

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment for the 150th Street Road Improvement Project Verona Township, Faribault County, Minnesota Public Assistance Program Federal Emergency Management Agency, Department Of Homeland Security

The Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) proposes to provide funding to Verona Township (subrecipient), to realign 150th Street approximately 3,000 linear feet in length. The subrecipient applied for funding from FEMA's Public Assistance Program (PA) to underwrite the proposed project. The PA Program is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5170c. FEMA's PA Program provides disaster recovery funds to repair damage caused by natural or man-made disasters and to help prevent similar future damages.

The proposed project is located along 150th Street in sections 23 and 24 in Verona Township, Faribault County, Minnesota. Faribault County is located in south-central Minnesota.

The Proposed Action will realign 150th Street approximately 50 feet west of the Blue Earth River and then run roughly parallel to the existing road. The length of the realigned roadway will be approximately 3,000 linear feet, beginning south of the existing Faribault County bridge number 22577 over the Blue Earth River, widening the distance between the roadway and the river. This realignment will form a large curve around a portion of the riverbank being severely eroded, providing 170 feet between the river and the new roadway, and will then reconnect with the existing road alignment east of the 357th Avenue intersection. The existing roadway along the realignment would be removed, and the existing riverbank will be stabilized using rip-rap.

FEMA prepared the EA pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321–4347 (2000), as implemented by the regulations promulgated by the President's Council on Environmental Quality (40 Code of Federal Regulations [C.F.R.] 30 §§ 1500–1508) and in accordance with FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements* and DHS Instruction Manual 023-01-001-01, *Implementation of the National Environmental Policy Act*. The purpose of the EA was to analyze the potential individual and cumulative environmental impacts of the construction of the proposed project and to determine whether to prepare an Environmental Impact Statement or this Finding of No Significant Impact.

The Proposed Action, as described in the EA, would not result in any significant adverse impacts on geology, soils, topography, water resources, floodplains, air quality, biological resources, wetlands, hazardous materials, zoning and land use, traffic and circulation, public services and utilities, environmental justice populations, historic structures, archaeological resources, or tribal and religious sites. Based on a preliminary screening of resources and the project's geographic location, the EA found that the following resources were not present in the project area and did not require a detailed assessment: coastal resources, seismic hazards, sole source aquifers, essential fish habitat, and wild and scenic rivers.

During the construction period, short-term impacts on soils, water resources, floodplain, wetlands, air quality, biological resources, noise, hazardous materials, safety and security, and archeological, tribal and religious sites are anticipated. All potential short-term impacts require conditions to avoid, minimize, and mitigate impacts. With the implementation of these conditions, none of the potential impacts will be significant. In the long-term, the project will have beneficial effects on several resources. FEMA coordinated with the Minnesota State Historic Preservation Office, Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, US Fish and Wildlife Service, US Army Corps of Engineers, US Environmental Protection Agency, and federally recognized Indian tribes with interests in the area.

PROJECT CONDITIONS

The subrecipient is responsible for compliance with federal, state, and local laws and regulations, including obtaining any necessary permits prior to beginning construction activities, and adhering to any conditions laid out in these permits. Any substantive change to the scope of work would require re-evaluation by FEMA for compliance with NEPA and any other laws or Executive Orders.

The subrecipient must adhere to the following conditions should the Proposed Action be implemented. Failure to comply with FEMA grant conditions may jeopardize federal funding. FEMA requires the following standard conditions for the Proposed Action:

General Project Conditions

1. The subrecipient is responsible for obtaining and complying with all required local, state, and federal permits and approvals.
2. 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, the subrecipient must contact FEMA so that the revised project scope can be evaluated for compliance with NEPA and other applicable environmental laws.

Water Resources and Water Quality

3. Prior to beginning work, the subrecipient will require the construction contractor to apply for and obtain coverage from MPCA under the NPDES/SDS Construction Stormwater General Permit. The subrecipient and the construction contractor will be co-permittees.
4. During construction, the subrecipient will require the construction contractor to comply with the temporary and permanent erosion and sedimentation controls required by the Construction Stormwater General Permit and included in the project SWPPP.

Floodplain and Floodway Management

5. During construction, fill placed within the Regulatory Floodway should be coordinated with MN DNR and permitted by the local floodplain administrator. A no rise certification may be required.

Air Quality

6. To reduce the emission of criteria pollutants, construction equipment engine idling will be minimized to the extent practicable and engines will be kept properly maintained.
7. Open construction areas will be minimized and watered as needed to minimize particulates such as fugitive dust.

Hazardous Materials

8. The subrecipient will develop a SWPPP that includes procedures for fuel storage and handling that reduces the risk of stormwater contamination during construction. The subrecipient will require the construction contractor to comply with the SWPPP.

Migratory Birds

9. Vegetation removal should be limited to as small an area as practicable. contaminants in other than trace quantities.

Invasive Species

10. The contractors will ensure that any seed and mulch landscaping complies with state regulations regarding prohibited and restricted weed species.
11. Revegetation of disturbed soils will be accomplished using MnDOT/ Minnesota Board of Water and Soil Resources (BWSR) native seed mixes appropriate for the project site.

Safety and Security

12. To minimize risks to safety and human health, construction activities will be performed using qualified personnel properly trained to use the required equipment.
13. All construction activities will be conducted in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations and Minnesota Department of Labor and Industry (DOLI) construction and safety standards.

Architectural, Tribal, and Religious Sites

14. The subrecipient 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 subrecipient will notify the Faribault County Sheriff's office (in the case of human remains), the recipient (Minnesota HSEM), and FEMA. FEMA will notify the SHPO, the Office of the State Archaeologist, and the Shakopee Mdewakanton Sioux Community.
15. All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g. a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the

source for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a subrecipient or their contractor commencing borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at closeout.

FINDINGS

Based upon the conditions and information contained in the EA and in accordance with FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements*, and Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), FEMA has determined that the Proposed Action will not have any significant impacts on the quality of the natural and human environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared.

APPROVAL

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CASTALDI**

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Duane Castaldi
Regional Environmental Officer, FEMA Region 5

Date

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Amanda Ratliff
Public Assistance Branch Chief, FEMA Region 5

Date