



United States Department of the Interior

FISH AND WILDLIFE SERVICE

LLOYD 500 BUILDING, SUITE 1692

500 N.E. MULTNOMAH STREET

PORTLAND, OREGON 97232

January 24, 1979

In reply refer to:
AFA-SE - 1-3-78-59

Colonel John A. Poteat, District Engineer
Seattle District, Corps of Engineers
P.O. Box C-3755
Seattle, Washington 98124

Dear Colonel Poteat:

This is in reply to your request dated June 15, 1978, for a Section 7 consultation as required by the Endangered Species Act of 1973, as amended in 1978, regarding the Skagit River Levee and Channel Improvement Project. The case number for this consultation is 1-3-78-59.

The proposed project includes construction of a levee system that follows the existing levee alignments from the mouth of the Skagit River to Mount Vernon, Washington. The project will provide a 50-year flood protection to the Skagit delta farmland. In addition, an upstream portion of the project will extend from Mount Vernon to the vicinity of Sedro Woolley. This section of the project will offer a 100-plus years protection to the urban sections within the project area. No channel improvements are anticipated in either the downstream or upstream segments of the project. Linear distance of the proposed levee project is 50.5 miles.

Accompanying the Corps of Engineers' October 17, 1978 request were copies of: (1) Alternative levee alignments under consideration; (2) ten orthophotos with superimposed descriptions of proposed levee and riprap areas; and (3) levee cross-section profiles for the downstream project.

The Service indicated that the information the Corps provided in the request for consultation was insufficient to conclude whether the project would impact the bald eagle (*Haliaeetus leucoccephalus*). On October 17, 1978, the Service received additional information which would allow a biological opinion to be rendered. This opinion addresses that information and assesses the likely impacts on bald eagles resulting from the proposed project.

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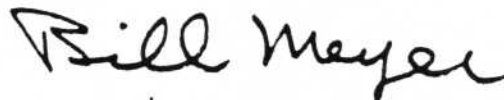
Bald eagles utilize the lower Skagit River and estuary primarily in winter months--December through February. During this period, 10-20 birds may be found in this reach of the river. No known nests are found within one (1) mile of the proposed project. No large concentrations occur here; however, near Rockport, Washington, about 25 miles upstream from the project, groups of 30 or more eagles are commonly found during the winter months. They are attracted here by the spawned-out salmon. Very few, if any salmon spawn in the Skagit River below Rockport within the project boundaries. Consequently, there is little prey to attract large concentrations of wintering bald eagles.

The design of the proposed levees is such that minimal modification will be made to the existing perching sites used by eagles. Mature conifers found in the area along the banks of the river are not a limiting factor. Removal of some trees may provide better visual range to the eagles utilizing shoreline perches. Because the project will occur over a 3-year period and construction activities will be conducted on a section by section basis, bald eagles will be displaced from any one section on a temporary basis.

Based on the above discussion and existing data, the biological opinion of the Fish and Wildlife Service regarding impacts on bald eagles is that the proposed Skagit River Level and Channel Improvement Project is not likely to jeopardize the continued existence of this species.

Thank you for the opportunity to comment on this matter. This concludes Section 7 consultation on this project. Should any modification occur to the project other than discussed above, or should new information on listed species become available, the Corps of Engineers should consider reinitiating consultation. We would appreciate a notification of your intent in light of this opinion.

Sincerely yours,



Bill Meyer
Regional Director

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