 Project Description

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to repair three sections (totaling 760 feet) of the Heise-Roberts Levee System along the Snake River in Jefferson County, Idaho. The levees were damaged by sustained high flows

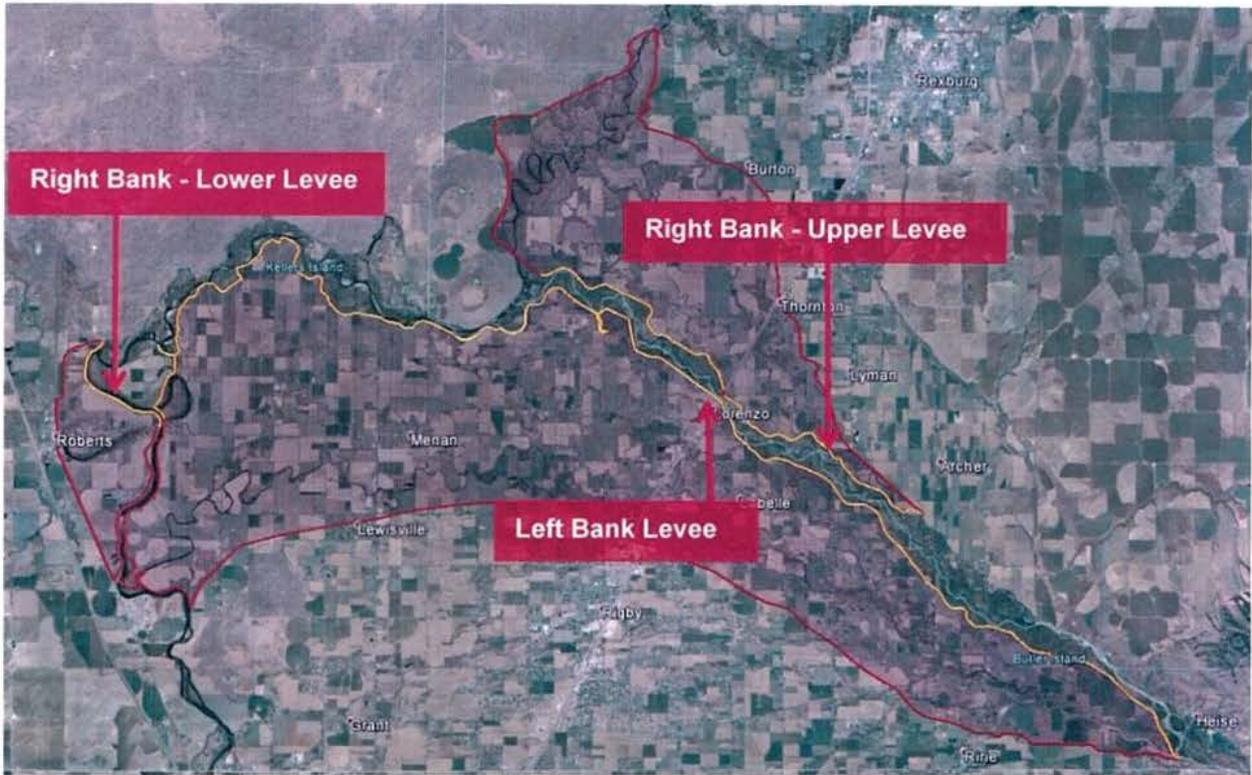
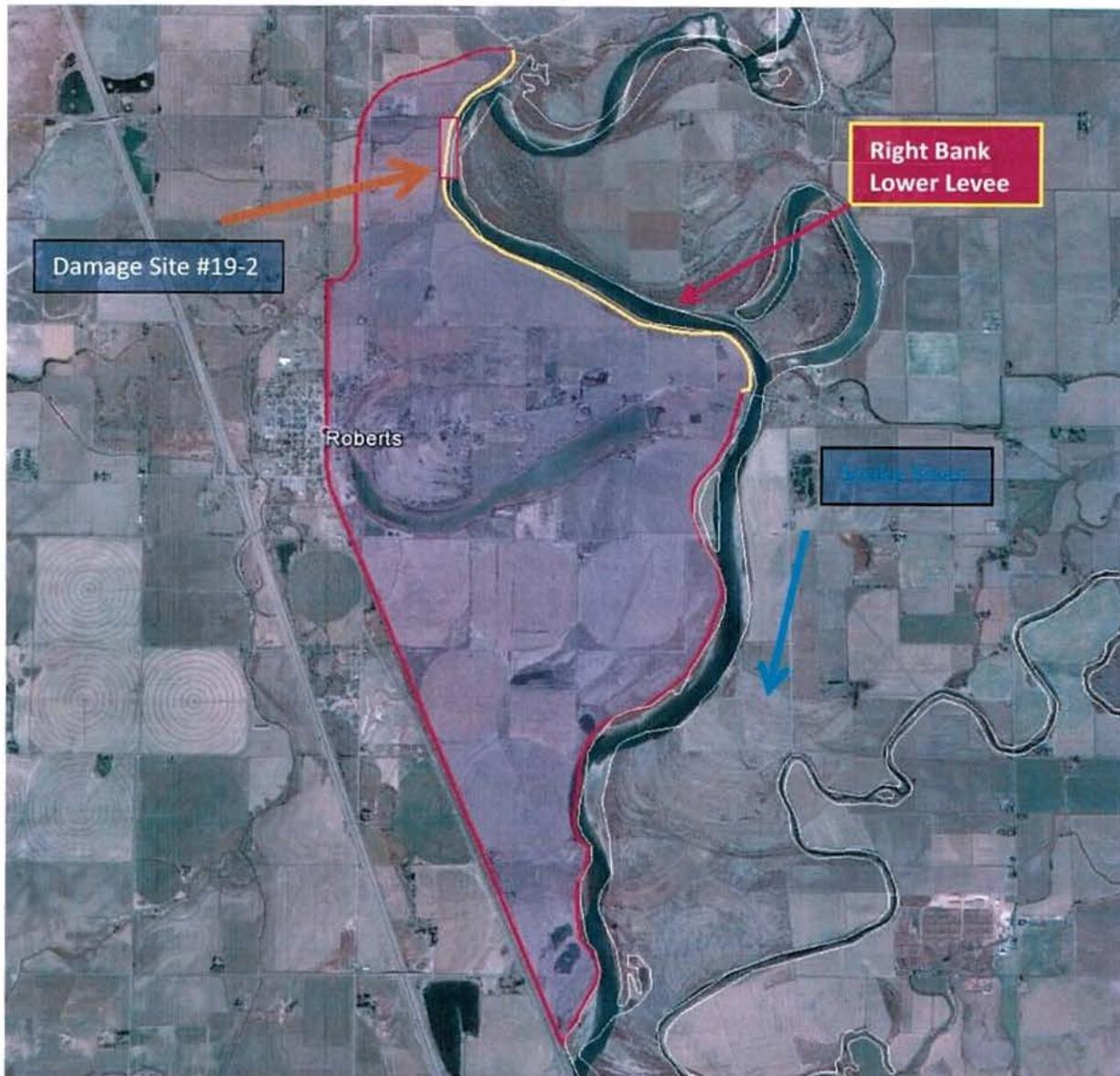


