Finding of No Significant Impact (FONSI)
U.S. Department of Veterans Affairs
Proposed Construction and Operation of a Fisher House
Department of Veterans Affairs, Maine Healthcare System
Togus Medical Center, #1 VA Center
Augusta, Kennebec County, Maine

1. INTRODUCTION

The U.S. Department of Veterans Affairs (VA) completed an Environmental Assessment (EA) to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the construction and operation of a Fisher House in a 0.5-acre area in the central portion of the VA Maine Healthcare System (MHCS), #1 VA Center, Augusta, Kennebec County, Maine (Togus VAMC).

This EA was prepared in accordance with the *National Environmental Policy Act* of 1969 ([NEPA]; 42 United States Code [USC] 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), VA's NEPA implementing regulations, 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*), and VA's "NEPA Interim Guidance for Projects" (VA 2010). This EA evaluates any impacts associated with the Proposed Action.\

2. Background

The VA MHCS, Togus VAMC, is a 476-acre campus located at #1 VA Center, Augusta, Kennebec County, Maine. The Togus VAMC is the primary MHCS hospital. The Togus VAMC has a staff of over 1,050 personnel representing various disciplines. It has 67 in-patient beds and 100 beds in the Nursing Home Care Units which provide for long-term care as well as Alzheimer's/dementia care. Thousands of Veteran's receive short- and long-term care at the Togus VAMC annually.

A Beals House, which provides no-cost lodging, was opened at the Togus VAMC in 2000. It has three rooms and is restricted to adults. There is no no-cost on-site lodging available for the families and caregivers of Veterans and Active Duty Service members who are hospitalized and receiving medical care at the Togus VAMC. Accordingly, in 2011, the MHCS identified the Togus VAMC as a priority site for a Fisher House. From 2011-2015, the VA and Fisher House Foundation began the scoping process for a Proposed Action to establish a 16-suite Fisher House at the Togus VAMC, which is anticipated to accommodate approximately 500 families per year.

A Fisher House is "a home away from home," providing an on-site, no-cost lodging option for families (with children) and caregivers of service men and women receiving medical treatment at a military hospital or VA facility. Fisher Houses provide the opportunity for families and caregivers to be actively involved in their loved one's treatment plan, supporting positive clinical outcomes and access to medical care for those Veterans that would not be willing to travel for care without support from family. The Fisher House provides communal spaces where families can prepare meals

together, do their laundry, relax with a book from the library, watch TV or a DVD, play games, utilize the internet, and visit with other families which supports a sense of normalcy during a very challenging time. Fisher Houses offer a comfortable environment where families can come together to provide support for one another and establish a peer support network that continues long after the episode of care for the Veteran concludes.

Since 1990, the Fisher House Foundation has funded construction of 71 Fisher Houses across the nation, all near military hospitals or VA facilities. These Fisher Houses have been used by over 305,000 families who have stayed more than 7 million days, saving a combined $360 million in hotel and transportation costs. However, there are no Fisher Houses in Maine or available at an MHCS medical center.

3. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Proposed Action

Under the Proposed Action, the Fisher House Foundation would fund the construction of a Fisher House at the Togus VAMC; following construction, it would be owned, operated, staffed, and maintained by the MHCS.

During the 2011-2015 scoping process, potentially suitable locations for the Fisher House were developed. Based on input from the Maine State Historic Preservation Officer (ME SHPO), the most suitable location was identified as the 0.5-acre area between Pond Road and Quarters 1, in the central portion of the Togus VAMC. Although the ME SHPO concurred that construction and operation of the Fisher House at this location was determined to adversely effect both Quarters 1 and the historic district, this location presented fewer impacts compared to other locations. Accordingly, this option required executing a Memorandum of Agreement (MOA) to include stipulations to mitigate for the adverse effect. The MOA was executed on 11 December 2017 by the MHCS, SHPO, Fisher House Foundation, and the Advisory Council on Historic Preservation. The MOA is included as an attachment to this FONSI. Based on this scoping process, the construction and operation of a Fisher House at this 0.5-acre area along Pond Road at the Togus VAMC was selected as the Proposed Action.

Alternatives Considered

In addition to the Proposed Action described above, MHCS also considered a No Action alternative as part of the EA. Under the No Action alternative conditions as they currently exist at the Togus VAMC would be maintained, and the Fisher House would not be constructed. The No Action alternative was retained because it represents baseline conditions by which the potential impacts of the Proposed Action can be evaluated, as required under the CEQ Regulations (40 Code of Federal Regulations [CFR] 1502.14).

4. PURPOSE AND NEED FOR THE PROPOSED ACTION

The *purpose* of the Proposed Action is to construct and operate a Fisher House, "a home away from home," in order to provide an on-site, no-cost lodging option for

families and caregivers of Veterans and Active Duty Service members hospitalized at the Togus VAMC. The Proposed Action is *needed* because this benefit is not currently available at the Togus VAMC or elsewhere in Maine, requiring an estimated 500 families per year to spend thousands of dollars on off-site lodging costs while their family member is undergoing medical treatment.

The EA examined in-depts two alternatives, the Proposed Action and the No Action alternative, defined as follows:

- **Proposed Action:** Implement the Proposed Action by accepting a gift of funds from the Fisher House Foundation to fund the construction of a Fisher House in a 0.5-acre area in the central portion of the Togus VAMC. Following construction, ownership of the Fisher House would be transferred to the VA MHCS, who would staff, maintain, and operate the Fisher House.
- **No Action Alternative:** Do not implement the Proposed Action as identified. Current conditions at the Togus VAMC would remain unchanged, and the purpose and need for on-site, no-cost lodging identified above would not be met.

5. POTENTIAL ENVIRONMENTAL EFFECTS

The Final EA, incorporated herein by reference, was prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Proposed Action and the No Action alternative. Specifically, the EA evaluated potential impacts caused by the Proposed Action and the No Action alternative on environmental resources including: aesthetics; air quality; cultural resources; geology and soils; hydrology and water quality; wildlife and habitat, including threatened and endangered species; noise; land use; floodplains, wetlands, and coastal zone management; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; alternative energy sources; environmental justice' and the potential for generating substantial public controversy. The results of this analysis indicated that the potential effects caused by the Proposed Action would fall in the "none-to-negligible" category on seven technical resource areas, including Land Use and Zoning, Wildlife and Habitat, Socioeconomics, Utilities, Community Services, Alternative Energy Sources, and Environmental Justice, because these effects would be localized and immeasurable at the lowest level of detection. Accordingly, detailed analysis of these environmental resources was not warranted.

As documented in the Final EA, the VA concludes that no significant adverse impact, either individually or cumulatively, directly or indirectly, over a short- or long-term period, would result from implementing the Proposed Action, because the Proposed Action includes mitigation for historic preservation, as well as minimization and avoidance measures to further ensure impacts to other resources are maintained at or below less-than-significant adverse levels. Additionally, the Proposed Action would have a long-term beneficial impact on community services as it would provide an economic and social benefit to Veterans' families and caregivers by offering on-site, no-cost lodging while the Veteran is undergoing medical treatment at the Togus VAMC. This beneficial impact would not occur under the No Action alternative. The potential environmental

effects associated with implementing the Proposed Action are summarized in the following sections.

Aesthetics. Minimal-to-moderate direct, short- and long-term, adverse impacts would potentially result from the construction and operation of the Fisher House. These effects would be caused by the presence at the site of construction vehicles associated with grading and constructing the Fisher House and the permanent loss of approximately 0.5 acres of the former open grassy field. Construction also would require removal of 2-3 mature trees at the site. However, other trees would not be removed, and the natural border (between the site and Quarters 1) created by these trees would be preserved. The aesthetic effect is not anticipated to increase to a significant adverse level because of the limited number of individuals impacted and the limited duration of the construction period. Additionally, mitigation measures specified in the MOA executed in December 2017 will be implemented to further reduce adverse effects on the aesthetic character of the National Register District (these measures are detailed under the following Cultural Resources heading).

Air Quality. Minimal-to-moderate, direct, short-long-term, adverse impacts would be expected during construction. Construction vehicles and equipment will burn fuel, resulting in emissions of criteria pollutants, while particulate matter may be released into the air from construction activities including grading of areas with exposed soils, and vehicles traveling on paved and unpaved surfaces. Dust/particulate matter generated during construction activities can lead to adverse health effects and nuisance concerns, such as reduced visibility on nearby roadways. To minimize these potential effects on air quality, the construction contractor will implement BMPs to reduce construction vehicle emissions and manage dust generated from soil disturbance. Once construction is completed, long-term, none-to-negligible adverse effect on air quality would be expected.

Cultural Resources. Significant-but-mitigated, long-term, direct adverse impacts may occur as the setting of both the National Historic Landmark and the historic district will be significantly altered and their integrity diminished, pursuant to 36 CFR Part 800.5(a)(s)(iv) and (v). As specified in the MOA executed in December 2017, the Proposed Action includes mitigation for historic preservation. Mitigation includes enhancement of existing documentation of Quarters 1 and annual inspections of Quarters 1. Additionally, the VA will incorporate site design, site preparation, and landscape protection into the Proposed Action to minimize adverse effects on historic resources; design the architecture of the Fisher House to be compatible with the character of the surrounding National Register District; and provide annual summary reports of the mitigation work. The VA Maine Healthcare System will implement the MOA stipulations, including an "Inadvertent Discovery" SOP for potential subsurface resources in accordance with 36 CFR § Section 800.13(b) of the ACHP regulations and VA Polices and Directives. Refer to the MOA for specific details on these stipulations.

Topography and Geology. None-to-negligible adverse impacts to topography or geology are anticipated during construction. No impacts to mineral resources are anticipated, as the Fisher House would not involve the commercial extraction of mineral

resources, nor affect mineral resources considered important on a local, state, national, or global basis.

Soils. Minimal-to-moderate, short-term, adverse effects on soil are expected with construction activities. Site work will require disturbing the soil surface within a portion or up to all of the 0.5-acre site. Disturbance will involve removal of vegetative cover, grading, subsurface excavation for utility and foundation work, and soil compaction. If soils are not suitable to support the building and parking, construction may also require installation of subsurface pilings. Additionally, compaction can reduce the infiltration rate of the soil, leading to increased run-off potential and increased erosion of the down gradient surrounding soils. These potential impacts would be minimized through implementation of a Soil Erosion and Sedimentation Control (SESC) Plan and construction Best Management Practices (BMPs). Once construction is complete, no further soil erosion and sedimentation impacts are anticipated. During operation, none-to-negligible long-term effects would be anticipated to topography, geology, and soils.

Hydrology and Water Resources. Minimal-to-moderate, short-term adverse impacts would be expected. These effects are primarily associated with converting the existing pervious surface of the site to an impervious surface. The new impervious surface area will prevent precipitation and stormwater from infiltrating into the ground at the site, recharging the underlying groundwater, and can increase the volume of stormwater run-off entering Duck Pond. Erosion of soils exposed during the construction period could also lead to potential sedimentation of stormwater run-off entering the Duck Pond. These impacts would be minimized by designing the Fisher House to maintain pre-development hydrology during post-development operation to the maximum extent technically feasible per the Energy Independence and Security Act (EISA) Section 438 and incorporating Low-Impact Development (LID) systems. Once construction is complete, no further potential soil erosion and sedimentation impacts to surface water resources are anticipated.

Operation of the Fisher House is anticipated to result in long-term, none-to-negligible adverse effects on hydrology and water resources. There are no anticipated operational activities at the Fisher House that would require direct interaction with surface water or groundwater resources.

Solid and Hazardous Materials. Minimal-to-moderate, short-term, adverse impacts on solid and hazardous materials is expected. These impacts would be due to the potential accidental release of fuel or hydraulic fluid from construction vehicles. The release could adversely impact soil and groundwater quality if the release was not stopped and/or remediated prior to contact with groundwater. To minimize this potential effect, all construction vehicles will be equipped with spill kits, and contractors will be properly trained on their use. The Togus VAMC will notify MEDEP immediately should a release of regulated chemicals occur and implement required remedial measures to protect groundwater quality.

Transportation and Parking. Construction activities are anticipated to cause a short-term, none-to-negligible adverse effect on traffic and parking at the Togus VAMC or on roadways outside of the Togus VAMC. Operation of the Fisher House is anticipated to

have a long-term, direct, none-to-negligible adverse effect on traffic and parking at the Togus VAMC.

Noise. Minimal-to-moderate, short-term adverse noise impacts on sensitive receptors, primarily patients and staff at Building 200E, short-term occupants of Beals House, and staff at Quarters 1, would be expected during construction of the Fisher House. The noise generated by construction equipment would be localized and intermittent (generated only when machinery is operating). Operation of the Fisher House is not anticipated to generate any noise that will cause any effect on the aforementioned sensitive receptors. The Fisher House will operate as a lodging facility and has no systems that would generate perceptible noise within or outside of the Fisher House. Therefore, the noise generated during operation would have a none-to-negligible adverse effect on sensitive receptors.

Wetlands. Minimal-to-moderate, short-term, adverse effects on wetlands could occur during construction. A potential adverse effect would be caused if turbid discharge and/or sedimentation of run-off occurs and enters Duck Pond. To minimize this impact, the Fisher House site development boundary will be located at least 75-feet away from Duck Pond, thereby complying with the Maine Mandatory Shoreland Zoning Law. Additionally, development will not cause temporary or permanent dredge or fill of wetlands that are presumed to be jurisdictional. Implementation of the SESC Plan and BMPs would further minimize a potential impact.

Operation of the Fisher House is anticipated to have a potential long-term, minimal adverse effect on wetlands. This potential impact is due to the permanent reduction in pervious area (up to approximately 0.5 acres) and potential increase in the volume of stormwater run-off. However, this potential impact would be minimized by the design of the Fisher House, which would retain pre-development hydrology to the maximum extent technically feasible, as well as maintenance of LID features during operation.

Floodplains. Construction and operation of the Fisher House is not anticipated to have an impact on floodplains, as the Fisher House site is outside of the 1% and 0.2% annual chance flood areas. However, if recommended by the A/E, the elevation of the Fisher House building and parking lot will be raised above the level of ponding that has been observed during periods of high precipitation at the site by Togus VAMC staff.

Coastal Zone Management. Construction and operation of the Proposed Action is not anticipated to have a significant adverse impact on, nor alter the future development, use, or quality of, Maine's coastal resources. The VA Maine Healthcare System has determined that the Proposed Action will be conducted in a manner consistent, to the maximum extent practicable, with Maine's Coastal Zone Management Program. Concurrence from the Maine Coastal Program will be requested prior to construction.

Cumulative Impacts. Implementation of the Proposed Action is not expected to result in significant adverse cumulative impacts on any technical resource area discussed above.

Potential for Generating Substantial Public Controversy. The Proposed Action is not anticipated to cause controversy. No comments received from the public, regulatory agencies, or Native American Tribes expressed opposition to the Proposed Action.

6. AGENCY AND PUBLIC INVOLVEMENT

The public involvement process was designed to provide the public and regulatory stakeholders with an opportunity to learn about and provide comments on the Proposed Action while the Draft EA was being prepared. This process included mailing letters (that described the Proposed Action) to solicit input from federal, state, and local regulatory agencies, and Native American Tribal representatives. This consultation process was documented in the Draft EA. Concerns expressed by regulatory agencies and Native American Tribes were addressed and incorporated in the Draft EA.

The Draft EA was subsequently published, distributed to the Augusta Public Library in hardcopy and electronically on the VA's MHCS website. The availability of the Draft EA and the start of a 30-day public comment period was announced in a Notice of Availability (NOA), which was published in the *Bangor Daily News* and in the *Kennebec Journal*. Additionally, a public meeting to inform the public about the Proposed Action and the NEPA process was held at the Togus VAMC on February 21, 2017. The meeting was also announced in the NOA. Letters were also mailed to regulatory agencies and Native American Tribes inviting them to attend the public meeting and to provide input on the Draft EA within the 30-day review period. Minor comments on the Draft EA were received from the Maine Dept. of Forestry and the Penobscot Nation. This communication is documented in the Final EA. Furthermore, no substantive changes in the Draft EA were required to prepare the Final EA.

