

Notice of Supplemental Mitigated Determination of Nonsignificance (MDNS)
Port of Vancouver Terminal 5 Berth Rehabilitation Project
CP0488

Proposal: *This proposal modifies the Terminal 5 Berth Rehabilitation Project for which the Port of Vancouver issued a Mitigated Determination of Nonsignificance (MDNS) on October 6, 2021. Earlier SEPA documents prepared for this project, which are incorporated by reference, evaluated a proposal to repair and replace components of the Berth 17 dock to restore its ability to moor vessels and support other maritime activities. The project elements reviewed in earlier SEPA documents that remain unchanged are: replacement of the existing dock fender pile system, replacement of existing in-water mooring dolphins and associated catwalks, installation of shoreline mooring points, removal of derelict equipment on the dock, removal of upland water tower, and upland ancillary improvements to provide utility services and paving for the project.*

This Supplemental MDNS is being issued to address additional design modifications necessary for the modified project as described in the Supplemental Environmental Checklist. They include: an additional electrical substation, dock worker support building, and installation of additional mooring and breasting dolphins along with pedestrian access catwalks.

Location: *Terminal 5 property is located along the Columbia River at 5701 NW Old Lower River Road, River Mile 103.3, approximately 3 miles northwest of Vancouver, Washington.*

Proponent: *Port of Vancouver
3103 NW Lower River Rd.
Vancouver, WA 98660*

Lead Agency: *Port of Vancouver*

Property Owner: *Port of Vancouver
3103 NW Lower River Road
Vancouver, WA 98660*

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 from the 2021MDNS. Additional Conditions of Approval that are made as part of this Supplemental MDNS are listed separately from the initial 2021 MDNS Conditions of Approval below:

2021 MDNS Conditions of Approval *(The following conditions were made as part of the MDNS issued on October 6, 2021, and are listed below):*

- *Any imported material will be managed according to the Soil Fill Acceptance Guidelines established by the Port to ensure protection from potential contamination.*
- *In compliance with the Construction Stormwater General Permit for the project, minimize soil erosion, dust, and runoff with best management practices necessary to protect the environment.*
- *The proposed project shall be conducted in accordance with the RCW 27.53.060 (Archaeological Sites and Resources) and RCW 27.44.020 (Indian Graves and Records) and all applicable Washington State Department of Archaeology and Historic Preservation (DAHP) regulations. In the event any unknown archaeological or historic materials are encountered during project activities, work in the immediate area of the discovery must be halted and the following actions taken: 1) implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; 2) take reasonable steps to ensure the confidentiality of the discovery site; and 3) take reasonable steps to restrict access to the site of discovery. Should a discovery occur, a professional archaeologist will be contacted to assess the significance of the find, and DAHP and concerned tribes will be notified so that a course of action can be implemented.*
- *The following water quality protection measures shall be implemented throughout construction:*
 - *All work in and near the water shall be done to minimize turbidity, erosion, and other water quality impacts.*
 - *Construction staging shall be established in a way that avoids debris or other construction materials from entering the Columbia River.*
 - *All debris or spill containment material shall be properly disposed of at an approved disposal facility. Any spills, other than construction debris, that enter the waterway must be reported immediately to Ecology's Southwest Regional Office.*
 - *Before demolition, containment booms must be deployed around the work area to contain any floatable debris or spills that may enter the waterway. Containment booms must be cleaned out and maintained daily.*

