



**US Army Corps
of Engineers**®

Portland District

DRAFT FINDING OF NO SIGNIFICANT IMPACT
Coos Bay North Spit Western Snowy Plover Site Management Plan
Coos Bay, Coos County, Oregon

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 supported by the U.S. Army Corps of Engineers (USACE) *Draft Environmental Assessment – Coos Bay North Spit Western Snowy Plover Site Management Plan* (draft EA). The draft EA and FONSI have been prepared pursuant to National Environmental Policy Act (NEPA) in accordance with the Council on Environmental Quality regulations as contained in 40 Code of Federal Regulations (CFR) Parts 1500 to 1508, and the U.S. Army Corps of Engineers (USACE) Department of Army procedures for implementing NEPA found at 33 CFR Part 230.

PROJECT PURPOSE AND NEED

The purpose of the Proposed Action is to enhance Western Snowy Plover (WSP) conservation efforts for this Federally-threatened species on USACE-administered lands at the Coos Bay North Spit (CBNS). Site management activities are needed each year to protect WSP habitat; a site management plan (SMP) is needed to formalize and enhance WSP conservation efforts.

PROPOSED ACTION

The USACE has completed a SMP for WSP on lands that are administered by the USACE at the CBNS in Coos County, Oregon. The SMP identifies existing and updated management activities to provide the appropriate level of management of WSPs on USACE-administrated habitat.

FINAL DETERMINATION

The following is an assessment of the impacts of the proposed action when compared to the “significance” of the impact. “Significance” requires consideration of both context and intensity (40 CFR § 1508.27). “Context” means that the significance of an action must be analyzed in several contexts (such as society as a whole, the affected region, the affected interests, and the locality). “Intensity” refers to the severity of impact. Listed below are 10 tests of intensity and USACE determinations that should be considered in the context of USACE Proposed Action when determining significance:

1) *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

The Proposed Action will benefit WSP. Habitat maintenance will cause temporary impacts to habitat, and intermittent increases in noise levels from equipment but will otherwise improve breeding/nesting habitat for the WSP.

2) *The degree to which the action affects public health or safety.*

The Proposed Action will have no adverse impact to public health and safety. Management activities are short-term, localized and temporary and will not adversely affect public health and

safety. A beneficial affect is achieved by increased monitoring of the area by agency staff or law enforcement.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The Proposed Action Area includes USACE-administered lands on the CBNS. No in-water activities are proposed. Impacts on wetlands and cultural and historic sites are not anticipated. There are no prime farmlands, wild and scenic rivers, wilderness, or other unique natural features in the project area, thus, no effects will occur to unique geographical characteristics. Critical habitat (CH) for WSPs is maintained and improved by management activities as described in the SMP.

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The effects of the Proposed Action are well known and not controversial. The effects of the Proposed Action have been analyzed and re-analyzed by the USACE, other resource agencies, and interested tribal governments. The Proposed Action will result in short-term and temporary disturbances to WSP habitat and temporary increases in noise from equipment. However, implementation of the SMP, overall, results in maintaining an improved WSP habitat on USACE-administered lands and ongoing disturbance management of individual WSPs and their habitat.

5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

Highly uncertain, unique, and unknown risks to the human environment were not identified during the analysis of the Proposed Action. Current and updated management activities are standard and well understood for this type of Action, and monitored extensively as part of annual WSP population monitoring efforts by outside parties.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The USACE is required to provide safe, efficient and effective navigable waterways as congressionally authorized at Coos Bay. As part of its mission to build and maintain navigation facilities, the USACE continues to maintain ownership of CBNS land to support jetty monitoring and evaluation access, and to provide construction staging and stockpile areas in the event jetty maintenance or navigation repairs are needed. The Proposed Action sets no precedent for future actions with significant effects.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

The cumulative effects analysis in the EA considered the effects of implementing the Proposed Action in association with past, present, and reasonably foreseeable future actions in and adjacent to the Proposed Action Area. These actions primarily relate to supporting existing and

growth of the maritime industry in the region. No cumulatively significant, adverse effects were identified. The Proposed Action may minimize adverse impacts from some of the effects of past actions that occurred on the CBNS (e.g. removal and management of introduced European beachgrass from WSP habitat).

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The Proposed Action will have no adverse impacts on any protected historical or cultural features or properties. The USACE is completing surveys of possible cultural and historic resource sites within USACE-administered lands and is coordinating with interested tribal governments and SHPO.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

A Biological Assessment has been prepared to evaluate impacts to the WSP and critical habitat (CH). USACE has prepared a biological assessment and will be consulting with U.S. Fish and Wildlife Service. USACE concluded that the Proposed Action “may affect, and is likely to adversely affect” WSP individuals and nests through accidental collisions with vehicles and/or accidental nest destruction. The Proposed Action may also affect WSP through harm or harassment, which may result from recreational and non-recreational uses, population monitoring and predator control activities. The SMP “may affect, but is not likely to adversely affect designated CH” for WSP. USACE determined that the Proposed Action will not jeopardize the continued existence of the WSP or adversely affect its CH.

10) *Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.*

The USACE 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 USACE is also required to take into account other legal mandates such as the Endangered Species Act and the Coastal Zone Management Act. There are no known violations of any other federal, state, or local law in the Proposed Action.

Date: _____

Jose L. Aguilar
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District Commander