7. Finding of No Significant Impact (FONSI)

As a result of the analysis of impacts presented in the Final EA, summarized and incorporated by reference herein, it is the conclusion of the VA that, with the implementation of aforementioned mitigation for historic preservation, in conjunction with the minimization and management measures and regulatory compliance measures also identified in the Final EA, the Proposed Action would have no significant impact on the quality of the natural or human environment within the meaning of Section 102(2)(C) of the *National Environmental Policy Act* of 1969. Therefore, per the NEPA, the CEQ regulations, and 38 CFR Part 26, I am signing this FONSI. Therefore, preparation of an Environmental Impact Statement for the Proposed Action is not required.

Reviewed by:

Derrick E. Hyatt 4/13/18

VA Maine Healthcare System Date
Mr. Derrick Hyatt
IH/GEMS Program Manager
Togus VAMC

4/13/18

VA Maine Healthcare System Date
Mr. Tyler Watson
Assistance Chief, Facilities Management Services
Togus VAMC

Edwin K. Lee 4/13/18

VA Maine Healthcare System Date
Mr. Edwin Lee, P.E.
Chief, Facilities Management Services
Togus VAMC

Approved by:

4/23/18

VA Maine Healthcare System Date
Mr. Ryan Lilly, MPA
Director
Togus VAMC

FINAL
ENVIRONMENTAL ASSESSMENT
OF THE
PROPOSED CONSTRUCTION AND OPERATION
OF A FISHER HOUSE
DEPARTMENT OF VETERANS AFFAIRS
MAINE HEALTHCARE SYSTEM
#1 VA CENTER
AUGUSTA, KENNEBEC COUNTY, MAINE

Prepared For:

U.S. Department of Veterans Affairs
Boston Healthcare System
940 Belmont Street
Brockton, MA 02301-55966

Prepared By:

Mabbett & Associates, Inc.
Contract Number: VA241-15-D-0176
Task Order Number: VA241-16-J-2047

June 2018

ACKNOWLEDGEMENT

James Doherty
Public Affairs Officer
VA Maine Healthcare System

VA Maine Healthcare System
Mr. Derrick Hyatt
IH/GEMS Program Manager

Mr. Tyler Watson
Assistant Chief, Facilities Management Services

Mr. Edwin Lee
Chief, Facilities Management Services

VA Boston Healthcare System
Ms. Athena Jackson
Contracting Officer

VA New England Healthcare System
William J. Kulas
VISN 1 Environmental Program Manager

ENVIRONMENTAL ASSESSMENT ABSTRACT

LEAD AGENCY:	VA Maine Healthcare System
COOPERATING AGENCIES:	None
TITLE OF PROPOSED ACTION:	Proposed Construction and Operation of a Fisher House, VA Maine Healthcare System, #1 VA Center, Augusta, Maine
AFFECTED JURISDICTION:	Augusta, Kennebec County, Maine
POINT OF CONTACT:	Mr. Derrick Hyatt, IH/GEMS Program Manager, VA Maine Healthcare System, (207) 623-8411
PROPONENTS:	VA

DOCUMENT DESIGNATION: Environmental Assessment (EA)

ABSTRACT: This Environmental Assessment (EA) evaluates the VA's Proposed Action to accept a gift of funds from the Fisher House Foundation to construct a Fisher House at the VA Maine Healthcare System, #1 VA Center, Augusta, Maine (Togus VA Medical Center [Togus VAMC]). Since 1990, Fisher Houses have provided a "home away from home" in a supportive environment, offering a free place to stay for families and caregivers of Veterans and Active Duty Service members hospitalized at a VAMC or military installation. Currently, there are 71 Fisher Houses located on 24 military installations and 29 VA medical centers. However, the absence of a Fisher House at a VA Maine Healthcare System location requires families/caregivers to spend thousands of dollars on off-site lodging while their family member is hospitalized. Accordingly, the purpose of the Proposed Action is to construct and operate a 16-suite Fisher House at the Togus VAMC, the primary and largest VAMC in Maine. The Proposed Action is needed to change the existing condition of a lack of sufficient on-site, no-cost lodging for families and caregivers of patients hospitalized at the Togus VAMC, allowing the VA Maine Healthcare System to provide this benefit at the Togus VAMC. The Fisher House would be constructed on an approximately 0.5-acre area located along Pond Drive in the central portion of the Togus VAMC. This area is currently maintained as a landscaped grass-covered field. Following construction, the Togus VAMC would operate the Fisher House. The Proposed Action for construction and operation of the Fisher House incorporates routine and site-specific Best Management Practices (BMPs), as well as site-specific mitigation for historic preservation due to development in an Historic District and near Quarters 1, a National Historic Landmark, as specified in a Memorandum of Agreement (MOA) executed in December 2017.

This EA discusses two alternatives: (1) the Proposed Action, which is the preferred alternative, and (2) the No Action alternative, under which the Proposed Action would not be implemented, maintaining the lack of on-site, no-cost lodging for families and caregivers at the Togus VAMC.

This EA evaluates possible effects of the Proposed Action and the No Action alternative on environmental resources including: aesthetics; air quality; cultural resources; topography, geology and soils; hydrology and water quality; wildlife and habitat; noise; land use and zoning; floodplains, wetlands, and coastal zone management; socioeconomics; community services;

solid and hazardous materials; transportation and parking; utilities; alternative energy sources; and environmental justice.

The EA concludes that the inclusion of BMPs and mitigation for historic preservation in the Proposed Action would ensure that implementing the Proposed Action would cause no significant adverse effect, on a short- or long-term basis, directly or indirectly, individually or cumulatively, on the environmental resources listed above. Accordingly, this EA concludes that a Finding of No Significant Impact (FONSI) is appropriate for the Proposed Action, and that an Environmental Impact Statement (EIS) is not required.

Table of Contents

List of Tables

List of Figures (Provided in Appendix A)

List of Appendices

EXECUTIVE SUMMARY

This Environmental Assessment (EA) has been prepared on behalf of the U.S. Department of Veterans Affairs (VA), to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Proposed Action: to accept a gift of funds from the Fisher House Foundation to fund the construction of a Fisher House in a 0.5-acre area in the central portion of the VA Maine Healthcare System, #1 VA Center, Augusta, Kennebec County, Maine (Togus VAMC). Following construction, ownership and operation of the Fisher House would be transferred to the VA Maine Healthcare System.

Preparation of this EA is required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 *et seq*.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*). This Draft EA has also been prepared in accordance with the VA's *NEPA Interim Guidance for Projects* dated September 30, 2010.

Since 1990, Fisher Houses have provided a "home away from home" in a supportive environment, offering a free place to stay for families and caregivers of Veterans and Active Duty Service members hospitalized at a VAMC or military installation. Fisher Houses allow guests to be at the bedside of their hospitalized loved ones for as long as needed at no charge. Fisher Houses provide the opportunity for family members and caregivers to be actively involved in their loved one's treatment plan, supporting positive clinical outcomes, and provides access to medical care for those Veterans that would not be willing to travel for care without support from family. Currently, there are 71 Fisher Houses located on 24 military installations and 29 VA medical centers. However, there is not a Fisher House at a VA Maine Healthcare System facility, requiring families/caregivers to spend thousands of dollars on off-site lodging while their family member is undergoing medical treatment.

Accordingly, the purpose of the Proposed Action is to construct and operate a 16-suite Fisher House at the Togus VAMC, the primary and largest VAMC in Maine. The Proposed Action is needed to change the existing condition of a lack of sufficient on-site, no-cost lodging for families and caregivers of patients hospitalized at the Togus VAMC, allowing the VA Maine Healthcare System to provide this benefit to Veterans and their families and caregivers.

This EA analyzes the Proposed Action and the No Action Alternative. Under the No Action Alternative, the Proposed Action would not be implemented and conditions at the Togus VAMC would remain as they currently exist.

Based on the findings of the EA, the Proposed Action would have no significant impact, over a short- or long-term period, directly or indirectly, individually or cumulatively, of an adverse nature, on the following environmental resources: aesthetics; air quality; cultural resources; topography, geology and soils; hydrology and water quality; wildlife and habitat; noise; land use and zoning; floodplains, wetlands, and coastal zone management; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; alternative energy sources; and environmental justice. This conclusion is based on the Proposed Action's incorporation of site-specific Best Manager Practices, as well as a commitment to provide mitigation for historic preservation specified in a Memorandum of Agreement executed by the VA, ME SHPO, ACHP, and the Fisher House Foundation in December 2017.

1 INTRODUCTION

This Section provides the reader with necessary introductory and background information concerning the Proposed Action for proper analytical context and identifies the purpose of and need for the Proposed Action and the federal decision to be made.

1.1 Togus VAMC Background

The Togus VAMC is the primary hospital in the VA Maine Healthcare System. The Togus VAMC is physically located within the bounds of the Town of Chelsea, Maine, which is considered part of the Augusta, Maine micropolitan New England City and Town Area. The name "Togus" comes from the Native American name Worromongtogus, which means "mineral water".

The Togus VAMC occupies approximately 476 acres of land and is improved with hospital facilities, office buildings, facilities/maintenance buildings, storage buildings, and landscaped grounds. The Togus VAMC is bounded to the north by Eastern Avenue (Route 17) and residences and commercial facilities; to the south by Hallowell Road and sparse residences and the Town of Chelsea Elementary School and Togus Road; to the west by forested land; and to the north and east by Greeley Brook and forested land (see Figures 1 and 2 in Appendix A; an Existing Conditions Report is provided in Appendix B).

The site occupied by the Togus VAMC was the first veteran's facility established by the United States. It was established by an act of Congress in 1866, to provide a space for "any worthy soldier" who was "suffering such a degree of disability". The property acquired by the government had been a summer resort, which capitalized on local mineral springs but later went bankrupt in the war. This medical facility opened in 1866, but its main buildings were destroyed or damaged by fire in 1868. The government embarked on a major building campaign in 1868-69, of which Quarters 1, previously known as the Governor's House, is now the only surviving building. Most buildings which make up the current Togus VAMC were constructed in the 1940s.

On October 3, 2012, the Togus VAMC was listed in the National Register of Historic Places as a Historic District for its importance to the State of Maine and the nation as a facility that tells the story of the federal government's evolving care of Veterans (VA, 2012). The Historic District is significant at the state and national level under National Register Criterion A in the area of Health/Medicine, and at the national level under Criterion A in the area of Social History. The period of significance is 1866 to 1960. Quarters 1 was designated a National Historic Landmark in 1973 and is a contributing property to the National Register Historic District. A copy of the listing form is provided in Appendix C.

Currently, the Togus VAMC has a staff of over 1,050 personnel representing various disciplines. It has 67 in-patient beds and 100 beds in the Nursing Home Care Units, which provide for long-term care as well as Alzheimer's/dementia care. Currently there are six community-based outpatient clinics (CBOC) located throughout Maine that provide local services to veterans. These CBOCs include Bangor, Calais, Caribou, Lincoln, Rumford, Saco, Lewiston and Auburn, and Portland. Additionally, there are VA Mental Health Clinics in Bangor and Portland.

In 2000, the Beals House opened at the Togus VAMC to provide temporary no-cost accommodations for families of in-patient veterans receiving care at the Togus VAMC. A former on-campus home for senior VA staff, it was donated to the non-profit agency which now operates it. It has three rooms and has served more than 1,800 families since it was renovated for family members and placed in operation. However, the Beals House does not permit lodging for

children of family members. Additionally, there are no current or anticipated future plans to expand the size of the Beals House to accommodate additional families or caregivers.

1.2 Fisher House Program Background

Fisher Houses allow for guests to be at the bedside of their hospitalized loved ones for as long as needed at no charge. Fisher Houses provide the opportunity for family members (including children) and caregivers to be actively involved in their loved one's treatment plan, supporting positive clinical outcomes and access to medical care for those Veterans that would not be willing to travel for care without support from family. Families can prepare meals together, do their laundry, relax with a book from the library, watch TV or a DVD, play games, utilize the internet, and visit with other families supporting a sense of normalcy during a very challenging time. Fisher Houses offer a comfortable environment where families can come together to provide support for one another and establish a peer support network that continues long after the episode of care for the veteran concludes.

Since 1990, Fisher Houses across the nation have provided services to over 277,000 families who have stayed more than 6.5 million days, saving them a combined $320 million in hotel and transportation costs. Currently, there are 71 Fisher Houses nationwide, all near military hospitals or VA medical centers; however, there are no Fisher Houses in Maine.

A requirement of Fisher Houses is that they must be located on the grounds or within walking distance of a VA medical center. Fisher Houses are typically 5,000- to 16,800-square feet and provide 8 to 21 suites. Each house is professionally furnished and decorated in the style of the local region. They feature private suites with private baths and common areas, including kitchens, laundry facilities, dining rooms, living rooms, and libraries.

1.3 Purpose and Need for the Proposed Action

The *purpose* of the Proposed Action is to construct and operate a Fisher House, "a home away from home," in order to provide an on-site, no-cost lodging option for the family members and caregivers (including those with children) of Veterans and Active Duty Service members hospitalized at the Togus VAMC.

The Proposed Action is *needed* because this benefit is not currently available at the Togus VAMC or elsewhere in Maine, requiring an estimated 500 families and caregivers per year to spend thousands of dollars on off-site lodging costs while their family member is hospitalized at the Togus VAMC.

Accordingly, the Proposed Action is the preferred action alternative. Under a No Action alternative, the Proposed Action would not be implemented, current conditions at the Togus VAMC would remain unchanged, and the aforementioned purpose and need for on-site, no-cost lodging would not be met.

A detailed description of the specific elements in the Proposed Action is provided in Section 3.3.

2 ENVIRONMENTAL ASSESSMENT PROCESS

2.1 Regulatory Requirements

Preparation of this EA is required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 *et seq*.), the President's CEQ Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*), Native American Graves Protection and Repatriation Act (NAGPRA), 36 CFR Part 800, Protection of Historic Properties, VA Implementing Regulations, Environmental Effects of VA Actions, Title 38 CFR, Part 26 (51 FR 37182, October 20, 1986), VA Directive 7545 for Cultural Resource Management; Executive Orders and Applicable federal, state, and local requirements. This EA has also been prepared in accordance with VA *NEPA Interim Guidance for Projects* dated September 30, 2010.

2.2 Environmental Impact Methodology

2.2.1 Environmental Assessment

VA, as a federal agency, is required to incorporate environmental considerations into their decision-making process for the actions they propose to undertake. This is done in accordance with the regulatory requirements identified in Section 2.1.

Ultimately, VA will decide, in part based on the analysis presented in this EA and after having taken potential environmental, cultural, and socioeconomic effects into account, whether it should implement the Proposed Action, and, as appropriate, carry out mitigation and management measures to reduce effects on the environment.

Accordingly, this EA has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Proposed Action and No Action Alternative.

In this EA, impacts are identified as either significant, less than significant (i.e., common impacts that would not be of the context or intensity to be considered significant under the NEPA or CEQ Regulations), or no impact. As used in this EA, the terms “effects” and “impacts” are synonymous. Where appropriate and clearly discernible, each impact is identified as either adverse or positive.

The CEQ Regulations specify that in determining the significance of effects, consideration must be given to both “*context*” and “*intensity*” (40 CFR 1508.27):

> ***Context*** refers to the significance of an effect to society as a whole (human and national), to an affected region, to affected interests, or to just the locality. In other words, the context measures how far the effect would be “felt.”
>
> ***Intensity*** refers to the magnitude or severity of the effect, whether it is beneficial or adverse. Intensity refers to the “punch strength” of the effect within the context involved.

