



**US Army Corps
of Engineers**®
Portland District

CENWP-PM-E

MEMORANDUM FOR THE RECORD

**SUBJECT: RECORD OF ENVIRONMENTAL CONSIDERATION FOR
CASCADES ISLAND FISHWAY SURVEY MARKERS, SKAMANIA
COUNTY, WASHINGTON**

DATE PREPARED: June 28, 2016

LOCATION OF THE PROPOSED ACTION

The Bonneville Dam is a hydroelectric dam completed in 1938 and located on the Columbia River at River Mile (RM) 146. The dam complex is built partially across Cascades Island and the Spillway Dam was anchored on the south shore of Cascades Island, Skamania County, Washington (Figure 1).

GENERAL DESCRIPTION OF THE PROPOSED ACTION

The U.S. Army Corps of Engineers (Corps), Portland District, is proposing to install 14 survey markers along the tailrace parking area of Cascades Island (CI), around the perimeter of an area that has shown some subsidence (Figure 2). The markers will be hammered into the top of the fishway wall at specific locations (Figure 3). These markers will be used to determine any movement of the fishway from the current conditions shown on the as-built drawings and as monitoring continues into the future. Placing the markers will require the use of a hammer drill, and the installation will take a few minutes per marker. Total hammering on the fishway is expected to take approximately an hour. The project will be staged in the existing parking lot and no additional staging area will be necessary or provided. Onsite installation is anticipated to occur in about one hour on one day between 14 and 24 June 2016. The installation proposal was reviewed by the Fish Passage Operations and Maintenance (FPOM) group and they recommended to conduct the installation late in the day. Expected impacts on fish passage are minor. There will be some noise associated with hammering the markers, but impacts are expected to be minimal.

The Project Manager for the proposed installation of survey markers is Tammy Mackey, NWP Operations Division Fishery Section, Columbia River Coordination Biologist, 503-961-5733, Tammy.m.mackey@usace.army.mil.

PURPOSE AND NEED FOR THE PROJECT

The purpose of this project is to install survey markers on the existing fishway so that the as-built conditions of the fishway can be monitored for subsidence. The action is needed because the fishway appears to be subsiding and additional engineering measurements and studies are needed to determine if the fishway infrastructure is at risk.



Figure 1. Cascades Island is the north island at Bonneville lock and dam, Skamania County, Washington.

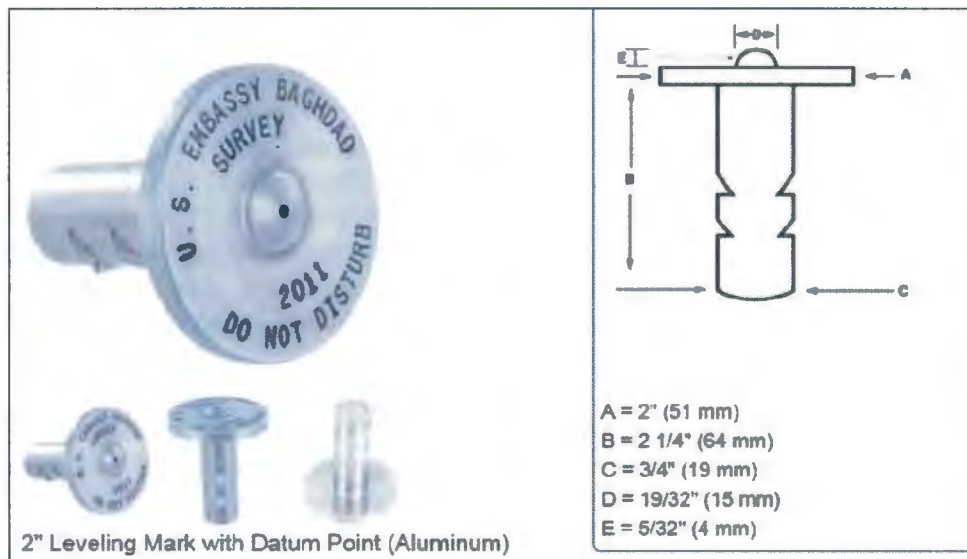


Figure 2. Example of the type of survey marker to be imbedded in the Cascades Island fishway.

