

FINDING OF NO SIGNIFICANT IMPACT

FY19 Water System Improvements
Grand Isle, Vermont

Rural Development
U.S. Department of Agriculture

South Alburgh Fire District No. 2

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August 2019

A. INTRODUCTION

South Alburgh Fire District No. 2 plans to submit a financing request to the U.S. Department of Agriculture, Rural Development (RD) to construct the proposed FY19 Water System Improvement Project (Project) in Grand Isle, VT. USDA RD is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RD is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by South Alburgh Fire District No. 2 and its consultant, Rural Utilities Service (RUS) concurred with its scope and content. In accordance with 7 CFR § 1970.102, RD adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RD finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. South Alburgh Fire District No. 2 published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

B. PROJECT DESCRIPTION AND PURPOSE/NEED

The overall purpose of the Project is to construct approximately 8-1/2 miles of new water main along the following roads within the SAFD2 boundaries. This project brings clean, drinkable water to residents who currently do not have that and meets community health and safety needs. RD has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of South Alburgh Fire District No. 2.

C. ALTERNATIVES EVALUATED

1. No Action

Under the No Action Alternative, RD would not provide financial assistance to South Alburgh Fire District No. 2, and/or the proposed Project would not be constructed. This alternative would not assist South Alburgh Fire District No. 2 in providing approximately 8-1/2 miles of new water main in their Fire District.

2. Action Alternative (Preferred Alternative)

Under the Action Alternative, RD would consider financing the proposed Project, and South Alburgh Fire District No. 2 would construct FY19 Water System Improvement Project. The proposed project would extend the current water main and bury an estimated 44,600 feet. The pipe route follows existing roads and is located within or immediately adjacent to the road right-of-way. The project will connect to the existing system at the intersection of West Shore Road and Middle Road, extend water main along Middle Road from west to east. At the point where Middle Road bends to the north, the water main will continue due east along the right-of-way that previously contained a spur road. Once the water main joins US Route 2, it will continue south along US Route 2, Wagner Point Road, Poor Farm Road, Macomber Point Road, Sand Beach Road and Point of Tongue Road to the Point of Tongue.

3. Alternatives Eliminated from Further Consideration

In addition to the No Action Alternative and Action Alternative, South Alburgh Fire District No. 2 considered other technology and siting alternatives, which are documented in the **Alternatives** section of the EA.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Wetlands, Floodplains, Formally Classified Lands, Water Resources, Coastal Resources, or Coral Reefs or Protected Aquatic Habitats. A summary of anticipated impacts on the human environment is provided below, including any mitigation measures deemed necessary to avoid or minimize impacts. South Alburgh Fire District No. 2 is responsible for implementing these measures.

Historic Properties/Cultural Resources (Historic Properties listed or eligible for listing in the National Register of Historic Places, sites of cultural or religious significance to tribes)	1. No federal funds for construction will be released prior to completion of Section 106 review. 2. USDA retains the ability to de-obligate RD funding and withdraw RD awards for an undertaking until completion of the Section 106 review. 3. USDA requires South Alburgh Fire District No. 2 to initiate Section 106 no later than ninety (90) business days after the announcement of their obligation if they have not done so already; and to notify the appropriate RD agency that Section 106 has been initiated in accordance with 36 CFR Part 800.2(c)(4), and 7 CFR Part 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970). 4. Ensure applicants comply with the anticipatory demolition requirements, as set forth in Section 110k of NHPA as failure to comply may lead to the de-obligation of RD funds. The project as proposed has been evaluated to be consistent with the National Environmental Policy Act. Other Federal, State, tribal, and local laws, regulations and or permits may apply or be required. If the project or any project element deviates
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	from or is modified from the originally-approved project, additional environmental review may be required.
Threatened or Endangered Species, Critical Habitat, State Listed Species	IPAC was completed. Due to the fact that this project is in both Indiana and Northern Long-eared bat habitat any cutting of trees greater than 4" DBH must occur between November 1 and March 31.
Wetlands	Directional drilling and alignment within roadway shoulders will result in avoidance and minimization of impacts to the majority of wetland areas. Any incidental impacts are expected to be minimal. The typical width of disturbance along pipeline routes is approximately 6 to 10 feet, with the majority of the work being accomplished from the existing roadway surfaces. Any disturbed wetlands or jurisdictional wetland buffer areas will be restored to original contours, with topsoil returned to the surface layer of the ground. Any disturbed wetland areas will be seeded with a wetland seed mix and mulched immediately upon completion of construction. Any disturbed jurisdictional wetland buffers will be seeded with a conservation mix and mulched immediately upon completion of construction. Therefore, impacts will be temporary in nature, allowing wetlands and buffers to re-establish. Because the project will avoid and minimize impacts to wetlands and jurisdictional wetland buffers to the maximum extent practicable and will restore disturbed areas by restoring topsoil and seeding and mulching, no compensatory mitigation is expected to be required.
Floodplains (100 or 500 year floodplains)	The water main routes generally follow town and state roads within the boundary of SAFD2. Some of these roads are in close proximity to the Lake Champlain shoreline. The Flood Insurance Rate Maps (FIRM)

	provide a basis for interpolating the floodway and floodplain boundaries for comparison to the location of the proposed facilities. As the work involves construction of new underground utilities and disturbed areas will be restored to existing conditions and elevations in areas adjacent to or within existing flood plains, the project will not impact local floodplain boundaries.
Formally Classified Lands (State/Federal Parks, Monuments, Natural Landmarks, Wilderness Areas, Wild and Scenic Rivers, National Forest System Lands, other Federal or State Lands, etc.)	Any work being conducted on prime agricultural land will not prevent the land from being used for agricultural purposes in the future. Most work will be conducted in the existing roadway right-of-way.
Water Resources (Sole Source Aquifers, Well-head protection areas, Watershed Protection Areas, etc.)	Impacts to surface water will be mitigated through implementing proper erosion and sediment controls measures during construction. Erosion and sediment control techniques and locations will be identified on the project plans and specifications and will be in accordance with the requirements of the "Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites". These requirements will be reinforced throughout the construction phase through the oversight of a Resident Project Representative.
Coastal Resources (Coastal Barrier Resources System or Coastal Zone Management Areas)	There are no Coastal Zones in Vermont.
Coral Reefs or Protected aquatic habitats (Only applies to American Samoa, Florida, Guam, Hawaii, Northern Marianna Islands, Puerto Rico, U.S. Virgin Islands)	There are no Coral Reefs or protected aquatic habitats in Vermont.

E. PUBLIC AND AGENCY INVOLVEMENT

A local newspaper advertisement announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was published on April 23 and April 30, 2019 in The Islander Newspaper, Grand Isle County, Vermont. A copy of the EA was available for public review at USDA Rural Development, 481 Summer Street, Suite 203, St. Johnsbury, VT 05819. The 14-day comment period ended on May 7, 2019. RD received no comments.

F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RD has concluded that the proposed Project would have no significant effects to Threatened or Endangered Species, Wetlands, Floodplains, Water Resources, Coastal Resources or Coral Reefs or Protected aquatic habitats. The proposed Project will have no effects on historic properties listed or eligible for listing on the National Register of Historic Places and no effects to federally listed species or designated critical habitat.

The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and RD's Environmental Policies and Procedures (7 CFR Part 1970), RD has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RD's action will not result in significant impacts to the quality of the human environment, RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

G. RD LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RD's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RD's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

H. APPROVAL

This Finding of No Significant Impact is effective upon signature.


Signature

ERIC LAM

Name

CP DIRECTOR NH/VT

Title

5/6/2019

Date