



**FEMA**

**FINDING OF NO SIGNIFICANT IMPACT**  
**RICHWOOD MIDDLE SCHOOL AND RICHWOOD HIGH SCHOOL**  
**RICHWOOD, WEST VIRGINIA**  
**FEMA-4273-DR-WV**

**BACKGROUND**

The West Virginia School Building Authority (SBA) with the Nicholas County Board of Education (NCBOE) as a client, has applied to the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Grant Program for funding assistance, under the Presidentially Declared Disaster FEMA-4273-DR-WV, for the replacement of Richwood Middle School and Richwood High School. In accordance with FEMA Directive 108-1 and FEMA Instruction 108-1-1, this Environmental Assessment (EA) is being 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 (CEQ) in 40 Code of Federal Regulations (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).

According to the United States Geological Survey, central West Virginia experienced intense convection storms along a stationary front on June 23, 2016. The stationary movement of the storms led many areas to receive up to 10 inches of rainfall within 24 hours, producing a 1,000-year storm event. The intense rainfall resulted in widespread flash flooding crippling the state with substantial damage to residences, commercial buildings, and public infrastructure. The areas that were impacted the greatest were primarily in the Greenbrier, Elk, and Gauley River watersheds. In Nicholas County, the Gauley River watershed includes the communities of Summersville and Richwood, which were both significantly impacted by the flood event. Statewide, floodwaters damaged more than two dozen schools in 10 counties, including three schools in the Gauley River Watershed of Nicholas County: Summersville Middle School, Richwood Middle School, and Richwood High School. These three schools were determined to be substantially damaged and, as such, were deemed eligible for replacement under the FEMA PA grant program.

Due to the severity of the damage, an agreement between FEMA, NCBOE, and the WVSBA was signed for the reconstruction of the three damaged schools at a total combined cost of \$178 million under the Sandy Recovery Improvement Act of 2013 (SRIA). SRIA was implemented by President Barack Obama as a legislative modification to change the flexibility of how FEMA can allocate Federal funding for Federal disaster assistance to survivors. Specifically, the law adds Section 428, which authorizes alternative procedures for the PA program under sections 403(a)(3)(A), 406, 407 and 502(a)(5) of the Stafford Act. Section 428 goals include reducing the costs to the Federal Government of providing Public Assistance, increasing flexibility in the administration of such assistance, expediting the

provision of assistance to a State, tribal or local government, or nonprofit owner or operator of a private nonprofit facility and providing financial incentives and disincentives for timely and cost-effective completion of projects with such assistance. On September 4, 2018, WVSBA, NCBOE, WVDHSEM, and FEMA signed the Nicholas County Alternative Procedures Pilot Program Section 428 Agreement, which accepted a fixed estimate in the amount of \$177,513,528. A portion of this funding will be used for the redevelopment of Richwood Middle and Richwood High School, while the remaining funds will be used for the redevelopment of Summersville Middle School. This undertaking is addressed under a separate EA. The subject EA addresses the replacement of Richwood Middle and Richwood High School only and does not address Summersville Middle School.

Due to the location of the damaged original Richwood Middle School and Richwood High School buildings within floodway, reconstruction of the schools on the original site would not alleviate risk from future flood events. Therefore, FEMA proposes to fund the replacement of the original Richwood Middle School and Richwood High School with a new school facility at a location outside of the Special Flood Hazard Area (SFHA). The new schools are needed to provide middle and high school classroom education in the City of Richwood by providing permanent facilities that are safe, accessible, and meet all applicable codes and standards.

In accordance with federal laws and FEMA regulations, the EA process for a proposed federal action must include an evaluation of viable alternatives and a discussion of the potential environmental impacts. This EA was prepared in accordance with NEPA, 40 CFR Parts 1500-1508, and FEMA's implementing procedures for NEPA, including those in FEMA Instruction 108-1-1. As part of this NEPA review, the requirements of other environmental laws and executive orders were evaluated. This EA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Under the Proposed Action Alternative, Richwood Middle School and Richwood High School would be relocated to an area that would allow for construction of new facilities at a higher elevation outside of the SFHA with sufficient acreage to accommodate facility requirements associated with enrollment. After an extensive site selection process, the Cherry River Elementary School site was selected as the most viable property for potential offsite design, as it meets the specifications pursuant to WVDE Policy 6200. The site location is 190 Riverside Drive, Richwood, West Virginia. The proposed site is a multiple-parcel tract that is currently used as an educational facility with associated parking and a playground adjacent to the current structure.

A public notice was posted in the local newspaper of record, The Nicholas Chronicle, and on FEMA's website at <https://www.fema.gov/disaster/4273>. The draft EA was made available for public comment at the Richwood Public Library, located at 8 White Ave, Richwood, WV 26261. Comments were received during the public comment period and addressed in Appendix E of the EA. A public meeting on the Draft Environmental Assessment was held July 17, 2019 from 6 p.m. to 8 p.m. at Cherry River Elementary, located at 190 Riverside Dr, Richwood, WV 26261. The meeting provided an overview of the Draft Environmental Assessment and allowed an in-person opportunity to submit public comments and ask questions. 36 total comments were received during the public comment period. Substantive comments received during the public comment period were addressed as appropriate in the final document.

## **FINDINGS**

The Proposed Action described in the EA would consist of minor to negligible impacts to soils, water resources, and the floodplain. During construction, moderate short-term impacts to soils, water quality, and noise are anticipated. Because frameworks are in place to manage potential environmental impacts, no significant impacts are anticipated from the incremental impact of the proposed action in combination with other past, present, and reasonably foreseeable future actions near the former school site and the site of the Cherry River Elementary School and proposed new school facilities.

## **CONDITIONS**

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

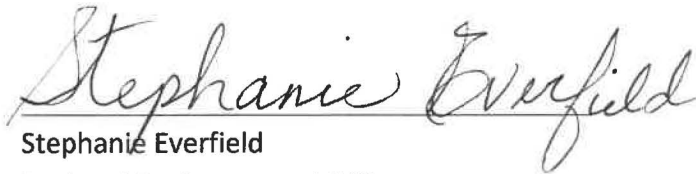
1. If deviations from the proposed scope of work result in substantial design changes, the need for additional ground disturbance, additional removal of vegetation, or any other unanticipated changes to the physical environment, prior to the start of work the applicant (SBA and NCBOE) must contact FEMA so that the revised project scope can be evaluated for compliance with NEPA and other applicable environmental laws.
2. The applicant (SBA and NCBOE) is responsible for obtaining and complying with all required local, State and Federal permits and approvals.
3. The applicant must utilize an erosion and sedimentation control plan, with appropriate measures to minimize any potential discharges into the river, to minimize and avoid impacts to the candy darter.
4. Work must be conducted in the fashion it is proposed in any permit applications. Changes to project design would require reopening consultations with regulatory agencies.
5. Terms and conditions set by USACE and WVDEP to minimize effects to water quality will be abided by the applicant.
6. Construction Best Management Practices (BMPs), as identified in the Erosion and Sedimentation Control Plan prepared for the proposed action, will be utilized and maintained throughout construction to control soil erosion and sediment, reduce spills and pollution, and provide habitat protection.
7. Erosion controls will be in place prior to any ground disturbing activity.
8. Avoided wetlands and streams will be fenced during construction as no-work areas.
9. Site soils will be covered and/or wetted during construction to minimize fugitive dust.
10. Construction activities will be conducted during the daytime hours to reduce adverse noise impacts.
11. The applicant (SBA and NCBOE) will monitor ground disturbance during the construction phase; should human skeletal remains, or historic or archaeological materials be discovered during construction, all ground-disturbing activities on the project site shall cease and the applicant shall notify the coroner's office (in the case of human remains), FEMA, and the State Historic Preservation Office.
12. Any hazardous materials discovered, generated, or used during construction would be disposed of and handled in accordance with applicable local, state, and federal regulations, with WVDEP being the lead agency regarding compliance. During all activities, appropriate measures to remove, prevent, contain, minimize, and control spills of any potentially hazardous materials will be employed.

13. Heavy machinery and equipment to be used for the proposed action will meet federal clean air standards. In addition, all equipment used shall have sound control devices no less effective than those provided on the original equipment. No equipment shall have un-muffled exhaust.
14. All equipment shall comply with pertinent equipment noise standards of the U.S. Environmental Protection Agency.

**CONCLUSION**

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (FEMA Instruction 108-1-1) and the proposed project as described in the attached EA may proceed.

**APPROVAL**



Stephanie Everfield  
Regional Environmental Officer  
FEMA Region 3

Date 10/03/2019