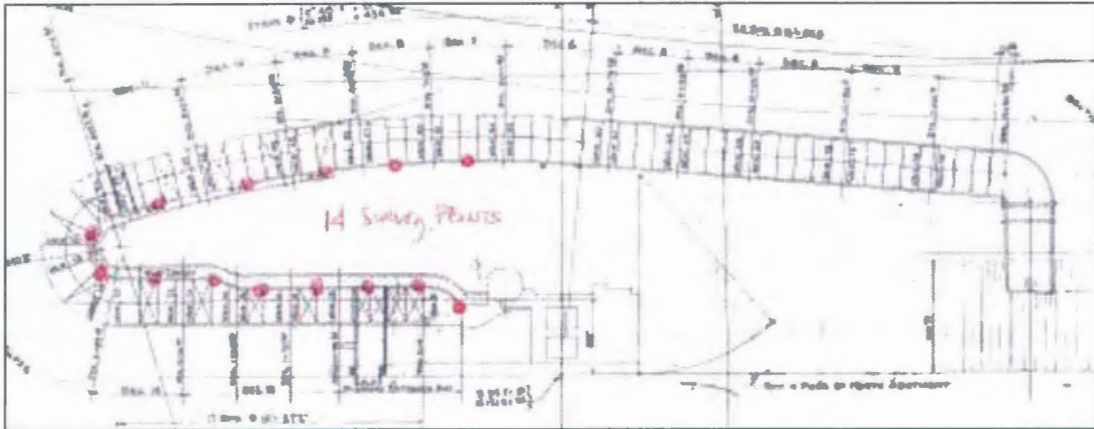


Figure 3. Locations of the survey markers (red dots) being placed along the Cascades Island fishway.

ENVIRONMENTAL COMPLIANCE

The following discussions demonstrate compliance with all relevant environmental laws for the proposed action.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) OF 1969, 42 U.S.C. §4321 *et seq.*: NEPA requires all Federal agencies to identify and assess the environmental impacts of major Federal projects, decisions such as issuing permits, spending Federal money, or actions on Federal lands; consider the environmental impacts in making decisions; and disclose the environmental impacts to the public. Environmental considerations are fully integrated into the decision-making process.

Finding: After review of the proposed action and in consideration of the laws and executive orders described herein, I have determined that the proposed action qualifies as a *category exclusion* as described by the Corps' regulations for implementing NEPA, 33 CFR Part 230. This action can be excluded from further NEPA documentation. The applicable categorical exclusion is 33 CFR §230.9(c): *Planning and technical studies which do not contain recommendations for authorization or funding for construction, but may recommend further study. This does not exclude consideration of environmental matters in the studies.*

The Cascade Island survey marker project is *in compliance* with 33 CFR §230.9(c) because it consists of installation of survey markers to provide information for a technical study.

BALD AND GOLDEN EAGLE PROTECTION ACT OF 1940, 16 U.S.C. §668 *et seq.*: This Act provides for the protection of bald and golden eagles by prohibiting the taking, possession, and commerce of such birds, except under certain specified conditions. Projects involving forestry practices, use of aircraft (or other motorized equipment), blasting and other work may result in loud or intermittent noises if they occur within

1000-feet of an active or alternate nest time during the breeding season (January 1 through August 15) and could disrupt breeding activity.

Finding: U.S. Fish and Wildlife Service, National Bald Eagle Management Guidelines (May 2007) and the U.S. Army Corps of Engineers eGIS Information Portal were aids in evaluating project impacts to bald eagles and known nest locations. Because the proposed project is an expansion to an existing office structure, there is no potential for impact to preferred nesting, rearing, or foraging habitat, and no potential for a 'take' of bald or golden eagles. Therefore, the proposed action is *in compliance* with this Act.

