



FEB 27 2004

To All Interested Government Agencies and Public Groups:

Under the National Environmental Policy Act, an environmental review has been performed on the following action.

TITLE: Environmental Assessment of the Tahoma Salt Marsh Restoration Project

LOCATION: 1741 N. Schuster Parkway, on the south shore of Commencement Bay, in the City of Tacoma.

SUMMARY: The project site covers approximately 1.95 acres, between the Sperry Ocean Dock/Federal Readiness Reserve moorage facility to the east, and the Chinese Reconciliation Park Site facilities to the west. Abandoned concrete foundations and asphalt cover a majority of the property. The project would construct new beach berm and beach face, tidal channel, intertidal mudflat, and saltmarsh habitats with an adjacent upland buffer. The new habitat would provide shelter, forage, and rearing opportunities for diverse nearshore marine habitat dependant fish and wildlife species including ESA listed Puget Sound chinook salmon (*Oncorhynchus tshawytscha*). The site would create public access to a naturalized shoreline in an area with limited outdoor recreational opportunities

RESPONSIBLE

OFFICIAL: Commencement Bay Natural Resource Trustees: National Oceanic and Atmospheric Administration (NOAA, the lead Federal Trustee); U.S. Fish and Wildlife Service; State of Washington, Department of Ecology (the lead state Trustee); Washington Department of Fish and Wildlife; Washington Department of Natural Resources; Puyallup Tribe of Indians; and Muckleshoot Indian Tribe.

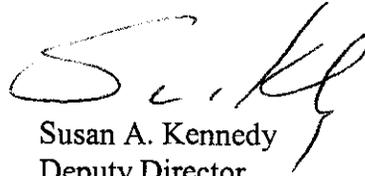
William T. Hogarth
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Hwy
Silver Spring, MD 20910

The environmental review process led us to conclude that this action will not have a significant impact on the environment. Therefore, an environmental impact statement was not prepared. A copy of the finding of no significant impact, and the environmental assessment are available upon request from Ms. Jennifer Steger, NOAA Fisheries, 7600 Sand Point Way NE, Seattle, WA 98115-0070 PH: (206) 526-4363. Should you wish to submit comments, please send them to the Responsible Official listed above. Please also send one copy of your comments to:



NOAA Office of Policy and Strategic Planning (PPI/SP), 1315 East-West Highway, Silver Spring, Maryland 20910.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Kennedy', written in a cursive style.

Susan A. Kennedy
Deputy Director
Office of Policy and Strategic Planning

**ENVIRONMENTAL ASSESSMENT (EA)
FOR TAHOMA SALT MARSH RESTORATION PROJECT
SEATTLE, WASHINGTON**

LEAD FEDERAL AGENCY FOR EA: National Oceanic and Atmospheric Administration (NOAA)

LEAD STATE AGENCY FOR EA: City of Tacoma

PARTICIPATING AGENCIES/TRIBES: Commencement Bay Natural Resource Trustees: U.S. Fish and Wildlife Service (U.S. Department of the Interior); State of Washington: Washington Department of Ecology (Ecology, as lead state Trustee), Washington Department of Fish and Wildlife (WDFW), Washington Department of Natural Resources (WDNR); Puyallup Tribe of Indians; and Muckleshoot Indian Tribe.

PROJECT MANAGER FOR CITY: John O'Loughlin
City of Tacoma Utility Services
2201 Portland Ave.
Tacoma, WA 98421-2711
Phone: 253-502-2108

TRUSTEE CONTACT PERSON: Jennifer Steger, NOAA
Damage Assessment and Restoration Center NW
7600 Sand Point Way NE, Building 1
Seattle, Washington 98115-0070
Phone: (206) 526-4363
Fax: (206) 526-6665
Email: jennifer.steger@noaa.gov

ADMINISTRATIVE RECORD: Copies of the EA are available for download at: <http://www.darcnw.noaa.gov/tsm.htm> and by contacting the person listed above.