Figure 2. Heise-Roberts Levee System – Levee Alignment and Leved Area.



Figure 3. Left Bank Leved Area – Erosion Damage at Site #19-1(A&B) and #19-3.



**Figure 4. Right Bank Leveed Area – Erosion Damage at Site #19-2 (Market Canal).**

during the 2019 flood season.

All three sites incurred similar damage during high spring runoff. The slopes and levee toes eroded away which has caused the slopes to become steeper than 2 Horizontal:1 Vertical (2H:1V), which is unstable for riprap (Figure 5). Some riprap remains, but does not provide a competent revetment surface. This displaced riprap has exposed the levee shell material underneath, which needs to be protected with quarry spalls before placement of riprap.



**Figure 5. Typical Damaged Levee Sections (Displaced Riprap and Steepened Slopes)**

The proposed repairs would include adding quarry spalls (4-6" diameter rock) and then riprap (2-4' diameter) to cover the exposed levee fill. The total estimated volume of quarry spalls is about 1,500 cubic yards and riprap placement is about 5,500 cubic yards.

### **1.3.1 Background Information**

The Snake River Flood Damage Reduction Project, Heise-Roberts Area (SRFDRP), is a federally authorized and constructed group of levee systems on the upper Snake River in Madison County and Jefferson County, Idaho. Idaho Flood Control District #1 (FCD1), the non-federal public sponsor (PS), is responsible for operation and maintenance. Sections of the levees probably existed before 1900, but federal construction of portions of the alignment began around 1948. The full length of the SRFDRP was constructed from 1960 to 1967.

Side slopes were constructed to a 2H:1V slope. The SRFDRP above the mouth of Henry's Fork incorporated a design flow of 28,000 cubic feet per second (cfs) with three feet of freeboard (freeboard refers to the distance between the normal water level and the top of the levee or structure). The SRFDRP below the mouth of Henry's Fork incorporated a design flow of 33,000 cfs with three feet of freeboard. The SRFDRP is both rural and urban, protecting small housing developments, roads, bridges, canals, and agricultural fields.

The Left Bank Levee System (HRL1) protects 41,000 acres (64 square miles) of small town urban, residential, and rural agricultural land. Within the leveed area are approximately 3,000 structures. Population in the area protected by the levee is estimated to be 5,500. Within the leveed area, 70% (28,700 acres) of the land is actively farmed, primarily alfalfa hay, wheat, barley, and pasture. It is approximately 36 miles long with its downstream end near the Roberts Highway (State Route 48), near RM 804. The levee crest width is typically 12 feet with side slopes approximately 2H:1V. Landside levee height varies from 0 to 12 feet.

The Right Bank Levee System (HRR2) protects 2,800 acres of small housing developments, roads, bridges, canals, and agriculture. It consists of revetted and nonrevetted levee sections. Side slopes were constructed to a 2H:1V slope.

This Environmental Assessment (EA) was prepared in accordance with Engineer Regulation (ER) 200-2-2, *Procedures for Implementing NEPA*, and the Council on Environmental Quality (CEQ) *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA)*, Title 40 Code of Federal Regulations (CFR), Part 1500-1508. The objective of the EA is to evaluate potential environmental effects of the proposed levee rehabilitation action and determine if significant effects would result. If such effects are relatively minor, a Finding of No Significant Impact (FONSI) would be issued and the Corps would proceed with the proposed action. If the environmental effects are determined to be significant, an Environmental Impact Statement (EIS) would be prepared before a decision is reached on whether to implement the proposed action. Applicable laws under which these effects would be evaluated include but are not limited to, NEPA, the Endangered Species Act, the Clean Water Act, the Clean Air Act, and the National Historic Preservation Act.

### **1.3.2 Authority**

On June 3, 2019, Idaho FCD1 requested assistance from the Corps, Walla Walla District, to repair the damage to the levees under Public Law (PL) 84-99, Flood and Coastal Storm Emergencies. Under this law, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities including disaster preparedness, Advance Measures, emergency operations (Flood Response and Post Flood Response), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of Federally authorized shore protective works threatened or damaged by coastal storm and provisions of emergency water due to drought or contaminated source. In response to the Flood District's request, the Walla Walla District prepared a "Rehabilitation Project Information Report for Heise-Roberts Levee System" which was found acceptable by the U.S. Army Corps of Engineers Northwestern Division on August 26, 2019. As required by PL 84-99, a Cooperation Agreement for Rehabilitation of a Federal Flood Control Work was executed between the Corps and the FCD1 on October 4, 2019.