- *Containment booms must be deployed around the work area during removal of the creosote-treated piles to contain any potential wood debris or sheens released into the water as the result of pile removal disturbance.*
- *Any buoyant materials accidentally dropped into the water must be picked up immediately by the Contractor. The Contractor must have a boat available and on site during in-water and overwater activities for floating debris retrieval.*
- *Equipment must be inspected daily for leaks and accumulation of grease, oil, or mud and repaired immediately.*
- *Fueling and servicing of all equipment, except for barge derricks, must be confined to an established fueling area with specific fueling BMPs and spill containment systems.*
- *A written Spill Prevention, Control, and Countermeasure (SPCC) Plan must be prepared for activities that include the use of heavy equipment. The plan must describe measures to prevent or reduce impacts due to accidental leaks or spills, as well as all hazardous materials that will be used, their proper storage and handling, and the methods that will be used to monitor their use.*
- *To prevent leaching, construct forms to contain any wet concrete. Place impervious material over wet concrete that will come in contact with waters of the state. Forms and impervious materials must remain in place until the concrete is cured.*
- *As the piles are pulled from the subsurface, they will be directly placed onto a sealed receiving barge or contained upland facility to minimize potential release of creosote, sheens, and turbidity to the Columbia River. Water will not be allowed to drain from the receiving barge. Piles will not be rinsed or washed in any way. Piles will be properly disposed of at an approved upland disposal facility.*
- *The BMPs for piling removal and placement in Washington, issued by the USEPA (<http://www.nws.usace.army.mil/Portals/27/docs/regulatory/Forms/EPA%20BMPs%20for%20Piling%20Removal%202-18-16.pdf>) Region 10, will be implemented.*
- *The potential BMPs for piling removal and placement from Ecology's Sediment Cleanup User's Manual (SCUM) may be used.*
- *A Water Quality Monitoring and Protection Plan will be prepared for the Project.*
- *Visual and/or metered turbidity monitoring will be required during pile installation and removal.*
- *The following BMPs will be implemented to avoid or minimize impacts to fish and wildlife:*
 - *In-water work will occur within the approved in-water work window, which currently limits vibratory pile driving to September 15 to February 28 each year, with impact pile driving currently restricted to October 1 to January 31 annually.*
 - *Vibratory pile driving will be used to the maximum extent feasible to minimize the amount of impact pile driving needed to complete the Project.*
 - *A bubble curtain shall be used during impact hammer installation of steel piles associated with the mooring dolphin replacement. An unconfined bubble curtain shall be used unless water velocity at any time during installation is greater than 1.6 feet per second, and then a confined bubble curtain will be used. The bubble curtain shall surround the piles and distribute air bubbles around 100% of the pile's perimeter for the full depth of the water column.*
 - *Existing timber piles shall be completely removed to the extent feasible. Removed piling will not be allowed to enter the Columbia River after extraction. Piles will be cut 1 to 2 feet below the sediment surface if and when they cannot be fully removed.*
 - *Construction is anticipated to begin at Berth 17 before the standard bird nesting season. This will naturally deter birds from using the crane and gallery for nesting.*

Deterrent measures, like installation of hardware cloth over common nesting areas, may also be installed to minimize bird use of the site. If removal of an active nest is needed during construction, this removal will be done by a specialist and under the authorization of the Special Purpose-Miscellaneous Permit.

- *Lighting shall utilize downcast shields to minimize spill onto the adjacent water. All lights shall be LED with 3000 K color temperature or lower to limit impacts to birds and other species at night but adequate to provide safety on the structure and surrounding areas.*

2022 Supplemental MDNS Conditions of Approval *(The following conditions are additional to the previously issued conditions of approval listed above.)*

- *Clean sand may be placed in the new pile footprint before driving the pile, as needed, and based on site conditions.*
- *No grounding of barges during in-water construction.*
- *Construction of the dock workers support building and electrical substation will follow all City of Vancouver permitting requirements.*

The completed environmental checklist and related information, which are the basis of this determination, are available for review at the Port of Vancouver's website:

<http://www.portvanusa.com/environmental-services/sepa/>

The issue date of this notice is January 25, 2022, 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, February 8, 2022. Only written comments will be accepted.

Comments should be addressed to:

Responsible Official: Callie DeBoer

Email: cdeboer@portvanusa.com

Mailing Address: 3103 NW Lower River Road, Vancouver, WA 98660



January 19, 2022

Responsible Official

Date