

FINDING OF NO SIGNIFICANT IMPACT
Proposed Nearshore Disposal Locations at the Mouth of the Columbia River
Federal Navigation Project, Oregon and Washington

Based upon the Environmental Assessment (EA) prepared for this project, I find that the proposed action would not significantly affect the quality of the human environment and that an Environmental Impact Statement is not required. This Finding of No Significant Impact (FONSI) is based on the “Proposed nearshore disposal locations at the Mouth of Columbia River EA” which has been independently evaluated by the U.S. Army Corps of Engineers, Portland District (Corps).

Any human action has the potential for minor to moderate or even severe impacts and consequences. This EA and FONSI have listed all of the important considerations of the proposed project and their environmental impacts. These impacts, both individually and cumulatively, are *NOT SIGNIFICANT* as “significant” has been defined by NEPA law, regulations, and case law.

Introduction

The Mouth of Columbia River (MCR) is defined by the terminus of the Columbia River into the Pacific Ocean and serves as the entryway into the Columbia River Federal Navigation Channel (FNC). The FNC serves as a Pacific waterway nexus for ports in Washington, Oregon, and Idaho. The Corps is proposing to add to the current disposal network at MCR in order to address growing concern among regional and local stakeholders. The lack of nearshore disposal sites within MCR’s current disposal network pose challenges in addressing the need to balance the littoral budget along this reach and limits the Corps’ ability to utilize dredged materials as a beneficial resource for this action. Over the last 5 years, approximately one-third of the sediment has been disposed outside of the nearshore environment due to site capacity concerns or treacherous weather conditions. The placement of the sediment at the Environmental Protection Agency (EPA) designated deep water site (DWS) removes a large portion of this clean (uncontaminated) resource from the Columbia River littoral cell where it would help sustain the jetties, beaches, and marine habitats in the MCR area.

The Proposed Action

The proposed action combines the use of the existing disposal sites with one nearshore site and one intertidal site. The development of a regional network of disposal sites would allow for flexibility in managing operational, navigational safety, and environmental needs. The use of the disposal network will be determined by the Corps, recognizing that site use capabilities fluctuates annually due to naturally occurring conditions. The determinations of disposal locations will be declared in the Corps’ Annual Use Plan (AUP) submittal to EPA. Disposal in the proposed sites will be conducted utilizing a thin-layer placement method and will follow a monitoring plan as funding allows. This method is expected to minimize impacts to benthic species and will not generate sediment mounding.

The purpose of the proposed action is to add new, long-term dredged material disposal sites to the existing network of disposal sites for the MCR project. Additional disposal sites are needed to address significant erosion issues, obtain needed information on nearshore processes by conducting monitoring during disposal events, and divert a sand resource that is otherwise “lost” if it goes to the DWS rather than towards beneficial use in the littoral zone. The addition of nearshore disposal sites also would allow for the Corps’ flexibility in disposal options. The use of additional nearshore disposal sites would improve the following aspects of the overall operation and maintenance of the MCR project:

- Provide additional long-term dredged material disposal options for the MCR dredged material disposal site network;

- Increase efficiency of dredging operations by using sites closer to the FNC;
- Protect the existing jetties that are a part of the MCR navigation system;
- Beneficially use dredged material by keeping it in the Columbia River littoral cell

Public Input

A public notice was first issued on March 1, 2012 indicating that the draft EA for the proposed action was available for public review through March 30, 2012. During this public review period, the Corps received a total of 13 written letters and emails commenting on the March draft EA. A second public notice was issued on April 24, 2012 indicating that a second draft EA for the proposed action was available for public review through May 8, 2012. During this public review period, the Corps received a total of 3 written letters and emails commenting on the May draft EA. All public input and requests for information were considered, and where applicable were incorporated and identified in the final proposed action and EA.

