

FEMA
FINDING OF NO SIGNIFICANT IMPACT
Department of Health Interim Clinics
U.S. Virgin Islands
FEMA-4340-DR-USVI

BACKGROUND

In September 2017, Hurricanes Irma and Maria caused significant damage to the U.S. Virgin Islands (USVI or “the territory”). President Donald Trump issued one disaster declaration (DR-4335-VI) for Irma on September 7th and another declaration (DR-4340-VI) for Maria on September 20th encompassing the entire territory. The declarations authorized federal assistance to affected communities and certain non-profit organizations in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.S. 5172), as amended. The Declaration also authorized direct federal assistance.

In recognition of the unprecedented devastation of the 2017 Hurricane Season, FEMA, in consultation with the Department of Homeland Security (DHS), determined that exigent circumstances exist. As a result, Federal Register Notice Docket ID: FEMA-2017-0035 (FRN), dated 11/22/2017, allows FEMA to use streamlined procedures under the National Environmental Policy Act (NEPA) to expedite response and recovery assistance to the impacted areas,. Pursuant to the Council on Environmental Quality’s procedures for implementing the FRN, NEPA at 40 CFR 1500 to 1508, and in accordance with FEMA Directive 108-1 and Instruction 108-1-1, FEMA prepared an Environmental Assessment (EA). This EA makes use of the FRN’s streamlined procedures to facilitate timely decision-making in support of response and recovery efforts. Ultimately, this EA evaluated and documents the potential impacts of the proposed project and alternatives on the human and natural environment and supports whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Deficiencies in the facilities that house health and social service delivery in the territory necessitated this project. The alternatives considered in this EA consist of 1) the “No Action” alternative; 2) The Proposed Alternative wherein the U.S. Army Corps (USACE) install modular clinic units under a FEMA mission assignment in St. Thomas (STT), St. John (STJ), and St. Croix (STX) to provide interim facilities for health and social service delivery to Virgin Islanders. The EA and associated scoping checklist summarizes the potential impacts associated with each alternative; through the application of best management practices, permitting, and applicable conditions, FEMA expects all impacts to fall below the threshold of significance. Further, no significant, adverse cumulative impacts would occur when combined with past, present, or reasonably foreseeable actions.

PUBLIC INVOLVEMENT

FEMA made an electronic copy of the EA available by email request and for download at <https://www.fema.gov/media-library/assets/documents/158829>. FEMA announced availability of the EA on social media and on the Disaster webpage <https://www.fema.gov/disaster/4340>. FEMA invited the public to submit written comments by email to femar2comment@fema.dhs.gov and considered responses received by social media.

This EA reflects the evaluation and assessment of FEMA, the decision maker for the federal action; however, FEMA has taken into consideration all comments received during the public review period to

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inform the final decision regarding grant approval and project implementation. FEMA has also consulted with the State Historic Preservation Officer (SHPO) and with the Department of Planning and Natural Resources, and the Division of Coastal Zone Management on the Proposed Alternative.

PERMITS & PROJECT CONDITIONS

The construction contractors are responsible for obtaining all applicable Federal, State, and local permits and other authorizations for project implementation prior to construction as well as adherence to all permit conditions. Any substantive change to the approved scope of work will require re-evaluations by FEMA for compliance with NEPA and other laws and Executive Orders. The construction contractors must also adhere to the following conditions during project implementations and consider the below conservation recommendations. Failure to comply with grant conditions may jeopardize Federal funds:

1. Restore project sites to pre-disaster condition upon closure of temporary medical clinics
2. All construction and clearing, light grading, and ground disturbing activities would be limited to 12" (twelve inch) depth below pre-construction surface grade.
3. Any activities that exceed the 12" (twelve inch) depth restriction require the direction and monitoring presence of a Secretary of Interior qualified Archaeologist.
4. The construction contractors will apply for and comply with any conditions of applicable Construction General Permit under the Territorial Pollution Discharge Elimination System.
5. The construction contractors must follow the *Unexpected Discoveries, Previously Unidentified Properties, or Unexpected Effects* clause from the July 14, 2016 Programmatic Agreement between FEMA, SHPO, and Virgin Islands Territorial Emergency Management Agency (Appendix D).

PUBLIC COMMENTS

During the public comment period initiated on February 15th that ended March 4th, FEMA received comments on the EA. The below table summarizes comments received along with FEMA's response. Non-substantive comments regarding basic formatting, spelling, or grammar are not included in the table.

Commenter	Comment	FEMA's Response
EPA Region II	EPA concurs that the EA supports a finding of no significant impact. EPA would also like to take this opportunity to remind FEMA that EPA provides guidance and opportunities to conserve and reuse construction materials, implement beneficial landscaping practices, and champion Green Building techniques. Information on these programs as well as links to programs at other federal agencies can be found at	Thank you

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	https://www.epa.gov/greeningepa/new-construction-and-renovations-epa .	
FEMA Legal Council	Requested confirmation that Department of Planning and Natural Resources (DPNR) found the project consistent with the Coastal Zone Management Act (CZMA) and that the SHPO concurred with FEMA's determination.	FEMA initiated consultation concurrent with the public comment period. FEMA received the SHPO concurrence February 14, 2018 and the CZMA consistency determination on February 26, 2018.
FEMA Legal Council	Requested confirmation that the project would not impact protected species on St. Thomas and St. John since there was more discussion for St. Croix in the EA.	The St. Croix site includes removal of vegetation unlike the other two islands, which are in active and maintained use. Following guidance from the U.S. Fish and Wildlife Service, FEMA ruled out the potential of the project to impact species on St. Thomas and St. John.

FINDINGS

Based on the analysis in the EA, the conditions and permits set forth in the EA and this FONSI, and in accordance with NEPA and FEMA Instruction 108-1-1, FEMA has determined that the proposed action will have no significant adverse impact on the quality of the human environment. As a result of this FONSI, an EIS will not be prepared, and the proposed project as described in the EA may proceed. This FONSI serves as the final public notice for the proposed project.

APPROVED:

John Dawson
FEMA Region II Regional Environmental Officer Representative

March 5, 2018

Kristen Hodge
DR-4340-USVI Infrastructure Branch Director

_____, 2018