## **1.4 Purpose and Need**

The Corps proposes to repair three locations on the Heise-Roberts Levee System along the Snake River in Jefferson County, Idaho. The purpose of the proposed action is to provide flood risk management to affected areas of Jefferson County. The levees protect nearby homes, agricultural land and municipal facilities that are now at increased risk from flood damages. Rehabilitation would include repairing the levees to "as-was condition" in a manner that would not change the character, scope, or size of the original fill design. The action is needed because all three sites incurred similar erosion damage and now the slopes are steeper than 2H:1V which is unstable for riprap.

## **1.5 Construction Timeline**

Repair of the damaged sites would begin in mid-November 2019 and take about six weeks to complete.

## **SECTION 2 - ALTERNATIVES**

Two alternatives are evaluated in this EA; the No Action Alternative and the Proposed Action Alternative. The statutory objectives/scheme supporting an action can serve as a guide to determine the reasonableness of objectives outlined in the EA – in this case assistance under PL 84-99. Additionally, an agency's obligation to consider alternatives under an EA is a lesser one than under an EIS. Consequently, only the No Action and Proposed Action Alternatives are analyzed further. 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. No Action does not mean there would be no environmental impacts from this alternative.

### **2.1 Alternative 1: No Action**

Under the No Action Alternative, the Corps would not re-construct the damaged levee segments to the as-was condition. Flows would eventually erode unprotected levee embankments and the levee system would continue to weaken and degrade. Flooding could occur resulting in damage to an irrigation channel and private and public properties during the next high flow event. The No Action Alternative does not meet the purpose and need, but is presented as required by NEPA to set the baseline from which to compare all other alternatives.

### **2.2 Alternative 2: Proposed Action – Levee Repair**

Under the proposed action, the Corps would re-construct the three damaged locations along the Heise-Roberts Levee System to the as-was condition by re-constructing portions of the levee that eroded away and replacing the armoring on the riverward side. There are two locations along HRL1 totaling 650 feet and one location along HRR2 totaling 110 feet. All locations would be rehabilitated to the original levee condition. Construction activities include re-grading the damaged side slopes, placing fill material, and placing riprap. The damaged levee sections do not contain trees or shrubs due to the heavily armored shoreline.

River depth varies significantly throughout this reach. There would be disturbance below the Ordinary High Water Mark at some of the repair sites to repair the levee toe and place riprap. Some sites could be 12 to 20 feet deep at the toe of riprap placement. Other areas would be excavated at the base of the levee to reestablish a solid toe, with existing vegetation between the levee and the river being left intact. See Appendix A for drawings and typical cross sections for each site.

A tracked excavator would be used to place quarry spalls (4-6" diameter rock) to cover the exposed levee material, and then riprap (2-4' diameter rock) would cover the quarry spalls. The material could be hauled by dump trucks from Byrne Quarry (a potential

rock source) which is located approximately ten miles northeast of Rigby, Idaho (Figure 6). The Byrne Quarry is surrounded by agricultural land and sage brush and juniper shrub habitat. This site was previously disturbed and has been used as a rock quarry for a number of years. However, there are other rock sources in the area that could be used.



Figure 6. Location of the Byrne Quarry Site

### SECTION 3 - AFFECTED ENVIRONMENT AND ENVIRONMENTAL EFFECTS

This section describes the existing affected environment (existing condition of resources) and evaluates potential environmental effects on those resources for each alternative. Although only relevant resource areas are specifically evaluated for impacts, the Corps did consider all resources in the proposed project area and made a determination as to which ones to evaluate. The following resource areas were evaluated: water quality, aquatic resources, wildlife, vegetation, threatened and endangered species, cultural resources, soils, socioeconomics, recreation, climate change and cumulative impacts. It was determined that it was not necessary to evaluate aesthetics/visual quality, environmental justice, noise, or air quality (Table 1) as implementation of the proposed action would not affect these resources.

Table 1. Environmental Resources Not Evaluated Further

Environmental Component	Explanation
Aesthetics/Visual Quality	The proposed action would restore the levee to its original condition. No noticeable permanent structure or visual obstruction would remain.

Environmental Justice	The proposed action would have no negative impacts (e.g. economically) on any minority/ethnic group or social class.
Noise	The project area is located in rural Jefferson County. Construction noise would come from heavy equipment and the placement of riprap and would take approximately six weeks.
Air Quality	The project area meets Idaho State's ambient air quality standards and is in "attainment". Air quality would be negligibly impacted by the proposed action.

### 3.1 Water Quality

#### 3.1.1 Affected Environment

The Snake River near the Heise-Roberts levee system is a cold water system characterized by braided channels that migrate within the confines of the floodplain and levee system. Mean water temperatures range from 35°F to 68°F, while normal water discharge ranges from 1,200 cfs in November to 9,600 cfs in June. In spring 2019, flows were higher, exceeding 18,000 cfs at the "Snake River near Heise, Idaho" stream gage (USGS gage no. 13037500).

The floodplain is constrained but well established in some areas, while riparian vegetation is extensive and is dominated by cottonwood and willow habitats. However, the current repair sites contain very little vegetation. The upper Snake River is not listed as impaired within the proposed action area. However, irrigation water constitutes over 90% of all water use in the basin and returns in the area from this use are high in phosphorus, nitrates, and some pesticides.

#### 3.1.2 Environmental Consequences

##### 3.1.2.1 Alternative 1: No Action Alternative

Under the No Action Alternative there would be minor effects on water quality in the project area. The Corps would not repair the Heise-Roberts Levee System, but would allow the levees to continue to function in their damaged state. No ground disturbing activities would take place and no alterations of any levee would occur. The continued erosion of these levees would have minor, less than significant effects to water quality in the project area.