CLEAN AIR ACT (CAA) OF 1970, 42 U.S.C. §7401 *et seq.* This Act established a comprehensive program to preserve, protect and enhance air quality throughout the United States based on permitting of stationary sources of air pollution emissions, restricting the emission of toxic substances from stationary and mobile sources, establishing National Ambient Air Quality Standards and noise pollution standards. All federal actions resulting in the emission of air pollutants must comply with all federal, state, interstate and local requirements for control and abatement of air pollution in the same manner and extent as any non-governmental entity, unless the activity is explicitly exempted by the U.S. Environmental Protection Agency (EPA).

Finding: The proposed action does not involve asbestos, a regulated industry, use of an incinerator or open burning or hazardous materials. The proposed action will not create or result in any exceedances of State and Federal emission standards and is *in compliance* with this Act.

CLEAN WATER ACT (CWA) OF 1972, U.S.C. §1251 *et seq.* This Act established the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was significantly reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1977. The CWA made it unlawful to discharge any pollutant into navigable waters, unless a permit was obtained.

Section 401 – Section 401(a)(1) requires from the state that a discharge to waters of the U.S. in that state will not violate the states' water quality standards. The EPA retains jurisdiction in limited cases. The Corps seeks a state Water Quality Certification per 33 Code of Federal Regulations (CFR) 336.1 (a)(1) when its activities result in a discharge.

Section 402 – Section 402(a)(1) authorizes the EPA, or states in which the EPA has delegated such authority, to issue permits for the discharge of pollutants under the National Pollutant Discharge Elimination System program for all land disturbances over an acre in size. Regulated categories of discharges generally include point-source discharges and stormwater runoff. Permit conditions are usually required to ensure compliance with all applicable effluent and water quality standards.

Section 404 – This Section authorizes the Secretary of the Army to permit the discharge of dredged or fill material into waters of the United States at specified disposal sites based on section 404(b)(1) guidelines. The Corps is not subject to this authorization but complies with all applicable substantive legal requirements including application of section 404(b)(1) guidelines.

Finding: There will be *no discharge* of fill material under Section 404 of the Clean Water Act for the proposed project and thus *no need* for a Section 404(b)(1) evaluation or a Section 401 water quality certification. A Section 402 permit (NPDES authorization) is *not required* as there will be no ground disturbance or change in stormwater runoff into surface waters as a result of the proposed action.

COASTAL ZONE MANAGEMENT ACT (CZMA) OF 1972, 6 U.S.C. §1451 *et seq.* This Act encourages coastal states to develop and implement coastal zone management plans that are consistent with national policies to preserve, protect, develop and where possible, restore or enhance coastal zone resources. Section 307 of the CZMA requires that any federal action occurring in or outside of Washington's coastal zone which affects coastal land or water uses or natural resources must be consistent with the Washington Coastal Management Program.

Finding: The proposed action is not in the coastal zone for the state of Washington and will not result in any influence on lands covered by the CZMA. Therefore, this Act is *not applicable* to the proposed action.

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT – SUPERFUND (CERCLA) OF 1980, 42 U.S.C. §9601 *et seq.* This Act established a method to assign liability to parties responsible for the release of hazardous wastes and established a trust fund (Superfund) for the cleanup of associated lands through either short-term removals or long-term remediation to reduce the dangers to public health and the environment associated with hazardous substances.

Finding: The location of the proposed action is not within the boundaries of a designated Superfund site as identified by the Environmental Protection Agency or the State of Washington, and is not part of the National Priority List (<http://www.epa.gov/superfund/sites/npl/index.htm>). Therefore, this Act is *not applicable* to the proposed action.

ENDANGERED SPECIES ACT (ESA) OF 1973, 16 U.S.C. §1531 *et seq.* The ESA was enacted to protect and conserve endangered and threatened species and critical habitat. Requirements of the ESA ensure activities authorized, funded, and carried out by Federal agencies are not likely to jeopardize the continued existence of any listed species or result in adverse impacts to designated critical habitat of a listed species. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for the administration of ESA listed species.

The current USFWS and NMFS ESA-listed species lists were reviewed for Skamania County, Washington. Using “Skamania” as a search query, the USFWS list was found at this website:

http://ecos.fws.gov/tess_public/

The NMFS list was found at this website:

http://www.westcoast.fisheries.noaa.gov/publications/protected_species/salmon_s_teelhead/status_of_es_salmon_listings_and_ch_designations_map.pdf

Finding: Consultation with USFWS and NMFS pursuant to Section 7 of the ESA is not necessary as the work is entirely off-site and has no impact on the Columbia River in-water species or any upland species known to occur in Skamania County. The Corps has made a *no effect* determination for all ESA-listed species and their designated critical habitat.