In this EA, the significance of potential direct, indirect, and cumulative effects has been determined through a systematic evaluation of each considered alternative in terms of its effects on each individual environmental resource component.

The thresholds of change for the intensity of impacts are defined as follows:

Beneficial-and-not-significant: This impact represents an improvement in existing conditions. This impact is beneficial and noticeable. An Environmental Impact Statement (EIS) is not required.

None-to-negligible: A potential impact of this severity would be localized and immeasurable at the lowest level of detection. An EIS is not required for this impact.

Minimal-to-moderate: Minimal impact is localized and slight but detectable. Moderate is readily apparent and appreciable. Minimal-to-moderate impact would not require specific mitigation measures, other than those dictated by regulatory and permitting requirements. An EIS is not required for this impact.

Significant-but-mitigated: A potential impact of this severity would require specific mitigation measures beyond those associated with permit requirements but an EIS is not required for this impact.

Significant-and-immitigable: A potential impact of this severity would have to be evaluated in an EIS.

2.2.2 Environmental Resources Assessed

This EA evaluates possible impacts to: aesthetics; air quality; cultural resources; topography, geology and soils; hydrology and water quality; wildlife and habitat, including threatened and endangered species; noise; land use and zoning; floodplains, wetlands, and coastal zone management; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; alternative energy sources; and environmental justice.

Section 5 presents a detailed assessment and analysis of the environmental consequences associated with the Proposed Action and No Action Alternative on each of these environmental resources.

2.3 Agency Coordination and Public Involvement

In accordance with the aforementioned regulatory requirements in Section 2.1, this EA allows for public input into the federal decision-making process; provides federal decision-makers with an understanding of potential environmental effects of their decisions, before making these decisions; identifies measures the federal decision-maker could implement to reduce potential environmental effects; and documents the NEPA process.

During preparation of the Draft EA, letters were sent to the following federal, state, and local agencies, and Native American Tribes to solicit input regarding the Proposed Action:

- **Federal/National Agencies:** U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers (USACE), U.S. National Marine Fisheries Service, U.S. National Park Service (USNPS), Advisory Council on Historic Preservation (ACHP).
- **State Agencies:** Maine Historic Preservation Commission, Maine Department of Inland Fisheries and Wildlife, State Planning Office-Maine Coastal Program, Maine Department of Environmental Protection (MEDEP) Bureau of Air Quality, MEDEP Land Resource Regulation Division, State of Maine Drinking Water Program, Maine Department of Conservation, State Floodplain Coordinator.
- **Local Agencies:** Town of Chelsea, Town Manager.

- **Native American Tribes:** Penobscot Indian Nation, Houlton Band of Maliseet Indians, Aroostook Band of Micmac's, Passamaquoddy Tribe of Maine.

Comments received from these organizations were considered during the preparation of the Draft EA. Copies of correspondence with regulatory agencies are provided in Appendix D, while Native American Tribal correspondence is provided in Appendix E.

The Draft EA was then made available to these organizations and the general public for a 30-day review period. A Notice of Availability (NOA) published in a local newspaper began the start of the 30-day review period and included instructions on how to obtain electronic or printed copies of the Draft EA and where to send comments. A copy of the NOA is included in Appendix F. Comments received from these organizations were considered and incorporated into this Final EA; these comments are provided in Appendices D and E. Additionally, during the 30-day review period, a public meeting was held to describe the NEPA process for the Proposed Action and the analyses and conclusions presented in the Draft EA. The aforementioned NOA also specified the public meeting date and location. No public comments were received during the 30-day comment period or at the public meeting.

3 Description of the Proposed Action and Alternatives

NEPA, and the regulations of CEQ and VA for implementing NEPA, require all reasonable alternatives to be rigorously explored and objectively evaluated. Accordingly, this chapter summarizes the process used to develop alternatives and provides a description of the subsequently selected Proposed Action and its alternatives, as well as alternatives considered but ultimately eliminated from further analysis, and the reasons for elimination.

3.1 Screening Criteria

As previously described, thousands of veterans receive in-patient medical treatment every year at the Togus VAMC. The Togus VAMC campus includes the Beals House, which provides up to three rooms of no-cost, on-site lodging for families of patients at the Togus VAMC, however children are not allowed at the Beals House, and there are no plans for expansion. This has resulted in an unmet need for on-site, no-cost lodging for hundreds of families (with children) and caregivers per year.

Accordingly, in 2011, the Togus VAMC was identified as a suitable location for a Fisher House, which would provide suitable on-site, no-cost lodging for families and caregivers of patients receiving care at the Togus VAMC. Subsequently, between 2011-2015, the VA Maine Healthcare System and the Fisher House Foundation identified the basic screening criteria for a Fisher House at the Togus VAMC: the proposed Fisher House required an on-site location; a minimum development area of approximately 0.5-acre for an approximately 13,400-square foot facility with 16 suites; approximately 20 dedicated parking spaces located adjacent to the Fisher House; and a layout that would cause the least amount of adverse effects to historic, cultural, and environmental resources.

3.2 Alternatives Considered

Four alternative layouts and locations for the proposed Fisher House were initially developed by the VA Maine Healthcare System and the Fisher House Foundation in early 2015. In August 2015, the VA Maine Healthcare System informally discussed the project and the proposed locations with the Maine State Historic Preservation Officer (SHPO). In January 2016, the VA Maine Healthcare System sent a letter to the SHPO to formally initiate Section 106 consultation regarding the project and the following four alternatives for the Fisher House location:

1. Between the main flagpole in front of Building 200E and the tree line behind National Historic Landmark “Quarters 1”
2. The open field between Quarters 1 and Building 205 front entrance
3. The open field south of the existing 207 Community Living Center and the Hallowell Road
4. The location where historic quarters 33 and 34 reside on the southwest side of the campus

Subsequently, on April 19, 2016, an on-site meeting was held to review the alternatives and was attended by staff from the VA Maine Healthcare System, the Fisher House Foundation, ACHP, and the SHPO. Representatives from the National Park Service (NPS) attended the meeting via teleconference. Collectively, the group determined the most suitable location was “Alternative 1”. This grass-covered open field is approximately 22,500-square feet (0.5 acres), professionally

landscaped (mowed), and has several mature deciduous and coniferous trees growing within it. The area is located east of Pond Road, north of the flag pole, south of Duck Pond, and west of Quarters 1 and the rock outcrops west of Quarters 1. As previously noted, Quarters 1 is designated as a National Historic Landmark and a contributing element of the historic district, established in 1974, that encompasses the Togus VAMC campus. The rock outcrops contribute to the park-like setting of Quarters 1.

Under alternative 1, the initial proposed layout for the Fisher House at this location included a 20-space parking lot on the east side of the building. However, the SHPO recommended placing the parking lot on the west side of the proposed building (adjacent to Pond Road) to minimize adverse effects to Quarters 1. The VA agreed to this suggestion. Additionally, the SHPO requested that the VA Maine Healthcare System prepare a Memorandum of Agreement (MOA) outlining the VA's commitment to mitigate for the adverse effects on historic properties; this mitigation includes, at a minimum, implementing an annual maintenance plan for Quarters 1 and preventing development of the rock outcrops located west of Quarters 1. The MOA was subsequently completed and executed in December 2017 by the VA Maine Healthcare System, SHPO, Advisory Council on Historic Preservation (ACHP), and the Fisher House Foundation.

The other proposed locations and layouts under alternatives 2, 3, and 4, were eliminated from further consideration, as they would result in greater adverse effects to historical, cultural, and environmental resources compared to the 0.5-acre site (between Pond Road and Quarters 1). Accordingly, these alternative locations were determined to be unsuitable and are not further analyzed in this EA.

3.3 Selected Alternatives

3.3.1 Proposed Action

This section describes the Proposed Action elements retained for analysis in this EA. As described above, the approximately 0.5-acre site located between Pond Road and Quarters 1 was identified as the most suitable site for the Fisher House. Additionally, as requested by the MESHPO, the 20-space parking lot would be positioned on the western side of the Fisher House, such that the parking lot is less visible from Quarters 1, while a vegetated border would be created between the Fisher House and Quarters 1. The boundary of the Fisher House development area (including the building, parking lot, and other developed features) would be located at least 75 away from the water line of Duck Pond, and would not extend onto the rock outcrop located to the south of Quarters 1. A layout of the proposed Fisher House at the site is provided in Figure 3. A general architectural rendering of a typical Fisher House is provided in Figure 4. The final design would be in concert with the regional architectural style.

Currently, the 0.5-acre area proposed for the Fisher House is vegetated with grass and trees, and is entirely pervious. The proposed Fisher House would permanently convert this area to an impervious surface. To ensure that pre- and post-development hydrology is maintained, the Fisher House will be designed to comply to the maximum extent technically feasible with Section 438 of the Energy Independence and Security Act (EISA 438) of 2007. EISA 438 requires federal facilities with a construction footprint exceeding 5,000-square feet to use site planning, design, construction, and maintenance strategies for the property to maintain or restore, to the maximum extent technically feasible, the pre-development hydrology of the property in the post-development condition. Additionally, the Fisher House will be designed to incorporate Low-Impact Development (LID) practices, such as permeable pavement, rain gardens, and infiltration

landscapes to manage precipitation, reduce the impervious surface area, and reduce the volume of stormwater run-off. Engineering and design controls will also direct operational stormwater run-off to the existing Togus VAMC stormwater system, which discharges into Duck Pond.

As part of the Proposed Action, the VA Maine Healthcare System will attend a pre-application meeting with the MEDEP to ensure all required permits and notifications are identified, and subsequently obtained and performed prior to construction. This is anticipated to include an update to the Togus VAMC's existing *Maine Construction General Permit*.

Additionally, under the *Maine Construction General Permit* and as part of the construction design process, the Architect/Engineering firm will be responsible for preparing a Soil Erosion and Sedimentation Control (SESC) Plan to limit and manage potential soil erosion and sedimentation of run-off during construction. These plans will specify the BMPs that the construction contractor will implement to prevent and control soil erosion and sedimentation, minimize dust generation from exposed soils and construction vehicles, reduce construction equipment noise and emissions, and minimize the potential for and impact of an accidental fuel spill. The SESC and BMPs will be consistent with and incorporate existing Stormwater Pollution Prevention Plan (SWPPP) and Spill Prevention, Control, and Countermeasure (SPCC) Plan maintained by the Togus VAMC, as well as the VA's *Master Construction Specifications (MF04) for Construction Standards for Temporary Environmental Controls, Demolition, and Waste Management* (VA, 2009).

Following approval of construction plans and permits, the Fisher House Foundation's construction contractor will implement the BMPs specified in the SESC Plan, SWPPP, SPCC Plan, and VA MF04, as applicable. The construction contractor will then perform civil/site engineering work to grade the site, construct the building, parking lot, and landscaping. The VA Maine Healthcare System would be responsible for extending utilities (sanitary sewer, potable water, electric, telecommunications, stormwater) currently present at the Togus VAMC to the site.

Following construction, ownership of the Fisher House would be transferred to the VA Maine Healthcare System, who would be responsible for staffing, maintaining, and operating the Fisher House.

As previously described, mitigation for historic preservation, developed through the Section 106 consultation process with the ME SHPO, is documented in an MOA executed in December 2017 by the VA Maine Healthcare System, MESHPO, ACHP, and the Fisher House Foundation (see Appendix C). The VA Maine Healthcare System would implement and monitor the mitigation stipulated in the MOA.

A summary of these Proposed Action elements is provided in the following outline. Permit requirements, regulatory compliance measures, best management practices, and mitigation measures are discussed in detail under Environmental Consequences in Section 5.0 and summarized under Best Management Practices and Mitigation Measures in Section 7.0.

Construct and Operate Fisher House

- Complete NEPA process;
- Complete EISA 438 compliance determination;
- Complete design plans (incorporating LID) for an approximately 13,400-square foot, two-story, 16-suite Fisher House, with 20 parking spaces reserved for Fisher House guests and staff;
- Prepare SESC Plan and implement SESC controls and construction BMPs to limit and manage soil erosion, sedimentation, stormwater run-off, and protection of Duck Pond, as well as water and engineering controls to limit dust generation;
- Obtain state permits;
- Perform civil/site engineering, including grading, and removal of 1-2 trees;
- Construct the Fisher House facility, including:
    - Connect to existing utilities for potable water, sanitary sewer, stormwater, electricity, and telecommunications.
    - Construct parking lot with approximately 20 spaces.
    - Landscape with non-invasive, native vegetation, including a vegetated border between the Fisher House and Quarters 1.
- Implement and monitor mitigation actions for historic preservation as stipulated in the MOA. The mitigation actions include, at a minimum, establishing and maintaining a vegetated border between the Fisher House and Quarters 1, preservation of the rock outcrop south of Quarters 1, and annual maintenance of Quarters 1.
- Following construction, transfer ownership of the Fisher House to the VA Maine Healthcare System, who will staff, maintain, and operate the Fisher House.

3.3.2 No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented and the current conditions at the Togus VAMC would remain unchanged. Under the No Action Alternative, the need for on-site, no-cost lodging for families (with children) and caregivers would continue to remain unmet at the Togus VAMC. The No Action Alternative is assessed in this EA to provide a comparative baseline analysis against which the potential impacts of the Proposed Action can be evaluated, as required by CEQ Regulations.

3.4 Alternatives Retained for Detailed Analysis

The Proposed Action and the No Action Alternative have been retained for detailed analysis in this EA. Additionally, based on the aforementioned purpose and need for the Proposed Action, the Proposed Action has been identified as the preferred action alternative.

4 AFFECTED ENVIRONMENT

4.1 Environmental Resources Dismissed

The potential impacts from implementing the Proposed Action on the following environmental resources were analyzed according to the methods described in Section 2.2. The results of this analysis indicated that the potential impacts caused by the Proposed Action on selected environmental resources would fall in the "none-to-negligible" category, because these effects would be localized and immeasurable at the lowest level of detection. Accordingly, as summarized in Table 1, detailed analyses of these selected environmental resources are not warranted and are dismissed from further analysis in this EA.

Table 1. Environmental Resources Dismissed from Further Analysis

Environmental Resource Dismissed	Rationale
Land Use and Zoning	The Proposed Action is consistent with activities at the Togus VAMC. The Town of Chelsea does not have a use restriction zoning ordinance. The Proposed Action will not cause changes in land use or zoning to properties adjacent to or in vicinity of the Togus VAMC. Therefore, the Proposed Action will have no impact on land use or zoning. (The State of Maine Guidelines for Municipal Shoreland Zoning Ordinances are described under Wetlands in Section 5.9.)
Wildlife and Habitat	There are no federally-listed flora or fauna at the site. There is not sufficient habitat at the site to support populations of wildlife. The Proposed Action has no mechanism to degrade habitat in vicinity of the site. Therefore, the Proposed Action will have no measurable impact on wildlife or habitat.
Socioeconomics	The Proposed Action will not cause a measurable increase or decrease in the long-term socioeconomic condition of individuals or groups at the Togus VAMC or in the local community. The Fisher House is a relatively small commercial building and would be constructed by firms utilizing existing workers; if construction hiring is required, it would be temporary. No regionally significant quantities of construction materials will be purchased to construct the Fisher House. The Fisher House will economically benefit approximately 500 families per year; however, this benefit will be offset by an equivalent loss in potential revenue at lodging facilities in the local area; this loss is anticipated to be negligible in context to the total number of travelers served at these lodging facilities. Operation of the Fisher House may utilize existing Togus VAMC staff or require hiring only 1-2 new full-time staff, which will have a negligible impact on overall socioeconomic conditions in the community. Therefore, the Proposed Action will have a "none-to-negligible" impact on socioeconomics locally or regionally.

