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Northwest **Power** and **Conservation** Council

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August 5, 2019

MEMORANDUM

TO: Council Members

FROM: Mark Walker and Leslie Bach

SUBJECT: Council approval of letter to U.S. Army Corps of Engineers in support of the draft FONSI and EA for aquatic invasive mussel control rapid response plan.

BACKGROUND:

Presenter: Mark Walker and Leslie Bach

Summary: The Council has been actively engaged in supporting federal-cost share funding for preventing a quagga and zebra mussel invasion into the Columbia River Basin (CRB). The Corps recently completed a draft Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) for a cost-share program to implement a rapid response plan for control and prevention of a potential zebra and quagga mussel infestation in the CRB. Staff recommends that the Council send a letter of support for the EA and FONSI.

Relevance: The Council's Fish and Wildlife Program encourages a regional approach to establishing a defensive perimeter to keep invasive mussels out of Columbia River Basin waters. The program specifically identifies measures for inspection, monitoring, prevention and control of aquatic invasive species, including supporting regional efforts on early detection and rapid response.

Background: The Council has worked closely with regional partners in advancing legislation and funding for quagga and zebra mussel prevention and control. In 2014, Congress passed new authorization for the U.S. Army Corps of Engineers that included a provision giving the Corps legal authority to enter into cost-sharing agreements with the four Northwest states to establish and operate Watercraft Inspection and Decontamination stations. In 2017, the Corps developed a Letter Report and EA for the Watercraft inspection station cost-share program. The Council provided a letter of support and encouragement to the Corps for completing the EA. The cost-share program, coordinated through Pacific States Marine Fisheries Commission, has allowed the four Northwestern states to increase the number of watercraft inspection stations and their days and hours of operation.

In 2016 Congress provided additional authorization for assisting the states with early detection of and rapid response to aquatic invasive species, including quagga and zebra mussels, through a cost-share program. To implement this aspect of the program, the Corps must complete environmental compliance, including an EA and consultation with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) in compliance with the Endangered Species Act (ESA). The draft EA and associated FONSI for the rapid response activities is now available for public comment. In addition, the Corps prepared a Biological Assessment and initiated consultation with NMFS and USFWS, which is still in process. The Corps anticipates moving forward with the rapid response cost-share program with contingencies for meeting ESA requirements.

More Info: The draft EA and FONSI can be found at:
<https://www.nww.usace.army.mil/Missions/Environmental-Compliance/>

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D R A F T

Lieutenant Colonel Christian N. Dietz
U.S. Army Corps of Engineers, Walla Walla District
ATTN: CENWW-PPL-C – Rapid Response
201 North 3rd Avenue
Walla Walla, WA 99362-1876

Dear Lieutenant Colonel Dietz:

The Northwest Power and Conservation Council greatly appreciates the support of the U.S. Army Corps of Engineers in implementing Section 104 of the River and Harbor Act of 1958, as amended by Section 1039(d) of the Water Resources Reform and Development Act of 2014 and Section 1178 of the Water Infrastructure Improvements of the Nation Act of 2016, pertaining to the funding of watercraft inspection stations, monitoring, and rapid response activities to prevent an infestation of invasive quagga and zebra mussels in the Columbia River Basin.

The Council is pleased to see that the Corps has released for public review and comment its draft Finding of No Significant Impact (FONSI) and draft Environmental Assessment (EA) for its proposed rapid response actions as authorized by the statute. The Council supports the Corps' Alternative 3, the preferred alternative, in the draft EA that calls for the Northwest states to act with the Corps in accordance with the 50/50 cost share requirements of the statute to implement both state and federal rapid response plans.

While the Council has been impressed with the Corps' diligence in working with the states to establish and operate watercraft inspection stations throughout the Pacific Northwest, we also realize that an infestation could occur at any time in any number of locations. Having rapid response plans in place and the funding mechanism established is one more line of defense that the region desperately needs to protect the Northwest from the environmental and economic disaster that an invasive mussel infestation would create.

We urge the Corps to move expeditiously upon the close of the comment period to complete its internal process, and work with the states to develop and implement the cost-share program to ensure that measures can be implemented quickly and effectively to battle an invasive mussel infestation.

Thank you for your attention to this important issue.

Sincerely,

Jennifer Anders
Chair