



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office
510 Desmond Dr. SE, Suite 102
Lacey, Washington 98503

MAY 22 2019

In Reply Refer To:
01EWF00-2019-I-0906

Mark Norman
Biology Program Manager
South Central Region
Washington State Department of Transportation
2809 Rudkin Road
Union Gap, Washington 98903-1648

Dear Mr. Norman:

This letter is in response to your request for informal consultation on the United States (US) 395 North Spokane Corridor – Spokane River Bridge Project (XL5855). The Washington State Department of Transportation (WSDOT) is proposing to construct a new bridge over the Spokane River, adjacent to the existing North Green Street Bridge, within the City of Spokane, in Spokane County, Washington. On April 29, 2019, we received your cover letter and Biological Assessment (BA), both dated April 24, 2019, providing information in support of a "may affect, not likely to adversely affect" determination for the bull trout (*Salvelinus confluentus*). On April 30, 2019, we requested additional information to clarify that no potential land use changes would result from construction of the new bridge. It is our understanding that this request has been submitted by the WSDOT on behalf of the Federal Highway Administration (FHWA).

The FHWA and WSDOT have concluded that the project will have "no effect" on additional listed species and designated critical habitats known to occur in Spokane County. The U.S. Fish and Wildlife Service (Service) has no regulatory or statutory authority for concurring with "no effect" determinations, and no consultation with the Service is required. This informal consultation has been completed in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Construction of the new bridge includes the following elements: 1) six, 12-foot-wide traffic lanes, 2) four, 10-foot-wide shoulders, and 3) a median traffic barrier between opposing lanes of traffic. The new bridge will span the river at river mile 78, approximately two miles downstream of the Upriver Dam. A temporary work platform will be constructed across the Spokane River for construction of the new bridge. The temporary work structure will require 161 24-inch diameter steel piles to be driven into the riverbed over a period of approximately 50 days. Riparian vegetation will be removed from both riverbanks to accommodate both the temporary work platform and new bridge. Approximately 2,848 ft² of riparian vegetation, dominated by Siberian elm (*Ulmus pumila*) and black cottonwood (*Populus balsamifera*) trees, will be impacted, with 4,273 ft² of vegetation being permanently removed. Fill, totaling 5,020 ft² (1,500 yd³), including 150 linear feet of rip-rap per bank, will be placed below the ordinary high water mark along the east and west shorelines in order to install and armor the new footings. Cofferdams will be installed to isolate in-water work areas and prevent debris, turbidity, and concrete from entering the river. No traffic detour will be required since the North Green Street Bridge will remain open to traffic. All temporary structures and piles will be removed and areas of the riverbanks not within the footprint of the new bridge will be replanted. Work is scheduled to be conducted over the course of three years, beginning May 2021 and extending to November 2023. Most of the work will occur during the approved in-water work window (June 16 to August 31), but some construction activities may extend to November 30 and will be outlined in the hydraulic project approval issued by the Washington Department of Fish and Wildlife.

Post-construction, the project will result in approximately 26,220 ft² of new overwater shading and 2.61 acres of pollution-generating impervious surface (PGIS). All stormwater runoff from the new PGIS will be captured and infiltrated or directed into the city's sewer system.

The action area is defined by the farthest reaching effects of the project overland and in the water. The farthest reaching overland effect of the project is the area where noise from pile driving will exceed ambient background levels, which extends 3,000 feet from the source. The aquatic portion of the action area is defined as the area that will be ensonified during impact pile driving and is bounded by the nearest bends in the river. This area extends approximately 3,700 ft upriver and 1,875 ft downriver from the project footprint and includes the extent of water quality changes from temporary increases in turbidity during construction.

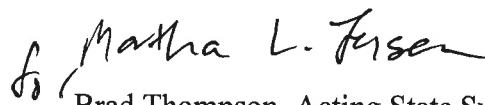
Bull Trout

The bull trout was listed range-wide as threatened by the Service in 1999. The Spokane River is the outflow of Coeur d'Alene Lake, which supports a single bull trout core area that is part of the Columbia Headwaters Recovery Unit. This Recovery Unit only includes the Spokane River from Coeur d'Alene Lake to Post Falls. The Post Falls Hydroelectric Dam is located at a natural fish passage barrier falls and does not contain fish passage facilities. Post Falls is upriver of the project site and there are no populations of bull trout in the Spokane River downstream of the dam. Bull trout records in the Spokane River below Post Falls are very rare. Because it is extremely unlikely that bull trout will be present and exposed to construction activities, effects to bull trout are considered discountable.

This concludes informal consultation pursuant to the regulations implementing the Endangered Species Act (50 CFR 402.13). This project should be re-analyzed and re-initiation may be necessary if 1) new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation, 2) if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation, and/or 3) a new species is listed or critical habitat is designated that may be affected by this project.

If you have any questions about this letter, or our shared responsibilities under the Endangered Species Act, please contact DeeDee Jones at (360) 905-2185 (deean_jones@fws.gov) or Martha Jensen at (360) 753-9000 (martha_1_jensen@fws.gov).

Sincerely,

A handwritten signature in black ink that reads "Martha L. Jensen". The signature is written in a cursive style and is positioned to the right of a small, stylized symbol that resembles a lowercase 'f' or a similar character.

Brad Thompson, Acting State Supervisor
Washington Fish and Wildlife Office

cc:

FHWA, Olympia, WA (C. Callahan)
WSDOT, Spokane, WA (T. Williams)
WSDOT, Union Gap, WA (G. Gray)
USFWS, Spokane, WA (E. BrittonKuttel)
USFWS, Vancouver, WA (D. Jones)