UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

DECISION DOCUMENT/FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Pritchard Park East Bluff Shoreline Restoration Project Final Supplemental Environmental Assessment

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 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 will cause no damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Act and identified in Fisheries Management Plans (FMPs). The NOAA Fisheries Habitat Conservation Division is charged with review of federal projects pursuant to the Magnuson-Stevens Act and expressed support for the restoration action identified in the plan. The project sponsors determined that the preferred alternative will lead to an increase in the amount and functioning of critical nearshore habitats. Although there may be temporary localized impacts during the construction of the projects under this plan (such as increased turbidity), any such impacts will be minimized through the use of best management practices (BMPs) and will be very minor.

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. This action will not have a substantial impact on biodiversity or ecosystem function within the affected area, but the net effect will be incrementally beneficial to ecosystem function and biodiversity in the area. Implementation of the preferred alternative will restore lost or degraded nearshore habitat in Eagle Harbor in order to restore biological productivity and to return lost function (fish utilization).

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

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Response: No. As discussed in the Supplemental Environmental, there will be no substantial adverse impacts to public health and safety from the proposed action, only minor, short-term construction related impacts from things such as noise and exhaust from machinery. There have been a number of very similar restoration projects conducted in the Puget Sound area and none of these actions have had substantial adverse impacts on public health and safety. The action will, however, help compensate the public for natural resources injured by hazardous substances from the Wyckoff facility in Eagle Harbor, Bainbridge Island, Washington.

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. The project will not adversely affect listed species, their critical habitat, marine mammal and non-target species. All the proposed work will occur in the dry, and will be conducted during the appropriate fish windows using best management practices. The specific project information was reviewed by NMFS and USFWS during the ESA and EFH consultations, and both determined that the action would not likely adversely affect listed species or critical habitats. The same is true for marine mammals and other non-target species. This project was partially funded by the Salmon Recovery Funding Board and was granted an incidental take exception by NMFS through their ESA 4(d) rule Limit 8 authority.

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

Response: No. There will be no impacts on any commercial activities from this project, except for temporary benefits from local spending during construction. The construction of habitat projects will improve the aesthetics of the area to some degree and the project will be used to help with environmental education and community stewardship, so there will some minor social benefits from implementing these projects.

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

Response: No. It has been determined that the action will have no substantial adverse effects on the quality of the human environment and thus is not likely to generate high levels of controversy. No public comments were received on the draft SEA. Further, there is general public support for habitat restoration on Bainbridge Island and in the Puget Sound 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. There are no unique or rare areas that will be affected. There are no listed or potentially eligible national historic sites, or other significant cultural resources located in the area of potential effect of the action. Both the Suquamish Tribe and the Washington Department of Archaeology and Historic Preservation concurred with a determination that no historic properties would be affected by this project. Therefore, the Trustees believe the action will have no significant adverse effect on any of these resources. Prime farmlands and wild and scenic rivers do not exist in the limited area of the action's influence. This project is located on park property on Bainbridge Island, however the park plan envisions the restoration of habitat at this site and there has been close coordination with city and park officials, who have formally approved the project design. The action will result in an overall gain of essential fish habitat.

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

Response: No. The preferred action- the Pritchard Park East Bluff Shoreline Restoration Project- is very similar to other such restoration projects that have been implemented in Puget Sound, so the types and magnitude of potential effects on the human environment from this type of action are well understood. The standard preliminary studies that are conducted for these types of actions were conducted at the site and the results of these studies did not indicate that there is any reason to believe that the effects on the human environment from this action are likely to be highly uncertain or involve unique or unknown risks.

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

Response: No. As discussed in the Environmental Assessment for the Wyckoff/Eagle Harbor site, the overall footprint of all the related actions in the effort to restore natural resources injured by the releases of hazardous substances will be relatively small and the adverse effects of these actions will be temporary, construction-related impacts such as increased turbidity affecting water quality and increased dust affecting air quality.

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: An archaeological survey was conducted to evaluate whether the proposed action could have such an affect, and the archaeologists concluded that it would not. The Suquamish Tribe and the Washington Department of Archaeology and Historic Preservation have concurred that no historic properties would be affected by this project. There are no known historic, cultural, or scientific resources that would be lost as a result of this action.

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

Response: No. Actually there will be control of invasive non-native species as part of the restoration effort and only native species will be planted in the restoration work.

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

Response: No. As discussed in the Environmental Assessment for the Wyckoff/Eagle Harbor site, no significant precedential effects are anticipated by the restoration effort to restore injured resources. The action is consistent with the mandate for NRDA restoration under CERCLA and all the existing NRDA regulations and NOAA policies regarding NRDA restoration. Therefore it does not establish any precedents or decisions in principle about any future consideration.

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. All Federal, State, and local environmental compliance requirements will be met, and no violations are likely or expected.

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. The action will not result in a substantial cumulative adverse effect on listed and non-listed species. A long-term beneficial effect on listed and non-listed species is expected; however, this action's primary goal is to compensate for injured natural resources or services lost due to the release of hazardous substances and, as such, the net effects are incrementally beneficial.

DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting SEA for the Pritchard Park East Bluff Shoreline Restoration Project, which supplements the Restoration Plan/Environmental Assessment for the Wyckoff/Eagle Harbor Site, Bainbridge Island, Washington , it is hereby determined that the Selected Restoration Alternative identified for implementation will not significantly impact 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 action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.

8/5/10

Patricia A. Montanio
Director, Office of Habitat Conservation, NOAA

Date