ABSTRACT:

This Environmental Assessment (EA) has been prepared for the Tahoma Salt Marsh Restoration Project to set forth: (1) NOAA's decision-making responsibilities for this project, (2) its determination that an alternative other than the No Action Alternative would be the most ecologically sound alternative, and (3) its determination that an environmental impact statement will not need to be prepared for this project. NOAA has independently reviewed the permitting and other regulatory documents in the Administrative Record and has determined that they adequately evaluate and mitigate as needed any potentially significant impacts to the human environment associated with this Commencement Bay, Washington restoration project.

The project site is located at 1741 N. Schuster Parkway, on the south shore of Commencement Bay, in the City of Tacoma. The site covers approximately 1.95 acres, between the Sperry Ocean Dock/Federal Readiness Reserve moorage facility to the east, and the Chinese Reconciliation Park Site facilities to the west. Abandoned concrete foundations and asphalt cover a majority of the property.

The project would construct new beach berm and beach face, tidal channel, intertidal mudflat, and saltmarsh habitats with an adjacent upland buffer. The new habitat would provide shelter, forage, and rearing opportunities for diverse nearshore marine habitat dependant fish and wildlife species including ESA listed Puget Sound chinook salmon (*Onchorynchus tshawytscha*). The site would create public access to a naturalized shoreline in an area with limited outdoor recreational opportunities.

Purpose and Need

This Environmental Assessment (EA) has been prepared for the Tahoma Salt Marsh Restoration Project (Project). The purpose of the Project is to restore natural resources injured by the releases of hazardous substances or discharges of oil in Commencement Bay around Tacoma, Washington. This EA tiers off of the NEPA analysis that was completed in the Restoration Plan/Programmatic Environmental Impact Statement (RP/EIS), which was prepared and issued by the Commencement Bay Natural Resource Trustees (Trustees). The Project has been evaluated by the Trustees to determine its suitability for restoring the natural resources that were injured and evaluated in the RP/EIS. The Trustees have been working with the City of Tacoma under a Consent Decree (*United States v. City of Tacoma*, Civ. No. C97-5336RJB [W.D. Wash., Dec. 30, 1997]) to construct five restoration projects, including this one.

This NEPA document sets forth (1) NOAA's decision-making responsibilities for this Project, (2) its determination that an alternative (the Excavation/Enhancement Alternative) other than the No Action Alternative would be the most ecologically sound alternative, and (3) its determination that an environmental impact statement (EIS) will not need to be prepared for this Project. In accordance with the requirements of the National Environmental Policy Act (NEPA), NOAA has independently reviewed the permitting and other regulatory documents in the Administrative Record and has determined that they adequately evaluate and mitigate as needed any potentially significant impacts to the human environment associated with this Project.

Affected Environment

In order to guide decision-making regarding the implementation of natural resource restoration activities, the Trustees prepared a draft RP/EIS in 1996. The affected environment was described in section 2.0 of the RP/EIS. It included both a primary study area within or adjacent to Commencement Bay, an estuarine environment of about 5,700 acres, and an expanded study area that included about 600,000 acres within the Puyallup River basin. It included descriptions of the affected marine, estuarine, riverine and adjacent riparian habitats; the water, sediments, and important or sensitive biological resources associated with these various habitats, and the functions

and services they provide; the ambient air quality and noise levels; land use and aesthetics (use, ownership, management); socioeconomic considerations (human populations, housing, transportation, utilities); and cultural resources.

The RP/EIS set forth a number of screening criteria for the selection of restoration projects by the Trustees. During settlement discussions with the City of Tacoma, the Trustees evaluated the proposed Project against the criteria in the Restoration Plan and the environmental consequences discussions in the EIS, and determined it would be consistent with the goals and objectives of the NRDA restoration program. This Project was then approved by the Trustee Council and incorporated into the Consent Decree as Appendix C. Additional information about the Trustees' restoration activities, the Commencement Bay environment, and the restoration projects under the settlement with the City of Tacoma can be found in the above-referenced documents, available from the NOAA contact person or the website listed on page 1 of this EA.

