

**DEPARTMENT OF DEFENSE  
UNITED STATES ARMY**

**DRAFT FINDING OF NO SIGNIFICANT IMPACT FOR  
PIER 2 MODERNIZATION AND REPAIR DESIGN CHANGES AT  
MILITARY OCEAN TERMINAL CONCORD, CA**

**1.0 Introduction**

The Department of the Army (Army) signed a Record of Decision (ROD) for the February 2015 *Final Environmental Impact Statement (EIS) for the Modernization and Repair of Piers 2 and 3 at Military Ocean Terminal Concord (MOTCO), California* on April 14, 2015. In the ROD, the Army selected Alternative 1 for implementation. Alternative 1 included demolition of a considerable portion of Pier 2, replacement of the main platform and trestles, and reorienting the west end of the pier. The EIS and ROD are hereby incorporated by reference per 40 Code of Federal Regulations (CFR) Part 1502.21 and consistent with 32 CFR Part 651.12(a)(3).

As the design of the modernization and repair progressed, the Army identified changes in the proposed Pier 2 layout (primarily consolidating two trestles into a single trestle) that would result in more efficient pier operations and a reduction in construction costs. The Army has prepared a Supplemental Environmental Assessment (SEA) to assess the differences in the potential environmental and socioeconomic impacts and cumulative effects associated with the design changes for Pier 2 as compared with those analyzed for Alternative 1 in the EIS. Supplemental National Environmental Policy Act (NEPA) documentation is required when the Army makes substantial changes in the proposed action that are relevant to environmental concerns such as the changes in the proposed Pier 2 repair and modernization design.

The potential environmental impacts of this action have been analyzed pursuant to the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) implementing procedural provisions of NEPA of 1969, as amended (42 United States Code §§ 4321-4370h) and Department of the Army procedures for implementing NEPA (32 CFR Part 651). The Army has prepared a SEA that took a hard look at the potential environmental impacts and determined that, with the implementation of mitigation measures, the implementation of this action will not significantly affect the environment, and therefore, an EIS will not be prepared.

**2.0 Purpose and Need**

The purpose and need for the revised design of Pier 2 is higher quality, improved operational efficiency, and lower life-cycle cost, which would ultimately save taxpayer dollars. The purpose and need for the repair and modernization of Pier 2 remains the same as evaluated in the EIS and ROD: to ensure MOTCO continues to meet its designated mission.

**3.0 Description of the Proposed Action and Alternatives**

The Army proposed to adopt recommended design changes for Pier 2 that emerged in the design process subsequent to the completion of the *EIS for the Modernization and Repair of Piers 2 and 3, Military Ocean Terminal Concord, California*, and signing of the ROD. Whereas the EIS and ROD were based on preliminary design information for Pier 2, the United States Army Corps of Engineers completed the 100 percent final design for the modernization of Pier 2 in October 2016. These design changes would provide the Army with the required modernized Pier 2 that meets all construction code requirements with the lowest life-cycle cost.

**Alternative A: No Action Alternative.** Under Alternative A, the Army would implement the design for Pier 2 exactly as evaluated in the *EIS for the Modernization and Repair of Piers 2 and 3, MOTCO, California*, and adopted in the resulting ROD. CEQ regulations require analysis of a No Action Alternative in an Environmental Assessment to provide a benchmark, enabling

decision makers to compare the magnitude of the potential environmental effects caused by the proposed action and other alternative actions. An analysis of the No Action Alternative is required even if the agency is under a court order or legislative mandate to act.

Some of the calculations of areas of potential effect presented in the SEA under Alternative A have been refined from those presented in the EIS. The calculations were updated based on refined mapping and engineering data available as a result of the ongoing planning and design of Pier 2. Whereas the EIS analysis was largely based on constructability and preliminary concept design information, this SEA analysis draws from the 100 percent design of Pier 2. These updated calculations are administrative, factual corrections that have no bearing on the conclusions of the EIS and ROD. Key elements of Alternative A are as follows:

- the total Pier 2 footprint is reduced by 17,442 square feet (SF);
- construction and demolition activities are estimated to occur over a 27-month period with demolition completed in 7 months;
- 876 24-inch octagonal concrete piles and 125 16-inch piles are installed and 4,514 creosote timber piles are removed; and
- landside trestle approaches and 1,350 linear feet of White Road are regraded and repaved and a new electrical substation is constructed in the northwest corner of the Pier 2 parking lot.

**Alternative B: Implement Pier 2 Design Changes (Preferred Alternative).** The Pier 2 configuration under Alternative B includes a pier layout with the consolidation of two trestles into a single trestle. Alternative B is based on the 100 percent design for Pier 2 and includes assumptions regarding how construction and demolition activities would be sequenced and conducted. Key elements of Alternative B are as follows:

- the total Pier 2 footprint is reduced by 33,405 SF;
- construction and demolition activities are estimated to occur over a 27-month period with demolition spanning a 7-month period;
- 793 24-inch octagonal concrete piles and 134 16-inch piles are installed and an estimated 4,514 creosote timber piles are removed;
- landside trestle approaches and 1,350 linear feet of White Road are regraded and repaved and a new electrical substation is constructed at the south end of the existing Pier 2 parking lot; and
- habitat restoration, including a greater than 2:1 wetlands mitigation ratio (approximately 0.57 acre restoration for the estimated 0.26-acre area of unavoidable impact to intertidal wetlands), as specified in a Habitat Restoration Plan.

