

**Maritime Administration
Finding of No Significant Impact**

**Port of Bremerton
Port Orchard Marina Breakwater Replacement
Bremerton, Washington**

This Finding of No Significant Impact (FONSI) and the accompanying Environmental Assessment (EA) are submitted pursuant to the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321, et seq., and are consistent with implementing guidance issued by the Council on Environmental Quality (CEQ), and the U.S. Department of Transportation (DOT) *Procedures for Considering Environmental Impacts*.¹

The Maritime Administration (MARAD) has determined that this Proposed Action will have no significant effect on the human or natural environment, under normal conditions.

Background

The Port of Bremerton (POB) was awarded funding under the Fiscal Year (FY) 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program for the Port Orchard Marina Breakwater Replacement located in Bremerton, Washington.

The Purpose of the Proposed Action is to ensure the continued, reliable operation of the multi-use marina by replacing the aging breakwater that would mitigate wakes from the Kitsap Transit foot ferry and U.S. Naval Shipyard, and strengthen the structure against future environmental disturbances such as storms. Replacing the breakwater would extend the lifespan of the marina to meet community demand and avoid escalating, repetitive repair costs that offset the operation of its facilities. A key element of the proposed design is installing an accessible, Americans with Disabilities Act (ADA)-compliant gangway and widening the breakwater 6 inches on both sides to accommodate upgraded, fire suppression systems required by the Washington State Code. These improvements will enhance safety, accessibility, and code compliance while maintaining the essential protective function of the breakwater.

The need for this project arises because the existing marina breakwater and surrounding structures are well beyond their design life and are failing. The POB has made a series of short-term repairs to preserve functionality, but those measures are cost-prohibitive, temporary, and

¹ MARAD is aware of CEQ's rescission of its NEPA-implementing regulations at 40 CFR §§ 1500–1508. This environmental assessment was prepared while those CEQ regulations were still in effect. To efficiently process NEPA documents, this document may still reflect previous CEQ regulatory language. MARAD also utilized the Department of Transportation Order 5610.1C, titled "Procedures for Considering Environmental Impacts," and MARAD's Maritime Administrative Orders (MAO) 600- 1, titled "Procedures for Considering Environmental Impacts," to meet the agency's obligations under NEPA, 42 U.S.C. § 4321, et seq. MARAD notes that new DOT "Procedures for Considering Environmental Impacts" (DOT Order 5610.1D) went into effect July 1, 2025, and will be applied to future environmental reviews.

unable to withstand severe wakes and storm events. Regular operations and maintenance can no longer sustain the breakwater's service life, and without timely replacement, the likelihood of total system failure will increase, putting vessel safety, marina operations, and nearshore ecosystem health at risk.

Maintaining a robust breakwater is critical because the marina supports numerous public uses such as essential government emergency response services, tribal and non-tribal commercial fishing, the Kitsap Transit foot ferry fleet, general moorage slips, recreational slips, and moorage exclusively for Suquamish Tribal use. The breakwater also plays a vital role in protecting the only saltwater fueling station in a 16-nautical-mile radius, serving vessels that transport goods and people. The shelter provided by the marina's breakwater structure is also essential for protecting the boats and vessels anchored there. The replacement project would maintain and improve access to moorage slips for Suquamish Tribe members and sustain use by recreational boaters, fishermen, and other community members for many years to come. The marina has been an important asset to the city of Port Orchard for 50 years and should be protected for future use and stewardship.

In addition to these operational and community benefits, the proposed action will remove tons of creosote-treated wood from the failing breakwater structure, eliminating a significant source of hazardous chemical leachate in the marine nearshore environment. This cleanup, consistent with the Environmental Protection Agency (EPA) and Department of Natural Resources (DNR) creosote removal programs, will improve shoreline health and support long-term environmental stewardship.

Proposed Action

The Proposed Action would replace the North Breakwater (NB) and East Breakwater (EB), approach floats, and gangway at the Port Orchard Marina.

The proposed NB and EB would be constructed on the seaward side of the existing breakwaters to protect the marina throughout project implementation. The marina's solid gangway will be replaced with an ADA-compliant, grated gangway; solid approach floats with grated approach floats; and north and east solid breakwater floats with new solid, North and East breakwater floats. New steel piles and steel plate anchors will be installed via vibratory and impact pile-driving. Upon completion of the new breakwaters, the existing approach floats and gangway will be removed. The project would result in a net increase of 1,232.7 square feet in overwater cover due to and upgrade of the fire suppression system design to meet current city requirements and an overall increase of 240 linear feet of anchor lines. The proposed approach float reduces the square footage of overwater cover by 196.2 square feet and changes the solid surface to a grated surface.

