Finding of No Significant Impact for Supplemental Environmental Assessment - Marsh Island Salt Marsh Restoration Project, Fairhaven, Massachusetts

National Marine Fisheries Service

National Oceanic and Atmospheric Administration Administrative Order 216-6 (May 20, 1999) contains criteria for determining the significance of the impacts of a proposed action. In addition, the Council on Environmental Quality (CEQ) regulations at 40 C.F.R. §1508.27 state that the significance of an action should be analyzed both in terms of "context" and "intensity." Each criterion listed below is relevant to making a finding of no significant impact and has been considered individually, as well as in combination with the others. The significance of this action is analyzed based on the NAO 216-6 criteria and CEQ's context and intensity criteria. These include:

1) Can the proposed action reasonably be expected to cause substantial damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Act and identified in FMPs?

Response:

No. The proposed action is composed of a natural resource restoration project designed to address impacts caused by hazardous materials being released into the New Bedford Harbor Environment (New Bedford Harbor, Acushnet River and Upper Buzzards Bay, Massachusetts). This project is intended to benefit coastal habitat and essential fish habitat by restoring 12 acres of a salt marsh that had been filled in the early to mid-1900s.

2) Can the proposed action be expected to have a substantial impact on biodiversity and/or ecosystem function within the affected area (e.g., benthic productivity, predator-prey relationships, etc.)?

Response:

No. The proposed project has been designed to restore salt marsh habitat adjacent to the Acushnet River in the New Bedford Harbor Environment. While the project will restore and increase biodiversity to this area, such restoration will not be of substantial magnitude.

3) Can the proposed action reasonably be expected to have a substantial adverse impact on public health or safety?

Response:

No. There are no substantial adverse public health or safety impacts expected from the proposed action. Sampling and testing of the material to be removed from the site show that it is not hazardous waste and does not contain levels of contaminants that require special management. Short-term public health and safety impacts associated with construction at the site will be

minimized through the implementation of various best management practices, including establishing stabilized construction entrances.

4) Can the proposed action reasonably be expected to adversely affect endangered or threatened species, their critical habitat, marine mammals, or other non-target species?

Response:

No. There are no known endangered or threatened species, or critical habitat areas affected by the proposed action. The proposed project is not expected to jeopardize the sustainability of any non-target species.

5) Are any significant social or economic impacts interrelated with natural or physical environmental effects expected?

Response:

No. There are no significant social or economic impacts expected to result from the implementation of this project. This restoration project is designed to benefit injured natural resources and is expected to have social benefits through increased public access and use of the upland areas of the site for passive recreation purposes.

6) Are the effects on the quality of the human environment likely to be highly controversial?

Response:

No. There will be no controversial effects to the quality of the human environment. This restoration project will benefit both the injured natural resources and the human population of the New Bedford area.

7) Can the proposed action reasonably be expected to result in substantial impacts to unique areas, such as historic or cultural resources, park land, prime farmlands, wetlands, wild and scenic rivers, essential fish habitat, or ecologically critical areas?

Response:

No. The project area does not contain any unique areas, park lands, prime farmlands, or wild and scenic rivers. Substantial efforts have been made to avoid and minimize impacts to wetlands (see Section 4.1). Although approximately 2.3 acres of wetlands will be either permanently or temporarily impacted by the project, the project will result in an increase in both the area and quality of coastal wetland habitat at the project site by directly restoring 11.7 acres of salt marsh that have been filled for the past 60 years.

8) Are the effects on the human environment likely to be highly uncertain or involve unique or unknown risks?

Response:

No. The proposed project will employ well-established construction and restoration techniques. There are no uncertain or unique risks posed to the human environment from the proposed action.

9) Is the proposed action related to other actions with individually insignificant, but cumulatively significant impacts?

Response:

No. While there are cumulative benefits resulting from restoration projects already implemented in the area the impacts are not significant. These benefits will contribute to increasing the overall environmental health of the New Bedford Harbor Environment (See Section 4.11).

10) Is the proposed action likely to 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?

Response:

No. There are no expected adverse impacts to historic resources listed in the National Register of Historic Places or to significant scientific, cultural or historical resources.

11) Can the proposed action reasonably be expected to result in the introduction or spread of a nonindigenous species?

Response:

No. This project has been designed to prevent the introduction of any non-native species, mainly by controlling the elevation of the restored marsh. Specific care will be taken to ensure that nonindigenous species are not used or introduced to the area.

12) Is the proposed action likely to establish a precedent for future actions with significant effects or does it represent a decision in principle about a future consideration?

Response:

No. The proposed project is not expected to establish a precedent for future actions. However, the success of the project will be monitored closely and the approach and design may be applied to other salt marsh restoration projects in the region.

13) Can the proposed action reasonably be expected to threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment?

Response:

No. Close coordination has occurred with regulatory authorities and all appropriate permits and authorizations have been obtained.

14) Can the proposed action reasonably be expected to result in cumulative adverse effects that could have a substantial effect on the target species or non-target species?

Response:

No. This natural resource restoration project is designed to address the injury which has occurred to natural resources from the release of contaminants in the New Bedford Harbor Environment. Completion of this project will result in a net benefit to the injured natural resources and provide beneficial services to the greater New Bedford area. No cumulative adverse effects are expected.

DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting Supplemental Environmental Assessment prepared for the Marsh Island Salt Marsh Restoration Project, it is hereby determined that the funding and implementation of the project will not significantly effect the quality of the human environment as described above and in the Supplemental Environmental Assessment. In addition, all beneficial and adverse impacts of the proposed actions have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an Environmental Impact Statement for this action is not necessary.

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12/14/12
Date