Environmental Resource Dismissed	Rationale
Utilities	The Proposed Action will utilize existing utilities available at the Togus VAMC, including water, sanitary sewer, stormwater, electricity, telecommunications, and steam if needed. The Togus VAMC will extend these utilities to the Fisher House building site. The Togus VAMC will install energy metering on electric, water, and fuel lines serving the Fisher House. The utilization rate of the utilities during operation of the Fisher House will not require the Togus VAMC or outside utility providers to expand or upgrade their services or cause a deterioration or disruption in service quality to existing customers in the community. Therefore, the Proposed Action will have a "none-to-negligible" impact on utilities.
Community Services	The Proposed Action will not increase, reduce, or otherwise impact the level of community services (police, fire, ambulance, schools, public institutions) at the Togus VAMC or in the general community. The population at the Fisher House will be transitory (average stay is approximately 10 days) by up to 16 families at any given time. This population is not large enough to impact the utilization or quality of these community services. Therefore, the Proposed Action will have a none-to-negligible impact on community services.
Alternative Energy Sources	The Proposed Action conceptual design does not currently include the installation or use of Alternative Energy Sources; this is due to the relatively small size of the development. The Proposed Action does not prohibit other areas of the Togus VAMC from utilizing alternative energy sources. Therefore, the Proposed Action will have a "none-to-negligible" impact on alternative energy sources.
Environmental Justice	The Proposed Action has no mechanism to affect minority or low-income populations in the local community, nor cause changes in environmental policies that could disproportionately affect these populations. Therefore, the Proposed Action will have a "none-to-negligible" impact on environmental justice.

4.2 Completed VA Checklists

4.2.1 VA NEPA Checklist for Environmental Impact Assessment of Alternatives

As requested by the VA, the "VA NEPA Checklist for Environmental Impact Assessment of Alternatives" provided in Table 2 has been completed to summarize the environmental resources considered in this EA and the resulting potential environmental impacts to each environmental resource associated with implementing both the construction and operational phases of the Proposed Action.

Table 2. VA NEPA Checklist for Environmental Impact Assessment of Alternatives

VA NEPA Checklist for Environmental Assessment of Alternatives	
Project Name	Proposed Construction and Operation of a Fisher House, Department of Veterans Affairs Maine Healthcare System Augusta, Kennebec County, Maine (Togus VAMC)
Project Site	VA Maine Healthcare System, #1 VA Center, Augusta, Maine (Togus VAMC)
Consultant Responsible for Environmental Assessment	Mabbett & Associates, Inc. Contract Number: VA101F-12-D-0056 Task Order Number: VA241-16-J-2047
Preferred Alternative	Proposed Action
Context and Intensity	**Definition**
Short-term Impact (ST)	Short-term impacts are those that would occur only with respect to a particular activity, for a finite period, or only during the time required for construction or installation activities.
Long-term Impact (LT)	Long-term impacts are those that are more likely to be persistent and chronic.
Direct Impact (DI)	A direct impact is caused by an action and occurs around the same time at or near the location of the action.
Indirect Impact (IDI)	An indirect impact is caused by an action and might occur later in time or be farther removed in distance but still be a reasonably foreseeable outcome of the action.
Adverse Impact	Adverse effect is one having unfavorable or undesirable outcomes on the manmade or natural environment.
Beneficial-and-not-significant (B)	A beneficial effect is one having positive outcomes on the man-made or natural environment.
None-to-negligible (N)	None-to-negligible impact would be barely detectable and an EIS is not required for this impact.
Minimal-to-moderate (M)	Minimal-to-moderate impact is a potential impact that is less than significant and would not require specific mitigation measures, other than those dictated by regulatory and permitting requirements and an EIS is not required for this impact.
Significant-but-mitigated (MI)	Significant-but-mitigated indicates specific mitigation measures are needed beyond those associated with permit requirements, but an EIS is not required for this impact because the mitigation reduces the otherwise significant impact to less-than-significant levels.
Significant (S)	Significant-and-immitigable impact would have to be evaluated in an EIS.

Note: An X is marked in applicable cells to indicate presence of applicable project attributes and its associated potential environmental impact.					
Environmental Resource Topic	**Project Attributes**	**Environmental Impacts**			
1. Aesthetics					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☒ N ☐ B ☐				
Project Attributes					
Vegetation Removal	☒				
Building Restoration	☐				
Landscape Alteration	☒				
Utility or Service Area Development	☐				
Open Space Altered	☒				
Ground Improvement Amenities	☐				
Public Parks	☐				
Landmark Structures and Districts	☒				
Waterfront and View Corridors	☐				
Obstruction of Natural Resources	☒				
New Building Construction	☒				
2. Land Use and Zoning					
Impacts					
Construction	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Encroachment on Existing Land Use	☐				
Sewage-Waste Treatment Facility	☐				
Change to Land Use Pattern	☐				
Utilities	☐				
Service and Operational	☐				
Roads and Parking	☐				
Hospital-Medical Facility	☒				
Recreational	☐				
Laboratories-Clinics	☐				
Ground Improvements	☒				
Administrative Facility	☐				
Cemetery	☐				
Zoning	☐				
Community-Based Plans	☐				

3. Air Quality					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Ambient Air Quality	☒				
The General Conformity Rule	☐				
Presence of Odors	☐				
Photochemical Oxidants	☐				
Particulate Emissions	☒				
Greenhouse Gas Emissions	☒				
Attainment Area	☒				
PSD and Title V Permits	☐				
Fuel Burning	☒				
Stationary Gasoline tanks	☐				
Incinerator	☐				
Ozone depleting refrigerants (sources may include chillers, freezers, refrigerators, water fountains, vending machines)	☐				
4. Cultural Resources					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☒ M ☐ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☒ M ☐ N ☐ B ☐				
Project Attributes					
National Registry Property	☒				
Criteria of Adverse Effect	☒				
Action Requires Tribal Coordination	☒				
Action Requires SHPO Coordination	☒				
Eligible Property	☒				
Architecturally Significant Property	☒				
Section 106 Report	☐				
5. Topography, Geology, and Soils					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Seismic Safety Building Codes and Standards	☐				
Boulders and Ledge Outcrops	☒				
Farmland	☐				
Disturbance of Geology and Soils	☒				
Storm Water and Sediments	☒				
Dewatering	☐				
Contaminated Soil	☐				
Contaminated Groundwater	☐				
Abandoned Underground Storage Tanks	☐				

6. Hydrology and Water Resources					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☒ N ☐ B ☐				
Project Attributes					
Potential for Erosion and/or Sedimentation (NPDES)	☒				
Alteration/Quality Change of Surface Water Drainage	☒				
Potential for Contamination of Water Regime (From Hazardous/Toxic Wastes)	☐				
Alteration/Quality Change of Groundwater Regime	☐				
Wetlands	☐				
Land disturbance of more than 1 acre	☐				
7. Solid Waste and Hazardous Materials					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Street Removal/Demolition	☐				
Construction Site Stockpiling	☐				
Bulk Operational Waste	☐				
Earth and/or Rock Debris	☒				
Concrete Debris	☐				
Hazardous Waste	☐				
PCB Containing Material	☐				
Asbestos Containing Material	☐				
Lead Containing Material	☐				
Radioactive Waste	☐				
Hazardous Material	☐				
8. Traffic, Transportation and Parking					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Alteration of Public Transportation	☐				
Alteration of Existing On-Site Roads or Parking	☐				
Alteration of Facility Access Roads	☐				
Construction of New Roads or Parking	☒				

9. Noise					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Utility Source Generation	☐				
Operational	☐				
Traffic	☐				
Vibrations	☐				
Construction	☒				
10. Wildlife and Habitat					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Presence of Endangered or Threatened Wildlife Species	☐				
Tree Removal	☒				
Groundcover Removal	☒				
Presence of Significant Wildlife	☐				
11. Floodplains, Wetlands and Coastal Zone Management					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
100-Year Floodplain	☐				
Coastal Zone Management Area	☐				
500-Year Floodplain	☐				
Critical Environmental Area of Wetlands	☒				
Critical Action (EO 11988)	☐				
12. Socioeconomics					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Reduction to Wages to Area	☐				
Local Purchase of Goods and Services	☐				
Additional Wages Will be Available to Area	☐				
Increase or Decrease in Direct Workforce	☐				

13. Community Services					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Alteration of Public Facilities	☒				
Alteration of Public Services	☒				
Alteration of Public Utilities	☐				
Parks, Schools and Libraries	☐				
Child Care Centers and Health Care Centers	☐				
Fire and police Protection	☐				
14. Utilities					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Water System, Supply	☒				
Incinerator	☐				
Storm Water Drainage	☒				
Air Conditioning and Refrigeration	☒				
Sanitary sewers	☒				
Electrical	☒				
Excavation	☒				
Heat Generation	☐				
Maintenance and Repair	☐				
Chilled Water	☐				
Steam and Condensate	☒				
Underground Storage Tanks	☐				
Telephone and Fiber Optic Cables	☒				
Gas	☐				
Drinking Water Storage, Distribution and Treatment	☐				
Medical Gas System (Oxygen, Vacuum and Medical Air)	☐				
15. Alternative Energy Sources					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Solar Panels	☐				
Solar Heater	☐				
Geo-thermal	☐				
Wind Power	☐				

16. Environmental Justice					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☒ B ☐				
Project Attributes					
Impact on Minority and Low Income Population Under EO 12898.	☐				
Impact on Children Under EO 13045	☐				
17. Cumulative Impacts					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☒ N ☐ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☒ N ☐ B ☐				
Project Attributes					
The Geographic Region of Influence (ROI)	☒				
Past and Current Projects	☒				
Known Future Actions	☒				
18. Potential for Generating Substantial Controversy					
Impacts					
Construction	LT ☐ ST ☒ S ☐ MI ☐ M ☐ N ☒ B ☐				
Operation	LT ☒ ST ☐ S ☐ MI ☐ M ☐ N ☐ B ☒				
Project Attributes					
Indirect or Direct Effects on Community Organizations	☒				
Interpretation of How the Action Will Effect Community Response is in Question	☐				
Consistent with Profile of Community	☒				

4.2.2 VA Checklist for Project Compliance with Federal Legal Authorities

As requested by the VA, the "VA Checklist for Project Compliance with Federal Legal Authorities" presented in Table 3 has been completed to confirm that the VA will be in compliance with all requirements of federal legal authorities that are applicable to the Proposed Action, as described in this EA.

Table 3. VA Checklist for Project Compliance with Federal Legal Authorities

VA Checklist for Project Compliance with Federal Legal Authorities	
Project Name	Proposed Construction and Operation of a Fisher House, Department of Veterans Affairs Maine Healthcare System Augusta, Kennebec County, Maine (Togus VAMC)
Project Compliance Assessor	Mabbett & Associates, Inc.
Compliance Status Codes	
FI – Requires Further Investigation	
MR – Mitigation Required, Non-Compliance Anticipated	
CA – Compliance Anticipated	
NA – Not Applicable	

Compliance Status	**Resource Numbers From VA NEPA Checklist for Environmental Impact Assessment of Alternatives**	**Federal Legal Authority**
		Executive Orders
NA	11	EO 11988, Floodplain Management (100-year, critical action, or 500-year)
NA	11	EO 11990, Protection of Wetlands
NA	10	EO 11987, Exotic Organisms
CA	3	EO 12088, Federal Compliance with Pollution Control Standards
NA	16	EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations
NA	4	EO 13006, Locating Federal Facilities on Historic Properties in Our Nation's Central Cities
NA	4	EO 13007, Indian Sacred Sites
CA	4	EO 13175, Indian Tribes
NA	4	EO 13287, Preserve America
CA	3, 15	EO 13693, Planning for Federal Sustainability in the Next Decade (Note: EO 13693 revoked EOs 13423 and 13514)
		Federal Laws and Regulations
MR, CA	4	Advisory Council on Historic Preservation Regulations, Protection of Historic and Cultural Properties (36 CFR 800)
CA	3, 7	Clean Air Act (CAA)
NA	11	Coastal Barrier Resources Act (PL 93-523)
CA	11	Coastal Zone Management Act (16 USC 1451 et. Seq.), amended by PL 101-508)
NA	7	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
NA	8	Determination of No Hazard to Air Navigation (FAA Advisory Circular 70/7460-1 K Change 2)
NA	7	Emergency Planning and Community Right-to-Know Act (EPCRA)
NA	10	Endangered Species Act (ESA) as amended (PL 93-205)
CA	5, 6, 14	Energy Independence and Security Act of 2007 (EISA)
NA	7	EPA Regulations on Determination of Reportable Quantities for Hazardous Substance (40 CFR 117)

Compliance Status	Resource Numbers From VA NEPA Checklist for Environmental Impact Assessment of Alternatives	Federal Legal Authority
NA	6, 11	EPA Regulations on Discharge of Dredged or Fill Material into Navigable Waters (40 CFR 230)
NA	7	EPA Regulations on Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce and Use Prohibitions (40 CFR 761)
CA	5, 6	EPA Regulations on the National Pollutant Discharge Elimination System (40 CFR 122)
NA	5	Farmland Protection Policy Act (FPPA)
NA	5, 7	Federal Environmental Pesticide Act
NA	5, 7	Federal Food, Drug and Cosmetic Act
NA	5, 7	Federal Insecticide, Fungicide and Rodenticide Act
NA	6, 7	Federal Water Pollution Control Act, Sec 313, as amended by Clean Water Act of 1977 (33 USC 1323)
NA	7, 12, 16	Food Quality Protection Act
NA	11	Marine Mammal Protection Act
NA	11	Migratory Bird Treaty Act
CA	All	National Environmental Policy Act (NEPA)
CA	4	National Historic Preservation Act (NHPA)
CA	4	Native American Graves Protection and Repatriation Act (NAGPRA)
CA	9	Noise Control Act of 1972
NA	7	Oil Pollution Act
NA	7	Resource Conservation and Recovery Act (RCRA)
NA	6	Safe Drinking Water Act (SDWA), Sec 1447 (PL 93-523)
CA	7	Spill Prevention, Control and Countermeasure Plans (SPCC)
NA	7	Toxic Substance Compliance Act
NA	6, 10	Wild and Scenic Rivers Act (16 USC 1274 et seq.)

5 ENVIRONMENTAL CONSEQUENCES

This section describes the baseline (existing) environmental, cultural, and socioeconomic conditions within the Proposed Action site at the Togus VAMC and in the general vicinity (refer to Figures 1 and 2), with emphasis on those environmental resources that would be potentially impacted by the Proposed Action. The existing conditions at the Proposed Action site incorporate information obtained during a site walk completed in October 2016, information provided by Togus VAMC representatives, available relevant environmental reports prepared by others, and a Phase 1 Environmental Site Assessment of the site (Mabbett, 2016). A summary report of existing conditions is provided in Appendix B. Under each environmental resource topic, the potential direct and indirect effects of implementing the Proposed Action and the No Action Alternative are identified. BMPs and mitigation measures, as well as permits and regulatory compliance measures incorporated into the Proposed Action, are discussed for each environmental resource, and are summarized in Section 7.0. Additionally, a table of permits required for the Proposed Action is provided in Appendix G. Potential cumulative impacts, accounting for information regarding current and future projects in the area are discussed in Section 5.10.

5.1 Aesthetics

5.1.1 Significance Criteria

An alternative could significantly affect visual resources if it resulted in abrupt changes to the complexity of the landscape and skyline (i.e., in terms of vegetation, topography, or structures) when viewed from points readily accessible by the public.

5.1.2 Regulatory Requirements

Municipal codes or ordinances regarding aesthetics are not applicable to VA as a federal agency. However, Fisher Houses are designed to match regional architectural styles.

5.1.3 Existing Conditions

As previously described in Section 1.1, the approximately 0.5-acre site for the Fisher House is located in the central portion of the Togus VAMC campus (see Figure 2). The site is a landscaped, grass-covered open field. A sparse stand of mature deciduous and coniferous trees provides a natural border between the site and the wooden fence located along the western side of Quarters 1; it is noted that Quarters 1 is not within the 0.5-acre site boundary. The site itself has no other defining features that contribute to its aesthetic condition. Beyond the 0.5-acre boundary of the site is Duck Pond, located to the north of the site, and a natural rock outcrop, located to the west/southwest of the site, that extends the “undeveloped” natural aesthetic of the site. The landscaped, grass-covered field extends south of the site, following the contour of Pond Road.