##### 3.1.2.2 Alternative 2: Proposed Action – Levee Repair

Under the Proposed Action Alternative, the effects to water quality in the project area would be greater than the No Action Alternative, but still less than significant. Excavation and levee re-shaping would require work below the Ordinary High Water Mark of the Snake River. Effects would likely include increased sediment transport and increased turbidity at repair sites and for some distance downstream. These effects would be localized and short term. To minimize sediment transport and increased

turbidity, work would be conducted prior to high flows and would take approximately six weeks.

## **3.2 Aquatic Resources**

### **3.2.1 Affected Environment**

Over 75 species of invertebrates and a dozen fish species inhabit this section of the river. Fish species found in the area include longnose and speckled dace, mottled and Paiute sculpin, Utah sucker, mountain whitefish, smallmouth bass, cutthroat trout, rainbow trout, and brown trout. Aquatic invertebrates include caddisfly, mayfly, stonefly, blackfly, crane fly, various midge species, water mites, leaches, worms and snails.

### **3.2.2 Environmental Consequences**

#### **3.2.2.1 Alternative 1: No Action Alternative**

Under the No Action Alternative the Corps would not repair the levee system, but would allow the levees to continue to function in their damaged state. No ground disturbing activities would take place and no alterations of any levee would occur. The continued erosion of these levees would have minor effects to aquatic resources in the area. It is likely that land between the levee and the river would continue to erode as the river continues to shift toward the levee in some areas. If the levees were to breach, some fish and other aquatic resources would be swept onto the floodplain where they could become trapped in ditches, ponds, or depressions as the water recedes.

#### **3.2.2.2 Alternative 2: Proposed Action – Levee Repair**

Under the Proposed Action Alternative, there would be minor, less than significant impacts to aquatic resources in the project area. Excavation and levee re-shaping would require work below the Ordinary High Water Mark of the Snake River. Minor disturbance to fish and aquatic organisms may occur at the levee repair sites. Additional disturbance may occur downstream from these sites due to limited sediment transport and increased turbidity during excavation. However, effects would be localized and short term. Work is scheduled to occur prior to the next flood season. The levees need to be repaired prior to the next high flows when additional damage could breach the levees. Some aquatic invertebrates would be lost during excavation and sedimentation, but these would be minor relative to the extensive populations of the river system. Fish could move to avoid repair sites until excavation is complete.

## **3.3 Wildlife**

### **3.3.1 Affected Environment**

The diverse habitat of the area is home to over 130 wildlife species, including nearly 40 mammal species, 84 bird species, and 11 species of reptile or amphibian. Common mammal species include mule and whitetail deer, coyote, striped skunk, red fox, badger, beaver, deer mice, and cottontail rabbit. Bird species include over a dozen waterfowl species, several upland game bird species, numerous song and migratory

birds, and a number of raptors. Some of the more common species include: Canada geese, barn swallow, magpie, red-tailed hawk, American robin, song sparrow, and mourning dove. Sensitive species of the valley include: greater sage grouse, northern leopard frog, white faced ibis, bald eagle, peregrine falcon, and yellow-billed cuckoo.

### **3.3.2 Environmental Consequences**

#### **3.3.2.1 Alternative 1: No Action Alternative**

Under the No Action Alternative, there would be minimal effect on wildlife in the project area. The Corps would not repair the Heise-Roberts Levee System, but would allow the levees to continue to function in their damaged state. No construction-related ground disturbing activities would take place and no alterations of any levee would occur. The continued erosion of these levees would have no negative impact to wildlife in the area. However, continued erosion of the land between the levees and the river would reduce the amount of riparian habitat along the river, especially during high flow years.

#### **3.3.2.2 Alternative 2: Proposed Action – Levee Repair**

Under the Proposed Action Alternative, there would be minor, less than significant impacts to wildlife in the project area. Grubbing and clearing would remove limited shrub habitat on the levee that may impact small birds and mammals in the area. However, the loss of shrub habitat is minor relative to existing shrub habitat in the area. There may be some loss of small mammals during excavation, but most of the species using this habitat would simply relocate to nearby habitats. In addition, construction is scheduled to be conducted after the nesting season for migratory birds and would not impact these species. The introduction of heavy equipment into the area would cause larger, more mobile species to avoid the levee repair sites during construction. This disturbance would be relatively short in duration and restricted to relatively small areas.

## **3.4 Vegetation**

### **3.4.1 Affected Environment**

Climate is a major factor in determining vegetation. In the upper Snake River Basin, climate is influenced predominantly by eastward-moving air-masses from the Pacific Ocean. The area receives 8 to 10 inches of precipitation annually. The semi-humid mountainous parts of the basin receive the greatest amount of precipitation as snow, generally between November and March. The project area is located in the high desert province where sagebrush-steppe habitat has been replaced by agriculture in much of the area. Primary crops in the area include barley, corn, oats, wheat, potatoes, and alfalfa. Vegetation in the valley bottom near the Snake River is markedly different than that in the upland areas. Upland sites are dominated by agriculture crops, grazing lands, or sagebrush and juniper shrub habitats, while riparian areas are characterized by riverbanks lined with cottonwood, willow, Russian olive, dogwood, water birch, and alder. Understory plants include horsetail, wild rose and milkweed. Open habitats are dominated by Kentucky blue grass, clover, meadow fescue, and sedges (Fertig et al. 2005). Riparian habitats near the proposed levee repair sites support limited vegetative cover. There is no vegetation on the proposed repair sites.

### 3.4.2 Environmental Consequences

#### 3.4.2.1 Alternative 1: No Action Alternative

Under the No Action Alternative, there would be no effect on vegetation in the project area. The Corps would not repair the Heise-Roberts Levee System, but would allow the levees to continue to function in their damaged state. No ground disturbing activities would take place and no alterations of any levee would occur. The continued erosion of these levees would have no negative impact to vegetation in the area.

#### 3.4.2.2 Alternative 2: Proposed Action – Levee Repair

Under the Proposed Action Alternative, there would be no impacts to vegetation in the project area. There is no vegetation cover on these areas.