Alternatives Considered and Selection of The Preferred Alternative

There were only three alternatives to be considered for this Project: the No Action Alternative, the Partial Excavation Alternative, and the Full Excavation Alternative (Parametrix 2000). The No Action alternative was not selected because the Trustees' mandate is to restore where feasible natural resources that were injured as a result of a release of a hazardous substance or discharge oil into the Commencement Bay environment.

For both action alternatives, existing asphalt, concrete, and contaminated fill would be removed. The Full Excavation Alternative is the preferred alternative and would create 0.65 acres of intertidal habitat as compared to the 0.52 acres created in the Partial Excavation Alternative. The Trustees determined that the Full Excavation Alternative would provide more overall benefits to natural resources by maximizing intertidal habitat area. In the Full Excavation Alternative the upland buffer area was reduced from 0.69 acres to 0.55 acres in favor of increased salt marsh and mudflat habitat area. The potential loss of buffer functions was outweighed by the benefits gained from increasing intertidal habitat area. Installation of native plant material, selected to initiate regeneration of native plant communities, will increase the ecological function provided by both the wetland and upland habitat. Bird and other wildlife species are anticipated to benefit from an increase in potential shelter, forage and rearing habitat.

The Project goals and objectives are consistent with and would complement the other NRDA restoration projects by (1) establishing new intertidal habitat for an assemblage of marine wetland-dependent plant and animal species, (2) enhancing existing marine habitat, (3) providing an upland/marine buffer for both the new and existing habitat, and (4) providing public access for education and passive recreation. In total, the Trustees and the City of Tacoma anticipate that the Project will improve the entire 1.95 acres for fish and wildlife habitat, including the creation of approximately 0.34 acres of salt marsh and 0.31 acres of an intertidal basin, that will be accessible by chinook salmon.

Environmental Consequences

Standard construction techniques, incorporating state and federal permit conditions, will be employed for the excavation stages (City of Tacoma 2003). The US Army Corps of Engineers (The Corps) has determined that the Nationwide Permit 27 is the appropriate permit for this Project (USACE 2003). The habitat creation activities proposed are not technically complicated and are typical of restoration activities in this area that are designed to benefit fish and wildlife species. An adaptive management plan will be instituted by the City of Tacoma under the oversight of the Trustees Council to ensure that the restoration efforts are monitored and evaluated.

The State's environmental checklist provides additional information on a number of factors, such as earth, air, water, plants, animals, energy, environmental health, noise, land and shoreline use, housing, aesthetics, light and glare, recreation, historic and cultural preservation (National Historical Preservation Act and Environmental Justice), transportation, public services, and utilities. NOAA has reviewed the discussions and annotations in these documents and concurs with the responses and conclusions.

Excavation will involve removal of approximately 13,000 cubic yards of soil, 5,100 cubic yards of which are expected to exceed clean-up goals and would require off-site disposal at a designated hazardous waste landfill (Parametrix 2000). Final topography will create a protected intertidal mudflat and salt marsh habitat (+11 to -3 feet, MLLW). This new habitat will be protected from waves by a beach berm reinforced with rock rip-rap. The intertidal habitat will be connected to Commencement Bay by a created tidal channel. An upland vegetated berm will visually separate the intertidal zone from the adjoining railroad grade while providing nearshore buffer functions. Native plant species appropriate for exposed coastline conditions will be planted, monitored, and maintained under the Trustees' monitoring program and the Project-specific adaptive management plan.

Design details can be found in the Project design specifications incorporated by reference and included in the Administrative Record for this Project (City of Tacoma 2003).

