

FINDING OF NO SIGNIFICANT IMPACT

Seattle Harbor Navigation Improvement Project

Seattle, King County, Washington

The U.S. Army Corps of Engineers, Seattle District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The final Integrated Feasibility Report and Environmental Assessment (IFR/EA) dated 2 November 2017, for the Seattle Harbor Navigation Improvement Project addresses navigation safety and cost efficiency improvement opportunities and feasibility in the East and West Waterways of Seattle Harbor in King County, Washington. The final recommendation is contained in the report of the Chief of Engineers, dated 7 June 2018.

The Final IFR/EA, *incorporated* herein by reference, evaluated various alternatives that would improve safety and economic efficiency of commercial navigation in the study area. The recommended plan is the Locally Preferred Plan (LPP) and includes the following:

- West Waterway: Deepen the existing channel to an authorized project depth of -57 feet Mean Lower Low Water (MLLW) (6,109 feet long). Widen the approach reach to 700 feet wide (2,500 feet long). Maintain the inner reach width of 500 feet wide (3,609 feet long).
- East Waterway: Deepen the existing channel to an authorized project depth of -57 feet MLLW. Widen the approach reach to 700 feet wide (1,200 feet long). Maintain the inner reach width of 500 feet wide (4,800 feet long). The 1,232 feet at the southern end of the East Waterway will have no change to its authorized width of 500 feet and authorized depth of -34 feet MLLW.
- Under the least cost disposal option, approximately 754,000 cubic yards of dredged material would be placed in the Elliott Bay open water disposal site and approximately 171,000 cubic yards would be placed at an upland facility.

In addition to a “no action” plan, two alternatives were evaluated. The alternatives included deepening both waterways to -56 feet MLLW and to -57 MLLW. Chapter 3 of the IFR/EA outlines the formulation, evaluation, and screening of alternatives from the economic perspective. Chapter 4 of the IFR/EA provides the analysis and comparison of environmental effects of the final array of alternatives. Four non-structural measures were considered for inclusion in the alternatives; these included tug assists, high-tide transiting, light-loading, and lightering. The non-structural measures were screened from further analysis because either they are already in use or would not meet the project objectives of transportation cost savings and reducing navigation challenges for pilots. The National Economic Development (NED) plan is deepening both waterways to -56 MLLW. However, the non-federal sponsor requested the LPP of -57 MLLW because it is economically justified and represents planning for the future of U.S.

commerce and trade by planning for waterway depths to accommodate larger ships. The additional one foot of dredging depth to achieve the LPP would require a slightly longer duration of in-water work with slightly greater disposal quantity. This is not a meaningful difference for temporary or permanent impacts to the environment. In fact, the difference is so minimal that the alternatives can be considered equivalent in terms of impacts.

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aquatic resources/wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Invasive species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fish and wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic properties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous, toxic & radioactive waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Navigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise levels (underwater)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental justice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tribal trust resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Health and Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sea Level Change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All practical and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the IFR/EA will be implemented to minimize impacts. Avoidance and minimization measures include compliance with the Water Quality Certification, observance of the designated work window of 16 July through 15 February, monitoring turbidity during dredging, and use of an environmental dredging bucket while working in sediment determined unsuitable for aquatic disposal. Section

5.7 of the IFR/EA provides information on the impact minimization measures. An extensive list of BMPs will appear in the specifications for the dredging contract.

No compensatory mitigation is required as part of the recommended plan.

Public review of the draft IFR/EA and FONSI was completed on 31 August 2016. All comments submitted during the public review period were responded to in the Final IFR/EA and FONSI. A 30-day state and agency review of the Final IFR/EA was completed on 27 March 2018. Comments from state and federal agency review did not result in any changes to the final IFR/EA.

ENDANGERED SPECIES ACT

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the National Marine Fisheries Service (NMFS) issued a biological opinion, dated 2 February 2017, that determined that the recommended plan will not jeopardize the continued existence of the following federally listed species or adversely modify designated critical habitat: Puget Sound Chinook salmon, Puget Sound steelhead, bocaccio, canary rockfish, yelloweye rockfish, green sturgeon, and Southern Resident killer whale. All terms and conditions, conservation measures, and reasonable and prudent alternatives and measures resulting from these consultations shall be implemented in order to minimize take of endangered species and avoid jeopardizing the species.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the recommended plan may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: bull trout and marbled murrelet. The U.S. Fish and Wildlife Service (FWS) concurred with the Corps' determination on 19 October 2016.

NATIONAL HISTORIC PRESERVATION ACT

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the recommended plan has no potential to cause adverse effects on historic properties. The Washington State Historic Preservation Officer concurred with the Corps determination of no effect to historic properties in a letter dated 27 April 2016.

The Corps sent letters to the Muckleshoot Tribe, Suquamish Tribe, and Snoqualmie Tribe describing the project and asking if there are any properties of cultural or religious significance that would be affected by the project. To date, the Corps has not received a response from any of the Tribes.

CLEAN WATER ACT

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the recommended plan has been found to be compliant with section 404(b)(1) Guidelines (40 CFR 230). The Clean Water Act Section 404(b)(1) Guidelines evaluation is found in Appendix D of the IFR/EA.

401 WQC PENDING: A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the Washington State Department of Ecology (Ecology) prior to construction. In a letter dated 24 May 2017, Ecology stated that the recommended plan appears to meet the requirements of the water quality certification, pending confirmation based on information to be developed during the pre-construction engineering and design phase. All conditions of the water quality certification will be implemented in order to minimize adverse impacts to water quality.

COASTAL ZONE MANAGEMENT ACT

CZMA CONSISTENCY PENDING: A determination of consistency with the Washington State Coastal Zone Management program pursuant to the Coastal Zone Management Act of 1972 will be obtained from Ecology prior to construction. In a letter dated 24 May 2017, Ecology stated that the recommended plan appears to be consistent with state Coastal Zone Management plans, pending confirmation based on information to be developed during the pre-construction engineering and design phase. All conditions of the consistency determination shall be implemented in order to minimize adverse impacts to the coastal zone.

OTHER ENVIRONMENTAL COMPLIANCE REQUIREMENTS

CERCLA PENDING. The recommended plan project location is included within the Harbor Island National Priorities List (or Superfund) Site. The West Waterway and East Waterway are each an Operable Unit of the Harbor Island Superfund Site. Additionally a portion of the west side of the West Waterway federal navigation channel at the north end overlaps with the Lockheed West Seattle Superfund Site. The U.S. Environmental Protection Agency (EPA) is the lead Federal agency for both Superfund Sites pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675.

With respect to the West Waterway, EPA remedial actions associated with the Harbor Island Superfund Site in the West Waterway OU have been completed with finalized RODs and are in the monitoring phase. The ongoing CERCLA activities in the West Waterway are related to the Lockheed West Seattle Superfund Site. It is the Corps' understanding that EPA's remedial activities for the Lockheed West Seattle Superfund site, reflected in a signed Record or Decision (ROD) from 2013 and an Explanation of Significant Differences issued in 2015, are currently in construction and the remedy is anticipated to be final by 2021. Construction of the Corps' recommended plan in the West Waterway would not be initiated until after the EPA's final remedial action in the Lockheed West Seattle Superfund Site is completed.

With respect to the East Waterway, implementation of the Harbor Island Superfund Site's East Waterway OU remedial action is contingent upon finalization of a ROD. The Corps understands that the remedial action alternatives in the EPA's Draft Final Feasibility Study for the East Waterway OU are being based on the current authorized channel depth, but are intended to be compatible with future implementation of the Corp's recommended plan. The Corps understands this to mean that the remedial alternatives being considered for the ROD have all taken account of the intended -57

foot depth of the recommended plan as the reasonably anticipated future maintenance depth of the channel. This significantly reduces the risk of encountering materials above CERCLA remedial action levels during design or implementation of the recommended plan. Construction of the Corps' recommended plan in the East Waterway would not be initiated until after the EPA's final remedial action in the East Waterway OU is completed.

The Corps plans close coordination with the EPA during the design phases for both Waterways to ensure compatibility with EPA's remedies. The EPA will complete confirmation sampling after the East Waterway OU remedy is completed. In addition, the Corps will complete a full suitability determination per Dredge Material Management Program requirements prior to implementation of the recommended plan and EPA will review the suitability determination results. If materials are encountered above CERCLA remedial action levels during design or construction of the recommended plan, the Corps will continue close coordination with the EPA to determine the most appropriate next steps.

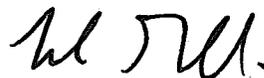
All applicable environmental laws have been considered, and coordination with appropriate agencies and officials has been completed. No other issues were raised relative to environmental laws or Executive Orders.

FINDING

Technical, environmental, economic, and cost effectiveness criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on these reports, the reviews by other Federal, State, and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not significantly affect the human environment; therefore, preparation of an Environmental Impact Statement is not required.

27 MAR 19

Date



Mark A. Gerald
Colonel, Corps of Engineers
District Commander