After both new breakwaters components are installed, the existing breakwaters would be

demolished. The approach floats and existing gangway would be replaced with grated surfaces upon completion of the new breakwaters. The new gangway will be ADA-compliant. The new fire suppression system incorporated into the breakwaters would meet current fire safety standards. The Proposed Action is the Preferred Alternative.

Alternatives Considered

MARAD considered the Proposed Action Alternative, described above, and the No Action Alternative. The Proposed Action is the Preferred Alternative.

Under the No Action Alternative, existing conditions would remain the same. The Port Orchard Marina Breakwater Replacement would not be completed, and the Port of Bremerton would not be able to address the deterioration of the existing structure and would not extend the lifespan of the marina for the community. As a result, the project’s Purpose and Need would not be met. Therefore, it is not a reasonable alternative, but it was analyzed for baseline purposes.

Public Involvement

MARAD encourages public participation in the NEPA process. During the scoping process, MARAD provided an opportunity for state, local, and federal agencies to comment on the Proposed Action. MARAD and the Port of Bremerton initiated the Environmental Assessment scoping process for the Proposed Action by initialing a pre-project filing meeting with agencies, Tribes, and stakeholders at various times in 2022 through 2024. Letters and emails informing Tribes and inviting comments on the project were also issued. During scoping, agencies, Tribes, organizations, and members of the public were invited to submit written comments to the Port, as well as provide oral comments at the public meetings. MARAD did not require a public comment period on the EA.

Determination and Findings Under NEPA

Below is a summary of the potential environmental impacts as detailed in the Environmental Assessment.

Environmental Resource	No Action Alternative	Proposed Project Alternative	
		Construction	Operation
Soil, Geology, Seismicity	No Impact	Negligible Impact (temporary)	Negligible Impact
Prime Farmland	No Impact	No Impact	No Impact
Vegetation and Wildlife	No Impact	No Impact	No Impact

Environmental Resource	No Action Alternative	Proposed Project Alternative	
		Construction	Operation
Coastal Resources	No Impact	Minor Adverse Impact (temporary)	Beneficial Impact
Air Quality	No Impact	Negligible Impact (temporary)	No Impact
Hazardous Materials	No Impact	Negligible Impact (temporary)	No Impact
Noise and Vibration	No Impact	Negligible Impact (temporary)	No Impact
Public Services and Utilities	No Impact	No Impact	No Impact
Wetlands and Waters of the U.S.	No Impact	No Impact	No Impact
Surface Water Quality	No Impact	Minor Adverse Impact (temporary)	Beneficial Impact
Ground Water Quality	No Impact	No Impact	No Impact
Floodplains	No Impact	No Impact	No Impact

Environmental Resource	No Action Alternative	Proposed Project Alternative	
		Construction	Operation
Threatened & Endangered Species and Critical Habitat	No Impact	Minor Adverse Impact for Marbled Murrelet, Bull Trout, Chinook Salmon, Steelhead, Bocaccio Rockfish, Yelloweye Rockfish, and Southern Resident Killer Whale. No Impact for Humpback whale. (temporary)	No Impact
Essential Fish Habitat	No Impact	Minor Adverse Impact (temporary)	No Impact
Cultural and Tribal Resources	No Impact	No Impact	No Impact
Traffic and Safety	No Impact	Negligible Impact (temporary)	Beneficial Impact
Land Use and Visual Impacts	No Impact	No Impact	No Impact
4(f)	No Impact	No Impact	No Impact

Mitigation Measures and Best Management Practices

No potential adverse impacts will be significant and, as discussed further below, the Proposed Action will incorporate mitigation measures or Best Management Practices (BMPs) to avoid or minimize potential impacts. These will be in addition to any mitigation measures or BMPs imposed by required permits and other authorizations.

