

# FINDING OF NO SIGNIFICANT IMPACT (FONSI)

## MATAGORDA SHIP CHANNEL UPPER REACH PLACEMENT AREAS RELOCATION PROJECT MATAGORDA AND CALHOUN COUNTIES, TEXAS

**Purpose.** The U.S. Army Corps of Engineers (USACE), Galveston District (CESWG) in partnership with the Engineer Research and Development Center (ERDC) undertook a Regional Sediment Management Study (RSM) for the Upper Matagorda Bay. The study concluded with the recommendation of relocation of select dredged material placement areas (PA) to the west side of the Matagorda Ship Channel (MSC) to significantly reduce channel shoaling in the upper reaches of the Matagorda Bay and lengthen the time between dredging cycles in this area. Currently, dredged sediments from channel maintenance are disposed in open-water placement areas adjacent to the eastern edge of the MSC, from which the material quickly migrates back into the channel. The critical shoaling in upper reaches of the MSC has caused annual draft restrictions, resulting in the need for annual maintenance dredging projects to ensure safe passage of commercial shipping. Presently, dredging to the authorized depth of 38-foot-deep mean low tide, without advanced maintenance, decreases the duration of channel availability to fewer than 6 months per year.

**Proposed Action.** The proposed project consists of the designation of three new Western PAs located adjacent to the western edge of the navigation channel (14A, 15A, 16A). The utilization of the Western PAs will provide significant benefits to the MSC by increasing the duration of channel availability to greater than the present 6 months per year and conserving limited maintenance funding by increasing the cycle time between dredging in which a projected decrease in shoaling of 25 percent, with 950,000 cubic yards (wet volume), could be achieved. Additionally, the utilization of the Western PAs will not cause circulation issues because they are submerged.

**Coordination.** The CESWG has taken every reasonable measure to evaluate environmental, social, and economic impacts of the selected plan. These impacts are described in the Environmental Assessment (EA) prepared for the Matagorda Ship Channel in accordance with the National Environmental Policy Act (NEPA), Public Law 91-190, and regulations for implementing the procedural provisions of the NEPA, 40 Code of Federal Regulations 1500-1508.

The EA was circulated through a public notice on July 26, 2017. The proposed action has been coordinated with appropriate, Federal, state, and local agencies and businesses, organizations, and individuals through distribution of the EA for their review and comment. Public concerns regarding (1) use of the dredged material for beneficial use, (2) affects to recreation and water quality, (3) the protection of environmental resources, and (4) maintaining navigable channels for commerce and trade were considered throughout the planning and development of the proposed project, are reflected in the final EA.

The proposed project has been coordinated with the U.S. Fish and Wildlife Service (USFWS) and other Federal, State, and local agencies. Consultation procedures have been initiated with the USFWS in compliance with the Fish and Wildlife Coordination Act and the Endangered Species Act, as amended. No comments from USFWS were received. CESWG has determined that the proposed action will have No Effect on threatened or endangered species.

A Section 404(b)(1) Evaluation of project impacts to water quality indicates that the project will not adversely affect water quality. The USACE acquired 401 Water Quality Certification from the Texas Commission on Environmental Quality (TCEQ), Water Quality Division on September 26, 2017.

The TCEQ reviewed the project for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the CMP regulations (Title 31, Texas Administration Code (TAC), Section 505.30) and determined that the action is consistent with the applicable CMP goals and policies. This determination has been coordinated with the Texas General Land Office's Coastal Coordination Council.

The NOAA's National Marine Fisheries Service Habitat Conservation Division concurred that any adverse impacts that might occur to Essential Fish Habitat would be minimal; therefore, no further EFH consultation is required.

The proposed project was coordinated with the State Historic Preservation Officer for review under Section 106 of the National Historic Preservation Act of 1966 and the Antiquities Code of Texas. Following the survey Marine Archeological Survey under Texas Antiquities Permit No. 7897, SHPO concurred with recommendations as presented in the report findings that anomalies identified as 1-6 be avoided (by the state mandated 50 m) by the proposed work. Construction activities will employ best management methods to avoid impacts to the maximum extent practicable, the nautical archaeology resources identified.

Disposal of dredged material could result in temporary, minor, adverse impacts to water quality, open-water habitat, fisheries resources, and recreational activities in the immediate project area; however, none of the impacts have been determined to be significant enough to warrant further investigation or mitigation measures. CESWG modified the shape and placement of the PAs along the western edge of the MSC to minimize potential resource impacts to the maximum extent possible.

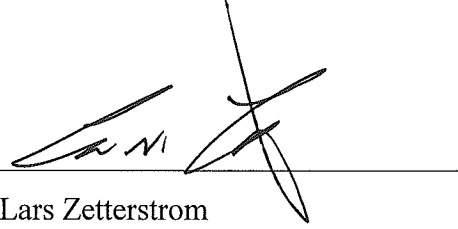
Based on the information presented in the EA, coordination with Federal, State, and local agencies, and avoidance measures employed, it has been determined that the selected action will have no significant impacts on the environment. There are no significant impacts to federally-listed threatened or endangered species, historic or cultural resources, land, water quality, wildlife, fisheries, and/or to the surrounding human population. No hazardous, toxic, or radioactive wastes will be generated by the proposed activity.

**Determinations.** My analysis of the environmental aspects of the proposed action is based on the accompanying EA. Factors considered in the review were impacts on social resources, wildlife and fisheries, water quality, endangered and threatened species, and historic resources, as well as alternative courses of action and cumulative impacts.

**Findings.** Based on my analysis of the EA and other information pertaining to the proposed project, I find that the proposed action will not have a significant effect on the quality of the human environment. As a result, I have determined that an environmental impact statement is not required under the provisions of NEPA, Section 102, and other applicable regulations of the USACE, and that the proposed action may be constructed.

5 OCT 17

Date

A handwritten signature in black ink, appearing to read 'Lars Zetterstrom', is written over a horizontal line. The signature is stylized and cursive.

Lars Zetterstrom  
Colonel, U.S. Army Corps of Engineers  
District Engineer