### 3.5 Threatened and Endangered Species

#### 3.5.1 Affected Environment

On June 24, 2019, the Corps reviewed the current list of threatened and endangered species that may exist in the project area under jurisdiction of the U.S. Fish and Wildlife Service (USFWS) for Jefferson County, Idaho. There are no species under the jurisdiction of the National Marine Fisheries Service (NMFS) in the project area. The list of USFWS protected species is shown in Table 2.

**Table 2. ESA-Listed Species that are Listed in Jefferson County, Idaho**

Species	Scientific Name	Status
<b>USFWS</b>		
<b>Listed Species</b>		
Ute Ladies'-Tresses	<i>Spiranthes diluvialis</i>	Threatened
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	Threatened
North American Wolverine	<i>Gulo gulo luscus</i>	Proposed Threatened

Critical habitat is proposed for yellow-billed cuckoo in the project area.

#### 3.5.2 Environmental Consequences

##### 3.5.2.1 Alternative 1: No Action Alternative

Under the No Action Alternative, there would be no effect on threatened and endangered species in the project area. The Corps would not repair the Heise-Roberts Levee System, but would allow the levees to continue to function in their damaged state. No ground disturbing activities would take place and no alterations of any levee would occur. The continued erosion of these levees would have no negative impact to listed species in the area.

### **3.5.2.2 Alternative 2: Proposed Action – Levee Rehab**

Implementation of the Proposed Action Alternative would have no effect on any of the ESA-listed species. ESA consultation with the USFWS has not been conducted for this action.

Yellow-billed cuckoo utilize the riparian forest habitat along the Snake River. Ute ladies'- tresses was first discovered in Idaho along the South Fork of the Snake River. The species is now known from Bonneville, Fremont, Jefferson, and Madison counties along the Snake River. There is no suitable habitat for any of these species in the proposed action areas. North American wolverine are not known to exist in the project area and, based on their life history requirements, these species are not likely to occur in any areas that are part of the proposed action. There would be no effect on any of these ESA-listed species or their critical habitat from the proposed action.

## **3.6 Historic/Cultural Resources**

### **3.6.1 Affected Environment**

The area of potential effect (APE) for the proposed action is the three discrete damaged sections of levee, along with staging areas and access roads that would service the repair work. All of the levees are accessible by existing roads, including maintained access roads located on the levees themselves. Equipment staging areas would be located at existing borrow areas and on the roads that form the tops of the levees. Basic levee materials would be acquired from the existing and nearby commercial Byrne Quarry or other rock sources in the area.

Ray Tracy (2005), Scott Hall (2012), and Stephen Roberts (2018), archaeologists with the Corps, previously evaluated proposed levee repairs at numerous damaged areas throughout the Heise-Roberts reach, including near the locations of the 19-1A and 19-1B (Halls Dairy) property, the 19-3 (Judy) location, and 19-2 (Market Canal) property. Tracy (2005) submitted a site form for what was described as the historic Lorenzo Reach, Heise-Roberts Levee (Temp No. 5N37E-001). Those reports concluded that the proposed repairs were part of an on-going program whereby rehabilitation efforts restored the levee back to its original configuration. Investigations concluded that there would be no adverse effect to the historic Heise-Roberts Levee.

### **3.6.2 Environmental Consequences**

#### **3.6.2.1 Alternative 1: No Action Alternative**

Under the No Action Alternative, there would likely be no immediate significant impacts to Historic/Cultural Resources in the project area. The Corps would not repair the damaged sections of the revetments and would allow the levees to continue to function in their damaged state. The continued erosion at the damaged areas would incrementally impact the integrity of the levee and likely affect an expanding extent. Degraded levees pose an increased risk of future catastrophic flood events. Levee failure and breaches have potential to impact historic resources distant from the levee

system through flood inundation, erosion, and damage to the historic built environment and archaeological resources that may be unassessed and unrecorded.

### **3.6.2.2 Alternative 2: Proposed Action – Levee Repair**

Under the Proposed Action Alternative, there would be no significant impact on Historic/Cultural Resources in the APE. Proposed rehabilitation activities would utilize similar basic materials for the restoration of the three damaged levee sections to their original, as-built configuration. Staging areas and access roads would be restricted to previously disturbed or constructed resources. Thus, the proposed action would have no adverse effect to the character, scope and size of the historic levees. The proposed action would restore the integrity of the levee and diminish the risk of potential impacts due to uncontrolled flooding on historic properties outside of the APE. If archaeological remains are found during construction, all work in the area of the discovery would cease (construction can proceed elsewhere), efforts would be made to protect the find, and the District Archaeologist would be contacted immediately.

Comparable to the undertakings investigated by Tracy, Hall, and Roberts, rehabilitation would utilize in-kind materials to restore the levees to their original configuration. Thus, the Corps determined that the undertaking would have no adverse effect to historic properties. The Corps consulted with the SHPO and that office concurred with the Corps findings in an email dated September 26, 2019 (Appendix B).

The Corps and the SHPO signed an agreement in 1985 that stipulated no determination was needed from SHPO if repairs were made 'in-kind'. The Corps recently corresponded with SHPO regarding the applicability of the 1985 agreement to the current proposed repair work. The SHPO responded that "our office has no issue with the project as long as the work will be done in-kind (same materials, appearance, etc.). As such, the current proposed project actions would have a finding of no adverse effect to the historic property" (Ashley Brown email dated September 26, 2019. On file at the Corps Walla Walla District office). However, SHPO has requested that the Corps pursue an updated agreement document in the future that fulfills their current standards for a programmatic agreement.

## **3.7 Soils**

### **3.7.1 Affected Environment**

The Snake River enters the Snake River Plain over an alluvial fan near Heise, Idaho and has relatively high velocities that transport large quantities of sand and gravel. Early surveys reveal that top soil in the area is from 1 to 8 feet deep and is composed primarily of silt, silty sand, or clay silt (USACE 1948). More recent studies have identified the dominant soils of the area as gravel, sand, and sandy silt. These soils form islands and bar-tops and beaches exposed at low water levels and are subject to flooding and high water tables. The thickness of these soils is generally less than 10 feet (Phillips and Welhan 2011).

