

Finding of No Significant Impact

for

Implementation of Section 128 of the Water Resources Development Act of 2020  
Selection of Recommended Projects

September 2023

## FINDING OF NO SIGNIFICANT IMPACT

The U.S. Army has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969 (NEPA). All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. In compliance with NEPA and its implementing regulations at 40 CFR, Parts 1500-1508, a Programmatic Environmental Assessment (PEA) was prepared for this proposed action and was put out for a 30-day public comment period between 1 – 31 August 2023. The proposed action is the implementation of a Harmful Algal Bloom (HAB) Demonstration Program as authorized by Section 128 of the Water Resources Development Act of 2020. Additional alternatives included the no action alternative and an alternative, the selection of projects outside the scope of legislation, that was screened out of consideration. The potential effects of the proposed action were evaluated in Section 9 of the PEA.

Two comments were received during the 30-day public comment period. One comment regarded the use of the term harmful algal blooms. The commenter believed that the term is ambiguous and confusing and recommended that the scientific community devise better terminology. The term harmful algal blooms is an industry standard term and was the terminology Congress used in WRDA 2020, Section 128. The second comment was a request for monitoring to detect any adverse effects to non-target organisms, including non-target microalgae and zooplankton as a part of any demonstration projects. This information will be passed to the Engineering Research and Development Center for consideration when they develop a request for proposals.

The Department of the Army prepares appropriate NEPA documentation, including Environmental Impact Statements when required, for actions that might rise to the level of significant impacts on the quality of the human environment. The environmental review process for this proposed action has led me to conclude that selection of the HAB demonstration projects to implement Section 128 of the Water Resources Development Act of 2020 will not have a significant impact on the human environment. Each selected demonstration project will need to demonstrate compliance with the appropriate environmental laws, to include the Clean Water Act, prior to implementation. Therefore, preparation of an Environmental Impact Statement is not required by subsection 102(2)(C) of NEPA or its implementing regulations.

Date October 25, 2023



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Michael L. Connor  
Assistant Secretary of the Army  
(Civil Works)