FARMLAND PROTECTION POLICY ACT (FPPA) OF 1994, 7 U.S.C. §4201 *et seq.*:

Without authorizing Federal agencies to regulate the use of private or non-federal lands, this Act encourages Federal agencies to minimize the impact of Federal programs on the unnecessary and irreversible conversion of farmland (prime or unique) to nonagricultural uses. It follows that Federal programs shall be administered in a manner that, as practicable, will be compatible with state and local government and private programs and policies to protect farmland.

Finding: No farmland is located at the site of the proposed action. Therefore, this Act is *not applicable* to the proposed action.

FISH AND WILDLIFE COORDINATION ACT (FWCA) OF 1958, 16 U.S.C. §661 *et seq.*:

This Act directs federal agencies to prevent the loss and damage to fish and wildlife resources; specifically, wildlife resources shall be given equal consideration in light of water-resource development programs. Consultation with the USFWS is required when activities result in the control of, diversion or modification to any natural habitat or associated water body, altering habitat quality and/or quantity for fish and wildlife. For the Corps, all coordination under this Act is in accordance with the 2003 Agreement between the U.S. Fish & Wildlife Service and the U.S. Army Corps of Engineers for Conducting Fish and Wildlife Coordination Act Activities.

Finding: This action is not a water-resource development project. Therefore, this Act is *not applicable* to the proposed action.

MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976, 16

U.S.C. §1801 *et seq.*: This Act is designed to actively conserve and manage fishery resources found off the coasts of the United States to support international fishery agreements for the conservation and management of highly migratory species. This Act established procedures designed to identify, conserve, and enhance Essential Fish Habitat (EFH) for fisheries regulated under a Federal fisheries management plan. EFH is defined as “...those waters and substrate necessary to fish for spawning, breeding, feeding, or

growth to maturity.” Waters include aquatic areas and their associated physical, chemical, and biological properties used by fish and may include aquatic areas historically used by fish where appropriate; substrate includes sediment, hard bottom, structures underlying the waters, and associated biological communities; “necessary” means the habitat required to support a sustainable fishery and the managed species’ contribution to a healthy ecosystem; and “spawning, breeding, feeding, or growth to maturity” covers a species’ full life cycle (50 CFR §600.10). Federal agencies must consult with NMFS on all proposed actions authorized, funded, or carried out by the agency which may adversely affect EFH.

Finding: Because the location of the work is at the Bonneville Dam, the action was reviewed by the FPOM. The group determined that there will be no direct impact to any EFH, and there will be *no effect* to EFH as a result of this project.

MARINE MAMMAL PROTECTION ACT (MMPA) OF 1972, 16 U.S.C. §1361 *et seq.* This Act established a Federal responsibility to conserve marine mammals within waters of the United States. With certain specified exceptions, the Act establishes a moratorium on the taking and importation of marine mammals.

Finding: No marine mammals or their habitat are located at the site of the proposed action. Therefore, this Act is *not applicable* to the proposed action.

MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT (MPRSA) OF 1972, 16 U.S.C. §1431 *et seq.* This Act, also known as the Ocean Dumping Act, prohibits the dumping of materials into the ocean that would degrade or endanger human health or the marine environment.

Finding: The proposed action does not require disposal of materials into the ocean. Therefore, this Act is *not applicable* to the proposed action.

MIGRATORY BIRD TREATY ACT (MBTA) OF 1918, 16 U.S.C. §703 *et seq.* This Act makes it unlawful to pursue, hunt, take, capture, or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. Under the MBTA, “migratory birds” include all birds native to the United States and the Act pertains to any time of the year, not just during migration.

Finding: The proposed action is *in compliance* with this Act because the action will not result in the taking of any migratory birds.

