

**MARITIME ADMINISTRATION  
RECORD OF CATEGORICAL EXCLUSION**

**SUBJECT:**

Port of Port Townsend WA Breakwater Rehabilitation Project

**REFERENCE:**

- (a) Department of Transportation Order DOT 5610.1C; September 18, 1979
- (b) Maritime Administrative Order (MAO) 600-1; July 23, 1985

Action:

The Port Infrastructure Development Program (PIDP) statute authorizes DOT to establish a port and intermodal improvement program to improve the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports. The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021) (“Bipartisan Infrastructure Law” or “BIL”) appropriated \$450 million to the PIDP for FY 2024 to make discretionary grants for eligible PIDP projects. In addition, The Consolidated Appropriations Act, 2024 (Pub. L. 118-42, March 9, 2024) (“FY 2024 Appropriations Act”) appropriated an additional \$120,460,124 for the FY 2024 PIDP. Of that amount, \$70,460,124 was appropriated for Congressionally Directed Spending as reflected in the table entitled “Community Project Funding/Congressionally Directed Spending” (“Community Project Funding”) included in the explanatory statement accompanying the FY 2024 Appropriations Act. This project is one of those designated Community Project Funding projects.

The Port of Port Townsend was awarded funds to be used to rehabilitate approximately 590 feet of the Boat Haven Main Breakwater. The breakwater was initially constructed in the 1930s and modified by the U.S. Army Corps of Engineers (USACE) in the early 1960s when Boat Haven was expanded to its current size. The original portion of the breakwater remains Port-owned and has deteriorated to the point of needing repairs. The entirety of the adjoining USACE authorized structure, the Boat Haven Marina, the U.S. Coast Guard (USCG) Cutter Osprey’s berth, the upland Port Townsend Boat Yard, and the live seafood off-load facilities all depend on this oldest section of the breakwater for their protection. The restoration will be designed to tie into an adjoining USACE-authorized structure. The project anticipates re-grading the sand core and adding additional rock protection to the entire area to achieve the minimum design coverage depth. All new rock placement and excavation work is anticipated to occur above the -2 (MLLW) tide line and within the original breakwater footprint. Some repositioning of existing riprap may occur below the -2 tideline to ensure a stable base for adding the additional riprap.

Analysis:

It is the Agency’s experience that this type of action has no significant effect on the human and natural environment, individually or cumulatively, under normal conditions, and is

categorically excluded from further documentation requirements under the National Environmental Policy Act (NEPA) by Maritime Administrative Order 600-1 Categorical Exclusions. Accordingly, the MARAD finds that the proposed project is an action which meets the criteria for Categorical Exclusion No. 4 listed in MAO 600-1.

MARAD has reviewed potentially impacted species and habitats under the Endangered Species Act (ESA) Section 7, the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Mammal Protection Act (MMPA), the Migratory Bird Treaty Act (MBTA), and the Bald and Golden Eagle Protection Act. The review included the Fish and Wildlife Service (FWS) Information for Planning and Consultation (IPaC) database and the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) EFH Mapper database to identify Section 7 resources on September 24, 2024. The review included potential ESA species, Essential Fish Habitats (EFH) areas, and Critical Habitats. The following threatened, endangered, or candidate species were identified:

- Birds: Marbled Murrelet, Yellow-billed Cuckoo
- Reptiles: Northwestern Pond Turtle
- Fishes: Bull Trout
- Insects: Monarch Butterfly

The IPaC identified critical habitats for the following:

- Bocaccio
- Chinook Salmon
- Hood Canal Salmon
- Southern Resident Killer Whale
- Finfish and Market Squid
- Thysanoessa Spinifera Krill
- Euphausia Pacifica Krill

The Proposed Action does not include in-water work and the upland location of the project is unlikely to cause impacts to fish species or EFH areas. None of the listed species were present or observed in the area. The proposed project, under normal circumstances, will involve no negative impacts to listed species or critical habitats. MARAD has determined that the proposed project will have No Effect on any listed species.

Pursuant to the National Historic Preservation Act (NHPA), Section 106 and its implementing regulations, 36 CFR § 800.3(a)(1), the Maritime Administration's Federal Preservation Officer confirmed the completion of Section 106 under the National Historic Preservation Act on December 30, 2024. The project will have No Effect on historic or cultural resources.

The USACE provided a permit for the Proposed Action on April 2, 2025. Section 7 consultations were completed initially in 2021 by USACE, which at the time, included in-water work. The project impacts were reassessed by NOAA on February 26, 2025 and concluded no additional offset are needed. The USACE permit references the

commitments and conditions outlined by both NOAA Fisheries and USFWS. The grantee will adhere to all commitments and conditions outlined in the USACE permit.

The project is not expected to have any significant impacts to any other media or resources. More specifically, the project will not induce significant impacts to planned growth or land use; require the relocation of significant numbers of people; cause significant air, noise, or water quality impacts; have significant impacts on travel patterns; or otherwise have significant environmental impacts (either individually or cumulatively).

The MAO Categorical Exclusion that applies is the following:

MAO Categorical Exclusion No. 4: Reconstruction, modification, modernization, replacement, repair, and maintenance (including emergency replacement, repair, or maintenance) of equipment, facilities, or structures which do not change substantially the existing character of the equipment/facility/structure.

Conclusion:

Based upon the analysis completed, the proposed action fits squarely within the scope of MAO 600-1 (Categorical Exclusion No. 4) and is not expected to involve any extraordinary circumstances that would result in significant environmental effects. This determination applies only to the project as described herein. Should the project's scope of work be modified, the grantee will notify MARAD and this Categorical Exclusion will be amended as necessary.

Environmental Reviewer:



4/21/2025

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Erin Kendle  
Environmental Protection Specialist  
Office of Environmental Compliance

Date

Approval:



4/21/25

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Kris Gilson, REM, CHMM  
Director

Date

Office of Environmental Compliance