



# FEMA

## **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 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-DR-4022-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 has applied for assistance under the Public Assistance Program to assist in the recovery of the Waterbury State Office Complex (WSOC) through partial re-use and new construction.

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 C.F.R. 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 and other buildings on campus where future flood damages can be mitigated, while adding 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;
- Construction of a new boiler/power plant;
- 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 additional storage of water in the event of another flood; and
- Substantial upgrades to roadways and parking lots, sewer infrastructure, sewer pump station, stormwater system and tunnels.

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 (Waterbury Village Historic District), 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 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 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.

## **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 has conducted an initial archaeological site survey which resulted in negative findings; however, treatment measures to address previously unidentified adverse effects to archaeological properties shall be in conformance with Stipulation III.C.5 (Resolution of Adverse Effects – Archaeological Properties) of 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 the FEMA-State Secondary Programmatic Agreement (executed September 28, 2012) (2PA WSOC). The Signatories to the 2PA WSOC 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 treatment measures resulting from the alteration or loss of a National Register eligible property receiving FEMA funding will be addressed through consultation protocols outlined in the 2PA WSOC and guided by the “Treatment Measures Framework for the Resolution of Adverse Effects at the WSOC” contained in Appendix G.
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.

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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 State Act 250 review including, but not limited to, construction, demolition, transportation, potable water, wastewater, stormwater, air quality, hazardous material (including asbestos) and erosion control. This also includes mitigation/treatment measures for the loss of historic properties as required under the State Act 250 permitting process and pursuant to 22.V.S.A. Chapter 14 (Vermont Historic Preservation Act).
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:

   
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Jack Sullivan Date

FEMA Regional Environmental  
Officer, Region 1