FINDING OF NO SIGNIFICANT IMPACT

Newport Commercial Marina Section 107 Navigation Project Feasibility Study
Newport, Lincoln County, Oregon

The U.S. Army Corps of Engineers, Portland District (USACE) 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 12 January 2026, for the **Newport Commercial Marina Navigation Improvements Section 107 Feasibility Study** addresses **Navigation** opportunities and feasibility in the **Newport, Lincoln County, Oregon**. The final recommendation is contained in the report of the IFR/EA, dated **12 January 2026**.

The Final IFR/EA, incorporated herein by reference, evaluated various alternatives that would **improve access to, and maneuverability within, the existing commercial marina to accommodate the fishing fleet's larger vessel sizes** in the study area. The recommended plan is the **National Economic Development (NED) Plan** and includes:

- Deepening and authorizing the existing west access channel to a depth of -22 ft Mean Lower Low Water (MLLW).
- Deepening and widening the in-marina channels, including to Port Docks 5 and 7 and to the hoist dock, to a depth of -20 ft MLLW.
- Deepening the hoist dock and Port Dock 7 moorage areas to a depth of -20 ft MLLW.
- Placement of the EPA-concurred dredged material at the established Yaquina Ocean Dredge Material Disposal Sites (ODMDS).
- Implementation of any required environmental mitigation and associated monitoring. Monitoring will continue until mitigation targets have been met based on the identified performance criteria and success metrics outlined within Appendix D. Monitoring is expected to last no more than 5 years.

In addition to a "no action" plan, **four** alternatives were evaluated.[1] The alternatives included an incremental approach to alternatives formulation through the deepening of different combinations of channel segments to the design vessel specifications. These included either deepening the existing western access channel or dredging a new eastern access channel. Alternatives included different combinations of in-marina channel deepening to include deepening to provide access to and improved moorage at the existing hoist dock as a local service facility. All alternatives included deepening the Port Dock 7 moorage area as a local service facility. Nonstructural measures were considered but eliminated from inclusion in any alternatives because they are already in use or do not meet the objectives of the project or are not feasible within the project area. Several resources were screened from further analysis due to the low likelihood of proposed activities resulting in discernible effects. These resources included Floodplains; Hydrology; Land Use; Invasive Species; Noise Levels; and Tribal Lands, Rights, and Resources.

[1] 40 CFR 1505.2(b) requires a summary of the alternatives considered.

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:

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant or beneficial effects	Less than significant effects as a result of mitigation*	Resource unaffected by action
Aesthetics	☒	☐	☐
Air quality	☒	☐	☐
Aquatic resources/wetlands	☐	☒	☐
Invasive species	☒	☐	☐
Fish and wildlife habitat	☐	☒	☐
Threatened/Endangered species/critical habitat	☐	☒	☐
Historic properties	☒	☐	☐
Cultural resources	☒	☐	☐
Floodplains	☐	☐	☒
Hazardous, toxic & radioactive waste	☒	☐	☐
Hydrology	☐	☐	☒
Land use	☐	☐	☒
Navigation	☒	☐	☐
Noise levels	☐	☐	☒
Public infrastructure	☒	☐	☐
Socioeconomics	☒	☐	☐
Soils	☒	☐	☐
Tribal trust resources	☐	☐	☒
Water quality	☒	☐	☐
Safety	☒	☐	☐

All practicable 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, if appropriate, to minimize impacts.[2] As part of project implementation and operations and maintenance, USACE will implement applicable BMPs and avoidance or minimization measures such as measures to prevent the introduction and spread of aquatic nuisance species, adhering to turbidity monitoring requirements to minimize potential adverse effects to water quality, and dredge operational measures and techniques that minimize turbidity and potential adverse effects to aquatic resources.