In 1974, Quarters 1 was designated as a National Historic Landmark and a contributing element of the historic district encompassing the Togus VAMC campus. During the scoping process for the Proposed Action, the SHPO indicated that the rock outcrop contributes to the park-like setting of Quarters 1, and therefore the rock outcrop should not be developed. Additional discussion regarding comments from the SHPO is provided under Cultural Resources in Section 5.3.

The undeveloped aesthetic condition of the site contrasts with the surrounding constructed environment, which is primarily influenced by Building 200E and Pond Road, which are both located to the west of the site. Vehicle traffic along Pond Road is also visible from the site.

5.1.4 Effects of the No Action Alternative

Under the No Action Alternative, no changes to existing aesthetic conditions would occur because the Proposed Action would not be implemented. The No Action Alternative would have a long-term, direct, beneficial-but-not-significant effect on aesthetics by retaining the undeveloped appearance of the grass-covered field.

5.1.5 Effects of the Proposed Action

Construction

Construction of the Proposed Action would result in short-term, direct, minimal-to-moderate adverse effects on aesthetic conditions. These effects would be caused by the presence at the site of construction vehicles associated with grading and constructing the Fisher House. Construction would require removal of the vegetated groundcover, potentially generating dust from disturbance to exposed soils. These construction-related impacts would cease once grading and construction are completed (construction is anticipated to last for 6 months). Construction also would require removal of 2-3 mature trees at the site. However, other trees would not be removed, and the natural border (between the site and Quarters 1) created by these trees would be preserved. Additional vegetation would be planted between the Fisher House site and Quarters 1 to provide an aesthetic border between the two facilities, as required in the MOA executed in December 2017.

The minimal-to-moderate adverse effect on aesthetics would be most noticeable to staff at the Togus VAMC who have become accustomed to seeing a grass-covered field along this segment of Pond Road. Therefore, the aesthetic effect is not anticipated to increase to a significantly adverse level because of the limited number of individuals impacted and the limited duration of the construction period.

Operation

Operation of the Fisher House would have a long-term, direct, minimal-to-moderate adverse effect on aesthetics. This effect is primarily due to the permanent loss of approximately 0.5 acres of open grass-covered field, noticeable by staff who recall the prior natural aesthetic condition. However, other staff and visitors would observe the Fisher House as a small two-story building with an architectural design that is consistent with regional styles, surrounded by professionally landscaped vegetation and grounds. Additionally, the vegetated border created between the Fisher House and Quarters 1 would further reduce the visibility of the Fisher House from Quarters 1 staff. For these reasons, operation of the Fisher House is anticipated to have a minimal-to-moderate adverse impact on aesthetics.

5.1.6 Permit Requirements

No permits associated with aesthetic conditions are required for the Proposed Action.

5.1.7 Best Management Practices

To minimize potential adverse aesthetic effects, the VA would implement the following BMPs.

Construction

- Utilize water trucks to reduce dust generation.
- To the maximum extent practicable, limit land clearing and tree removal. Replant using native, non-invasive vegetation. Create a vegetated border between the Fisher House and Quarters 1, as required by the MOA.
- Design the Fisher House consistent with a regionally-appropriate architectural style.
- Avoid development near the rock outcrop associated with Quarters 1, as required by the MOA.

Operation

- Professionally landscape and maintain the native, non-invasive vegetation surrounding the Fisher House.

5.1.8 Mitigation Measures

Implement the specific mitigation measures specified in the MOA executed in December 2017, which mitigate impacts to historical resources and associated aesthetic conditions at the site.

5.2 Air Quality

5.2.1 Significance Criteria

An alternative could have a significant air quality effect if it would result in substantially higher air pollutant emissions or cause established air quality standards to be exceeded.

5.2.2 Regulatory Requirements

National Ambient Air Quality Standards

The ambient air quality in an area can be characterized in terms of whether it complies with the primary and secondary National Ambient Air Quality Standards (NAAQS). The *Clean Air Act*, as amended (CAA and CAAA), requires the USEPA to set NAAQS for pollutants considered harmful to public health and the environment. NAAQS are provided for the following principal pollutants, called "criteria pollutants" (as listed under Section 108 of the CAA):

- Carbon monoxide (CO)
- Lead (Pb)
- Nitrogen Dioxide (NO_2)
- Ozone (O_3)
- Particulate Matter (PM), divided into two size classes:
    - Aerodynamic size less than or equal to 10 micrometers (PM_{10})
    - Aerodynamic size less than or equal to 2.5 micrometers ($PM_{2.5}$)
- Sulfur Dioxide (SO_2)

Areas are designated by the USEPA as "attainment", "non-attainment", "maintenance", or "unclassified" with respect to the NAAQS. Regions in compliance with the standards are

designated as “attainment” areas. In areas where the applicable NAAQS are not being met, a “non-attainment” status is designated. Areas that have been classified as "non-attainment", but are now in compliance, can be re-designated "maintenance" status if the state completes an air quality planning process for the area. Areas for which no monitoring data is available are designated as “unclassified” and are by default considered to be in attainment of the NAAQS.

Additionally, the CAA regulates criteria pollutants as well as 188 specifically listed hazardous air pollutants (HAP). The Title V Operating Permit Program under 40 CFR 70 requires sources that meet the definition of a “major source” of criteria pollutants or HAPs to apply for and obtain a Title V operating permit. A major source of HAPs has the potential to emit (PTE) more than 10 tons per year (tpy) of any individual HAP, or 25 tpy of any combination of HAPs. The definition of major source for criteria pollutants is dependent on the air quality attainment status of the region where the source is located (i.e., areas that are in attainment or non-attainment with the NAAQS). Major sources have a PTE more than 100 tpy of any criteria pollutant in an attainment area or lower levels in various classifications of non-attainment (i.e. marginal, moderate, serious, severe, and extreme).

The Togus VAMC is located in Kennebec County, which is part of the “Western Interior” air quality monitoring region, and which is in full attainment with the NAAQS (USEPA, 2016).

Greenhouse Gases

Gases that trap heat in the atmosphere are often called greenhouse gases. Some greenhouse gases, such as carbon dioxide, occur naturally and are emitted to the atmosphere through natural processes and human activities. Other greenhouse gases (e.g., fluorinated gases) are created and emitted solely through human activities. The principal greenhouse gases that enter the atmosphere because of human activities are:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Fluorinated gases (e.g., hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride)

Gases in the atmosphere can contribute to the greenhouse effect both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other greenhouse gases, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the earth. Other than EPA requirements for Mandatory Reporting of Greenhouse Gases Rule (74 CFR 56260), which requires reporting of greenhouse gas data and other relevant information from large sources and suppliers in the United States, no general Greenhouse Gas (GHG) regulatory guidelines are in place. The purpose of the rule is to collect accurate and timely GHG data to inform future policy decisions. Additionally, the GHG goals in the VA Strategic Sustainability Performance Plan (updated June 30, 2014; VA, 2014) include reducing Scope 1 and Scope 2 GHG emissions by 29.8% by 2020, relative to Fiscal Year (FY) 2008, and reducing Scope 3 GHG emissions by 10% by 2020, relative to FY 2008.

In 2013, the President issued EO 13653, Preparing the United States for the Impacts of Climate Change, to build upon the progress made by agencies subsequent to EO 13514. EO 13653 requires that agencies update their climate change adaptation policies and plans. In June 2014, the VA fulfilled this requirement by preparing the Climate Change Adaptation Plan (VA, 2014b).

State and Local Air Quality Requirements

The General Conformity Provision of the CAA of 1970 (42 USC 7401 *et seq*.; 40 CFR Parts 50-87) Section 176(c), including the USEPA's implementation mechanism, the General Conformity Rule (40 CFR Part 51, Subpart W), prohibits the federal government from conducting, supporting, or approving any actions that do not conform to a USEPA-approved State Implementation Plan (SIP). A SIP is a state's self-authored blueprint for achieving and maintaining compliance with the goals of the CAA. Federal agencies prepare written Conformity Determinations for federal actions in or affecting NAAQS non-attainment areas or maintenance areas when the total direct and indirect emissions of non-attainment pollutants (or their precursors) exceed specified thresholds. Conformity with the SIP is demonstrated if project emissions fall below threshold values.

The State of Maine has an EPA-approved SIP. Under Title 38 M.S.R.A., Chapter 4, the MEDEP Bureau of Air Quality implements the SIP and monitors air quality across the state, licenses emissions from larger facilities, and conducts compliance assistance and inspection visits. An applicable section under Chapter 4 includes 585-L: *Idling Requirements for Motor Vehicles*, which limits the idling of mobile sources to five minutes or less. This regulation applies to most vehicles such as trucks and other gasoline or diesel-fuel powered vehicles commonly used on construction sites.

The Town of Chelsea does not have any local ordinances pertaining to air quality standards.

5.2.3 Existing Conditions

Emissions Sources

The Togus VAMC is currently identified by USEPA as an Operating Minor facility (ME0000002301100372, ME00000023011CFC01), due to the emission of regulated pollutants from the on-site biomass boiler plant.

Sensitive Receptors

The CEQ NEPA regulations require evaluation of the degree to which the proposed action affects public health (40 CFR 1508.27). Children, elderly people, and people with illnesses are especially sensitive to the effects of air pollutants; therefore, hospitals, schools, convalescent facilities, and residential areas are considered to be sensitive receptors for air quality impacts.

Sensitive air quality receptors in the immediate vicinity of the proposed Fisher House site include Togus VAMC staff, visitors, and patients. The Togus VAMC cemetery is located approximately 0.4-miles east of the site. The nearest residential area is located approximately 0.5 miles north (along Eastern Avenue) and south (along Hallowell Road) of the site. The Town of Chelsea Elementary School is located approximately 0.5-miles south of the site. No other sensitive receptors were identified in the vicinity of the Togus VAMC.

5.2.4 Effects of the No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented and there would be no change to the existing air quality condition, and therefore no adverse effects would occur.

5.2.5 Effects of the Proposed Action

Construction

Construction of the Fisher House is anticipated to cause short-term, minimal-to-moderate adverse impacts on air quality. Construction is anticipated to take 6 months. Construction vehicles and equipment will burn fuel, resulting in emissions of criteria pollutants, while particulate matter may be released into the air from construction activities including grading of areas with exposed soils, and vehicles traveling on paved and unpaved surfaces. Dust/particulate matter generated during construction activities can lead to adverse health effects and nuisance concerns, such as reduced visibility on nearby roadways. To minimize these potential effects on air quality, the construction contractor will implement BMPs to reduce construction vehicle emissions and manage dust generated from soil disturbance. These BMPs are described in the following Section 5.2.7. By implementing these BMPs, the adverse effect on air quality will be maintained at minimal-to-moderate levels.

Additionally, based on the 6-month construction period and the relatively small size of the construction project (approximately 13,400-square foot building, 20-space parking lot), standard construction equipment (dozer, grader, backhoe) is anticipated to be used for this project. Therefore, the cumulative construction vehicle emissions generated over the 6-month construction period are anticipated to be below *de minimis* emission thresholds for the NAAQS under the CAA. Accordingly, based the location of the Proposed Action in an attainment area and this conformity review, a General Conformity Determination is not required.

Operation

Operating the Fisher House would cause a long-term, none-to-negligible adverse effect on air quality. No new regulated sources of emissions would be required to operate the Fisher House. No increase in vehicle traffic associated with staff, visitors, or patients would occur as a result of operating the Fisher House. In fact, vehicle emissions from families and caregivers would be anticipated to slightly decrease, as these groups would no longer need to travel daily to and from the Togus VAMC and an off-site lodging location.

5.2.6 Permit Requirements

No permits specifically related to air quality are required.

5.2.7 Best Management Practices

The construction contractor will implement the following BMPs to reduce combustion-related emissions as well as fugitive dust emissions during construction:

- Limit grading only to the areas required by the construction design plans for the 0.5-acre site.
- Use appropriate dust suppression methods during onsite construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures,

covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.

- Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces.
- Cover haul trucks with tarps.
- Stabilize previously disturbed areas with vegetation or mulching if such area would be inactive for several weeks or more.
- Visually monitor all construction activities regularly, and particularly during extended periods of dry weather, and implement dust control measures when appropriate.
- Use of newer off-road and on-road construction equipment that meets the latest USEPA or California Air Resources Board (CARB) (2016) standards, to the extent practicable.
- Limit the idling of mobile sources to three minutes or less.
- Maintain mature trees to the extent practicable.

5.2.8 Mitigation Measures

No project-specific mitigation measures are required.

5.3 Cultural Resources

5.3.1 Significance Criteria

An alternative could have an adverse effect on cultural resources if it may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association. An adverse effect would also occur if the alternative decreases access to resources of value to federally recognized Native American tribes. Impact assessment for cultural resources focuses on properties that are listed in or considered eligible for the NRHP or are National Historic Landmarks.

5.3.2 Regulatory Requirements

Cultural resources are historic properties as defined in the *National Historic Preservation Ac*t (NHPA), cultural items as defined in the NAGPRA, archeological resources as defined in the *Archaeological Resources Protection Act* (ARPA), sacred sites as defined in EO 13007 to which access is provided under the *American Indian Religious Freedom Act* (AIRFA), and collections as defined in 36 CFR 79, *Curation of Federally Owned and Administered Collections*. Requirements set forth in NEPA, NHPA, ARPA, NAGPRA, AIRFA, 36 CFR 79, EO 13007, and Presidential Memorandum on *Government-to-Government Relations with Native American Tribal Governments* define the basis of VA's compliance responsibilities for management of cultural resources. Regulations applicable to VA's management of cultural resources include those promulgated by the ACHP and the U.S. National Park Service (NPS).

For proposed actions, federal agencies are required to consult with Federally-recognized Native American Tribes in accordance with the NEPA, NHPA, NAGPRA, and EO 13175.

5.3.3 Existing Conditions

Section 106 Consultation

In 1974, Quarters 1 was listed in the NRHP and as a National Historic Landmark. On October 3, 2012, the entire Togus VAMC campus was listed in the NRHP as a historic district, of which Quarters 1 and 49 other buildings, 2 sites, and 3 structures are contributing resources (NPS, October 2, 2012).

In early 2015, as part of the initial scoping process for the Proposed Action, four alternative layouts and locations for the proposed Fisher House were developed by the Togus VAMC and the Fisher House Foundation. In August 2015, the Togus VAMC informally discussed the project and the proposed locations with the SHPO. On January 19, 2016, the Togus VAMC sent a letter to the SHPO to formally initiate Section 106 consultation; the letter described the four alternative locations proposed for the Fisher House and included a request for concurrence of "some Adverse Effect" regardless of the location as the entire Togus VAMC was listed in the National Register of Historic Places as a historic district in 2012. On February 18, 2016, the SHPO issued a letter concurring with the determination that the Proposed Action will adversely effect both the National Historic Landmark (Quarters 1) and the historic district. The SHPO also requested an MOA be executed to mitigate the adverse effect on historic properties should the VA ultimately select certain of the proposed locations. The SHPO also requested continued consultation on the Proposed Action.

Subsequently, on April 19, 2016, a meeting to review the alternative locations was held at the Togus VAMC and attended by staff from the Togus VAMC, the VA Maine Healthcare System, the Fisher House Foundation, the National Park Service, the ME SHPO, and the Advisory Council on Historic Preservation. Collectively, the group determined the most suitable location for the Fisher House to be the 0.5-acre located east of Pond Road, north of the flag pole, south of Duck Pond, and west of Quarters 1 and the rock outcrop.