## **3.7.2 Environmental Consequences**

### **3.7.2.1 Alternative 1: No Action Alternative**

Under the No Action Alternative, there may be moderate negative impacts to soils in the project area. The Corps would not repair the Heise-Roberts Levee System, but would allow the levees to continue to function in their damaged state. Dam or levee failures can have greater environmental effects than those associated with a normal flood event. The soil loss from erosion and scouring would be substantially greater, because of a large amount of fast-moving water affecting a small area. Large amounts of sediment from erosion can alter the landscape and change the ecosystem. In addition, hazardous materials are carried away from flooded properties and distributed throughout the floodplain. Industrial and agricultural chemicals and wastes, solid wastes, raw sewage, and common household chemicals comprise the majority of hazardous materials spread by floodwaters along the flood zone.

### **3.7.2.2 Alternative 2: Proposed Action – Levee Repair**

Under the Proposed Action Alternative, there would be minor, less than significant short-term effects on soils in the project area. Long-term effects would be positive. Excavation of eroded levees would cause minor disturbances to already disturbed levee sites. Once the levee repairs are complete, soil erosion would be reduced from current levels and future soil losses would be minimized.

## **3.8 Socioeconomics**

### **3.8.1 Affected Environment**

The Heise-Roberts Levee System is located within Jefferson and Madison counties, Idaho. In 2019, Idaho had an estimated population of 1.79 million ([www.worldpopulationreview.com](http://www.worldpopulationreview.com)) and Jefferson County had an estimated population of 29,439 ([www.idaho-demographics.com/jefferson-county-demographics](http://www.idaho-demographics.com/jefferson-county-demographics)).

In 2017, the median household income for Jefferson County was \$58,055. Major industries in the area include Agriculture & Forestry, Educational Services, Health Care, Construction, Professional Services, Lodging & Food Services, Food Processing, Government, Social Services, Grocery Wholesalers, Recreation, and Retail Services. According to the Bureau of Labor Statistics, in July 2019, the unemployment rate of Jefferson County was 2.1%. The national average at that time was 3.7% (U.S. Bureau of Labor Statistics).

### **3.8.2 Environmental Consequences**

#### **3.8.2.1 Alternative 1: No Action Alternative**

Under the No Action Alternative, there may be negative impacts to socioeconomics in the project area. The Corps would not repair the Heise-Roberts Levee System, but would allow the levees to continue to function in their damaged state. Levee failure could result in the loss of property and livelihood.

### **3.8.2.2 Alternative 2: Proposed Action – Levee Repair**

Under the Proposed Action Alternative, there would be no negative impacts to socioeconomics in the project area. During the construction period there would be minor economic benefits to local businesses in the area as a result of contractors working in the vicinity. In addition, the repair to sections of the Heise-Roberts Levee System would result in the protection of private and public property.

## **3.9 Recreation**

### **3.9.1 Affected Environment**

There is limited recreation access along the levees due to private ownership. The Lorenzo Boat Ramp is heavily used during the spring and summer months and provides easy access for fishing and boating which are the primary recreation activities in the proposed action area. However, it is not located within the proposed action area.

### **3.9.2 Environmental Consequences**

#### **3.9.2.1 Alternative 1: No Action Alternative**

Under the No Action Alternative, negative effects to recreation in the proposed action area would not be immediate. Popular recreating activities in and around the Snake River would continue as normal during the spring and summer of 2019. If the levees are not repaired and high flows occur again during the next spring runoff, it is possible that river access areas along the Heise-Roberts Levee System would be impacted and need to be temporarily closed to the recreating public.

#### **3.9.2.2 Alternative 2: Proposed Action – Levee Repair**

Implementation of the Proposed Action Alternative would not have any negative effects on recreation activities in the project impact area. Construction would not begin until mid-November 2019 after the main recreation season has passed.

## **3.10 Cumulative Impacts**

The National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) regulations implementing the Act require Federal agencies to consider the cumulative impacts of their actions. Cumulative effects are defined as, “the impact on the environment which results from the incremental impact of an action when added to other past, present and reasonable foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 CFR § 1508.7). Cumulative impacts can result from individually minor, but collectively significant actions taking place over a period of time.

The Heise-Roberts Levee System has a history of periodic environmental impacts tracing back to the construction of the original levees. Regular inspections have identified intermittent repair needs. These repairs have been similar in scope to the proposed action. Damaged locations were identified, repairs made and the levee returned to its original shape or condition. Impacts were temporary in nature and the

disturbance was localized. Access roads to maintain and inspect levees are minimally maintained and occasionally require minor repairs. These effects are minor and localized.

The Proposed Action would not involve increased obstructions to the floodway. The rehabilitation of the levee system consists of repairs of existing structures to their previous condition. These types of projects typically result in minor short-term construction-related impacts to wetlands, fish, wildlife and the habitats upon which they depend; however, there are no collectively significant cumulative environmental impacts of the Proposed Action primarily because it restores the existing flood control levee system back to its pre-damaged condition. Potential adverse effects are construction-related (e.g., increased noise, turbidity, and dust) and are of a minor and temporary nature.

There are no known major cumulative impacts from the proposed action to repair the Heise-Roberts Levee System. The expected impacts are short term and localized and would not have significant negative impacts to resources. All repairs would be carried out in previously disturbed habitats and would not enlarge the footprint of the levee system.

## **SECTION 4 - COMPLIANCE WITH APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS**

### **4.1 National Environmental Policy Act**

This Environmental Assessment was prepared pursuant to regulations implementing the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.). NEPA provides a commitment that Federal agencies will consider the environmental effects of their proposed actions prior to implementing those actions. Completion of this environmental assessment and signing of a Finding of No Significant Impact (FONSI), if applicable, fulfills the requirements of NEPA.

