

**Notice of Mitigated Determination of Nonsignificance (MDNS)
Port of Vancouver USA Dredging Program**

Description of Proposal: *This supplemental SEPA checklist has been prepared to supplement the Port of Vancouver USA Berth Dredging Project (2013), the Port of Vancouver Phase 1 Berth Deepening Project (2008), and the Port of Vancouver USA Dredging Program (2017). The earlier SEPA checklists, which are incorporated by reference, evaluated dredging and deepening within established vessel berths at the Port of Vancouver, maintenance dredging of the flushing channel, upland placement of the dredge material at various port-owned properties, and in water dredge material placement. This supplemental SEPA checklist is consistent with the activities proposed in the earlier SEPA checklists and incorporates Berth 17, an established vessel berth, into the port's Dredging Program.*

Consistent with WAC 197-11-335 and the guidance for supplementing an Environmental Impact Statement (EIS) in WAC 197-11-620, this supplemental SEPA checklist does not include analysis of actions impacts that are reviewed in the previously prepared documents. Therefore, this SEPA checklist focuses solely on the new project component of maintenance dredging of Berth 17, with deepening in the first event.

Location: *The port is located on the Columbia River in Vancouver, Washington, with property extending between RMs 100 and 105.5. Vancouver Lake flushing channel (Tax parcel number 153313000); in water area for dredge material placement (Columbia River between river miles 101.5 and 103); and established berth areas within Port of Vancouver Tideland (Columbia River between river miles 103.5 and 105.5) and Berth 17 (tax parcel identification number 500501000).*

Proponent: *Port of Vancouver USA
3103 NW Lower River Road
Vancouver, WA 98660*

Lead Agency: *Port of Vancouver USA*

Property Owners: *Port of Vancouver USA*

Neighborhood

Associations:

Fruit Valley

The Lead Agency has reviewed the completed Environmental Checklist for the above-described proposal (the “Project”) and other information on file with the Lead Agency, as required by WAC 197-11-310 – 197-11-335. The Lead Agency has determined that the Project is likely to have a probable significant adverse impact on the environment, but any such impacts will be mitigated to a level of nonsignificance if the measures identified below are implemented by the Proponent. With the implementation of these mitigation measures, the Project will not have a probable significant adverse impact on the environment and the preparation of an environmental impact statement (EIS) under RCW 43.21C.030(2)(c) is not required. Therefore, a Mitigated Determination of Nonsignificance (MDNS) under WAC 197-11-350 has been issued.

The Project will be consistent with all federal, state, and local approvals, permits, and regulations.

Conditions of Approval for Mitigating Environmental Impacts:

This Supplemental MDNS includes the following Conditions of Approval. Some of the permits/approvals in the conditions below have been obtained and/or will be updated with the current proposal. Revisions made to the initial MDNS issued in 2008 are shown in ~~strikethrough~~. Updates to conditions that are no longer applicable are also noted in bold following the strikethrough. In addition, revisions from the MDNS’ issued in 2013 and 2017 are also shown. Additional Conditions of Approval that are made as part of this Supplemental MDNS are listed separately from the initial 2008,2013 and 2017 MDNS Conditions of Approval below:

2008 Initial MDNS Conditions of Approval (The following conditions were made as part of the MDNS issued on September 9, 2008, and are reissued as modified below):

- Construction best management practices (BMPs) will be employed to control erosion, sedimentation, runoff, turbidity, stormwater, accidental spills and air quality.
- Design dredge prisms to minimize sloughing and maintain stable side slopes in order to reduce erosion caused by deepening.
- ~~In water work window of November 1 – February 28 will be adhered to so work will take place when juvenile salmonids are least likely to be present in the action area.~~ **(This condition is stricken to allow flexibility with changes to the in water work window. Work will take place within the authorized window that is governed by state and federal agencies as necessary to avoid impacts to aquatic species.)**
- If daily inspections of dredged material indicates presence of juvenile salmonids, crane operation will be adjusted (slowed) to increase opportunity for juveniles to avoid the bucket.

