

## FINDING OF NO SIGNIFICANT IMPACT

### RIVERINE ENDANGERED SPECIES HABITAT DEVELOPMENT

#### Yankton Sioux Tribe Fish and Wildlife Commission Federal Assistance Project U-8-NA

The U.S. Fish and Wildlife Service (Service) has prepared this document in accordance with the procedures for compliance with the National Environmental Policy Act (NEPA) as it applies to the State Wildlife Grant program (with Tribal Wildlife Grant program authorization; 115 Stat. 414; P.L. 107-6316).

The Yankton Sioux Tribe Fish and Wildlife Commission (YSTFWC) propose to restore nesting, brood-rearing, and foraging habitats for the Federally endangered least tern (*Sterna antillarum*) and the threatened piping plover (*Charadrius melodus*). These habitats, collectively referred to as emergent sandbar habitat (ESH), are proposed to be restored at a three-island complex at Missouri River mile 866, in South Dakota. The YSTFWC proposes to clear and burn vegetation on these islands, resulting in the restoration of 40.8 acres of ESH. The project is entitled: "Riverine Endangered Species Habitat Development" and is a part of the Final Environmental Assessment (EA) by the U.S. Army Corps of Engineers (USCOE) in compliance with NEPA. The proposal is funded in-part through the Services' Tribal Wildlife Grants Program and the YSTFWC.

The Service reviewed the final EA assessing the environmental and social factors relevant to the proposed project. These include, but are not necessarily limited to, threatened and endangered species, vegetation, air quality, water quality, wetlands, fisheries, wildlife, prime farmland, flood plains, and cultural resources. Adverse effects of this proposal include a slight, temporary increase in noise, suspended solids, and fugitive dust during vegetation clearing. There will also be a loss of other sandbar organisms. The proposed project will have no adverse impact to threatened and endangered species or cultural resources. The review process determined the actions of vegetation removal will have no significant adverse impacts on the environment and the project is not a major Federal action significantly affecting the quality of the human environment.

The Service in cooperation with the YSTFWC are adopting the USCOE final EA for the project. The EA contains an evaluation and analysis of the environmental effects of the proposed action and two alternative actions including a "No Action" alternative. The alternatives not chosen includes: flow manipulation and scouring by the river and burning of vegetation. Issues identified during the ACOE's scoping process are addressed in the EA; however, no significant environmental impacts were identified. The Service prepared and issued a Biological Opinion (BO) on the operation of the Missouri River Main Stem Reservoir System in 2000, amended the BO in 2003 (as required by the Endangered Species Act, 1973), and included the BO in the EA. The Service's Missouri River Coordinator in the Ecological Services North Dakota Field Office concurred with the determination that the project "may affect, but is not likely to adversely affect" Federally listed species or result in the destruction or adverse modification of Federally designated critical habitat (Michael Olson, USFWS Missouri River Coordinator, December 19, 2006). The EA was released for a 15-day public commenting period on January 19, 2007, and no comments were received.

Based on review of the final environmental assessment and evaluation of the effects of the proposed action, I have determined that the proposed action is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969. I also find that all reasonable alternatives were considered in the evaluation of this project and that this project complies with the intent of Executive Order 11988 "Floodplain Management" and Executive Order 11990 "Protection of Wetlands." Consequently, I have determined that an environmental impact statement is not required. The EA is on file in the Division of Federal Assistance, U.S. Fish and Wildlife Service, 134 Union Boulevard, Lakewood, Colorado 80225 and is available for public review upon request, or available online at: <http://mountain-prairie.fws.gov/federalassistance>.

APPROVAL: \_\_\_\_\_  
Regional Director, U.S. Fish and Wildlife Service, Region 6                      Date