### **4.2 Endangered Species Act**

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, 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. Section 7(c) of the ESA and the Federal regulations on endangered species coordination (50 CFR §402.12) require that Federal agencies prepare biological assessments of the potential effects of major actions on listed species and critical habitat.

The Corps determined the proposed action would have “no effect” on all listed or proposed species or their designated or proposed critical habitats. Therefore, no further ESA consultation is required.

### **4.3 National Historic Preservation Act**

The National Historic Preservation Act (NHPA) of 1966 as amended directs Federal agencies to assume responsibility for all cultural resources under their jurisdiction. Section 106 of NHPA requires agencies to consider the potential effect of their actions on properties that are listed, or are eligible for listing, on the National Register of Historic Places (NRHP). The NHPA implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, requires that the federal agency consult with the State Historic Preservation Officer (SHPO), Tribes and interested parties to ensure that all historic properties are adequately identified, evaluated and considered in planning for proposed undertakings.

The Corps has determined that this action, as proposed, would result in no adverse effect to historic properties. The Idaho SHPO concurred with the Corps finding in an email dated September 26, 2019 (Appendix B). The Corps did not identify any historic properties of potential religious or cultural significance to Native American tribes so no tribes were consulted.

### **4.4 Clean Water Act**

The Clean Water Act (CWA) of 1972 establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Section 401 of the Federal Clean Water Act requires that any Federal activity that may result in a discharge of dredged or fill material to waters of the United States must first receive a water quality certification from the state in which the activity would occur. Section 404 of the Clean Water Act established a program to regulate the discharge of dredged or fill material into waters of the United States.

The project does not require a Section 404 permit. It is exempt under 33 CFR 323.4, November 13, 1986, as amended, August 25, 1993. The exemption reads as follows: Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs in order to qualify for this exemption. The repair work is scheduled for construction beginning in mid-November 2019 and concluding approximately six weeks later.

Section 402 of the Act, the National Pollutant Discharge Elimination System (NPDES) program, pertains to discharge of pollutants and regulates ground disturbance that could potentially cause storm water run-off into waters of the U.S. Activities involving construction or soil disturbance on the shoreline or upland greater than one acre and with the potential for storm water run-off into the river are subject to a permit under Section 402 of the CWA. In this particular case, ground disturbance has been calculated to be less than one acre.

## 4.5 Executive Order 11988 Floodplain Management

This EO requires Federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

The Proposed Action would re-construct the levee to pre-damage condition. This would not increase the development within the floodplain.

## SECTION 5 - CONSULTATION AND COORDINATION

The proposed action would have "no effect" on ESA-listed species so no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service is required.

The Idaho SHPO concurred with the Corps determination of "No Adverse Effect to Historic Properties" in an email dated September 26, 2019.

## SECTION 6 - REFERENCES

ER 200-2-2 (33 CFR 230) Environmental Quality Procedures for Implementing the National Environmental Policy Act.

Fertig, Walter, Rick Black, and Paige Wolken. 2005. Rangewood Status Review of Ute Ladies'-Tresses (*Spiranthes diluvialis*). Prepared for the U.S. Fish and Wildlife Service and the Central Utah Water Conservancy District.

Flood Control and Coastal Emergency Act (PL 84-99).

Hall, Scott M. 2012 Section 106 Clearance for the Proposed Repair of the Heise-Roberts Levee, Madison and Jefferson Counties, Idaho (PM-EC-2012-0087c). Walla Walla District, U.S. Army Corps of Engineers. Walla Walla, Washington.

Idaho Demographics. [www.idaho-demographics.com/jefferson-county-demographics](http://www.idaho-demographics.com/jefferson-county-demographics).

Phillips, William J and John A. Welhan. 2011. Geologic Map of the Rigby Quadrangle. Jefferson and Bonneville Counties, Idaho. Idaho Geological Survey, University of Idaho, Moscow, Idaho.

Tracy, Ray. 2005 Cultural Resources Survey Report: Heise-Roberts Levee Repair, 2005. Report prepared by the US Army Corps of Engineers, Walla Walla District. Walla Walla, Washington.

United States Army Corps of Engineers (USACE). 1948. Definite Project Report: Heise-Roberts and Weiser Areas, Snake River, Idaho. U.S. Army Corps of Engineers District Walla Walla, Washington.

United States Bureau of Labor Statistics. 2017. Local Area Unemployment Statistics:  
<http://www.bls.gov.lau/>

World Population Review. [www.worldpopulationreview.com](http://www.worldpopulationreview.com)

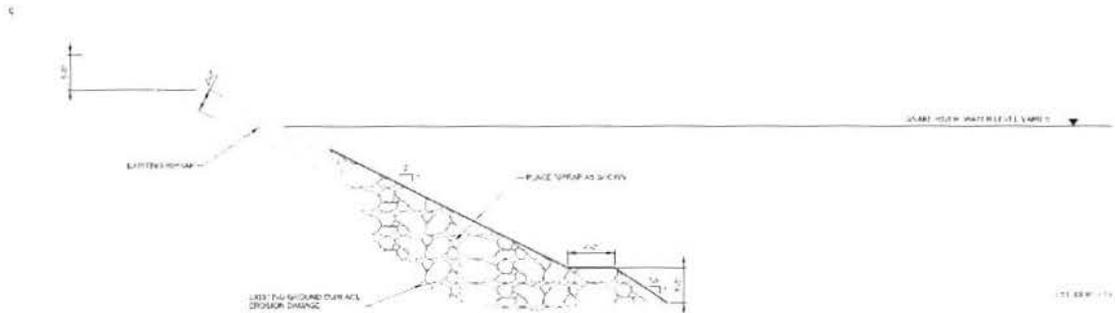
40 CFR 1500-1508 Regulations for the Procedural Provisions of the National  
Environmental Policy Act.

