



**US Army Corps
of Engineers
WILMINGTON DISTRICT**

FINDING OF NO SIGNIFICANT IMPACT

**SIDE CAST MAINTENANCE DREDGING
OF A PORTION OF
HATTERAS-TO-HATTERAS INLET CHANNEL
PAMLICO SOUND, NORTH CAROLINA**

FEBRUARY 2014

FINDING OF NO SIGNIFICANT IMPACT

SIDE CAST MAINTENANCE DREDGING OF A PORTION OF HATTERAS-TO-HATTERAS INLET CHANNEL PAMLICO SOUND, NORTH CAROLINA

FEBRUARY 2014

The environmental considerations, alternatives and the environmental impacts of the proposed action were documented in the Environmental Assessment, Side Cast Maintenance Dredging of a Portion of Hatteras-to-Hatteras Inlet Channel, Pamlico Sound, North Carolina, dated November 2013. This Finding of No Significant Impact (FONSI) documents the decision that no significant impacts would occur as a result of implementing the proposed action. The Environmental Assessment (EA) and FONSI have been prepared pursuant to the National Environmental Policy Act (NEPA) in accordance with the Council on Environmental Quality (CEQ) regulations as contained in 40 CFR Parts 1500 to 1508, which directs federal agencies on how to implement the provisions of NEPA and the U.S. Army Corps of Engineers Department of the Army procedures for implementing NEPA (33 CFR Part 230).

Description of the Proposed Action and Alternatives:

The EA described the project area (Figure 1), which is a portion of the 10-foot (deep) by 100-foot (bottom width) federally authorized Hatteras-to-Hatteras Inlet navigation channel.

The proposed action consists of the use of the Corps' side cast dredges to expeditiously perform routine dredging of shoals within the proposed project area that pose a threat to safe navigation during periods at times when an alternate form of dredging, either contract or Government-owned dredge plant, is not available or unable to effectively dredge a developing shoal. Because there is no way to predict when a shoaling event will require maintenance dredging, the Corps proposes conducting this maintenance dredging on an as-needed basis. It is not anticipated that the entire project area would be dredged at any one event, only the shoaling areas within the project area.

The "No Action" alternative involves maintaining the status quo. This alternative would result in using special purpose dredges or commercial dredges to remove shoals on an as-needed basis, and, if special purpose or commercial dredges are not available or unable to remove the shoal(s) due to shallow depths or dangerous conditions, waiting until predefined emergency conditions exist before initiating an established emergency declaration and emergency dredging coordination processes.

Other alternatives, such as relocating the navigation channel or maintaining a rapid-response special purpose, hopper, or cutterhead hydraulic pipeline dredge in the project area are not feasible and were not addressed in detail in the EA.

Public and Agency Coordination:

On November 20, 2013, the EA dated November 2013 was mailed to federal and state agencies, local communities, and the interested public for a 30-day review and comment period. Comments received during the review period were reviewed and considered in making the decision to sign the FONSI.

Summary of Environmental Resources and Impacts:

Section 4.00 of the EA identifies environmental effects of the proposed action and the no action alternative on the environmental resources in the project area. No adverse long-term effects would be expected from implementing the proposed action. For the no action alternative, no project environmental impacts would occur; however, it is likely that shoaling of the channel would continue to the point that safe navigation is impeded and maintenance dredging would be required. If other types of dredges are unable to remove the shoal, this maintenance dredging would be by side cast dredge pursuant to the established emergency declaration and emergency dredging coordination processes.

Commitments:

The EA and agency and public coordination of the EA resulted in the following project commitments:

- The Corps will utilize a side cast dredge in the project area only after determining that other methods of dredging are not feasible.
- The Corps will notify state and federal resource agencies as far in advance as possible of side cast dredging events in the project area.
- The Corps will ensure the U.S. Fish and Wildlife Service's "Guidelines for Avoiding Impacts to the West Indian Manatee" are followed during every side cast dredging event.
- If any aids to navigation must be relocated, the Corps will make a request to the appropriate U.S. Coast Guard contact as close as possible to five weeks prior to the start of the dredging. There are instances when this advance notice will not be possible. In these instances, the Corps will work with U.S. Coast Guard to coordinate dredging and relocation of aids to navigation.

Facts and Conclusions Leading to the Finding of No Significant Impact:


Based on the results of the impact analyses, it has been determined that no significant impacts would occur as a result of implementing the proposed action. The proposed action would not have any unavoidable adverse effects, nor would it result in the irreversible or irretrievable commitment of resources. Proceeding with the proposed action would not significantly or adversely impact the affected environment. Additionally, no significant cumulative effects would be expected.

