



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE

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May 1, 2009

City of Spokane
Planning Services Department
Attn: Tamara Palmquist
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Subject: Spokane River Whitewater Park SEPA Comments

Dear Ms. Palmquist:

WDFW has reviewed the SEPA Checklist for the proposed Spokane River Whitewater Park. The SEPA Checklist submitted for review is greatly improved from the original versions and the efforts of the applicant and authorized agent are appreciated.

SEPA COMMENTS:

- WDFW remains concerned about dewatering the work area for the proposed construction activities, particularly as the use of toxic grout compounds is proposed. The Spokane River has a very dynamic relationship with groundwater and dewatering has been difficult, if not impossible, on other projects in the middle and lower river. The use of grout compounds poses a high risk to fish life and sufficient curing time will have to be determined. While it is understood that the final coffer dam construction and dewatering/diversion plan will be determined by the contractor, work in the dry will be a requirement of the HPA. Fish removal will also be a requirement of the HPA, not just fish exclusion. Prior to the start of work, the dewatering plans will have to be submitted to WDFW for review and approval.
- A maintenance and monitoring plan for the whitewater structure is included with the SEPA packet. It seems that high stream flows conditions should also influence the need for an inspection, rather than a planned maintenance schedule.

It remains unclear what type of maintenance work will need to be performed on the structure and how the City plans to access the structure for maintenance activities (i.e. equipment use?). The project design consultant should be able to provide some insight for this type of information. The last paragraph of the maintenance plan proposal refers to “substantial channel shifting”. It is not clear if this is just related to the whitewater structure or if it includes the fish passage channel. This should be clear and “channel shifting”, proposed maintenance if shifting does occur and its anticipated risk to the structure should be included in the plan.

- WDFW agrees that the project mitigation can be finalized as part of the Hydraulic Project Approval process. It should be made clear that all shoreline trail, rock, and vegetation work will be included in the HPA. A significant portion of the material and trail are below the OWHL. In addition, WDFW authority does not end at the OHWL, but includes all work in close proximity to the OHWL that has the potential to impact fish life. Mitigation will be necessary.
- The willows to be removed instream remain concerning. These willows provide a hydraulic function in the river as evidenced by the deposition that is occurring downstream. These are a river feature of this section of free flowing river that when eliminated will alter the bed and flow overtime as will the whitewater feature itself.
- It is unknown whether redband trout or other species spawn in the area that is to be impacted by this project. While it is known that there is a larger area suitable for trout spawning habitat and fish habitat areas upstream of the proposed structure (thus the need for unimpeded fish passage year-around), there are likely areas suitable for spawning (pockets) within the project area or the area of impact. Without a study of channel characteristics, the statement “No, this is not a redband trout spawning area” cannot be made. In addition, the hydraulic code protects all fish life, not just trout.
- The checklist states that the river is not a corridor. The Spokane River is a migration corridor for fish species, wildlife species such as ungulates, otter, beaver, bats, and countless bird species, including neotropical migrants.
- The work window for the Spokane River is June 15 – August 31 (not August 30).
- As stated previously, in addition to the identification of appropriate mitigation under the SEPA process, WDFW has an internal policy requiring mitigation for every project requiring Hydraulic Project Approval (HPA) (Policy M5002, Requiring or Recommending Mitigation). Mitigation measures need to be identified for impacts to fish and fish habitat. Aspects of this project that will require mitigation include, for example:

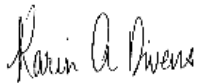
- 1) all temporary and permanent impacts from construction activities

- 2) permanent changes in hydrology and natural movement of the bed resulting from the construction of a feature that locks the channel in place
 - 3) area affected by grouted structures, the area permanently lost to the use by fish species
 - 4) loss of important in-channel substrate pockets for spawning
 - 5) loss of instream habitat features (i.e. proposed removal of willows)
 - 6) effect on riparian habitat
 - 7) loss of important nearshore habitat areas for fish, and obstructions to natural fish movements in 2/3 of the river channel.
 - 8) Temporal loss of instream habitat during construction dewatering.
- WDFW continues to recommend that bioengineered bank stabilization techniques using the Aquatic Habitat Guildlines be used on this project where feasible and that all vegetation plantings within the shoreline area be native species. The trail along the river does not seem compatible with the bioengineered concept. It is proposed below the OHWL and poses the need for additional maintenance when high flow conditions occur.

Thank you for the opportunity to provide this information for consideration during this process.

If you have any questions or need additional information, please feel free to give me a call at (509) 892-1001 x 323.

Sincerely,



Karin A. Divens
AHB Biologist

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Jeremy Sikes, Ecology
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