



FEMA

DRAFT

FINDING OF NO SIGNIFICANT IMPACT

MIDDLESEX TEMPORARY SECURE RESIDENTIAL FACILITY MIDDLESEX, VERMONT FEMA-4022-DR-VT

As a result of damages caused by Tropical Storm Irene between August 27 and September 2, 2011, the President declared a major disaster for the State of Vermont under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. This major disaster declaration, referenced as FEMA-4022-DR-VT, authorizes the Federal Emergency Management Agency (FEMA) to provide Public Assistance to local governments, state agencies and eligible private non-profit organizations in all Vermont counties. The State of Vermont, Department of Mental Health (DMH), represented by the Department of Buildings and General Services (BGS), has applied for assistance under the Public Assistance Program to temporarily relocate some of the former patients of the state-run psychiatric hospital in Waterbury to a temporary, seven (7)-bed secure residential facility to be installed in Middlesex, VT.

In accordance with 44 C.F.R. § 10.9, FEMA prepared an Environmental Assessment (EA) 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 two alternatives, a No Action Alternative, and the Proposed Action Alternative to locate the facility adjacent to the State of Vermont Middlesex General Services Center at 1078 Route 2, Middlesex, VT. The Vermont State Police barracks is situated nearby. The DMH had also considered temporarily housing patients at sites in Windsor, St. Albans, Waterbury and Barre, but a combination of prohibitive cost and distance from the original hospital's location ultimately ruled these options out.

Since the closing of the 54-bed Vermont State Hospital in August, 2011, there have not been enough hospital beds to care for everyone who needs psychiatric care. People currently wait long periods in hospital emergency rooms and sometimes are turned away due to the lack of beds. Currently, patients have been distributed throughout the State in hospitals and facilities that previously cared for other mental health patients. This has put a tremendous amount of pressure on the State's ability to care for the mental health community. In response, the DMH and the Department of Buildings and General Services (BGS) have worked collaboratively to pursue the development of this temporary

secure residential facility until the construction of a permanent 25-bed facility in Berlin, VT has been completed.

The proposed 6,000 +/- square foot facility, consisting of two prefabricated modular units, will maintain some of the pre-disaster functions of mental health services that were provided in the Vermont State Hospital. Site improvements needed for the installation of the temporary building will be minor, including installation of septic tanks and a leach field to provide sewage capacity, and drilling a well on site to provide potable water. This facility is intended to be temporary in nature, not to exceed three (3) years.

FEMA evaluated this proposed project as described in the EA for any potential significant adverse impacts to existing terrestrial resources (geology, soils, vegetation, wildlife, threatened and endangered species), aquatic resources (floodplains, wetlands), historic resources, land use and zoning, infrastructure (traffic, potable water, waste water, storm water), potential hazards (air quality/emissions, noise, hazardous waste), seismic safety, environmental justice, climatic change and cumulative effects.

CONDITIONS

BGS and DMH, 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. BGS and DMH are responsible for obtaining and complying with all required local, State and Federal permits and approvals. Permits required for this project include: a Local Zoning permit, a Wastewater System and Potable Water Supply permit, a Storm Water permit, a Department of Public Safety (Fire Safety Division) Construction permit, and an Agency of Human Services' Assisted Living and Therapeutic Community Residences Permit.
2. 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.
3. Construction will take place only during normal business hours and all equipment will meet local, State and federal noise regulations.
4. BGS and DMH shall manage and dispose of excavated soil and waste materials in accordance with applicable local, state, and federal regulations. If hazardous/contaminated materials are discovered during the construction activities, the work shall cease until BGS and DMH can implement appropriate procedures and secure additional permits.
5. If human remains are discovered during the course of project implementation, BGS and DMH 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 BGS and DMH, the State Historic Preservation Officer, and the Vermont Agency of Transportation (VAOT/Grantee). These parties 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).

6. BGS and DMH shall notify FEMA and VAOT should the scope of work change to include substantial design changes, additional ground disturbance, further vegetation removal, or other unanticipated changes to the physical environment.

FINDINGS

Based on input and consultation with State resource agencies, other identified sources documented in the attached EA, town officials, and in accordance with the FEMA regulations (44 C.F.R. Part 10) for environmental considerations, and executive orders on floodplains (Executive Order 11988), wetlands (Executive Order 11990) and environmental justice (Executive Order 12898), FEMA finds that the proposed project 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 of the construction plan will not alter the findings of this EA.

APPROVED:

Jack Sullivan
Date

FEMA Regional Environmental
Officer, Region 1