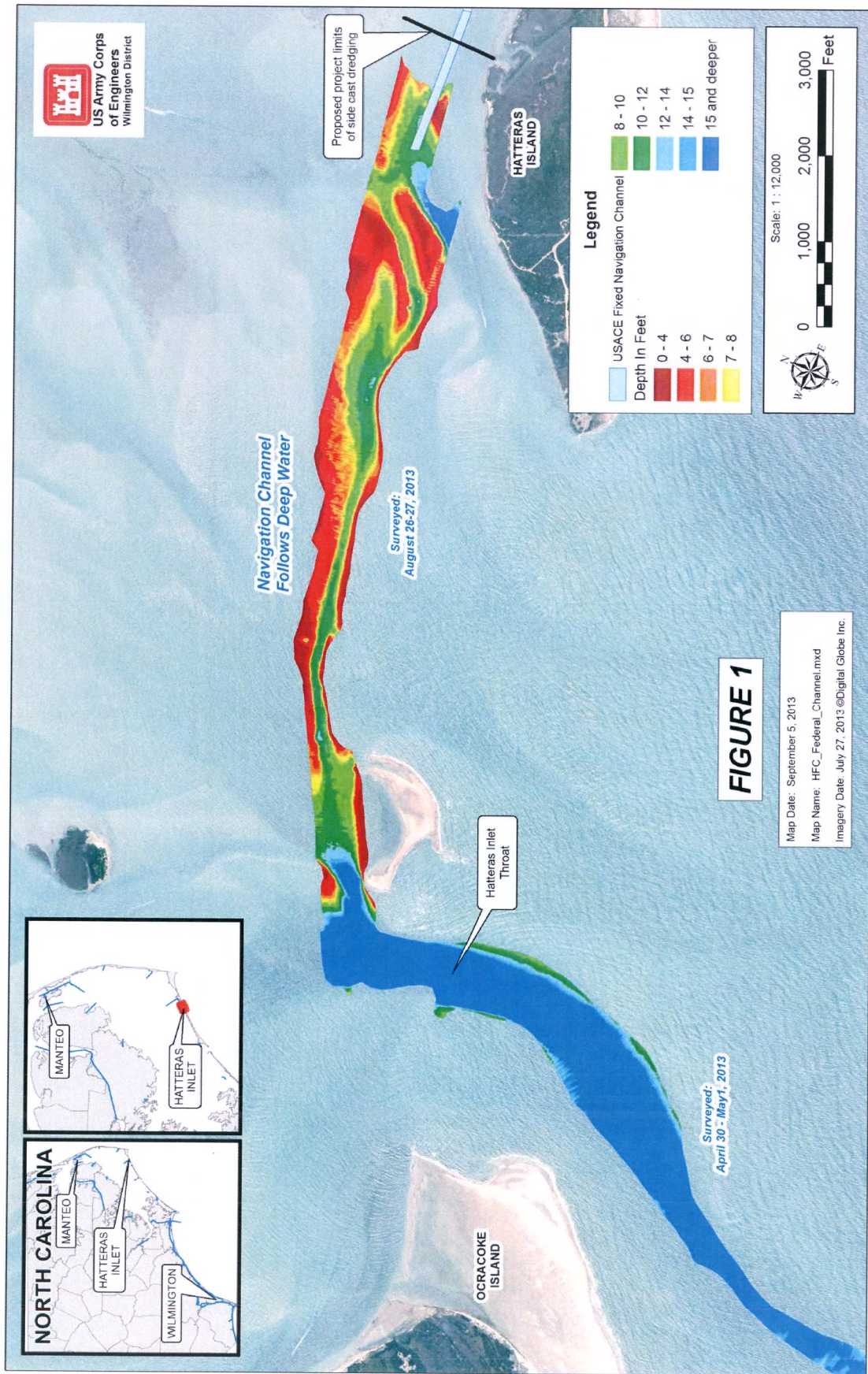
Finding of No Significant Impact:

I have reviewed the Environmental Assessment, Side Cast Maintenance Dredging of a Portion of Hatteras-to-Hatteras Inlet Channel, Pamlico Sound, North Carolina, the information provided by interested parties, and the information contained in this Finding of No Significant Impact, and I find that the Side Cast Maintenance Dredging of a Portion of Hatteras-to-Hatteras Inlet Channel will not significantly affect the quality of the human environment. Therefore, preparation of an Environmental Impact Statement pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, is not required.