The excavation of contaminated soils and the intertidal basin would be land-based and occur under dry conditions. The final connection between the new intertidal basin and Commencement Bay would occur after the new intertidal habitat is stabilized using erosion control measures described in design specifications (City of Tacoma 2003). Connection of the tidal channel to Commencement Bay would occur outside times of peak salmonid activity and a silt curtain would be used to reduce potential impacts on the nearshore environment (Parametrix 2000; City of Tacoma 2003).

There is a minor potential for contaminants to be released into the environment during excavation of the sediments or transportation to the disposal location. However, any potential adverse environmental impacts associated with the excavation of soils and sediments and the removal of the various construction debris will be mitigated by use of best management practices and be consistent with traditional construction techniques applicable in the marine environment and in the conditions set out by the Corps in its

Nationwide Permit 27, and site-specific conditions, and the State of Washington in its permitting documents. The potential adverse impacts are temporary and construction-related, but outweighed by the cumulative long-term benefits of converting a contaminated site into a clean, productive tidal marsh suitable for chinook salmon and salmonid and wildlife species in the Commencement Bay environment.

As concluded in the Biological Assessment (BA) (Parametrix 2001) and agency consultation letters (NMFS 2001; USFWS 2001), the Project may affect but is not likely to adversely affect chinook salmon, essential fish habitat (EFH), and bull trout (Salvelinus confluentus), and would not effect bald eagles (Haliaeetus leucocephalus), marbled murrelets (Brachyramphus marmoratus) or Steller sea lions (Eumetopias jubatus). The Trustees believe that this Project provides an overall beneficial effect to the listed species and will have a beneficial increase in chinook salmon critical habitat. The permitting agencies concur in this assessment as indicated in the permit approvals listed below.

As can be seen from the permitting documents, incorporated herein by reference and listed below, the City will also be working with the regulatory agencies to ensure that the final constructed project meets applicable regulatory requirements, including US Environmental Protection Agency (EPA) Sediment Quality Objectives, State Sediment Quality Standards, and State Model Toxic Control Act criteria. Specific conditions under which the work will be conducted will be memorialized in the Corps' Nationwide Permit 27 terms and site-specific conditions, the State of Washington's 401 water quality certification, the BA and any additional conditions set forth by the National Marine Fisheries Service (NMFS) or the U.S. Fish and Wildlife Service (USFWS) as a result of the Endangered Species Act and essential fish habitat (ESH) consultations. This Project will be constructed in compliance with all permits required by the State and Federal regulatory agencies.

Conclusion

The proposed activity was evaluated under the goals and objectives and other evaluation criteria specified by the Commencement Bay NRDA Restoration Plan and with the evaluation factors under the National Environmental Policy Act (40 CFR 1508.27). Based on a review of all of these factors and the referenced documents, NOAA and the other Trustees have concluded that the proposed activity would not have a significant effect on the quality of the human environment. NOAA concurs with the Corps NWP No. 27 Decision Document that an EIS will not need to be prepared for this Project. A proposed copy of NOAA's independent finding of a FONSI is attached for the Agency's review and approval.

List of Agencies and Persons Consulted

- National Oceanic and Atmospheric Administration (US Dept. of Commerce) - Jennifer Steger, Robert Taylor and Gail Siani
- U.S. Fish and Wildlife Service (Dept. Of the Interior) - Judy Lantor
- Puyallup Tribe of Indians - William Sullivan

- Muckleshoot Tribe of Indians - Glen St. Amant
- State of Washington Departments of: Ecology (Craig Thompson), Fish and Wildlife (John Carleton), Natural Resources (Tom Gibbons)
- City of Tacoma (John O'laughlin)