Environmental Resource	Mitigation Measures and BMPs
Coastal Zone	The Port of Bremerton (The Port) will implement Water Quality Monitoring Plan as mandated by Coastal Zone Management and Shoreline Management Act in compliance with the WA Department of Ecology individual water quality certification. The Port will also implement the conservation measures, BMPs, and impact and avoidance measures listed in the Water Quality section of the EA.
Air Quality	The Port will implement BMPs to minimize emissions such as equipping diesel machinery with diesel particulate filters and catalytic converters, optimizing construction sequencing to minimize vehicle travel and idling, proper equipment maintenance, the use of four-stroke engines for small vessels, and when feasible, the use of electric or battery-powered tools.
Hazardous Materials	The Port will implement Washington DNR and EPA Region 10 BMPs for pile removal and placement, install turbidity curtains around creosote-treated pile, and comply with WA State Water Quality Standards. A project-specific Spill Prevention, Control, and Countermeasure (SPCC) plan will be in place, with daily pre-work inspections of all equipment for leaks and ready access to oil-absorbent materials. Work barges will carry booms, vacuum pumps, “diapers,” and other containment supplies for immediate spill response. All waste including creosote-treated timber and general debris will be covered, contained, and hauled off-site for disposal under applicable local, state, and federal regulations.
Noise and Vibration	<ul style="list-style-type: none"> •During marbled murrelet nesting season (April 1 through September 23) impact pile driving activities will be limited to starting 2 hours after sunrise and ceasing 2 hours before sunset. •The contractor will implement a marbled murrelet monitoring plan during impact pile driving 30-inch diameter steel piles that will include at least two monitors able to observe a minimum 400-foot area around each pile being driven. One monitor will be located on the work barge and the other monitor locations will be determined by the lead monitor. Pile driving activities will not begin until the monitors have cleared the area. Pile driving will be stopped if a marbled murrelet is within the monitoring area and will not restart until the lead monitor provides clearance to the impact hammer operator. •The contractor will also monitor for marine mammals from similar vantage points and stop impact pile driving should a marine mammal be within or certain to enter an area that could potentially harm or take a marine mammal. •Before impact driving, an unconfined bubble curtain will be installed on

	<p>each pile to attenuate underwater sounds (WSDOT 2008).</p> <ul style="list-style-type: none"> •Vibratory driving will be the primary method for pile removal and pile and anchor installation. An impact hammer will be used only to reach the final embedment as required by the design. •In-water work will be conducted only during the approved in-water work window for marine waters of Sinclair Inlet. •Only one pile will be driven/installed at any given time. There will be no simultaneous use of pile drivers. •Soft-start procedures will be used before vibratory and impact driving to allow aquatic species to leave the work area before full energy is employed. These procedures include the following: <ul style="list-style-type: none"> oFor vibratory pile driving: the contractor will initiate noise for 15 seconds at 40 to 60 percent reduced energy, followed by a 1-minute waiting period. This procedure will be repeated two additional times before full energy is applied. <ul style="list-style-type: none"> <input type="checkbox"/>f vibratory driving ceases for a period of 30 minutes or more, the soft-start procedure will be repeated before reinitiating vibratory pile driving. oFor impact pile driving: the contractor will use a 6-inch wood block installed on the piles to attenuate impact strike noise. <ul style="list-style-type: none"> <input type="checkbox"/>The contractor will be required to use an initial set of three strikes at 40 percent energy, followed by a 1-minute waiting period, then two subsequent three-strike sets (NMFS 2012).
Public Service and Utilities	<p>The Port will coordinate with Kitsap Ferry service on construction/demolition process to ensure any ferry operations are not impacted. No other mitigation measures are identified.</p>
Surface Water Quality	<p>A Water Quality Monitoring Plan will be implemented to maintain existing water quality during construction activities. Implementing this plan ensures little to no impact of construction on water quality as mandated by Coastal Zone Management and Shoreline Management Acts administered through the Washington Department of Ecology.</p> <p>Turbidity is the main concern during construction of the proposed action and will be monitored as the primary indicator of water quality. The water quality standard for turbidity for all in-water work with the potential to disturb marine sediments is:</p> <ul style="list-style-type: none"> • 5 nephelometric turbidity units (NTU) over background when the background is 50 NTU or less; or • A 10 percent increase in turbidity when the background turbidity is more than 50 NTU at a distance of 150 feet away from the sediment disturbing activity. <p>In-water work will be monitored as described in the monitoring plan and should personnel observe that turbidity is approaching or exceeding stated criteria, contingency sampling will be performed to confirm that the point of compliance has been exceeded at which point corrective actions will be</p>

taken. Corrective actions include stopping in-water work, adjusting or augmenting BMPs (e.g., turbidity curtains, lower hammer energy), notifying agencies and hourly sampling until two consecutive compliant readings allow work to resume.

In addition to monitoring turbidity and taking corrective action when appropriate, the following conservation measures, BMPs, and impact and avoidance measures will be implemented to reduce the risk of adverse effects on water quality during the proposed action.