The recommended plan will result in unavoidable adverse impacts to the aquatic environment caused by proposed dredging and placement activities. Dredging, in particular, will cause short- to long-term changes to the benthic environment by

[2] 40 CFR 1505.2(a)(3) all practicable means to avoid and minimize environmental harm are adopted.

removing eelgrass in the footprint of access channels that will be deepened to accommodate larger vessels and by causing direct harm to sessile benthic organisms that could be displaced or destroyed. Benthic organisms are anticipated to recolonize areas fairly quickly after dredging so the long-term effects to benthic productivity are likely minimal. It is unclear whether eelgrass might recolonize in the deeper channel after initial dredging, but any future maintenance dredging would repeatedly disturb those areas, so mitigation is proposed to offset unavoidable losses to existing eelgrass habitat (Appendix D). To mitigate for these unavoidable adverse impacts, USACE will perform the following mitigation measures consistent with Corps policy for planning studies (i.e., see Engineer Regulation ER 1105-2-100 and ER 1105-2-103) and as authorized by Congress under Section 906 of the Water Resources Development Act (WRDA) of 1986, as amended:

- The project will avoid existing eelgrass beds to the maximum extent practicable, while still achieving project purposes.
- The project will implement offset measures (e.g., eelgrass transplanting, planting, etc.) for any unavoidable loss of eelgrass due to project activities as described in Appendix D.
- A USACE-approved model has been developed to compare the suitability of site(s) proposed for potential eelgrass habitat creation or enhancement with that of site(s) where eelgrass is likely to be directly affected by proposed dredging activities. The model estimated the area needed to offset adverse effects to existing beds based on “habitat units” as described in the USFWS Habitat Evaluation Procedures (HEP).
- During the feasibility stage, the USACE and Port sponsor estimated direct and indirect effects to eelgrass based on the project footprint, eelgrass surveys, areas identified for potential eelgrass offset measures, and the use of the aforementioned HEP to inform estimates for the acreage targets needed for offsetting eelgrass impacts.
- After construction, a post-action survey of the eelgrass beds in the Action Area and at an appropriate reference site(s) will be completed. Surveys would take place within 30 days of completion of construction, or within the first 30 days of the next active growth period that follows completion of construction and occurs outside of the active growth period.
- Any future eelgrass surveys will be conducted between May 1 and September 31 to ensure overlap with the growing season, or period when shoots would be most abundant and readily observable.
- Monitoring to achieve a successful mitigation project will include eelgrass surveys to confirm the spatial extent, plant survival, and eelgrass density within newly established beds at least annually, along with concurrent monitoring of those same metrics within a reference eelgrass bed to be identified at the start of implementation.

Public review of the draft IFR/EA and FONSI was completed on **15 August 2025**. All comments submitted during the public review period were responded to in the Final IFR/EA and FONSI.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, USACE is consulting with the National Marine Fisheries Service (NMFS) under the standard local operating procedures (SLOPES) IV Programmatic Opinion for In-Water Over-water Structures (NMFS Consultation No. 2011/05585). This decision for programmatic consultation was made in coordination with NMFS and is consistent with feedback provided during separate coordination under through the Fish and Wildlife Coordination Act (FWCA) process. USACE determined that the recommended plan will have no effect on federally listed species under the purview of the U.S. Fish and Wildlife Service or their designated critical habitat.

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 effect on historic properties.

Section 404 of the CWA does not apply to implementation of the Recommended Plan, as all in-water discharge of dredged material will occur within the existing ODMDS. The transport and disposal of dredged material in this location is regulated by USACE and the U.S. EPA under Section 103 of the MPRSA.

A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the **DEQ** prior to construction. In an email correspondence dated **TBD**, the **STATE of Oregon** stated that the recommended plan would comply with applicable water quality standards, pending confirmation based on information to be developed during the pre-construction engineering and design phase. All lawful conditions of the water quality certification will be implemented in order to comply with water quality standards.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed.

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 the evaluation of alternatives.[3] Based on this report, 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 cause significant adverse effects on the quality of

[3] 40 CFR 1505.2(b) requires identification of relevant factors including any essential to national policy which were balanced in the agency decision.

the human environment; therefore, preparation of an Environmental Impact Statement is not required.[4]

Date

COL L. Dale Caswell, Jr. PE, PMP
U.S. Army Corps of Engineers
Portland District Commander

[4] 40 CFR 1508.1(l) defines the FONSI as a document which briefly presents the reasons why an action will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared.