



FINDING OF NO SIGNIFICANT IMPACT

WATERBURY STATE OFFICE COMPLEX PROJECT WASHINGTON COUNTY, VERMONT FEMA-4022-DR-VT

As a result of damages caused by Tropical Storm Irene between 27 August and 2 September 2011, a Presidential Disaster Declaration, referenced as FEMA-4022-DR-VT, makes Public Assistance available to local governments, state agencies and eligible private non-profit organizations in all Vermont counties. The State of Vermont has applied to the Federal Emergency Management Agency (FEMA) through the Public Assistance Program for assistance to support the recovery and re-use of the Waterbury State Office Complex (WSOC).

In accordance with 44 *Code of Federal Regulations* (CFR) for FEMA, Subpart B, Agency Implementing Procedures, Part 10.9, an Environmental Assessment (EA) was prepared pursuant to Section 102 of the *National Environmental Policy Act* (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (40 CFR Parts 1500-1508). The purpose of the EA is to analyze the potential environmental impacts of the proposed project, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). In the EA process, FEMA considered three alternatives, a No Action Alternative, the Proposed Action Alternative, and a Relocation and New Construction Alternative at an alternate site in Montpelier, VT.

The Proposed Action Alternative re-uses the historically significant core buildings constructed in the 1890s, other buildings on campus where future flood damages can be mitigated, and a new, state-of-the-art building at an elevation above the projected 500-year flood level. This old-and-new hybrid will accommodate approximately 1,000 workers. The facility would be contracted from a 44 to a 30-acre parcel. Major conceptual elements include:

- Full renovation of 13 buildings in the historic core of the complex to modern open space standards;
- Construction of a new office building over one level of on-grade parking;
- Removal of up to twenty-five buildings most vulnerable to future flooding, including those of the currently relocated Vermont State Hospital;
- Dry and wet floodproofing of remaining buildings;
- Sale of up to 14 peripheral buildings for potential redevelopment;
- Immediate re-occupation of the Public Safety Building and Forensics Lab on the southern margin of the WSOC;
- Lowering the existing parking areas at the perimeter of the site approximately 3 feet to provide for approximately 9-acre feet of additional flood water storage; and
- Substantial upgrades to roadways and parking lots, sewer infrastructure, sewer pump station, stormwater system and tunnels.

This proposed project as described in the EA was evaluated for any potential significant adverse impacts to existing terrestrial resources (geology, soils), vegetation, wildlife, threatened and

endangered species, aquatic resources (floodplains, wetlands), historic resources, recreation, visual quality, infrastructure (transportation, potable water, waste water, storm water), potential hazards (air quality/emissions, asbestos, structural debris, fuel tanks, noise), socio-economic considerations, operational considerations, environmental justice, climatic change and cumulative effects.

FINDINGS

Based on input and consultation with Federal and State resource agencies, other identified sources documented in the attached EA, town officials, local residents and in accordance with the *National Environmental Policy Act* FEMA regulations (44 CFR Part 10) for environmental considerations, and executive orders on floodplains (*EO 11988*), wetlands (*EO 11990*) and environmental justice (*EO 12898*), FEMA has found that the proposed project with the prescribed mitigation measures as defined in the EA will have no significant impact on the natural or human environment. As a result of this Finding of No Significant Impact, an EIS will not be prepared and the proposed project with prescribed conditions may proceed. If a change in the scope of work occurs, the State and FEMA must be notified to evaluate if the proposed change would alter the potential impacts on the environment. Under most situations, however, the modification or addition of one or more elements on the WSOC campus will not alter the findings of this EA.

CONDITIONS

The Department of Buildings and General Services, acting for the State of Vermont, shall comply with all prescribed conditions set forth in the EA, including but not limited to the following conditions. Failure to comply with these conditions may jeopardize the receipt of Federal funding.

1. The UVM Consulting Archeology Program will conduct an initial archaeological site survey; any further study or mitigation required to address an adverse effect as defined in 36 C.F.R. 800 will be addressed through the *FEMA-State Programmatic Agreement for Historic Properties* (2011).
2. If human remains are discovered during the course of project implementation, Buildings and General Services shall immediately stop construction activities in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm until FEMA concludes consultation with the Signatories of this agreement. The Signatories shall consult to determine the appropriate disposition of the remains in accordance with applicable laws of the State of Vermont, including *13 VSA 3761* (Unauthorized Removal of Human Remains), *13 VSA 3764* (Cemeteries and Monuments – Grave Markers and Historic Tablets) and *18 VSA 5212* (Permit to Remove Dead Bodies).
3. Under the *National Historic Preservation Act*, any Section 106 mitigation resulting from the alteration or loss of a National Register eligible property receiving FEMA funding will be addressed through consultation protocols outlined in the *FEMA-State Secondary Programmatic Agreement* (executed October 1, 2012) and guided by the “Treatment Measures Framework for the Resolution of Adverse Effects at the WSOC” contained in Appendix F.
4. The State will coordinate with the River Corridor and Floodplain Manager at the Agency for Natural Resources and comply with the appropriate floodplain ordinance.
5. A *Construction Site Waste Management Plan* will be developed and implemented.

6. Hazardous materials used in construction of the new facility must be managed (store, used, transported, and disposed of) in accordance with federal, state, and local hazardous waste, hazardous material, and hazardous substance requirements. If hazardous substances are released to the project area during construction, these federal, state, and local requirements must be followed in response and cleanup.
7. The State will follow all conditions imposed by the local Zoning and Development Review Board, all State Agency permits, codes and standards, and all conditions imposed as a result of the *Act 250* review including, but not limited to, construction, demolition, transportation, potable water, wastewater, stormwater, air quality, hazardous material (including asbestos) and erosion control.
8. Construction vehicles and equipment will be stored on site during project construction and appropriate signage will be posted on affected roadways. All construction activities will be performed using qualified personnel and in accordance with the standards specified in Occupational Safety and Health Administration regulations. Construction will take place only during normal business hours and all equipment will meet local, State and federal noise regulations.

Approved:

Jack Sullivan

Date

FEMA Regional Environmental
Officer, Region 1