The original proposed layout for the Fisher House at this selected location had positioned a 20-space parking lot on the east side of the Fisher House (e.g. between the Fisher House and Quarters 1). However, the SHPO recommended placing the parking lot on the west side (adjacent to Pond Road) to minimize adverse effects to Quarters 1. Additionally, the SHPO reiterated the need for a MOA to outline the VA's commitment to mitigate for the adverse effects on historic properties by implementing an annual maintenance plan for Quarters 1 and preventing development of the rock outcrops located west of Quarters 1, as this outcrop contributes to the park-like setting of Quarters 1. Subsequently, in December 2017, a MOA was completed and signed by the VA Maine Healthcare System, SHPO, ACHP, and the Fisher House Foundation, with concurrence by the National Park Service (NPS) (a copy of the MOA is included in Appendix C). The MOA includes measures for mitigation, site design, site preparation, and landscape protection, requirements for the Fisher House Foundation architect/engineer (A/E) to develop conceptual design plans for the Fisher House in coordination with the SHPO and NPS and specified alignment requirements, and monitoring and reporting, including implementing "inadvertent discovery" procedures according to 36 CFR § Section 800.13(b) of the ACHP regulations and VA Polices and Directives. This latter monitoring and reporting requirement is warranted because the VA has not conducted a subsurface cultural resources investigation within the proposed Fisher House site; this requirement ensures that the Proposed Action described in this EA would have "no adverse effect" on subsurface cultural deposits, should any be found during construction.

Native American Tribal Consultation

In accordance with 36 CFR 800.2 and EO13175, *Consultation and Coordination with Indian Tribal Governments*, on December 18, 2015, the Togus VAMC sent consultation letters to four federally-recognized Native American Tribes to solicit input and participate in the NEPA scoping process. The four Native American Tribes included the Aroostook Band of Micmac's, Passamaquoddy Tribe of Indians, Penobscot Nation, and Houlton Band of Maliseet Indians. These tribes were identified as having possible ancestral ties to the area as identified by the SHPO and/or the Native American Consultation Database (NACD). The Penobscot Nation responded, indicating that the Proposed Action appeared to have no impact on a structure or site of historic, architectural or archaeological significance to the Penobscot Nation. Copies of correspondence letters and responses are provided in Appendix E.

5.3.4 Effects of the No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. No adverse effects to the historic district would occur. Any potential subsurface cultural deposits would remain undisturbed at the proposed Fisher House site.

5.3.5 Effects of the Proposed Action

Construction

Construction of the Fisher House would have a significant-but-mitigated adverse effect as the setting of both the National Historic Landmark and the historic district will be significantly altered and their integrity diminished, pursuant to 36 CFR Part 800.5(a)(s)(iv) and (v). Accordingly, the Proposed Action includes mitigation for historic preservation; the specific mitigation commitments are specified in the MOA (included in Appendix C). As specified in the MOA, mitigation includes enhancement of existing documentation of Quarters 1 and annual inspections of Quarters 1. Additionally, the VA will incorporate site design, site preparation, and landscape protection into the Proposed Action to minimize adverse effects on historic resources; design the architecture of the Fisher House to be compatible with the character of the surrounding National Register District; and provide annual summary reports of the mitigation work. The VA Maine Healthcare System will implement the MOA commitments, including an "Inadvertent Discovery" SOP for potential subsurface resources in accordance with 36 CFR § Section 800.13(b) of the ACHP regulations and VA Polices and Directives.

Operation

Operation of the Proposed Action would cause none-to-negligible adverse effects on cultural resources. Operation of the Fisher House would not require subsurface disturbances or additional potential impacts to Quarters 1 or other contributing features to the historic district at the Togus VAMC. Additionally, the VA Maine Healthcare System would monitor the implementation of the stipulated final mitigation commitments for historic preservation specified in the MOA executed in December 2017.

Refer to the MOA in Appendix C for specific details on these stipulations.

5.3.6 Permit Requirements

No specific permits associated with cultural resources are required to implement the Proposed Action. Implementing the MOA is a required mitigation, but the MOA is not a permit *per se*. The MOA was signed in December 2017.

5.3.7 Best Management Practices

Should human remains or other cultural items as defined by NAGPRA be discovered during construction of any phase of the Proposed Action, the construction contractor would immediately cease work until VA, a qualified archaeologist, the SHPO, and Native American Tribes, are contacted to properly identify and appropriately treat discovered items in accordance with applicable state and federal law(s).

Should any other cultural or historic artifacts or resources become uncovered during construction during any phase of the Proposed Action, the VA will inform the SHPO and take any actions requested and/or required by the MESHPO. Additionally, the MOA includes an "Inadvertent Discovery" Standard Operating Procedure (SOP) for potential subsurface resources if required by the ME SHPO in accordance with 36 CFR § Section 800.13(b) of the ACHP regulations and VA Polices and Directives.

5.3.8 Mitigation Measures

The VA Maine Healthcare System will implement the mitigation for historical preservation, due to adverse effect to the setting of Quarters 1 and the historic district, as detailed in the MOA, executed in December 2017. Refer to the MOA in Appendix C for specific details on these stipulations.

5.4 Topography, Geology and Soils

5.4.1 Significance Criteria

If an alternative would result in an increased geologic hazard or a change in the availability of a geologic resource, or change topographic features resulting in detrimental changes in stormwater runoff quality or quantity, or result in the loss of productive agricultural land, it could have a significant effect. Such geologic and soil hazards would include, but not be limited to, seismic vibration, land subsidence, and slope instability.

5.4.2 Regulatory Requirements

There are no regulatory requirements related to topography and geology applicable to the Proposed Action. The applicable regulatory requirements for soil pertain to minimizing soil erosion through engineering controls and stormwater management.

Soil Erosion and Sedimentation Management

As previously described, the A/E will design the Fisher House to comply with EISA Section 438 to the maximum extent technically feasible to maintain or restore the predevelopment hydrology of the property in the post-development condition, further reducing soil erosion, sedimentation, and volume of stormwater run-off. The A/E will prepare and submit an EISA 438 compliance determination for VA review prior to finalizing the design plans.

Additionally, the A/E will prepare a site-specific SESC Plan, as required under the VA Maine Healthcare System's *Maine Construction General Permit.* The SESC Plan will describe the

BMPs that will be implemented and maintained prior to and during construction to limit and manage soil erosion and sedimentation of run-off. The SESC Plan will be consistent with the requirements of Maine's *Site Location of Development Law* and *Natural Resources Protection Act*, as warranted.

Prime and Unique Farmlands

Prime and Unique Farmlands are regulated in accordance with the U.S. Department of Agriculture (USDA) *Farmland Protection Policy Act* (FPPA) (7 USC 4201, *et seq*.) to ensure preservation of agricultural lands that are of statewide or local importance. Soils designated as prime farmland are capable of producing high yields of various crops when managed using modern farming methods. Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion. Unique farmlands are also capable of sustaining high crop yields and have special combinations of favorable soil and climate characteristics that support specific high-value foods or crops. The NRCS states that projects that may irreversibly convert (directly or indirectly) farmland soils to nonagricultural use and are completed by a federal agency or completed with the assistance of a federal agency, must file a Farmland Conversion Impact Rating form AD-1006 with NRCS.

5.4.3 Existing Conditions

Topography

The elevation of the ground surface at the site is approximately 161 feet above mean sea level (amsl), as indicated on Figure 5, U.S. Geological Survey (USGS) Togus Pond, Maine Quadrangle Map. The site has a slightly concave shape, with a slight slope toward the north toward Duck Pond, and the east toward Quarters 1.

Geology

The Togus VAMC is located in the New England physiographic providence. According to the Bedrock Geologic Map of Maine (1985), area geology is classified as medium rank amphibolite facies and eugeosynclinal deposits formed during the Devonian Period of the Paleozoic Era (Schruben, Arndt, and Bawiec, 1994). The bedrock unit weathers to a residual soil of variable thickness and groundwater beneath each parcel occurs in a network of fractures in the upper part of the bedrock formation and is recharged by infiltration of precipitation.

According to the USGS *Seismic-Hazard Maps for the Conterminous US, 2014*, the Augusta area shows there is a 10% probability of exceedance of seismic peak acceleration of 5-6%g (percent of gravity, g) in a 50-year period, and a 2% probability of exceedance of seismic peak acceleration of 10-12%g in a 50-year period (USGS, 2015).

Soil

The USDA Natural Resource Conservation Service (NRCS) classifies the site soil in the Buxton silt loam map unit, with 3-8% slopes, designated by the symbol BuB2. Buxton soil is within the *fine, illitic, frigid Aquic Dystric Eutrudept* taxonomic soil classification. Buxton silt loams soils are derived from a parent material of Glaciolacustrine deposits derived from siltstone. It is in the *somewhat poorly drained* natural drainage class. Depth to water is approximately 7-18 inches

below ground surface (bgs). The capacity of the most limiting later to transmit water (Ksat) is very low to moderately high (0.00 to 0.20 inches/hour). It is in the Hydrologic Soil Group "D", defined as soils having a very slow infiltration rate (high runoff potential) when thoroughly wet; these consist chiefly of clays that have a high shrink-swell potential, soils that have a high-water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material; these soils have a very slow rate of water transmission. It is classified as a silt loam from 0-7 inches bgs, silty clay loam from 7-36 inches bgs, and silty clay from 36 to 65 inches bgs. Buxton silt loam has a high risk of corrosion for uncoated steel and a moderate risk of corrosion for concrete. According to the USDA NRCS Web Soil Survey, it is not subject to flooding or ponding. However, according to Togus VAMC representatives, during periods of high precipitation surface water has been observed to pond at the site. A copy of the USDA NRCS soil map is presented in Figure 6.

Building Site Development Rating

A report for "Building Site Development" was prepared for small commercial buildings. The USDA NRSC defines small commercial buildings as "…structures that are less than three stories high and do not have basements. The foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility (which is inferred from the Unified classification of the soil). The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments."

The *Building Site Development Rating* is "very limited" for Buxton soils. According to the NRSC, "Very Limited indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected. The "rating reasons" for Buxton soil including: *Depth to saturated zone* (1.00), *slope* (0.52), and *shrink-swell* (0.50). Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00)."

Prime or Important Farmland

The Buxton silt loam soil is not classified as prime or important farmland. Therefore, preparation of a USDA Farmland Conversion Impact Rating form AD-1006 is not required for the Proposed Action.

5.4.4 Effects of the No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented, existing conditions would be unchanged, and no impacts to soil, topography, or geology would occur.

5.4.5 Effects of the Proposed Action

Construction

Topography and Geology

None-to-negligible adverse impacts to topography or geology are anticipated during construction. No impacts to mineral resources are anticipated, as the Fisher House would not involve the commercial extraction of mineral resources, nor affect mineral resources considered important on a local, state, national, or global basis.

Soil

Construction of the Fisher House would cause short-term, minimal-to-moderate adverse effects on soil. Site work will require disturbing the soil surface within a portion or up to all of the 0.5-acre site. Disturbance will involve removal of vegetative cover, grading, subsurface excavation for utility and foundation work, and soil compaction. If soils are not suitable to support the building and parking, construction may also require installation of subsurface pilings. Additionally, imported fill may be required to raise the grade of the Fisher House and parking areas above the elevation where the Togus VAMC staff have observed ponded water during periods of high precipitation at the site.

Exposed soil that has not been compacted or stabilized may be susceptible to erosion by wind and precipitation, potentially resulting in off-site discharges of sediment-laden runoff. Additionally, compaction can reduce the infiltration rate of the soil, leading to increased run-off potential and increased erosion of the down gradient surrounding soils.

Construction vehicles and equipment could also accidentally release fuel and fluids that degrade soil quality at the site, if the release is not immediately remediated.

To address and limit the adverse effects of construction on soil quality (erosion), the Fisher House project phase will be designed to comply with EISA 438 to the maximum extent technically feasible through engineering and design controls, such as minimizing the creation of new impervious surfaces, directing stormwater run-off to capture devices and/or the existing Togus VAMC stormwater management infrastructure, and the use of Low-Impact Development (LID) practices such as permeable pavement, rain gardens, and infiltration landscapes to manage precipitation.

Additionally, the A/E will prepare, and the construction contractor will implement the SESC Plan for the site. The SESC Plan will incorporate BMPs to prevent and reduce soil erosion and sedimentation during construction, including the use of silt fencing, hay bales, specified loading and unloading areas, covering exposed soils during anticipated storm events, and revegetating soils with temporary and/or permanent non-invasive vegetation as soon as construction conditions allow. BMPs will also include measures to prevent dust emissions from disturbed soil at the site and on construction vehicles leaving and entering the site.

Once construction is complete, no further soil erosion and sedimentation impacts are anticipated.

Operation

During operation, none-to-negligible long-term effects would be anticipated to topography, geology, and soils. Operation will not require any additional subsurface earthwork, and the Togus VAMC will professionally landscape the vegetation used to cover and stabilize previously

disturbed soils to prevent erosion. Stormwater that does not infiltrate into pervious surfaces at the site will be directed to the existing stormwater piping system, which drains into Duck Pond. The Togus VAMC will continue maintaining this and any other LID systems for managing stormwater, to ensure these systems continue to function as designed.

5.4.6 Permit Requirements

Prior to finalizing the design of the Fisher House, the VA Maine Healthcare System will attend a pre-application meeting with the MEDEP to identify any particular areas of concern and to confirm the specific permits required for construction and operation of the Proposed Action, based on the anticipated final design.

Based on input from the MEDEP to date, the Proposed Action is anticipated to require a modification to the VA Maine Healthcare System's existing *Maine Construction General Permit*. The SESC Plan is anticipated to be a component of the permit modification submittal. The SESC will be prepared in accordance with Maine's *Site Location of Development Law* and *Natural Resources Protection Act*, which refer to the State Storm Water Standards for erosion and sedimentation control requirements in Section 420-C, and Chapter 500 of the Land Use Rules. As applicable, the SESC Plan will also be consistent with any existing SWPPP maintained by the Togus VAMC.

While not a permit, the Proposed Action is also required to demonstrate compliance to the maximum extent technically feasible with EISA Section 438.

5.4.7 Best Management Measures

The construction contractor will implement the BMPs required in the SESC Plan, as well as any similar plans that specify measures to control soil erosion and sedimentation of run-off. These BMPs will ensure the adverse effects to soil will not increase above short-term, minimal-to-moderate adverse levels. The BMPs will include but are not limited to:

- Implement sediment and erosion control measures in the SESC, such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap, and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation.
- Retain on-site vegetation to the maximum extent possible.
- Plant and maintain soil-stabilizing vegetation on disturbed areas.
- Use native, non-invasive vegetation to re-vegetate disturbed soils. Professionally maintain vegetation during operation.
- Implement to the maximum extent practicable LID or green infrastructure practices such as water quality swales and rain gardens to manage precipitation and infiltration of stormwater. Key strategies for effective LID include: managing stormwater close to where precipitation falls; infiltrating, filtering, and storing as much stormwater as feasible; managing stormwater at multiple locations throughout the landscape; conserving and restoring natural vegetation and soils; preserving open space and minimizing land disturbance; designing the site to minimize impervious surfaces; and providing for maintenance and education (regarding LID).

- Implement a maintenance plan to ensure the long-term effectiveness of any new and existing stormwater management structures or measures (such as oil/grit separators, or swales, etc.) to limit and reduce soil erosion and sedimentation of run-off during operation.
- The construction contractor will maintain vehicles and equipment in good working order and maintain an emergency spill kit on-site at all times, and will ensure workers are properly trained in spill kit operation. The construction contractor will notify the Togus VAMC and MEDEP in the event of an accidental release of fuel or fluids (hydraulic oil) to site soils. The construction contractor will also comply with any SPCC Plan maintained by the VA Maine Healthcare System.

5.4.8 Mitigation Measures

No project-specific mitigation measures are required.