Final Determination

The Corps is required to make every effort to fulfill all statutory authorized project purposes and directions provided by the Congress in the project authorization documents. The features of the MCR project were authorized by Rivers and Harbors Acts of 1884, 1905, 1954, as well as Public Law 98-63. The Corps recognizes that in fulfilling the authorizations, the Corps needs to assess the whether the impacts of a project rise to the level of “significantly affecting the human environment.” (40 CFR 1508.27) Following is the checklist from (1) to (10):

- (1) [This item is a reminder that ‘significant impacts’ includes both beneficial and harmful impacts.]
- (2) Public health and safety: *No adverse impact.* The MCR project will have no adverse impact to public health and safety.
- (3) Unique characteristics of geographical area: The MCR proposed disposal site is located in the nearshore oceanic environment adjacent to MCR. Adjacent land use is state owned lands. There are no unique natural features in the project area that stand out compared to the surrounding environment.
- (4) Are effects on quality of human environment controversial? The effects of the activities have been assessed and addressed in the final EA.
- (5) Are the risks uncertain or unique? There are no uncertain or unique risks associated with the operations of this project. None of the features are expected to provide unique or uncertain risks beyond those addressed in the project design documents and environmental documentation for this project.
- (6) Future Precedents: The Corps is required to provide safe, efficient, and effective navigable waterways as congressionally authorized through Rivers and Harbors Acts of 1884, 1905, and 1954. An ongoing Operations and Maintenance for the MCR project remains necessary. The continual need for a dredged material sediment management plan precludes the designation of future precedents. This project sets no future precedent in action or completion of this project.
- (7) Cumulative Impacts: The Corps is reasonable certain that the use of the proposed disposal sites will not facilitate additional negative environmental impacts in the area or the region as a result of the project. Conversely, the proposed action would use dredged material (sand) beneficially,

thereby offsetting some of the negative impacts that the Columbia River jetties and maintenance dredging may have on natural coastal processes. The incremental effect of implementation of the proposed action is expected to be positive. While operations and maintenance dredging will continue at the MCR, the proposed action is intended to reduce the migration of littoral drift into the navigation channel, and may reduce the volumes and frequency of dredging needed at the mouth. The addition of the proposed disposal sites into the existing network of disposal sites does not inherently increase the volume of material being disposed at the MCR.

- (8) National Register of Historic Places and other historical and culturally significant places: The MCR project is expected to have no identified impacts on any protected historical or cultural features or properties.
- (9) Endangered Species Act: NMFS and USFWS were consulted for this project. A Biological Assessment evaluating the effects to ESA-listed species in the vicinity of the project area was submitted to NMFS in March 2011. A Biological Opinion was received from NMFS on 11 July 2012. A Biological Assessment evaluating the effects to ESA-listed species in the vicinity of the project area has been submitted to USFWS in July 2010 and reviewed with USFWS in January 2012. The Corps will comply with nondiscretionary terms and conditions, reporting requirements put forth by the determination documents posted by NMFS and USFWS.
- (10) Other Legal Requirements: Environmental effects from the proposed action are primarily expected to be short-term turbidity which could affect water quality temporarily. The benefits achieved through replenishment of MCR's littoral budget are expected to be far-reaching and produce a long-term solution for addressing environmental, economic, and erosion concerns for this region.

The Corps is required to make every effort to fulfill all statutory authorized project purposes following the balance of purposes and other directions provided by the Congress in the authorization documents. The Corps is also required to take into account other legal mandates such as the Endangered Species Act, the Clean Water Act, and the Coastal Zone Management Act. As was noted in the EA, impacts to ESA species and water quality will be minimized by using a variety of disposal Best Management Practices designed to minimize impacts. A 401 Water Quality Certificate was obtained on 12 July 2012 from the Oregon Department of Environmental Quality for use of the South Jetty Nearshore Site. A Water Quality Certification from Washington Department of Ecology (DOE) remains current for the Benson Beach Intertidal Site. A Coastal Zone Management Act Consistency Determination was obtained from the Oregon Department of Land Conservation and Development 12 July 2012. The Coastal Zone Management Act Consistency Determination from DOE remains current for the Benson Beach Intertidal Site.

Date:

12 July 2012

Signed:

John W. Eisenhauer, P.E. 65-15 DPM
Colonel, Corps of Engineers
District Commander