**APPENDIX A**  
**DRAWINGS AND CROSS SECTIONS**

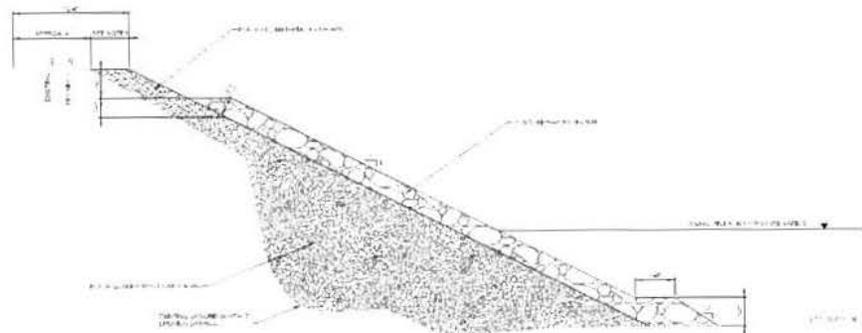
## Appendix A: Drawings and Cross Sections

Structural Option Number 1: Restoring to the pre-event condition involves replacing the levee that was eroded away, and replacing and adding the armoring on the riverward side of the levee. Approximate lengths of the repair cross sections are listed below by system.

### Left Bank System



Typical cross section for site 1, length is 200'



Typical cross section for site 3, length is 450'



**APPENDIX B**  
**IDAHO STATE HISTORIC PRESERVATION OFFICE**  
**CONCURRENCE LETTER**

Appendix B: Idaho SHPO Concurrence Email

---

-----Original Message-----

From: Ashley Brown [mailto:Ashley.Brown@ishs.idaho.gov]

Sent: Thursday, September 26, 2019 10:27 AM

To: Roberts, Stephen J CIV USARMY CENWW (USA) <Stephen.J.Roberts@usace.army.mil>; Tricia Canaday <Tricia.Canaday@ishs.idaho.gov>

Cc: Hall, Scott M CIV USARMY CENWW (US) <Scott.M.Hall@usace.army.mil>

Subject: [Non-DoD Source] RE: Heise Roberts Levee Rehabilitation PA request

Hi Stephen,

Thank you for contacting our office regarding the rehabilitation efforts at the Heise Roberts Levee (IHSI 51-18805) in Jefferson County, Idaho. In regard to your current project actions to repair three locations along the levee to "as-was condition," our office does not have an issue with the project actions as long as the work will be done in-kind (same materials, appearance, etc.).

Last year our office received a consultation request from COE to do repair work at eight discontinuous locations along the levee, totaling 3,850 linear-feet of damage. At that time the Heise Roberts Levee was recorded by the COE, and recommended not eligible for inclusion in the National Register of Historic Places (NRHP), however our office disagreed with the finding, and determined it was eligible for listing in the NRHP. As such, the current proposed project actions would have a finding of no adverse effect to the historic property.

Our office has reviewed the letter that was signed by our office in 1985, and do not view this letter as a PA. It does not meet any of the current standards for a PA, and in addition at the time the letter was written the Heise Roberts Levee was not determined to be an eligible historic property. Our office is open to working with the COE to create a PA for repair and maintenance activities at the Heise Roberts Levee. Please let me know if you have any questions.

Thank you,

Ashley

Ashley Brown

Historical Review Officer

(208) 488-7463

210 Main Street

Boise, ID 83702

Preserving the past, enriching the future.

From: Roberts, Stephen J CIV USARMY CENWW (USA) <Stephen.J.Roberts@usace.army.mil>

Sent: Tuesday, September 24, 2019 3:19 PM

To: Tricia Canaday <Tricia.Canaday@ishs.idaho.gov>; Ashley Brown <Ashley.Brown@ishs.idaho.gov>

Cc: Hall, Scott M CIV USARMY CENWW (US) <Scott.M.Hall@usace.army.mil>

Subject: Heise Roberts Levee Rehabilitation PA request

Dear Reviewers,

On June 3, 2019, Idaho FCD1 requested assistance from the Corps, Walla Walla District, to repair the damage to the levees under Public Law (PL) 84-99, Flood and Coastal Storm Emergencies. Under this law, the Chief of Engineers, acting for the Secretary of the Army, is authorized to undertake activities including disaster preparedness, Advance Measures, emergency operations (Flood Response and Post Flood Response), rehabilitation of flood control works threatened or destroyed by flood, protection or repair of Federally authorized shore protective works threatened or damaged by coastal storm and provisions of emergency water due to drought or contaminated source. In response to the Flood District's request, the Walla Walla District prepared a "Rehabilitation Project Information Report for Heise-Roberts Levee System" which was found acceptable by the U.S. Army Corps of Engineers Northwestern Division on August 26, 2019. As required by PL 84-99, a Cooperation Agreement for Rehabilitation of a Federal Flood Control Work was executed between the Corps and the FCD1.

#### Purpose and Need

The Corps proposes to repair three locations on the Heise-Roberts Levee System along the Snake River in Jefferson County, Idaho. The purpose of the proposed action is to provide flood risk management to affected areas of Jefferson County. Rehabilitation would include repairing the levees to "as-was condition" in a manner that would not change the character, scope, or size of the original fill design. The action is needed because the levees protect nearby homes, agricultural land and municipal facilities that are now at increased risk from flood damages.

#### Construction Timeline

Repair of the damaged sites would be conducted in 2019 outside of the in-water work window for this area, which is September 15th through October 31st. It is anticipated that construction activities would occur over a six-week period prior to the end of December 2019.

The Corps is requesting your confirmation that the 1985 Programmatic Agreement (see attached) can be applied to the proposed Heise Roberts levee rehabilitation described above.

Thank you,

Steve

Stephen J. Roberts  
Archaeologist  
US Army Corps of Engineers  
Walla Walla District  
201 N. Third Ave.  
Walla Walla, WA 99362  
office: 509-527-7148