Citations and Documents Incorporated by Reference

<u>Date</u>	<u>Author</u>	<u>Document</u>
10/16/2003	WA Dept of Ecology	Water Quality Certification/Coastal Zone Consistency Determination (Order No. 03SEASR-5801)
8/1/2003	City of Tacoma – Land Use Administrator	Shoreline Management Substantial Development Permit/Exemption – Report and Decision (File No. SHR2000-00031) Concurrence - Shoreline Development Exemption (USFWS, Signed 7/11/2003)
7/26/2003	WA Dept. of Ecology	Public Notice for Shoreline Management Substantial Development Permit/Exemption Concurrence – Determination of Non-significance (SEPA File No. 2000-00071)
July 2003	City of Tacoma Department of Public Works	Design Specifications, Including: Call for Bids, Special Provisions, Proposal and Contract for Specification G-265-03: Tahoma Salt Marsh Natural Resources Restoration Project, Addendum No. 1 to Specification G-265-03, Addendum No. 2 to Specification G-265-03, and Working Drawings sheets 1-9
7/10/2003	WA Dept of Fish and Wildlife	Hydraulic Project Approval (Log No. ST-E9836-02)
6/27/2003	US Army Corps of Engineers – Seattle District	Letter of Nationwide Permit 27 Authorization (Ref. No. 200300203) Nationwide Permit 27 Terms and Conditions (completed 3/18/2002)
9/21/2001	City of Tacoma and Sperry Ocean Dock Ltd.	Right-of-Entry Agreement
6/22/2001	National Marine Fisheries Service	ESA/EFH Concurrence WSB-01-201
6/7/2001	US Fish and Wildlife Service	Concurrence 1-3-01-SP-1810
6/5/2001	City of Tacoma – Public Works Dept.	Determination of Environmental Non-significance (Buildings and Land-use File No. SHR2000-00031) (SEPA File No. 2000-00071) Environmental Checklist (SEPA File No. 2000-00071) (Completed 8/11/2000)
March 2001	By Parametrix, Inc. for City of Tacoma	Biological Assessment; Tahoma Salt Marsh
Oct 2000	Parametrix Inc. and Anchor Environmental, L.L.C.	Tahoma Salt Marsh Natural Resources Restoration Project. Draft Focused Feasibility Study. Project No. 215-1564-036
Feb 1997	Commencement Bay Natural Resource Trustees	Final Restoration Plan and Programmatic Environmental Impact Statement (RP/EIS).

**FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT
FOR THE TAHOMA SALT MARSH RESTORATION PROJECT
SEATTLE, WASHINGTON**

The National Oceanic and Atmospheric Administration (NOAA) is the lead federal agency for National Environmental Policy Act (NEPA) compliance for the Tahoma Salt Marsh Restoration Project (Project), Commencement Bay, Tacoma, Washington. This project is sponsored by the Commencement Bay Natural Resource Trustees and designed to help restore natural resources injured by the releases of hazardous substances or discharges of oil in Commencement Bay, Tacoma, Washington.

NOAA prepared this Environmental Assessment (EA) to set forth: (1) its decision-making authority for this project, (2) its determination that an alternative (the Full Excavation Alternative) other than the No Action Alternative or the Partial Excavation Alternative would be the most ecologically sound alternative, and (3) its determination that an environmental impact statement (EIS) will not need to be prepared for this project.

Section 1508.27 of the NEPA regulations describes the minimum criteria that federal agencies should consider in evaluating the potential significance of proposed actions. The regulations explain that significance embodies considerations of both context and intensity. In the case of site-specific actions such as those proposed in this EA, the appropriate context for considering significance of action is local, as opposed to national or worldwide.

With respect to intensity of the impacts of the proposed restoration action, the NEPA regulations suggest consideration of ten factors (40 CFR part 1508.27):

- (1) likely impacts of the proposed project,
- (2) likely effects of the project on public health and safety,
- (3) unique characteristics of the geographic area in which the project is to be implemented,
- (4) controversial aspects of the project or its likely effects,
- (5) degree to which possible effects of implementing the project are highly uncertain or involve unknown risks,
- (6) precedent-setting effect of the project on future actions that may significantly affect the human environment,
- (7) possible significance of cumulative impacts from implementing this and other similar projects,
- (8) effects of the project on National Historic Places, or likely impacts to significant cultural, scientific or historic resources,
- (9) degree to which the project may adversely affect endangered or threatened species or their critical habitat, and
- (10) likely violations of environmental protection laws.

