



FEMA

DRAFT ONLY

FINDING OF NO SIGNIFICANT IMPACT

POPPLE DUNGEON RD REALIGNMENT CHESTER, VERMONT

The Town of Chester (the applicant) located in Windsor County, Vermont applied to the US Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) for assistance with a road realignment project and drainage improvement for Popple Dungeon Rd.

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 three alternatives, a No Action Alternative, the Proposed Action Alternative, to realign the road and improve drainage, and the Other Alternative, to stabilize the embankment to assist in erosion protection.

The proposed action alternative, to realign a section of Popple Dungeon Rd in Chester VT and to improve drainage in that section, will create an improved drainage from overland runoff coming from steep mountains on the north side of Popple Dungeon Rd that enter the South Branch of Williams River immediately south or below the road. Major conceptual elements of the new construction include:

- Realigning 990 feet of the existing road (from N43.24386 W-72.61847 to N43.24283 W-72.62074) 39 feet to the south
- Upgrading/installing five HDPE culverts (The culverts to be installed include; two 15 in. x 30 ft. driveway culverts, two 18 in. x 50 ft. roadway drainage culverts. The culvert that will be upgraded is a 30 in. x 55 ft. culvert for an intermittent stream (at N43.24289 W-72.61989), it will be increased to a 36 in. x 55 ft. culvert.)
- Installing stone check dams and 413 feet of 6 inch under drain pipe in the new ditch system
- Removing birch, pine and various hardwood trees to allow for site preparation and grading
- Removing stone walls that will be reconstructed in coordination with private homeowners (SHPO has concurred that these walls are not historic)
- Installing silt fencing during construction
- Installing filter fabric into the drainage ditch
- Re-seeding and mulching disturbed areas
- Rebuilding and repaving the road to current codes and standards

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, 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, town officials, local residents, 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.

CONDITIONS

The Department of Buildings and General Services (BGS), 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. If human remains are discovered during the course of project implementation, the Town of Chester 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 Town, the State Historic Preservation Officer, and the Vermont Agency of Transportation (grantee for FEMA funds). 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).
2. The Town of Chester shall comply with all conditions imposed by the local Zoning and Development Review Board, all State Agencies, and all codes and standards, including, but not limited to, construction, demolition, transportation, potable water, wastewater, storm water, air quality, hazardous material (including asbestos), erosion control, and parking standards.
3. The Town of Chester shall comply with Air Source Registration requirements (if required), secure a New Source and Operating Permit (if required), abide by air pollution control regulations such as the National Emission Standards for Hazardous Air Pollution (NESHAPS), and incorporate dust management procedures construction, such as site wet down procedures.
4. 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.

5. Construction will take place only during normal business hours and all equipment will meet local, State and federal noise regulations.
6. Hazardous materials used in construction must be managed (stored, 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/taken during construction, these federal, state, and local requirements must be followed in response and clean up.
7. The Town of Chester shall manage and dispose of excavated soil and waste materials in accordance with applicable federal, state, and local regulations. If hazardous/contaminated materials are discovered during construction activities, the work shall cease until the Town can implement appropriate procedures and secure any necessary additional permits.

Approved:

Jack Sullivan

Date

FEMA Regional Environmental
Officer, Region 1