- A Spill Prevention Countermeasure and Control (SPCC) Plan will be developed and used during the duration of project.
- ~~Work will take place during daylight hours (between 7:00 AM and 5:00 PM) to avoid impacts of light and glare. (This condition is stricken to allow work to take place during night time hours with the following protection added to the conditions: lights will be directed toward work areas and away from adjacent areas, to the extent possible, to avoid potential hazards to wildlife, in compliance with VMC 20.935.030.D, which restricts off-site lighting and glare impacts, including impacts to critical areas and buffers.)~~
- If artifacts are unearthed, work would stop and the Port would contact the State Historical Preservation Office.
- A Trip Generation and Distribution Report was submitted to the City of Vancouver as part of the Shoreline Substantial Development Permit application process. Any transportation mitigation measures, will be agreed upon between the City and the Port.
- Determination based on compliance with all government approvals and permits.

2013 Supplemental MDNS Conditions of Approval (The following conditions were made as part of the MDNS issued on January 16, 2013, and are reissued as modified below):

- Construction best management practices (BMPs) will be employed to control erosion, sedimentation, runoff, turbidity, stormwater, lighting, noise, accidental spills and air quality.
- When dredge material is placed at Parcel 3 and in accordance with USFWS National Bald Eagle Management Guidelines, the material placement will occur outside the 660-foot protective buffer area.
- Maintain hydraulic dredge at the river bed to the extent possible and minimize raising the dredge head to the maximum extent practicable during dredging.
- Prevent work barges from grounding out on the river bottom.
- T-5 West disposal site will require that the appropriate permits and approvals are in place before any dredged material is placed within the wetlands or buffers.
- Due to nighttime work activities project must meet noise restrictions of VMC 7.05.010 g (i) and (ii).

2017 Supplemental MDNS Conditions of Approval (The following conditions were made as part of the MDNS issued on June 26, 2017, and are reissued as modified below):

- A Water Quality Monitoring Plan, Dredging Plan, and other relevant plans will be prepared, approved by the agencies with jurisdiction, and implemented by the Contractor during construction.
- Turbidity will be monitored to ensure construction activities are in compliance with Washington State Surface Water Quality Standards (WAC 173-201A), and all conditions

specified in the project-specific Water Quality Certification (WQC) issued by the Department of Ecology.

- During dredging, dredge material will be placed on a barge or scow and will be passively dewatered, with water draining back into the Columbia River or flushing channel after sediment is allowed to settle and is passed through geotextile fabric or hay bales.
- ~~Vegetative monitoring at the Parcel 3 upland disposal site (This condition is stricken because it is no longer required by agencies).~~
- A suite of Best Management Practices (BMPs) will be employed to minimize sediment loss and turbidity generation during dredging and dewatering, including but not limited to the following:
 - Elimination of multiple bites while the bucket is on the bottom
 - No stockpiling of dredge material below the ordinary high water line
 - No riverbed leveling
 - Use of spill plates during transloading
 - Other conditions as specified in the WQC

2020 Supplemental MDNS Conditions of Approval (The following conditions are additional to previously issued or modified conditions of approval, above, as part of this Supplemental MDNS issued 4/16/2020):

- The Contractor will be required to maintain equipment so that it is in good working order. The Contractor will be required to minimize unnecessary idling.
- When contaminated sediment is removed from Berth 17, the dredge material from that dredge event would not be placed in-water. It would be disposed of at a permitted upland disposal facility.
- When contaminated sediment is removed from Berth 17, during dredging, dredge material would be placed on a watertight barge or scow and there would be no passive dewatering into the Columbia River. All dewatering water would be treated at the transload site and either discharged back to the Columbia River or discharged to the sanitary sewer, if acceptable.
- Dredge vessel personnel will be trained in hazardous material handling and spill response and will be equipped with appropriate response tools, including absorbent oil booms. If a spill occurs, spill cleanup and containment efforts will begin immediately and will take precedence over normal work, and appropriate spill notifications will occur, per the conditions of the project permits and contract.

The completed environmental checklist and related information, which are the basis of this determination, are available for review at the Port of Vancouver, 3103 NW Lower River Road, Vancouver, WA 98660 and available on the Port of Vancouver's website <http://www.portvanusa.com/environmental-services/sepa/>.

The issue date of this notice is 04/16/2020. The Lead Agency will not act on this proposal for 14 days from the date of issuance. Comments regarding this decision should be received by the Responsible Official in writing within 14 calendar days after the date this decision is issued. **Comments must be received by 5 pm, 04/30/2020. Only written comments will be accepted.**

Comments should be addressed to:

Responsible Official: Matt Graves

Email: *mgraves@portvanusa.com*

Mailing and Hand Delivery Address: *3103 NW Lower River Road, Vancouver, WA 98660*

A handwritten signature in black ink, appearing to read "Matt Graves". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

4/13/2020

Responsible Official

Date