



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

October 25, 2006

CENWS-PM-PL-ER

**Fiscal Years 2007–2011 Maintenance Dredging, Duwamish River
Navigation Channel and Turning Basin, Seattle Washington**

Finding of No Significant Impact

Background.

The project described by this environmental assessment (EA) is a component of the Seattle Harbor Federal Navigation Project, providing maintenance of a navigation channel and turning basin in the upper Duwamish Waterway. Without annual maintenance dredging, shoaling would lead to a shallower channel and turning basin that would reduce the ability of large ships to enter and leave safely. Dredging is accomplished using clamshell equipment, loading the dredged materials on to bottom dump barges.

Federal maintenance dredging is required on a one to two year frequency in the upper Duwamish Waterway to remove annually shoaling river sediments. Over the next one to five years, the Corps of Engineers proposes to dredge approximately 100,000 to 200,000 cubic yards between stations 254+00 and 275+56 during each dredging cycle.

Proposed Action.

Public Notice CENWS-OD-TS-NS-26 dated July 28, 2006, describes the maintenance dredging by clamshell of an estimated 100,000 to 200,000 cubic yards (cy) of sand and silt from the navigation channel. The public notice covers a 5-year period (FY 2007 - 20011) of maintenance dredging with dredging occurring every one to three years during this period. The proposed dredging in FY 2007 includes approximately 100,000 to 200,000 cy of silt and sand in the upper turning basin and navigation channel between stations 254+00 and 275+56.

Disposal of dredged materials is proposed at the Washington State Department of Natural Resources (DNR) managed Puget Sound Dredged Disposal Analysis (PSDDA) open water site in Elliott Bay. This site is located at 47 degrees 35.96 minutes' north latitude and 122 degrees 21.45 minutes' west longitude. A suitability determination by the Dredged Material Management Program agencies (Corps, EPA, Ecology and DNR) indicated that the material in the turning basin and navigation channel is suitable for open-water disposal at the Elliott Bay non-dispersive open water disposal site. Disposal activities will be conducted in accordance with established criteria for the site. Dredging

and disposal activities are scheduled to be performed between December 1 and January 31, 2007 - 2011. If beneficial disposal uses can be identified, the material will be made available.

Disposal activities at the PSSDA open water site will be conducted in accordance with established criteria for these sites, as detailed in their respective Biological Assessments and concurrence letters which are incorporate herein by reference.

Summary of Impacts.

A Final Environmental Assessment (EA) has been prepared pursuant to the National Environmental Policy Act (NEPA) for the proposed action including all public comments and responses to those comments. The EA describes the environmental consequences of the project, which are briefly summarized below.

Impacts from the dredging and disposal activities will generally be highly localized in nature, short in duration, and minor in scope. While there will be a loss of subtidal habitats for benthic invertebrates and demersal fish species, this loss is expected to be temporary as these areas continuously reshore and benthic populations are expected to recolonize the dredged areas quickly. There would likely be small-scale, temporary increases in turbidity and decreases in dissolved oxygen within the river channel as a result of dredging activities. Increases in turbidity and dissolved oxygen impacts will be localized and temporary. In order to reduce these impacts and potential related effects on juvenile salmonids in the river, all 'in-water' construction work will take place between December 1 and January 31 of each year. Avoiding 'in-water' work during peak salmonid out migration periods (generally between February 15 and July 15 which is the WDFW in-water work window for the Duwamish River) would minimize the short-term effects of the project on juvenile salmonids and allow for maximum recovery of the benthic, epibenthic, and forage fish communities prior to the subsequent year's juvenile salmonid out migration period. By starting the project in December a month earlier than in the past and finishing by the end of January we will avoid those critical out migration periods of juvenile salmon.

Impacts from this navigation project should not be significant, either individually or cumulatively. The in-water construction of this project would occur when federally listed threatened juvenile and adult Puget Sound Chinook salmon and Coastal/Puget Sound bull trout are least likely to be present in the Duwamish River, and during the portion of the year when bald eagles are not nesting and are most tolerant of disturbance. The Corps has received concurrence with a 'may effect, but not likely to adversely effect' determination for listed species in relation to this project via a concurrence letter dated January 12, 2006 from USFWS (for the fiscal year 2007 - 2011 dredging cycle). The Corps received a Biological Opinion from NMFS dated September 21, 2006 with a finding that the proposed action is not likely to jeopardize the continued existence of Puget Sound Chinook Salmon or pose an adverse modification of their designated critical habitat. To implement the reasonable and prudent measures of improving prey base resources within the action area, the Corps has agreed to plant native vegetation in a riparian corridor along the river margin near the turning basin, based on funding availability and resolving land ownership issues. The Corps will also complete a monitoring and reporting

program to confirm that the Terms and Conditions of the Incidental Take Statement are effective in avoiding and minimizing incidental take. This report will be sent to NMFS each two years until year five has been accomplished.

There will be no loss of intertidal mudflat or marsh habitats. Impacts to the human environment would also be temporary and localized. There will be no effect on known historic and cultural resource sites in that maintenance dredging does not deepen, widen, or otherwise change the location or configuration of the established navigation channel, turning basin, or disposal sites. This project was previously coordinated with the State Historic Preservation Office in March 1988 when concurrence to dredge was received. There will be no adverse impacts to fishing rights of Native American Tribes. The Muckleshoot Tribe is very supportive of the project as the maintenance dredging of the channel and turning basin allows the Tribe to fish in their native and customary fishing grounds. Dredging and disposal vessels may temporarily disrupt local boat traffic, increase air emissions and noise in the vicinity of the dredging and disposal sites, and decrease the aesthetic attractiveness of the general area during dredging. The Duwamish River is highly industrialized and is constantly impacted by noise, traffic, and air quality issues; therefore our additional impacts in those areas will be managed through implementation of appropriate control plans. Thus, these impacts will be temporary and highly localized. The project received a 401 water quality certification dated October 13, 2006.

Finding.

Based on the analysis detailed in the EA (attached) and summarized above, I have determined that the proposed project will not result in significant adverse environmental impacts, does not constitute a major Federal action significantly affecting the quality of the human environment and, therefore, does not require preparation of an environmental impact statement.

Date

Michael McCormick
Colonel, Corps of Engineers
District Commander