These factors, along with the federal Trustees' preliminary conclusions concerning the likely significance of impacts of the Project, are discussed in detail below.

(1) Nature of Likely Impacts

The likely impacts would be beneficial, by providing improved habitat for fish and wildlife species in the area. Trustees determined that the proposed restoration action for injuries to natural resources would create mudflat and salt marsh habitats connected to the adjacent Commencement Bay by a tidal channel, and revegetate the site using locally appropriate native plant communities. The improved habitat to be provided for fish and wildlife species would also benefit some recreational uses in the vicinity.

(2) Effects on public health and safety

The Project would have no negative impacts on public health and safety. Restoring the natural resources injured by the releases of hazardous substances or discharges of oil in Commencement Bay would be a beneficial impact.

(3) Unique characteristics of the geographic area

No unique or rare habitat would be affected. The sediment and affected habitat at the site are degraded, but regardless of the site's condition are not unique in character for the geographic area. The restoration proposed will improve functionality of the habitat and hopefully result in a gain of biological productivity.

(4) Controversial aspects of the project or its effects

There are no controversial aspects with the action of removing the sediment and restoring the habitat. There has been no adverse reaction from the public.

(5) Uncertain effects or unknown risks

The Trustees believe there are no significant uncertain effects or unknown risks to the environment with implementing the proposed restoration action. Site surveys and sediment monitoring will be performed to avoid uncertainties.

(6) Precedent-setting effects of implementing the project

The proposed restoration action sets no precedent for future actions of a type that would have adverse significant affects to the quality of the human environment.

(7) Significant cumulative impacts

Implementing the Project as described in the EA will provide the public with benefits both presently and also cumulatively in the future, if other unrelated but similar actions occur within the geographic scope of the area of potential affect. There would be no adverse cumulative or additive affects.

(8) Effects on National Historic Sites or nationally significant cultural, scientific or historic resources

There are no previously recorded archeological sites, listed or potentially eligible national historic sites, or other significant cultural resources located in the area of potential affect for the Project. The Trustees believe the Project will have no significant adverse effect on any of these resources.

(9) Effects on endangered or threatened species

The Project may affect but is not likely to adversely affect two federally listed species known to occur within the area of potential affect: Puget Sound distinct population segment chinook salmon (Onchorynchus tshawytscha) and bull trout (Salvelinus confluentus); and is also not likely to adversely affect any designated essential fish habitat (EFH). The only potentially significant impact to federally listed species would be beneficial, by providing habitat improvement for the chinook salmon.

(10) Violation of environmental protection laws

The project will be constructed in compliance with all permits required by the State and Federal regulatory agencies. The Biological Assessment for the project, and the informal consultations (National Marine Fisheries Service and the U.S. Fish and Wildlife Service addressing ESA and Essential Fish Habitat) for the Tahoma Salt Marsh Restoration Project are part of the Administrative Record for this project. The proposed activities were evaluated under the goals and objectives and other evaluation criteria specified by the Commencement Bay NRDA Restoration Plan and with the evaluation factors under the National Environmental Policy Act (40 CFR 1508.27). Based on a review of all of these factors and the referenced documents, NOAA and the Trustees concur with the U.S. Army Corps of Engineers and the City of Tacoma that the proposed activities would not have a significant effect on the quality of the human environment. Therefore NOAA concludes that an EIS would not need to be prepared.

DETERMINATION:

Based upon an environmental review and evaluation of the Environmental Assessment for the Tahoma Salt Marsh Restoration Project, I have determined that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended. Accordingly, an environmental impact statement is not required for this project.

William T. Hogarth
William T. Hogarth
Assistant Administrator for Fisheries
National Marine Fisheries Service
National Oceanic and Atmospheric Administration

2/25/04
Date