

DRAFT FINDING OF NO SIGNIFICANT IMPACT

Atlantic Coast of Maryland Shoreline Protection Project Offshore Shoals in Federal Waters as Sand Sources for Ocean City, Maryland

The U.S. Army Corps of Engineers, Baltimore District (USACE), in cooperation with the U.S. Department of Interior (DOI), Bureau of Ocean Energy Management (BOEM), has conducted a supplemental environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended (NEPA), with USACE serving as the lead agency. The supplemental Environmental Assessment (sEA) dated September 2025, for the Atlantic Coast of Maryland Shoreline Protection Project (Atlantic Coast Project) entitled *Offshore Shoals in Federal Waters as Sand Sources for Ocean City, Maryland*, supplements a 2008 Supplemental Environmental Impact Statement (2008 EIS) and a 2020 sEA. The Atlantic Coast Project, authorized through 2044, places sand on the beach of Ocean City, Maryland, to reduce risk of coastal storm damage.

The 2025 sEA, incorporated herein by reference, evaluates impacts to Weaver Shoal to meet the immediate sand needs of the Atlantic Coast Project. Because five years have elapsed since issuance of the 2020 sEA, USACE and BOEM prepared this 2025 sEA to update findings of the 2020 sEA to determine whether modifications are warranted to the previous recommended plan, which identified Weaver Shoal as the recommended sand source for the next renourishment cycle (winter 2026/2027) and one more additional cycle thereafter. The updated recommended plan for the Atlantic Coast Project consists of:

- Placing sand on the beach of Ocean City every four years, with the next sand nourishment anticipated in winter 2026/2027.
- Dredging sand from Weaver Shoal for the next beach nourishment cycle in 2026 and one more additional cycle thereafter.
- Conducting dredging under environmental constraints to minimize long-term impacts to offshore shoal habitats.

In addition to a “no-action” plan, the recommended plan was also evaluated. The sEA does not analyze the effects of all resources analyzed in the 2020 sEA if no new information on those resources has been made available since 2020, or NEPA law or policy regarding how to analyze effects to those resources has not changed since 2020. The sEA only analyzes effects on bathymetry/physiography, air quality, natural seafloor habitats, benthic invertebrates, and cultural and tribal resources. For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Bathymetry/Physiography	☒	☐	☐
Air Quality	☒	☐	☐
Invertebrates	☒	☐	☐
Cultural Resources and Historical Structures	☐	☐	☒

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the sEA will be implemented, if appropriate, to minimize impacts. Table 2 provides a summary of environmental measures to ensure compliance during dredging activities and methods to survey Weaver Shoal after dredging follow state, federal, and local agency recommendations and standards.

Table 2: Environmental Compliance Matrix

Environmental Compliance Matrix	Environmental/Fisheries Rationale
<i>Bathymetry (Dredging)*</i>	
Dredge no more than about 5 percent of the total volume of any shoal	Maintain long-term overall shoal relief and size, and thus habitat value.
Avoid the crest (within 500 feet of peak line)	Shoal habitat value contingent upon greater relief off seafloor and waves/currents at crest. Shoal crest may also play role in long-term shoal geomorphic maintenance.
Dredge evenly and thinly (generally no more than several feet) over a wide area. (Maximum removal thickness in one nourishment cycle would be 10 feet.)	Maintain overall shoal geomorphic character, avoid creation of pits (which could induce fine-grained sediment deposition or low oxygen conditions).
Dredge no deeper than ambient depths of the adjacent seafloor	Avoid exposing underlying clay, silt, or gravel (which would change substrate conditions), avoid creation of pits (which could induce mud deposition or be prone to low oxygen conditions).
<i>Munitions and Explosives Concern (UXO)*</i>	
Screening the intakes at the dragheads on the seafloor to prevent intake of any material with a diameter greater than 1.25 inches.	
Screening outflow onto the beach to prevent discharge of any material with a diameter greater than 0.75 inches.	
Use a robust quality control/quality assurance (QC/QA) program, which includes having a unexploded ordnance (UXO) technician on site during operations.	

*USACE, Baltimore District will be the responsible party for bathymetry survey(s) and

MEC oversight. No compensatory mitigation is required as part of the recommended plan.

Pursuant to Section 7 of the Endangered Species Act of 1973, the National Marine Fisheries Service (NMFS) issued a biological opinion in 2006 that determined that the recommended plan may adversely affect but is not likely to jeopardize the continued existence of loggerhead and Kemp's ridley sea turtles. In 2013, NMFS concurred that dredging of the borrow areas was not likely to adversely affect Atlantic sturgeon. In 2018 and 2024, NMFS stated that re-initiation of consultation under the ESA regarding potential impacts on federally listed species under their jurisdiction was not necessary. All terms and conditions, conservation measures, and reasonable and prudent alternatives and measures resulting from these consultations shall be implemented in order to minimize take of endangered species and avoid jeopardizing the species.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, USACE determined that the recommended plan has no potential to cause adverse effects on historic properties. To maintain compliance with Section 106 for the 2025 sEA, USACE sent consulting party letters to state agencies and tribal nations. The Maryland Historical Trust maintained their view that the project would have no effect on cultural resources. The Delaware Nation requested to review the 2019 Phase I archaeological investigation report; however, did not provide comments. No other responses were received.

The scheduled periodic renourishment of the project will be constructed pursuant to all conditions outlined in State of Maryland Wetlands License No. 24-0714 (issued March 25, 2025 and expires March 25, 2035); Maryland Department of the Environment Water Quality Certification No. 15-WQC-0988 (issued March 23, 2016 and expires March 23, 2026); State of Delaware Subaqueous Lands Permit No. SP-432/18 (issued February 5, 2019 and expires February 5, 2029); and State of Delaware Water Quality Certification No. WQ-432/18 (issued February 5, 2019 and expires February 5, 2029). As the Maryland Water Quality Certification is current at the time of this FONSI but expires prior to the end of the anticipated construction window, Maryland DNR is working to renew and extend the Maryland Water Quality Certification.

A determination of consistency with the State of Maryland's Coastal Zone Management Program (CZMP) and the State of Delaware's CZMP pursuant to the Coastal Zone Management Act of 1972 was obtained from MDE (MD20180413-0244) and from the Delaware's Coastal Management Program (FC 2019.0003). The proposed scope of work has not changed from the original consistency determination therefore, the CZMA consistency documents is still applicable for Delaware. Upon the March 25, 2025 renewal of the Maryland Tidal Wetlands License, the Maryland CZMA was also renewed for Maryland and is still applicable. All conditions of the consistency determination shall be implemented in order to minimize adverse impacts to the coastal zone.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on these reports, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that changes in the Recommended Plan from the 2008 EIS would not significantly affect the human environment; therefore, preparation of a new EIS is not required.

Date

Francis B. Pera
Colonel, U.S. Army
Commander and District Engineer