In-water Work Measures:

- A Temporary Erosion and Sedimentation Control (TESC) Plan will be developed and implemented by the contractor.
- Construction techniques will utilize BMPs such as those described in Ecology’s Stormwater Management Manual for Western Washington (Ecology 2019) accessed here:
<https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMWW/Content/Resources/DocsForDownload/2019SWMMWW.pdf>.
- Project construction will be completed in compliance with Washington State Water Quality Standards (Washington Administrative Code [WAC]173-201A) including but not limited to:
 - o The contractor will prepare a construction SPCC Plan for this project. Any potential spills will be handled and disposed of in a manner that does not contaminate the surrounding area. The SPCC Plan will be consistent with 40 Code of Federal Regulations 112.3 as well as the State of Washington Oil Spill Contingency Plan (WAC 173-182).
 - o Adequate materials and procedures to respond to unanticipated weather conditions or accidental releases of materials (sediment, petroleum hydrocarbons, etc.) will be available on site. This will include materials necessary to cover stockpiles (e.g., tarpaulins), isolate pollutants from the environment (e.g., protective containers and straw bales), and contain and absorb spills (e.g., disposable absorbent materials).
 - o The SPCC Plan will ensure the proper management of oil, gasoline, and solvents used in the operation and maintenance of construction equipment and that equipment remains free of external petroleum-based products prior to entering the work area and during the work, and for making any necessary repairs prior to returning the equipment to operation in the work area.
 - o An emergency spill containment kit must be located on-site along with a pollution prevention plan detailing planned fueling, materials storage, and equipment storage.
 - o To reduce the potential for spills and leaks, work barge(s) will contain an adequate supply of materials (such as a vacuum pump, booms, diapers, and other absorbent material) to control and contain deleterious materials in the event of an accidental spill.

- The contractor will limit work at the site to daylight hours and comply with local, state, and federal permit restrictions.
- All construction-related debris will be cleaned up daily. Proper conservation measures will be taken to ensure that debris will not contaminate the shoreline or marine waters.
- All equipment used for construction activities will be cleaned and inspected prior to arriving at the project site, and daily thereafter prior to commencing work, to ensure no potentially hazardous materials are exposed, no leaks are present and the equipment is functioning properly.
- Fueling of land-based equipment will be limited to upland areas and will not be allowed immediately adjacent to or over the water.
- Waste materials, including creosote-treated timber, miscellaneous garbage and/or other debris, will be transported off-site for disposal in accordance with applicable regulations and prevented from entering the water.
- The barge and other vessels will not contact the substrate of Sinclair Inlet. Work at high tide, low draft barges and/or other engineering controls will be employed.
- The contractor will limit construction impacts to the minimum area necessary to complete the project.

Pile Removal and Installation Measures:

- The contractor will implement the WDNR's 2017 Derelict Piling Removal Best Management Practices for Pile Removal & Disposal. Guidelines are available online at https://www.dnr.wa.gov/publications/aqr_rest_creosote_bmps_pilings.pdf. Measures include but are not limited to:
 - o The creosote-treated timber piles will be removed using a pulling method (anchor stake piles) or using a vibratory hammer and will not be intentionally broken by twisting or bending.
 - o The piles will be removed in a single, slow, and continuous motion to minimize sediment disturbance and turbidity in the water column.
 - o If a pile breaks above or below the mudline, it will be cut consistent with DNR-approved guidelines.
 - o The contractor will install a full depth turbidity curtain around the pile extraction area to minimize the spread of creosote-contaminated sediments.
 - o Creosote from extracted piles will be prevented from re-entering the water and removed piles, stubs, and attached sediments will be contained on the support barge and not be allowed to enter marine waters.
- All debris will be retrieved and disposed of properly by the contractor.
- If piles are placed directly on the barge and not in a container, the storage area will consist of a row of hay or straw bales, filter fabric, or similar material placed around the perimeter of the barge to prevent

