



FEMA

FINDING OF NO SIGNIFICANT IMPACT

Yakima County Shaw and Wide Hollow Creeks Flood Control Project
FEMA-PDMC-PJ-10-WA-2011-001

Yakima applied for fiscal year 2011 funding under the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation (PDM) grant program for a flood control mitigation project. The grant program is administered by FEMA, through the WA Emergency Management Division, to fund pre-disaster mitigation planning and projects that primarily address natural hazards. The purpose of the Shaw and Wide Hollow Creeks Flood Control Project is to reduce the risk of flood damage to residences and infrastructure in the Cottonwood Grove, Westbrook, and Clinton Way subdivisions.

The project area is approximately 22 acres in Yakima County located 1.5 miles west of the City of Yakima. The project would relocate and increase the capacity of Shaw Creek to up to the 500-year flood event and increase the existing capacity of Wide Hollow Creek to contain most of the 100-year flood event. Reaches of Shaw and Wide Hollow Creeks within the project area flow through the Cottonwood Grove, Westbrook, and Clinton Way subdivisions. Roughly 493 existing and future residential lots would be removed from the floodplain, but 23 homes/structures would remain in the floodplain.

The Proposed Action would construct a new channel for lower Shaw Creek which matches the natural topography and is close to its original alignment. It would be designed to mimic the slopes and grades of the original creek. The portion to be relocated parallels Tieton Drive (north of Shaw Creek) from approximately South 92nd Avenue to South 80th Avenue; and then continues south along the western side of South 80th Avenue. It would also reconnect the confluence with Wide Hollow Creek back to its historic location.

For the Wide Hollow Creek portion of the project, conveyance improvements would occur between South 72nd Avenue and South 88th Avenue. Additionally, to accommodate the increased flows, two bridges would be replaced (Wide Hollow Road Bridge and the South 80th Avenue Bridge), a bridge culvert would be constructed on South 88th Avenue, and an overflow channel would be built between South 91st Avenue and South 88th Avenue to eliminate road closures. The Proposed Action would add a total of approximately 4,500 square feet of impervious surface area in association with the replacement of the two bridges.

In accordance with the National Environmental Policy Act (NEPA) of 1969 and FEMA's implementing regulations, FEMA prepared an Environmental Assessment (EA) to identify and evaluate potential environmental effects resulting from the alternatives presented in the EA and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). Alternatives evaluated in the EA include: 1) No Action, 2) the Proposed Action to relocate Shaw Creek and improve conveyance for Wide Hollow Creek, and 3) construct an overflow bypass channel which would divert some of the flow from Shaw Creek, as

well as improving conveyance for Wide Hollow Creek. Other alternative methods to reduce flooding in the area were also considered but not carried forth and are described in the EA.

The following resources were evaluated for significance in the final EA: Physical Resources (Geology, Soils, Climate Change); Water Resources (Surface Water, Water Quality, Wetlands, Floodplains); Biological Resources (Vegetation, Fish and Wildlife, Endangered/Threatened Species); Cultural Resources; Socioeconomic Resources and Cumulative Impacts. Mitigation and minimization measures were identified for any impacts with potential to adversely affect those resources and are listed Attachment A.

The Draft EA was made available for public review and comment on September 4, 2015 for thirty days. A public open house style meeting was held on September 16. Twenty one people commented and appropriate changes were incorporated into the final EA. A summary of the comments can be found in the final EA. The Proposed Action is the preferred alternative because the action minimizes risk to improved property while also preserving and restoring floodplain functions and values.

FINDINGS

Based upon the PDM grant application, EA, and Attachment A - Mitigation and Conditions, and in accordance with 1) FEMA's regulations in 44 CFR Part 10 for environmental consideration, including Executive Orders (EOs) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898); and 2) the Council of Environmental Quality's regulations in 40 CFR Chapter 5 for implementing NEPA, FEMA determined the proposed project will not significantly affect the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.8) and the project, as described in the grant application, the EA, and Attachment A - Mitigation and Conditions, may proceed.

APPROVAL



Mark G. Eberlein
Regional Environmental Officer
FEMA Region 10

1-6-2016

Date

Attachment A: PERMITTING, PROJECT CONDITIONS, AND MITIGATION MEASURES

Yakima County shall implement the Proposed Action, as stated in the grant application and the Environmental Assessment, with the following project conditions and mitigation measures:

- The below listed permits were identified as necessary for the project. Other permits may also apply. The applicant will confirm the need for the permit with the issuing agency and comply with all permit requirements.
 - Nationwide Permit 27, US Army Corps of Engineers
 - Clean Water Act Section 401 Water Quality Certification, Washington Department of Ecology
 - Low Erosivity Waiver Certification, Environmental Protection Agency
 - Washington State Hydraulic Code Permit, Washington Department of Fish and Wildlife
 - Grading and flood hazard permits, Yakima County
- The County will be responsible for following a temporary erosion and sediment control plan with BMPs to control erosion and sedimentation, reduce spills, and pollution and provide habitat protection.
- Existing native tree and shrub species that currently exist along the streambank will be preserved to the maximum extent for additional bank stability and to maintain riparian habitat functions.
- All disturbed ground will be revegetated as described by the proposed action at the earliest practicable time after completion of construction.
- If fish are identified during surveys, measures to protect fish species during dewatering will take place. They will include minimization of handling, adherence to NMFS electrofishing guidelines, use of sanctuary nets, use of bubblers in holding containers, and the quick release of captured fish downstream of the site.
- Clearing of the project area, including the removal of vegetation, during the migratory bird nesting period between March 1 and August 31, has the potential to impact active migratory bird nests. The proposed project is still subject to the prohibitions of the Migratory Bird Treaty Act which specifically protects migratory bird nests from possession, sale, purchase, barter, transport, import, export and take. The USFWS allows empty or abandoned nests to be removed and destroyed without a permit as long as they are not taken into possession. Please see: <http://www.fws.gov/migratorybirds/mbpermits/PoliciesHandbooks/MBPM-2.nest.PDF>. The County is responsible for obtaining and complying with any necessary permits from USFWS and documenting it on the project site assessment/treatment plan.
- In the event that unanticipated cultural resources are discovered during project activities, and in compliance with state and federal laws protecting cultural resources, including Section 106 of the NHPA, work in the immediate vicinity will cease, the area will be secured, and FEMA and the SHPO will be notified.
- In accordance with requirements for participation in the National Flood Insurance Program, Yakima County will apply for and complete any required Letter of Map changes associated with the Special Flood Hazard Area.
- Any change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other laws and EOs before implementation of that scope change.