5.5 Hydrology and Water Resources

5.5.1 Significance Criteria

This section focuses on surface water and groundwater resources. If an alternative would result in a reduction in the quantity or quality of water resources for existing or potential future use, it could have a significant effect.

5.5.2 Regulatory Requirements

As previously described, the proposed Fisher House is required to design the Fisher House development to the maximum extent technically feasible with EISA Section 438, in order to reduce stormwater run-off to protect water resources by maintaining pre-development hydrology during the post-development period. Accordingly, as previously described, the A/E will be required to submit an EISA 438 compliance determination to the VA Maine Healthcare System prior to finalizing design plans.

As previously described under the Soil topic, additional regulatory requirements to protect hydrology and water resources include preparation and implementation of an SESC Plan, which specifies measures to limit soil erosion and sedimentation of stormwater run-off at the site.

5.5.3 Existing Conditions

Surface Water

There are no surface water bodies within the 0.5-acre site boundary. The nearest surface water bodies include Duck Pond, Icy Pond, and Greeley Brook. Duck Pond is located immediately north of the Fisher House site. Duck Pond is a man-made pond covering approximately 1 acre. Duck Pond is used by the Togus VAMC to collect stormwater, captured in a catchbasin on the west side of Building 200E, and transported via an underground pipe beneath Pond Road, which discharges into the southern end of Duck Pond. Duck Pond drains through a culvert on the northern bank, flows via an underground pipe beneath North Gate Road, then discharges into Greeley Brook, which flows south for approximately 6 miles until discharging into the Kennebec River.

Greeley Brook originates from Greeley Pond, which is located approximately 1.2 miles north of the Togus VAMC. As Greeley Brook flows south onto the Togus VAMC, it is retained in Icy

Pond, which is located north of the Building 200E parking lot. Icy Pond contains an overflow weir; the discharge continues flowing into Greeley Brook.

Although the boundary of the Fisher House development area will be located at least 75-feet away from the highest bank of Duck Pond, stormwater from the Fisher House development site that does not infiltrate into the ground or the stormwater management system has the potential to flow into Duck Pond.

Groundwater

There are no federal USGS or Federal Reporting Database System (FRDS) Public Water Supply Wells located within a one-mile radius of the Togus VAMC campus. The Maine Geologic Survey Bedrock Well Depth Map indicates that within a two-mile radius of the Togus VAMC campus, there are several bedrock groundwater wells that are drilled less than 500 feet bgs. There are fifteen domestic water wells within a one-mile radius of the Togus VAMC campus drilled to varying depths, but all shallower than 464 feet bgs (Mabbett, 2016).

Based on the USDA NRSC soil report, groundwater is anticipated to be encountered from 7- to 18-inches bgs. Based on the Togus VAMC and regional topography, groundwater likely flows toward the south/southeast, though local groundwater flow may vary due to the presence of underground utilities including the stormwater underground piping, steam lines, and heterogeneous subsurface soil conditions.

Representatives from the Togus VAMC indicated that approximately once per year, during periods of high precipitation at the site, water will pond on the ground surface at the site for 1-3 days, until it infiltrates into the ground. This observation suggests that a seasonal high groundwater table may be encountered at or near the ground surface during these periods.

5.5.4 Effects of the No Action Alternative

Under the No Action Alternative, no impacts to hydrology and water resources would occur. The Proposed Action would not be implemented, therefore, current hydrological conditions would remain unchanged, as no new impervious areas would be created, and stormwater run-off would continue to infiltrate into the grass-covered ground surface at the site.

5.5.5 Effects of the Proposed Action

Construction

Construction of the Fisher House is anticipated to cause short-term, minimal-to-moderate adverse effects on hydrology. These effects are primarily associated with converting the existing pervious surface of the site to an impervious surface. The new impervious surface area will prevent precipitation and stormwater from infiltrating into the ground at the site, recharging the underlying groundwater, and can increase the volume of stormwater run-off entering Duck Pond. Erosion of soils exposed during the construction period could also lead to potential sedimentation of stormwater run-off entering the Duck Pond.

As previously described in Soils - Section 5.4, prior to and during construction, the construction contractor will implement the SESC Plan to minimize soil erosion and sedimentation of stormwater run-off entering Duck Pond. Additionally, the decrease in the volume of precipitation infiltrating into the ground surface and recharging the underlying groundwater is considered to be negligible in context to the larger regional volume of recharge that occurs at the Togus VACM

and regionally. This will ensure that the minimal-to-moderate adverse effects will not increase to a significant level.

During construction, an accidental release of fuel or hydraulic fluid from construction vehicles and equipment could cause a short-term, minimal-to-moderate adverse effect on groundwater quality, if the release was not stopped and/or remediated prior to contact with groundwater.

As previously described in Soils - Section 5.4, to minimize this potential effect on groundwater quality, all construction vehicles will be equipped with spill kits, and construction contractors will ensure their workers are properly trained on the use of these kits. The Togus VAMC will notify MEDEP immediately should a release of regulated chemicals occur, and implement required remedial measures to protect groundwater quality. The construction contractor will also follow any specific requirements specified in the Togus VAMC SPCC Plan.

Once construction is complete, no further soil erosion and sedimentation impacts are anticipated because exposed soils will be planted with native, non-invasive vegetation, allowing precipitation and run-off to infiltrate into the soil, while any excess run-off from impervious surfaces will be directed to the existing stormwater management system (drains into Duck Pond) operated by the Togus VAMC. Construction equipment will be demobilized from the site, eliminating the potential for accidental releases of equipment fuel or fluids to groundwater.

Operation

As previously described, the Fisher House project will be designed to comply with EISA 438 to the maximum extent technically feasible to reduce the creation of new impervious surface area, utilizing existing Togus VAMC stormwater management infrastructure to capture run-off and control its discharge into Duck Pond. The Fisher House will also be designed to incorporate LID features to limit the volume of stormwater run-off generated from precipitation. Therefore, operation of the Fisher House is anticipated to result in long-term, none-to-negligible adverse effects on surface water or groundwater resources. Additionally, there are no anticipated operational activities at the Fisher House that would cause an adverse impact to groundwater, such as handling, storing, or disposing of hazardous or toxic wastes.

5.5.6 Permits Required

As previously described for soil under Section 5.4, a pre-application meeting will be held with the MEDEP to ensure all required permits are identified, subsequently obtained, and management measures implemented. The aforementioned SESC Plan will be required as part of the anticipated update to the current Togus VAMC *Maine Construction General Permit*.

While not a permit, the Proposed Action is required to demonstrate compliance to the maximum extent technical feasible with EISA Section 438.

5.5.7 Best Management Practices

To minimize potential adverse impacts to surface water and groundwater during construction and operation, the following management measures will be implemented in addition to those specified in the SESC Plan and previously described in Soils - Section 5.4:

- Install and monitor erosion-prevention measures, such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap,

and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation.

- Retain on-site vegetation to the maximum extent possible.
- Plant and maintain soil-stabilizing vegetation on disturbed areas.
- Use native vegetation to re-vegetate disturbed soils. Maintain vegetation to prevent exposing soils to erosive forces.
- Use LID or green infrastructure practices such as water quality swales and rain gardens to manage precipitation run-off. Maintain these systems in good working order.
- Ensure construction vehicles are equipped with spill kits and workers are properly trained in their operation; these kits will be deployed in the event a release of petroleum-based fluids to prevent contamination of the underlying groundwater. Notify the Togus VAMC and MEDEP in the event of an accidental release of fuel or hydraulic fluid. Implement any spill-prevention measures specified in the Togus VAMC's SPCC Plan.

5.5.8 Mitigation Measures

No project-specific mitigation measures are required.

5.6 Solid and Hazardous Materials

5.6.1 Significance Criteria

An alternative could have a significant effect if it would result in a substantial increase in the generation of hazardous wastes, increase the exposure of persons to hazardous materials or toxic substances, increase the presence and release of hazardous or toxic materials in the environment, or place substantial restrictions on property use due to hazardous waste, materials, or site remediation.

5.6.2 Regulatory Requirements

Hazardous and toxic materials or substances are generally defined as materials or substances that pose a risk (i.e., through either physical or chemical reactions) to human health or the environment. Regulated hazardous substances are identified through several federal laws and regulations. The most comprehensive list is contained in 40 CFR 302, and identifies quantities of these substances, when released to the environment, that require notification to a federal agency. Hazardous wastes, defined in 40 CFR 261.3, are considered hazardous substances. Generally, hazardous wastes are discarded materials (e.g., solids or liquids) not otherwise excluded by 40 CFR 261.4 that exhibit a hazardous characteristic (i.e., ignitable, corrosive, reactive, or toxic), or are specifically identified within 40 CFR 261. Petroleum products are specifically exempted from 40 CFR 302, but some are also generally considered hazardous substances due to their physical characteristics (i.e., especially fuel products), and their ability to impair natural resources.

5.6.3 Existing Conditions

A Phase 1 Environmental Site Assessment (ESA) of the proposed Fisher House site was conducted on October 14, 2016 (Mabbett, 2016). The Phase 1 ESA included interviews with Togus VAMC representatives having knowledge of the site history and reviews of available

environmental permits, releases, and other relevant data. Based on the information obtained, the Phase 1 EA concluded there were no recognized environmental conditions (RECs) at the site (Mabbett, 2016).

5.6.4 Effects of the No Action Alternative

Under the No Action Alternative, the site would not be developed and conditions would remain as they currently exist.

5.6.5 Effects of the Proposed Action

Construction

Construction of the Fisher House is anticipated to have a short-term, minimal-to-moderate adverse effect due to the potential for release of solid and hazardous materials. This effect would be due to the potential accidental release of fuel or hydraulic fluid from construction vehicles. The release could adversely impact soil and groundwater quality, if the release was not stopped and/or remediated prior to contact with groundwater. To minimize this potential effect, all construction vehicles will be equipped with spill kits, and contractors will be properly trained on their use. The Togus VAMC will notify MEDEP immediately should a release of regulated chemicals occur and implement required remedial measures to protect groundwater quality.

Operation

The operation of the Fisher House is anticipated to have a long-term, none-to-negligible adverse effect on solid and hazardous materials. Apart from typical cleaning supplies, no storage, handling, or use of solid or hazardous materials is projected to occur during the operation of the Fisher House.

Accordingly, operation of the Fisher House would not result in a substantial increase in the generation of solid or hazardous materials, increase the exposure of persons to hazardous or toxic substances, increase the presence of hazardous or toxic materials in the environment, or place substantial restrictions on solid and hazardous materials management elsewhere at the Togus VAMC.

5.6.6 Permit Requirements

There are no permit requirements for the Proposed Action related to solid and hazardous materials.

5.6.7 Best Management Practices

The following management measures will be implemented during construction and operation of the Fisher House:

- Construction contractors will maintain vehicles and equipment in good working order and maintain an emergency spill kit on-site at all times.
- Ensure workers are properly trained in spill kit operation.
- Notify VA, Togus VAMC, and MEDEP in the event of an accidental release of fuel or hydraulic fluid.

- During operation, continue to manage any operational-related solid and hazardous materials in accordance with VA's SOPs and applicable federal and state laws governing the use, generation, storage, or transportation of solid or hazardous materials.
- Limit the use of chemical fertilizers around the Fisher House and follow label guidelines for the application of all routine maintenance chemicals currently used at Togus VAMC.

5.6.8 Mitigation Measures

No project-specific mitigation measures are required.

5.7 Transportation and Parking

5.7.1 Significance Criteria

An alternative could have a significant effect on infrastructure if it would increase demand over capacity, requiring a substantial system expansion or upgrade, or cause substantial deterioration of existing infrastructure over time. For instance, an alternative could have a significant effect on traffic if it would increase the volume of traffic above the existing road capacity; cause parking availability to fall below minimum local standards; or require new or substantially improved roadways or traffic control systems.

5.7.2 Regulatory Requirements

There are no applicable traffic or transportation regulatory requirements associated with the Proposed Action.

5.7.3 Existing Conditions

Traffic for public roads within the vicinity of the Togus VAMC is regulated by the Maine Department of Transportation (MEDOT). Traffic and roadways within the Togus VAMC are managed by the VA Maine Healthcare System.

The Fisher House site is accessible from Pond Road, which extends from Togus Road and provides access to other areas within the Togus VAMC. Traffic along the portion of Pond Road adjacent to the western side of the Fisher House site is primarily comprised of Togus VAMC staff and visitors. Ambulances, patients, staff and visitors traveling to the main hospital (Building 200E) generally utilize the Building 200E northern parking lot, and do not pass by the Fisher House site. However, the Building 200E front entrance (with a patient drop-off portico and handicap parking area) is accessible from Pond Road and requires passing by the Fisher House site.

Specific vehicle counts are not available; a traffic study has not been performed at the Togus VAMC to date.

5.7.4 Effects of the Proposed Action

Construction

Construction activities are anticipated to cause a short-term, none-to-negligible adverse effect on traffic and parking at the Togus VAMC or on roadways outside of the Togus VAMC. This effect would be caused by construction vehicles and material deliveries along Pond Road. These construction vehicles will not require road closings or special permits to travel along this roadway. Construction vehicles and equipment are anticipated to be staged at the Fisher House

site. Therefore, construction of the Fisher House would have no effect on parking, as existing parking areas at the Togus VAMC would be remain open during construction.

Operation

Operation of the Fisher House is anticipated to have a long-term, direct, none-to-negligible adverse effect on traffic and parking at the Togus VAMC. The Fisher House will provide 20 parking spaces reserved for Fisher House guests and staff. The Fisher House parking lot will be located between the Fisher House building and Pond Road. Vehicles would enter or exist the Fisher House parking lot to or from Pond Road, almost directly across from the Building 200E main entrance portico. The Fisher House therefore will create additional traffic along Pond Road, as well as a new traffic pattern along Pond Road. This increased traffic and new pattern could result in minor accidents. To reduce these potential impacts, signage along Pond Road and within the Fisher House parking lot would be installed to inform drivers to exercise additional caution when traveling to and from or along Pond Road.

5.7.5 Permit Requirements

There are no permit requirements related to transportation and parking associated with the Proposed Action.

5.7.6 Best Management Practices

The following BMPs will be implemented as part of the Proposed Action:

- Ensure debris and/or soil is not deposited on Togus VAMC or local roadways during the construction period. As necessary, use water, brushes, or other physical means to remove soil from construction vehicles and equipment prior to leaving the site.
- Ensure construction activities do not adversely effect traffic flow on Pond Road or on local roadways; time construction traffic and material deliveries outside of peak travel hours.
- Install signage indicating that parking at the Fisher House is reserved for guests and staff.
- Install signage along Pond Road and within the Fisher House parking lot to inform drivers to exercise caution when exiting or entering the Fisher House.

5.7.7 Mitigation Measures

No project-specific mitigation measures are required.

5.8 Noise

5.8.1 Significance Criteria

An alternative could have a significant noise effect if it would generate new sources of substantial noise, increase the intensity or duration of noise levels to sensitive receptors, or result in exposure of more people to unacceptable levels of noise.

5.8.2 Regulatory Requirements

Federal Regulations. Sound levels, resulting from multiple single events, are used to characterize noise effects from vehicle activity and are measured in Day-Night Average Sound level (DNl). The DNl noise metric incorporates a "penalty" for nighttime noise events to account for increased annoyance. DNl is the energy-averaged sound level measured over a 24-hour

period, with a 10 decibel (dBA) penalty assigned to noise events occurring between 10:00 p.m. and 7:00 a.m. DNl values are obtained by averaging sound exposure levels over a given 24-hour period. DNl is the designated metric of the federal government for measuring noise and its impacts on humans. According to the Federal Aviation Administration (FAA) and the U.S. Department of Housing and Urban Development criteria, residential units and other noise-sensitive land uses are “clearly unacceptable” in areas where the noise exposure exceeds 75 dBA DNl, “normally unacceptable” in regions exposed to noise between 65 and 75 dBA DNl, and “normally acceptable” in areas exposed to noise of 65 dBA DNl or less. The Federal Interagency Committee on Noise developed land use compatibility guidelines for noise in terms of DNl (FICON, 1992). For outdoor activities, the USEPA recommends 55 dBA DNl as the sound level below which there is no reason to suspect that the general population would be at risk from any of the effects of noise (USEPA, 1974).