	<p>debris from entering marine waters.</p> <ul style="list-style-type: none"> • Removed creosote-treated timber piles or other treated timbers will not be hosed off or otherwise cleaned. • All creosote-treated material, pile stubs, and associated sediments (including sawdust from cutting timber piles) will be contained and disposed of by the contractor in a landfill approved to accept these types of materials. The contractor will retain receipts for creosote-treated timber disposal with the total creosote timber disposal weight recorded.
<p>Threatened & Endangered Species and Critical Habitat</p>	<p>To address proximity impacts of pile driving, a bubble curtain will be used during all impact driving activities to reduce sound levels and reduce the ensonified areas. Implementation of conservation measures, such as conducting the project during approved in-water work windows would reduce effects to threatened and endangered species in or near the project area. To avoid effects on humpback and southern resident killer whales, a protected species monitoring plan will be implemented that will require pile-driving activities to cease before a killer whale or humpback whale enters the action area.</p> <p>As this project occurs in the nearshore region of Puget Sound, the project was evaluated using the NOAA calculator to quantify the habitat impacts. The NOAA calculator quantifies habitat impacts from a proposed re-development/development project and the habitat benefits from restoration projects in terms of a common habitat currency, applying both the Habitat Equivalency Analysis (HEA) and Nearshore Habitat Values Model (NHVM) to a user-friendly interface (Ehinger et al. 2022). Two mitigation actions are proposed that will remove significant amounts of creosote-treated timber from sensitive upper shore zone and lower shore zone nearshore habitat that will benefit water quality, habitat, ESA-listed species, and other protected species. The proposed creosote removal actions are anticipated, conservatively, to remove approximately 243 tons of creosote-treated timber piles and 876.5 cubic feet of treated timber solid decking (overwater cover). Using the NOAA calculator, the proposed mitigation generated a total of 599 debits. The Port Orchard Marina (POM) has identified two derelict structures (see 3.8 Cultural Resources) of creosote construction for removal to partially mitigate permanent project impacts to the nearshore. Removal of these structures would result in removal of 88 creosote-treated piles and decrease the area of shaded sediments by 2,551 square feet. Any residual impacts not addressed by the proposed derelict structure removal would be offset by the purchase of habitat credits from the Puget Sound Partnership.</p>

Essential Fish Habitat	The Port will ensure that in-water pile driving will be confined to NMFS-approved work windows (June 16 to February 15) and limited to one pile at a time with vibratory hammers for embedment and impact hammers (with bubble curtains and wood block attenuator) for proofing that are preceded by soft-start procedures. Full-depth turbidity curtains, a TESC plan, and continuous monitoring against 5 NTU/10 percent thresholds (with contingency sampling and corrective actions) will contain suspended sediments. A project-specific SPCC plan and WA Department of Ecology Stormwater BMPs will prevent and respond to any spills, and strict debris controls will keep materials out of the water.
Historic Preservation and Tribal Resources	The Port will post notification of breakwater closure will be posted and transmitted to the Suquamish ahead of the construction season. No other mitigation measures are proposed.
Traffic and Safety	The Port will post public notices would be posted on-site and via the Port's website to announce transportation impacts, if any.
Land Use and Visual Impacts	No mitigation measures are proposed other than those required during construction including signage and designated alternative parking areas.

Permits and Authorizations

The Port of Bremerton must obtain all applicable federal, state, and local permits and approvals prior to commencing the Proposed Action. The following permits and authorizations will be required for the Proposed Action.

Agency Name and Type of Permit or Authorization	Permit Number or Tracking Number	Current Status	Issuance Date	Expiration Date
U.S. Army Corps of Engineers (USACE) Letter of Permission	NWS-2022-0513	Active	10/16/2024	10/16/2027
WA Ecology Water Quality Certification	Order 22609	Active	05/07/2024	10/16/2027
WA Ecology Coastal Zone Management Consistency Decision	Ref NWS-2022-0513	Granted	08/18/2024	N/A
WA Dept of Fish	2022-6-	Active	08/26/2022	02/15/2027

and Wildlife Hydraulic Project Approval	393+01			
City of Port Orchard State Environmental Policy Act (SEPA) and Shoreline exemption	LU22-SH EXEMPT-08	Granted	10/12/2022	N/A
WA Department of Archeology and Historic Preservation (DAHP) Section 106 Concurrence Letter	2022-09-06181	Granted	05/13/2024	N/A
WA DAHP Section 106 Amendment Concurrence Letter	2022-09-06181	Granted	12/2/2025	N/A

Conclusion

The Maritime Administration has determined that the EA adequately and accurately discusses the environmental issues and effects of the Proposed Action and specifies appropriate mitigation measures and standard conditions of approval in order to minimize environmental effects. Therefore, a FONSI is warranted, and preparation of an Environmental Impact Statement, pursuant to the National Environmental Policy Act of 1969 (Public Law 91-190), is not required.



Director, Office of Technical Reviews

3/4/26
Date

Deputy Associate Administrator for Shipbuilding and Industry Expansion

3/9/26
Date