Date: _____

19 FEB 2014


Steven A. Baker
Colonel, U.S. Army
District Commander



FINDING OF NO SIGNIFICANT IMPACT

APPENDIX A

Comments Received on:

Environmental Assessment, Side Cast Maintenance Dredging of a
Portion of Hatteras-to-Hatteras Inlet Channel,
Pamlico Sound, North Carolina

A.1 U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), email dated January 15, 2014.

Comment 1: NMFS has no objection to the U.S. Army Corps of Engineers (USACE), Wilmington District using a side cast dredge to maintain the Hatteras-to-Hatteras Inlet federal navigation channel under the unusual circumstances described in the EA.

Response 1: Acknowledged.

Comment 2: NMFS requests the USACE Wilmington District continue to notify NMFS as soon as practicable before each side cast dredging event.

Response 2: The Corps will notify state and federal resource agencies as far in advance as possible of side cast dredging events in the project area.

A.2 U.S. Department of the Interior, Fish and Wildlife Service (USFWS), letter dated December 9, 2013.

By email conversation on January 23, 2014, USFWS stated this letter also addresses the Service's comments in accordance with the Fish and Wildlife Coordination Act (19 U.S.C. 661-667d).

Comment 1: In accordance with the Endangered Species Act (ESA) of 1973, as amended, and based on the information provided and other available information the Service concurs with the Corps' determination the proposed project may affect but is not likely to adversely affect the West Indian manatee. The Corps has committed to implementing precautionary measures for avoiding impacts to manatees from vessels during construction activities by following the Service's "Guidelines for Avoiding Impacts to the West Indian Manatee." The Service concurs with the Corps' determination for the West Indian manatee.

Response 1: The Corps will ensure the Service's "Guidelines for Avoiding Impacts to the West Indian Manatee" are followed during every side cast dredging event.

A.3 U.S. Department of the Interior, National Park Service (NPS), letter dated December 13, 2013.

Comment 1: NPS anticipates no impact to Park lands as a result of the proposed project. Should project plans change or result in an action that potentially impacts Park resources, the Corps is encouraged to contact Mr. Randy Swilling immediately at (252) 475-9020.

Response 1: Noted. A change in the project from that described in this EA would require another NEPA document and coordination with appropriate agencies and the public. The Corps will contact NPS' Mr. Randy Swilling at the requested number in the event project plans change or result in an action that potentially impacts Park resources.

A.4 North Carolina Division of Marine Fisheries, Shellfish Sanitation and Recreational Water Quality Section, email dated December 6, 2013.

Comment 1: Shellfish Sanitation and Recreational Water Quality doesn't have any comments/concerns with the proposed project.

Response 1: Acknowledged.

A.5 North Carolina Division of Coastal Management (NCDCM), letter dated January 23, 2014.

Comment 1: The NCDCM concurs with the Corps that the proposed project is consistent, to the maximum extent practicable, with North Carolina's certified coastal management program.

Response 1: Acknowledged.

A.6 North Carolina Wildlife Resources Commission (NCWRC), email dated December 13, 2013.

Comment 1: The NCWRC has read the EA proposed by the USACE to side cast dredge the Hatteras-to-Hatteras Inlet. It is our understanding that this proposal is to be used only as necessary when other dredge types cannot be utilized – essentially to prevent the need to declare an emergency on occasions where an emergency declaration would be necessary. Therefore, the NCWRC does not object to the proposal as presented in the associated EA. It should be noted that this statement does not support the practice of side cast dredging in shallow water habitats as a general allowance and any deviances from the proposal should be circulated through resource agencies.

Response 1: Acknowledged.

A.7 U.S. Department of Homeland Security, United States Coast Guard (USCG), letter dated December 16, 2013.

Comment 1: If the dredging project requires any Aids to Navigation be relocated until the completion of the project, that a minimum of five weeks prior to the start of the project be observed to make this request to the Coast Guard. Requests can be sent or emailed to:

Commander (dpw)
Fifth Coast Guard District
431 Crawford Street, Room 100
Portsmouth, VA 23704
Attn: LTjg Amy Harrison
CGD5Waterways@uscg.mil

Response 1: If any aids to navigation must be relocated, the Corps will make a request to the appropriate USCG contact as close as possible to five weeks prior to the start of the dredging. There are instances when this advance notice will not be possible. In these instances, the Corps will work with USCG to coordinate dredging and aids to navigation relocation.