

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
DELAWARE RIVER MAIN CHANNEL DEEPENING PROJECT
SEPTEMBER 2011

In 1992, the United States Army Corps of Engineers, Philadelphia District evaluated the environmental impacts associated with construction of the Delaware River Main Channel Deepening Project, and prepared a final Environmental Impact Statement (EIS). The project was authorized by Congress in October 1992 as part of the Water Resources Development Act of 1992. A final Supplemental Environmental Impact Statement (SEIS) was prepared in 1997 to report additional information and environmental analysis to more fully address environmental concerns. In 2009, an Environmental Assessment (EA) was prepared to evaluate the impacts of changes to the Congressionally authorized project as well as changes to the existing conditions in the project area from those described in the 1992 EIS and the 1997 SEIS, and to consolidate in one document the results of post-SEIS monitoring and data collection efforts. Additionally in 2009, an updated assessment was prepared to evaluate project impacts on Essential Fish Habitat (EFH) pursuant to the reauthorized Magnuson-Stevens Conservation Act of 1996, and Section 7 consultation was completed with the National Marine Fisheries Service (NMFS) pursuant to the Endangered Species Act of 1973 regarding project impacts to Federally listed threatened and endangered species in the project area.

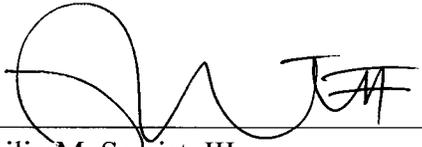
In compliance with the National Environmental Policy Act of 1969 and Council on Environmental Quality regulations, the Philadelphia District prepared a draft EA for public comment in June 2011. The purpose of the EA is to evaluate changes to the affected environment and changes to the project since completion of the 2009 EA. Specifically, the document addresses the proposed listing of the New York Bight Distinct Population Segment of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) as a federally listed endangered species; the proposed listing of the northwest Atlantic Distinct Population Segment of loggerhead sea turtle (*Caretta caretta*) as a federally listed endangered species; changes to the Deepening Project construction schedule; and revisions to the dredged material disposal plan.

The EA has determined that potential impacts to the Atlantic sturgeon and loggerhead sea turtle resulting from the Deepening Project are similar in nature to those evaluated in the 1997 SEIS and 2009 EA. The Corps will implement any recommendations provided by NMFS for the protection of these species. Therefore, the actions proposed and evaluated in the EA are consistent with the project actions previously detailed and documented, and do not result in any new or significant impacts to the affected environment. Also, changes to the project schedule and changes to the dredged material disposal plan will not result in any additional impacts from those previously evaluated. As a result of the public review, it was determined that consideration of the potential project impact on several freshwater mussel species in the Delaware River and the American eel (*Anguilla rostrata*) was warranted. Information pertaining to these species is

included in the final EA. It is concluded that potential project effects are not significant. The final EA also considers the cumulative impact of the Deepening Project along with two other unrelated port development projects that are reasonably foreseeable in the future. It is concluded that the cumulative effect of these three projects is not significant.

Because the EA concludes that the changes to the Delaware River Main Channel Deepening Project do not constitute a major Federal action significantly affecting the human environment, I have determined that a Supplemental Environmental Impact Statement is not required.

19 SEP 2011
Date


Philip M. Secrist, III
Lieutenant Colonel, Corps of Engineers
District Commander