



**US Army Corps
of Engineers** ®
Portland District

PUBLIC NOTICE

DRAFT ENVIRONMENTAL ASSESSMENT

MAINTENANCE DREDGING FOR THE SIUSLAW RIVER COASTAL NAVIGATION PROJECT LANE COUNTY, OREGON

CENWP-PM-E-10-06
Issue Date: April 23, 2010
Expiration Date: May 22, 2010

30 Day Notice

Interested parties are hereby notified that the U.S. Army Corps of Engineers (COE), Portland District, proposes maintenance dredging and disposal at the Siuslaw River project. Annual maintenance dredging and disposal is needed because of rapid shoaling at the entrance channel and sedimentation in the navigation channel. The purpose of the proposed action is to maintain the federally authorized entrance, navigation channels, and boat basin at the allowed depths and dimensions for tugs, barges, and commercial fishing vessels. Three project areas require maintenance dredging: (1) Siuslaw River entrance; (2) Siuslaw River navigation channel; and (3) Siuslaw River turning basin. Approximately 100,000 cubic yards (cy) (and up to 200,000 cy including the turning basin) total of sediments could be removed during each annual dredging effort between the months of June and October. The turning basin is maintained less frequently, perhaps once in every ten years. Dredged materials will be placed in the two Ocean Dredge Material Disposal (ODMD) Sites, newly designated by U.S. Environmental Protection Agency, Region 10 under Section 102(c) of the Marine Protection, Research and Sanctuaries Act. A map of these site locations is provided in Section 2.2.2 of this Draft EA. These disposal areas were previously used under Section 103 of MPRSA and have been expanded under the new designation. This Environmental Assessment (EA) is being updated due to the designation change at the ODMD sites.

Sediment materials in the Siuslaw and at the disposal site are primarily medium, poorly graded sand. Sediment to be dredged has been characterized according to the Sediment Evaluation Framework screening levels and was determined suitable for unconfined, in-water placement without further characterization.

In accordance with the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations [Federal Register 40 CFR 1508.9(a)], a draft Environmental Assessment (EA) is prepared by a federal agency when a proposed action is not covered by a categorical exclusion or otherwise exempt from NEPA. Federal agencies use the EA to determine whether the proposed action has the potential to cause significant environmental effects.

The draft EA for the Maintenance Dredging for the Siuslaw River Coastal Navigation Project has been prepared to ensure that NEPA compliance is addressed. Completion of this EA will involve consideration of all public comments. Upon completion of the EA, the Corps will make a determination of significance, concluding the NEPA process.

Environmental Documents: A draft Environmental Assessment addressing the impacts associated with the activity is available for public review and comment on the Corps website at http://www.nwp.usace.army.mil/pm/e/en_plan_assess.asp.

State Water Quality Certification: State Water Quality Certification, pursuant to Section 401 of the Clean Water Act, was issued for 11 Oregon Coastal maintenance dredging projects, including the

Siuslaw River project, on July 29, 2004. The Certification was issued for a period of 10 years, expiring on July 29, 2014.

Coastal Zone Management Act of 1972: A consistency determination was prepared for 11 Oregon Coastal maintenance dredging projects on March 22, 2004. The projects were reviewed by the Oregon Department of Land Conservation and Development (DLCD) as a federal activity pursuant to section 307(c)(1) of the Coastal Zone Management Act. On August 4, 2004, DLCD issued a concurrence statement, which is valid until August 6, 2014. On April 14, 2010, the EPA 102 designation of the Ocean Dredged Material Disposal Sites also received concurrence with the consistency determination.

Cultural Resources: The proposed action is a continuation of ongoing activities. Since the proposed work is to occur in areas and to depths previously dredged and used for disposal, no cultural resources would be affected. The State Historic Preservation Office (SHPO) has also reviewed the cultural information for the designated Ocean Dredged Material Disposal Sites and on 12/10/2009 concurred with EPA that disposal actions will have no effect on cultural resources.