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT OF 1990, 25 U.S.C. §3001 *et seq.* This Act provides for the protection of Native American and Native Hawaiian human remains and cultural items. It also establishes requirements for the disposition of Native American human remains and sacred or cultural objects found on federal and tribal lands. The Act also provides for the protection, inventory, and

repatriation of Native American human remains and cultural items (funerary objects, sacred objects, and objects of cultural patrimony).

Finding: There would be no ground disturbing activities associated with the proposed action. In the unlikely event that human remains or items of cultural patrimony are uncovered, all work shall halt until a Portland District archeologist arrives at the scene of the discovery, and 43 CFR 10.4 applies.

NATIONAL HISTORIC PRESERVATION ACT (SECTION 106) (NHPA) OF 1966, 16 U.S.C. §470 et seq.: This Act is designed to protect and preserve cultural resources and ensure that development does not cause harm or degradation to historic integrity and significance. Section 106 of the NHPA requires all Federal agencies to consider the potential effects of their undertakings on historic properties eligible for or currently listed on the National Register of Historic Places (<http://www.cr.nps.gov/nr/>). Historic properties include archaeological sites, historic structures or the remnants of sites or structures, and areas of historic, cultural or traditional significance.

Finding: The Corps determined the proposed action meets the definition of an undertaking at 36 CFR 800.16(y), the implementing regulations of Section 106. The Corps completed Bonneville Dam's first powerhouse (B1), spillway and original navigation lock in 1938 to improve navigation on the Columbia River and provide hydropower to the Pacific Northwest. The Corps constructed a second powerhouse in 1981, and a larger navigation lock in 1993. As a Public Works Administration project of President Franklin D. Roosevelt's New Deal, portions of Bonneville Lock and Dam Project were declared a National Historic Landmark in 1987.

The undertaking is covered under the *Programmatic Memorandum of Agreement for Construction of the New Navigation Lock and for the Operation and Maintenance of the Bonneville Dam Historic District between the Corps of Engineers, the State Historic Preservation Officers of Washington and Oregon, and the Advisory Council on Historic Preservation (PMOA)*. Per Stipulation I.B of the PMOA, "All repair and maintenance work which does not result in destruction of the fabric of historic properties or which results in repairs in-kind of historic properties shall be considered to have no effect on the historic properties and shall not require consultation with the appropriate SHPO prior to implementation." Based on the project specifications, the Corps determines the proposed action has no potential to cause effects to historic properties, and is *in compliance* with this Act.

RIVERS AND HARBORS ACT OF 1899, 33 U.S.C. §§401-418: Section 10 of this Act regulates structures in or over any navigable water of the U.S., excavation from or deposition of material in such waters, and any other work affecting the course, location, condition, or capacity of such waters.

Finding: The entire length of the Columbia River (in the United States) is a navigable river, and under the jurisdiction of the Rivers and Harbors Act. The

proposed action is also subject to Section 10 of the Act, and the proposed activities will have no effect on any navigable waters. Therefore, the proposed action is *in compliance* with this Act.

SAFE DRINKING WATER ACT OF 1996, 42 U.S.C. §300(f) et seq. The primary objectives of this Act are to protect the nation's sources of drinking water and to protect public health to the maximum extent possible, using proper water treatment techniques. The EPA and states established national primary and secondary drinking water standards and established techniques to meet those standards. Facilities that treat drinking water and underground sources of drinking water are regulated by the states through permits. The Corps must ensure that any facility in their jurisdiction that is used, or may be used, for public drinking water complies with the water requirements of the state in which the facility is located. Any Corps activities that may impact or endanger underground drinking water supplies are subject to the requirements of the state program and EPA permit requirements.

Finding: The proposed action is *in compliance* with this Act because the action will not result in any effects on the public drinking water supply.

WILD AND SCENIC RIVERS ACT (WSRA) OF 1968, 16 U.S.C. §§1271-1287: This Act applies only to rivers designated by Congress as "wild and scenic" in order to safeguard the special character of these rivers. Under this Act, Federal agencies may not assist the construction of a water resources project that would have a direct and adverse effect on the free-flowing, scenic, and natural values of a federally designated wild or scenic river.