#### **4.0 Anticipated Environmental Consequences**

The SEA evaluated the difference in the potential environmental and social effects associated with the design changes as compared with those analyzed for Alternative 1 in the EIS. Like the EIS, the analysis addressed potential environmental effects to earth resources; water resources; air quality; biological resources; land use and coastal zone management; transportation and utilities infrastructure; visual resources; recreational resources; noise; socioeconomics and environmental justice; cultural resources; and hazardous materials, hazardous waste, toxic substances, and contaminated sites. The SEA also analyzed differences in potential cumulative effects including changes in past, present, and future actions.

As with the EIS, the analysis presented in the SEA concludes that all potential impacts are anticipated to be less than significant. The proposed action, however, will include implementation of avoidance and minimization measures for potential impacts to federally listed species, critical habitat, and historic resources within the proposed action area. Concurrent with

the SEA, the Army consulted with state and federal agencies pursuant to Section 106 of the National Historic Preservation, Section 7 of the Endangered Species Act, and the Magnuson-Stevens Fishery Conservation and Management Act. Minimal updates and refinements were made to mitigation measures from the EIS as a result of these consultations with the National Marine Fisheries Service, United States Fish and Wildlife Service, National Park Service, and the California State Historic Preservation Officer (see Chapter 6 of the SEA). The results of these agency consultations are provided Appendix A of the SEA. In addition, pursuant to the Coastal Zone Management Act, the Army has continued to meet the terms of the San Francisco Bay Conservation and Development Commission's Conditional Concurrence (C2033.003.05) obtained during the EIS process.

Overall, Alternative B has a lower magnitude of impacts than Alternative A on earth resources, water resources, biological resources, land use/coastal zone management, cultural resources, and visual resources due to the smaller Pier 2 footprint (an additional -17,982 SF for a total -33,405 SF under Alternative B). The impacts to the Port Chicago National Memorial are less under Alternative B as the west trestle, which currently and under Alternative A is adjacent to the site, is relocated to the east approximately 750 feet under Alternative B. Transportation/utilities infrastructure and air quality impacts are similar under both alternatives.

Under Alternative B, there are slightly greater landside impacts to wetlands and within the 100-year floodplain due to the new, single west trestle abutment. The Army has carefully considered alternative designs for the proposed action, with the goal of ensuring the operational adequacy of the new pier while minimizing the size of the new structure and the extent of new construction and fill in the waters of Suisun Bay. Alternative B, the new preferred alternative, would have lesser impacts to aquatic resources than the EIS-preferred alternative, Alternative A. Therefore, the Army has determined that Alternative B is the Least Environmentally Damaging Practicable Alternative in accordance with Section 404(b)(1) of the Clean Water Act. Similarly, the Army has found that there are no practicable alternatives to the proposed implementation of the project elements sited in the 100-year floodplain, and the Army has taken all practicable measures to minimize harm to the floodplain.

There is negligible difference between the alternatives in terms of potential impacts to the following resources: recreation; noise; socioeconomic/environmental justice; and hazardous material, hazardous waste, toxic substances, and contaminated sites.

## **5.0 Public Availability**

The SEA and the draft Finding of No Significant Impact (FNSI) are available for public review and comment from February 6, 2017 to March 8, 2017. A Notice of Availability of the documents was published in Contra Costa Times on February 6, 2017. The documents are also available for review by contacting Guy Romine, Environmental Coordinator for MOTCO, at 925-246-4035, or [guy.k.romaine.civ@mail.mil](mailto:guy.k.romaine.civ@mail.mil) or by accessing the official MOTCO homepage at <https://www.sddc.army.mil/Pages/motco.aspx>. Additionally, a copy of the SEA, draft FNSI, and documents incorporated by reference are available for review at the Concord Public Library, 2900 Salvio Street, Concord, CA; and the Bay Point Library, 205 Pacifica Avenue, Bay Point, CA.

Interested parties are encouraged and invited to mail comments on the SEA and draft FNSI to MOTCO, C/O Guy Romine, 410 Norman Avenue, Concord, CA, 94520-1142. Comments may also be submitted electronically via the web page link provided above. All comments must be submitted on or before March 8, 2017. All comments submitted will be reviewed and addressed prior to a final determination by the Army as to whether to issue a Final Finding of No Significant Impact, or issue a Notice of Intent to prepare an EIS.

## 6.0 Conclusions

Based upon my review of the facts and the analysis presented in the SEA, to include the facts and the analysis presented in the EIS and ROD incorporated by reference in paragraph 1.0 above, I have preliminarily concluded that implementing the proposed action would have no significant direct, indirect, or cumulative impacts on the quality of the natural or human environment, and that consequently the analysis in the SEA, EIS, and ROD supports a Finding of No Significant Impact. Preparation of an EIS is not required. Based on these factors, I have preliminarily decided to choose Alternative B, the preferred alternative, for implementation due to higher quality, increased operational efficiency, and lower life-cycle costs and in consideration of its associated environmental impacts. A final decision, however, will not be rendered until after the close of the public comment period for the SEA and until after all timely submitted comments have been considered and appropriately addressed.

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Date

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LTC James R. Wiley  
Commanding Officer