Marine Protection, Research, and Sanctuaries Act: The historical use and effects of disposal at the ODMD sites is documented in Section 2.2.2 of this Draft EA. The proposed transportation of this dredged material for disposing of it in ocean waters is being evaluated to determine that the proposed disposal will not unreasonably degrade or endanger human health, welfare, or amenities or the marine environment, ecological systems, or economic potentialities. In making this determination, the criteria established by the Administrator, EPA pursuant to section 102(a) of the Ocean Disposal Act will be applied. In addition, based upon an evaluation of the potential effect which the failure to utilize this ocean disposal site will have on navigation, economic and industrial development, and foreign and domestic commerce of the United States, an independent determination will be made of the need to dispose of the dredged material in ocean waters, other possible methods of disposal, and other appropriate locations.

Any person who has an interest which may be affected by the disposal of this dredged material may request a public hearing. The request must be submitted in writing to the district engineer within the comment period of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

Endangered Species: The proposed activities may have some effect on endangered species, and these impacts have been and are being addressed under a Section 7 Consultation with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service. The Corps is also currently in consultation with NMFS regarding Essential Fish Habitat (EFH). The Corps anticipates completion of the consultations prior to recommencing project activities.

Environmental Coordination: The proposed work has been and will be coordinated with the following State, Federal, and local agencies:

Federal

U.S. Environmental Protection Agency

U.S. Fish and Wildlife Service

National Marine Fisheries Service

Tribes

Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians

Cow Creek Band of the Umpqua

Coquille Indian Tribe

Confederated Tribes of the Grande Ronde

Confederated Tribes of the Siletz

State of Oregon

Oregon Department of Fish and Wildlife

Oregon Department of State Lands

Oregon Department of Environmental Quality

Oregon Department of Land Conservation and Development

Oregon State Historic Preservation Office

Statement of Policy for Operations and Maintenance Dredging: The Corps of Engineers undertakes operations and maintenance activities where appropriate and environmentally acceptable. All practicable and reasonable alternatives are fully considered on an equal basis. This includes the discharge of dredged or fill materials into waters of the U.S. or ocean waters in the least costly manner, at the least costly and most practicable location, and consistent with engineering and environmental requirements (33 CFR Part 335.4). The least costly alternative, consistent with sound engineering practices and selected through the 404(b) (1) guidelines or ocean disposal criteria, will be designated the Federal standard for the proposed project (33 CFR Part 336.1(c) (1). Public Notices for Corps operations and maintenance activities are normally issued for an indefinite period of time and are not reissued unless changes in the disposal plan warrant re-evaluation under section 404 of the Clean Water Act or Section 102 of the Marine Protection Research and Sanctuaries Act of 1972 (33 CFR Part 337.1 (a). Resource agencies listed in the COORDINATION paragraph will be informed each year of specific project requirements.

Project Sponsor: The local sponsor for this project is Port of Siuslaw, which is responsible for obtaining lands, easements, rights of way, and environmental clearances for any upland disposal sites.

Work by Others: Other individuals or corporations may mine the Federal channels to their maintenances depths at the discretion of the Corps of Engineers, Portland District. Those mining the channel will be subject to the same conditions and restrictions for channel dimension, overdepth allowances, safety considerations, and environmental clearance documents and concerns as the Corps' dredges and contractors. Persons wishing to dredge under the Corps' clearances must first contact the Corps of Engineers at the address on the front page of this notice. After meeting the requirements of the Corps, and the Oregon Division of State Lands for the mining, the requestor will be issued a limited duration license for specified channel areas. Stockpiling and sale of the material are subject to environmental clearances and the leasing and royalty requirements of the Division of State Lands and may be subject to other Federal requirements. It is the requestor's responsibility to meet all other requirements and to provide associated documentation.

Environmental Impact Statement (EIS) Determination: A preliminary determination has been made that an EIS is not currently warranted for the described actions. A Final Environmental Assessment incorporating any comments received will be prepared to address the work described in this Public Notice and will be kept on file at the Portland District.

Additional Information and Comments: Questions or comments regarding the environmental documents should be directed to Barbara Cisneros, Environmental Resources Branch, telephone (503) 808-4784, Barbara.C.Cisneros@usace.army.mil, or at the address below. In your response, please refer to the above public notice number, title and date. Should no response be received by the above closing date, a "no comment" response will be assumed. Comments on this notice must be mailed by the above close date to:

District Engineer
U.S. Army Corps of Engineer District, Portland
Attn: CENWP-PM-E
P.O. Box 2946

Portland, Oregon 97208-2946