Finding: The proposed action will not occur within, or near, a designated Wild and Scenic River. Therefore, this Act is *not applicable* to the proposed action.

EXECUTIVE ORDER 11593, PROTECTION AND ENHANCEMENT OF THE CULTURAL ENVIRONMENT, MAY 1971: This order advises federal agencies to provide leadership in preserving, restoring and maintaining the historic and cultural environment of the Nation. Federal agencies are directed to administer the cultural properties in a spirit of stewardship and trusteeship for future generations, initiating measures in such a way that federally owned and non-federally owned sites, structures and objects of historical, architectural or archaeological significance are preserved, restored and maintained for the inspiration and benefit of the people. In addition, Federal agencies are ordered to consult with the Advisory Council on Historic Preservation to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures, and objects of historical, architectural or archaeological significance

Finding: The proposed action will not result in the degradation of any historic or cultural environment, either federally owned or non-federally owned. No sites, structures or objects of historical, architectural or archaeological significance will be adversely affected by the proposed action. Therefore, the proposed action is *in compliance* with this order.

EXECUTIVE ORDER 11988, FLOODPLAIN MANAGEMENT, 24 MAY 1977: This order requires federal agencies to evaluate the potential effects of proposed activities on floodplains and avoid possible 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. Federal agencies are directed to develop alternatives to floodplain activities, where practicable, and identify what impacts (beneficial and/or adverse) due to the action.

Finding: The proposed action will not result in a modification to the current floodplain conditions. It will not encourage further development of the floodplain. Therefore, the proposed action is *in compliance* with this order.

EXECUTIVE ORDER 11990, PROTECTION OF WETLANDS, 24 MAY 1977: The purpose of this order is to minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In planning their actions, Federal agencies are required to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided.

Finding: The proposed action is in compliance with this order because the proposed construction will have *no effect* on wetlands because no wetlands are located in the vicinity of the project.

EXECUTIVE ORDER 12898, ENVIRONMENTAL JUSTICE, 11 FEBRUARY 1994: This order requires Federal agencies to minimize health impacts on subsistence, low-income, or minority communities, ensuring no persons or group of people bear a disproportionate burden of negative environmental impacts resulting from the execution of this country's domestic and foreign policies. The Environmental Protection Agency's "EJView" online database was used in this evaluation, accessed on September 30, 2014
<https://www.epa.gov/environmentaljustice>.

Finding: No subsistence, low-income or minority communities will be affected by the proposed action because all work will occur within the boundaries of an existing facility. There will be no changes in population, economics, or other indicators of social well-being for this area anticipated in the near future. Therefore, the proposed action is *in compliance* with this order.

EXECUTIVE ORDER 13175, CONSULTATION AND COORDINATION WITH INDIAN TRIBAL GOVERNMENTS, 6 NOVEMBER 2000: The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, executive orders, and court decisions. This order requires federal agencies to formulate and establish "regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian

tribes”. This consultation is meant to work towards a mutual consensus and is intended to begin at the earliest planning stages, before decisions are made and actions are taken.

Finding: The proposed action will not result in the development of a Federal policy, therefore this Act does not apply.

EXECUTIVE ORDER 13186, MIGRATORY BIRDS, 10 JANUARY 2001: This order further strengthens the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, and the National Environmental Policy Act. Federal agencies taking actions that will result in any “take” (intentional or otherwise) of a migratory bird are required to develop a Memorandum of Understanding with USFWS to promote the conservation of migratory bird populations and resources.

Finding: There will be no take of migratory birds or their habitat resulting from the proposed action. Therefore, the proposed action is *in compliance* with this order.

EXECUTIVE ORDER 13514, FEDERAL LEADERSHIP IN ENVIRONMENTAL, ENERGY, AND ECONOMIC PERFORMANCE, 5 OCTOBER 2009: This order requires Federal agencies to increase energy efficiency; measure, report, and reduce their greenhouse gas emissions from direct and indirect activities; conserve and protect water resources through efficiency, reuse, and stormwater management; eliminate waste, recycle, and prevent pollution; leverage agency acquisitions to foster markets for sustainable technologies and environmentally preferable materials, products, and services; design, construct, maintain, and operate high performance sustainable buildings in sustainable locations; strengthen the vitality and livability of the communities in which Federal facilities are located; and inform Federal employees about and involve them in the achievement of these goals.

Finding: The proposed action will have *no impact* on over-all energy efficiency, greenhouse gas emissions, water resources, and the livability of the community. There would be a small, localized reduction in air quality, including generation of greenhouse gases, due to emissions from construction equipment. These impacts would be minor and temporary in nature, and would cease once construction is completed. Materials suitable for recycling would be recovered during installation. For these reasons, the proposed action is in compliance with this executive order by restoring functional use of a federal facility, minimizing adverse impacts to the environment, energy, or economic performance of nearby communities. In addition, the proposed action would enhance operating conditions for workers at the facility, fostering health and the welfare of employees.

OTHER LAWS AND EXECUTIVE ORDERS

None.

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**US Army Corps
of Engineers** ®
Portland District

CENWP-PM-E

MEMORANDUM FOR THE RECORD

SUBJECT: 16BON31 – Cascades Island Fishway Survey Markers at Bonneville Dam, Skamania County, Washington

DATE PREPARED: 29 June 2016

1. This memorandum for record (MFR) documents why the proposed Cascades Island Fishway Survey Marker project *does not* have the potential to cause effects in accordance with Section 106 of the National Historic Preservation Act (NHPA). This MFR addresses the issue indicated in 36 CFR 800.3(a)(1) and completes the U.S. Army Corps of Engineers' (Corps) Section 106 obligations in regard to this project.
2. The Corps completed Bonneville Dam's first powerhouse (B1), spillway and original navigation lock in 1938 to improve navigation on the Columbia River and provide hydropower to the Pacific Northwest. The Corps constructed a second powerhouse in 1981, and a larger navigation lock in 1993. As a Public Works Administration project of President Franklin D. Roosevelt's New Deal, portions of Bonneville Lock and Dam Project were declared a National Historic Landmark in 1987.
3. The Corps proposes to install 14 survey markers along the perimeter of the tailrace parking area of Cascades Island which has shown some subsidence. The markers will be hammered into the top of the fishway wall. These markers will be utilized to determine movement of the fishway. Placing the markers will require the use of a hammer drill, and the installation will take a few minutes per marker. Total hammering on the fishway is expected to take approximately an hour. The project will be staged in the existing parking lot; no additional staging area will be necessary. There will be some noise associated with hammering the markers, but impacts are expected to be minimal.
4. The proposed undertaking is covered under the *Programmatic Memorandum of Agreement for Construction of the New Navigation Lock and for the Operation and Maintenance of the Bonneville Dam Historic District between the Corps of Engineers, the State Historic Preservation Officers of Washington and Oregon, and the Advisory Council on Historic Preservation (PMOA)*. Per Stipulation I.B of the PMOA, "All repair and maintenance work which does not result in destruction of the fabric of historic properties or which results in repairs in-kind of historic properties shall be considered to have no effect on the historic properties and shall not require consultation with the appropriate SHPO prior to implementation." On June 21, 2016 District Archeologist Liz Oliver had a telephone conversation with Russell Holter at the Washington Department of Archaeology & Historic Preservation. They agreed that the installation of the survey markers would be a maintenance activity and does not require consultation.
5. In accordance with the mandates of Section 106 of the NHPA, and its implementing regulations 36 CFR 800, the Corps has completed a review of the proposed action and determined that:
 - a. The proposed action meets the definition of an undertaking at 36 CFR 800.16(y).

- b. The nature of the undertaking is such that it does not have the potential to cause effects on historic properties pursuant to 36 CFR 800.3(a)(1). and the Corps' agency official has no further obligations under Section 106.
- 6. No further work is recommended. In the unlikely event that cultural resources are uncovered during construction, all work shall halt until a Portland District archeologist arrives at the scene of the discovery. The Corps will comply with the procedures outlined in 36 CFR 800.13 and the current version of the Portland District Inadvertent Discovery Plan if human remains are discovered.

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Liz Oliver, MA
Portland District Archeologist

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