Department of Veterans Affairs Environmental Protection Specifications. The VA has prepared requirements to mitigate noise in the VA specification "Environmental Protection" controlling noise levels (VA, 2009). Section 01 57 19 of VA’s temporary environmental controls specifications includes specific mitigating actions that would be required of any development on VA property to reduce construction-related noise (VA, 2011). In particular, construction activities involving repetitive, high-level impact noise would mainly be limited to between the hours of 8:00 AM and 6:00 p.m. and would comply to the extent practicable with the City of Augusta noise standards ordinance (Section 5.1.15.1). In addition, all equipment is required to be properly maintained and muffled such that noise levels of specific equipment would not exceed the predicted noise levels shown in Table 4. VA also requires monitoring of noise levels at least once every 5 days during high-noise generating construction activities (greater than 55 dBA) (VA, 2011).

Table 4. Predicted Noise Levels for Construction Equipment

Construction Category and Equipment	Predicted Noise Level at 50 feet (dBA)
Clearing and Grading	
Bulldozer	80
Grader	80–93
Truck	83–94
Roller	73–75
Excavation	
Backhoe	72–93
Jackhammer	81–98
Construction	
Concrete mixer	74–88
Welding generator	71–82
Crane	75–87
Paver	86–88

Source: USEPA, 1971

5.8.3 Existing Conditions

The existing noise environment around the site is dominated by vehicle traffic along Pond Road. No other notable noise-generating sources are present in the immediate vicinity of the site. As such, the site’s noise environment can be characterized as that typical of a suburban area.

Sensitive noise receptors can include hospitals, schools, religious institutions, cemeteries, libraries, and public parks. Building 200E (main hospital) is located within 100 feet of the Fisher House site; patient rooms are located on the western side of Building 200E, while offices are on the eastern side facing the Fisher House site. Other medical buildings associated with the Togus VAMC are located along Pond Road and south of the Fisher House site. The Beals House (temporary residential lodging) and Quarters 1 (administrative offices) are located to the east and within approximately 150 feet of the Fisher House site. The Togus VAMC cemetery is located on the eastern side of the Togus VAMC, approximately 0.4-miles east of the site. The nearest residential area is located approximately 0.5 miles north (along Eastern Avenue) and south (along Hallowell Road) of the site. The Town of Chelsea Elementary School is located approximately 0.5-miles south of the site. There are no public parks, libraries, or religious institutions within 0.5-miles from the site (NEPAssist, 2016).

5.8.4 Effects of the No Action Alternative

Under the No Action Alternative, the noise environment at and surrounding the site and the Togus VAMC would not change.

5.8.5 Effects of the Proposed Action

Construction

Noise generated during construction of the Fisher House would have a short-term, minimal-to-moderate adverse effect on sensitive receptors, primarily patients and staff at Building 200E, residents at Beals House, and staff at Quarters 1. The noise generated by construction equipment would be localized and intermittent (generated only when machinery is operating). The proposed construction activities would be expected to result in noise levels comparable to those indicated in Table 5. These sound levels were estimated by calculating the anticipated noise from several pieces of equipment and then estimating the decrease in noise levels at various distances from the source of the noise. Noise is a logarithmic function and is not calculated as simply an additive function. Additionally, indoor noise levels would be expected to be 15-25 decibels lower than outdoor levels.

Table 5. Predicted Noise Levels Based on Distance from Source

Distance from Source (Construction Equipment) (feet)	Predicted Outdoor Noise Level (dBA)
50	90 to 94
100	84 to 88
150	81 to 85
200	78 to 82
400	72 to 76
800	66 to 70
1,500	Less than 64

Operation

Operation of the Fisher House is not anticipated to generate any noise that will cause any effect on the aforementioned sensitive receptors. The Fisher House will operate as a lodging facility and has no systems that would generate perceptible noise within or outside of the Fisher House. Therefore, the noise generated during operation would have a none-to-negligible adverse effect on sensitive receptors.

5.8.6 Permit Requirements

No noise-related permits are required to implement the Proposed Action.

5.8.7 Best Management Practices

Implementing BMPs to reduce noise generated during construction would further minimize the potential effects on the local noise environment. The construction contractor will be required to implement the following noise control BMPs; the contractor will also brief workers at daily tailgate safety meetings to ensure the BMPs are followed. The onsite construction manager will be responsible to immediately address noise issues or complaints, should any arise.

- During construction, the construction contractor shall provide sound-deadening devices on equipment and take noise abatement measures necessary to comply with noise control requirements specified in the VA's *Master Construction Specifications (MF-04)* (VA, 2009).
- Use sound shields or other physical barriers to restrict noise transmission.
- Provide soundproof housings or enclosures for noise producing machinery.
- Use efficient silencers on equipment air intakes.
- Use efficient intake and exhaust mufflers on internal combustion engines that are maintained so equipment generates noise below specified levels.
- Conduct truck loading, unloading, and hauling operations so that noise is kept to a minimum. For example, do not drop objects in dump truck beds, or needlessly rev engines.
- Make best efforts to conduct construction activities involving repetitive, high-level impact noise between the hours of 8:00 a.m. and 6:00 p.m.
- Select material transportation routes as far away from sensitive receptors as possible.
- Shut down noise-generating heavy equipment when it is not needed.
- Encourage construction personnel to operate equipment in the quietest manner practicable (e.g. implement speed restrictions, retarder brake restrictions, engine speed/revving restrictions).

5.8.8 Mitigation Measures

No project-specific mitigation measures are required.

5.9 Floodplains, Wetlands, and Coastal Zone Management

5.9.1 Significance Criteria

Floodplains are the low, flat, periodically flooded lands adjacent to rivers, lakes, and oceans. The regulatory floodplain is generally viewed as all lands that could be reached by flood waters of a 100-year storm event. Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The coastal

management zone is the area along a waterfront where development activities are regulated under the *Coastal Zone Management Act* (CZMA) of 1972.

5.9.2 Regulatory Requirements

Wetlands

EO 11990 (Protection of Wetlands) requires federal agencies to minimize the loss of wetlands and consider direct and indirect impacts on wetlands that may result from federally-funded actions. Wetland resources are protected by Section 404 of the CWA and are under the jurisdiction of the U.S. Army Corps of Engineers (USACE). Section 404 requires a permit from the USACE or authorized state for the discharge of dredged or fill material into the waters of the United States, including wetlands.

Applications for activities resulting in wetland impacts must demonstrate avoidance and minimization of these impacts within the proposed design, and any adverse impacts to wetlands must be mitigated.

Additionally, under Maine's Mandatory Shoreland Zoning Law, all structures, except those which are water dependent, must be set back from the normal high-water line of a water body (including tributary streams) or the upland edge of a wetland. In most districts that are on a great pond or river flowing into a great pond, the setback is 100 feet. There are sections of some specially designated rivers in northern and Downeast Maine where the setback is 125 feet for new principal structures. A 75-foot setback applies on all other water bodies, streams, and wetlands.

To the extent that any construction is determined to occur within a regulated wetland, the VA Maine Healthcare System would be required to obtain a jurisdictional determination from the USACE and comply with all local, state, and federal wetland regulations. Additionally, per the Maine Mandatory Shoreland Zoning Law, the 75-foot setback from water bodies, streams, and wetlands would apply, as Duck Pond is a regulated wetland/water body.

Floodplains

Federal Emergency Management Agency (FEMA) has the responsibility to delineate major floodplains in support of the National Flood Insurance Program. As part of the effort, FEMA defines the base flood resulting from a storm having a 1% probability of occurring in any one year. These areas are commonly referred to as the 100-year floodplain. Areas located within floodplains are subject to FEMA National Floodplain Insurance Program requirements. Areas with a 0.2% probability of occurring in any one year are referred to as the 500-year floodplain. The VA recommends all new buildings to be located outside of the 500-year floodplain.

Coastal Zone Management

The CZMA was promulgated to control nonpoint pollution sources that affect coastal water quality. The CZMA of 1990, as amended (16 USC 1451 et seq.), encourages States to preserve, protect, develop, and where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats. The CZMA federal consistency provisions address the need for federal agencies to consider state and territorial coastal management policies when carrying out federal projects and programs.

Maine is a state with an approved coastal management program; policies are found at 38 Maine Revised Statutes Annotated, Chapter 19 Coastal Management Policies, Section 1801. Should the Maine Coastal Program determine that an activity conducted by or on behalf of the federal government is inconsistent with the requirements of its approved program, the federal agency may not proceed with the activity, unless full consistency with the ME Coastal Program is prohibited by federal law.

On November 10, 2016, Mabbett submitted general details of the Proposed Action to the Maine Coastal Program for review; on November 14, 2016, the Maine Coastal Program indicated that a federal consistency determination letter would need to be submitted for review. A record of communications with the Maine Coastal Program is included in Appendix D. As noted in Section 5.9.5, a federal consistency determination has been prepared and is included in Appendix D for the Maine Coastal Program review.

5.9.3 Existing Conditions

Wetlands

Based on the USFWS National Wetland Inventory (NWI) and site reconnaissance, there are no wetlands on the Fisher House site. However, Duck Pond, identified on the NWI as a freshwater pond, is located immediately north of the Fisher House site (see Figure 7). (It is noted that the Fisher House development boundary is located at least 75-feet away from Duck Pond.) Other NWI wetlands are located along and to the east of Greeley Brook within and outside of the Togus VAMC.

Floodplains

The Fisher House site is located on the FEMA Flood Insurance Rate Map (FIRM) community panel numbers 23011C0537D and 23011C0539D dated June 16, 2011. The Fisher House site is in Zone X, an area determined to be outside the 1% and 0.2% annual chance of flood (e.g. outside the 100-year and 500-year flood zones, respectively) (see Figure 8).

Coastal Zone Management

The Fisher House site is located within the ME Coastal Zone and therefore is subject to a ME Coastal Program federal consistency review.

5.9.4 Effects of the No Action Alternative

Under the No Action Alternative, the Fisher House would not be constructed and current conditions would remain unchanged. There would be no potential effects to wetlands, floodplains, and an ME Coastal Program consistency determination would not be required.

5.9.5 Effects of the Proposed Action

Wetlands

Construction

The Fisher House site development boundary will be located at least 75-feet away from Duck Pond, thereby complying with the Maine Mandatory Shoreland Zoning Law. Additionally, development will not cause temporary or permanent dredge or fill of wetlands that are presumed to be jurisdictional. However, a potential adverse effect would be caused if turbid discharge and/or sedimentation of run-off occurs and enters Duck Pond.

Construction of the Fisher House is anticipated to have a short-term, minimal-to-moderate adverse effect on wetlands. This is because construction will require grading, which will expose soils during site work. Construction will also increase the volume of stormwater run-off by increasing the impervious area of the site and compacting soils, which decreases the infiltration capacity of soils. The exposed soils are subject to potential erosion from the stormwater run-off, leading to potential sedimentation of the run-off.

These adverse effects would be minimized by implementing BMPs identified in the SESC Plan, as previously described for soils and hydrology/water resources under Sections 5.4 and 5.5, respectively. Additionally, the Fisher House will be designed to comply to the maximum extent technically feasible with EISA Section 438 and will also incorporate LID to manage precipitation and limit stormwater run-off volumes. Therefore, by implementing measures to avoid prolonged soil exposure, reduce the potential for erosion and sedimentation of run-off, and prevent sediment-laden run-off from entering Duck Pond, the adverse effects will remain below significant levels.

Operation

Operation of the Fisher House is anticipated to have a long-term, minimal adverse effect on wetlands. This potential impact is due to the permanent reduction in pervious area (up to approximately 0.5 acres) and potential increase in the volume of stormwater run-off. However, as previously described, the Fisher House will be designed to retain pre-development hydrology to the maximum extent technically feasible, as well as incorporate LID features, which would be maintained during operation by the Togus VAMC.

Floodplains

Construction and Operation

Construction and operation of the Fisher House is not anticipated to have an impact on floodplains, as the Fisher House site is outside of the 1% and 0.2% annual chance flood areas. However, if recommended by the A/E, the elevation of the Fisher House building and parking lot will be raised above the level of ponding that has been observed during periods of high precipitation at the site by Togus VAMC staff.

Coastal Zone Management

Construction and Operation

Construction and operation of the Proposed Action would have no significant adverse impact on, nor alter the future development, use, or quality of Maine's coastal resources. Therefore, the VA Maine Healthcare System has determined that the Proposed Action will be conducted in a manner consistent, to the maximum extent practicable, with Maine's Coastal Zone Management Program.

Accordingly, a federal consistency determination has been prepared and is included in Appendix D for the Maine Coastal Program review. Several prior projects at the Togus VAMC, many of which were larger in terms of overall size and potential impact (e.g. biomass boiler), received a n*ot significantly adverse determination* concurrence from the Maine Coastal Program. As such, it is anticipated that the Maine Coastal Program will issue a concurrence determination that the proposed Fisher House development is considered not significantly adverse nor would it alter

future development, use, or quality of Maine's coastal resources. However, the design contractor may be required to resubmit the request for concurrence once detailed design plans are available for review by the Maine Coastal Program; these design plans were not available at the time this EA was completed and therefore were not included with the current federal consistency determination letter included in Appendix E.

5.9.6 Permit Requirements

Based on the avoidance of wetlands/waters of United States, and incorporation of the 75-foot setback from Duck Pond, there are no specific permits required for construction and operation of the Proposed Action.

5.9.7 Best Management Practices

To minimize potential adverse impacts to wetlands/waters of the United States during construction and operation, the following management measures will be implemented in addition to those specified in the SESC Plan and previously described for soil and hydrology/water resources under Sections 5.4 and 5.5, respectively:

- Locate Fisher House development outside a 1% or 0.2% floodplain.
- Maintain 75-foot setback buffer between Fisher House development area and Duck Pond (compliance with Maine's Mandatory Shoreland Zoning Law).
- Maintain pre-development hydrology to the maximum extent technically feasible per EISA 438.
- Incorporate LID systems into the Fisher House design.
- Implement BMPs specified for soil and hydrology/water resources to avoid the discharge of dredged or fill material into the waters of the United States, including wetlands.
- Complete ME Coastal Program federal consistency determination process.

5.9.8 Mitigation Measures

No project-specific mitigation measures are required.

5.10 Cumulative Impacts

CEQ regulations stipulate that the cumulative effects analysis should consider the potential environmental effects resulting from "the incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions" (40 CFR 1508.7). Cumulative impacts can result from individually minor, but collectively substantial, actions undertaken over a period of time by various agencies (federal, state, and local) or individuals. Informed decision making is served by consideration of cumulative impacts resulting from projects that are proposed, under construction, recently completed, or anticipated to be implemented in the reasonably foreseeable future.

Past activities are those actions that occurred within the geographic scope of cumulative effects that have shaped the current environmental conditions of the project site. For many resource areas, the effects of past actions are now part of the existing environment and are included in the description of the affected environment.

The scope of the cumulative effects analysis involves the timeframe and geographic extent to which effects could be expected to occur, and a description of the resources that could be cumulatively affected. The geographic Region of Influence (ROI) is an important consideration when discussing cumulative effects from construction and operations. For the purposes of this analysis, the ROI was determined to be the Togus VAMC. While this ROI is limited, only other projects within the Togus VAMC can be reasonably anticipated to have an impact on the environment within the campus. The Togus VAMC Facilities Department was consulted to identify other projects for evaluation in the context of the cumulative effects analysis.

5.10.1 Projects with the Potential for Cumulative Effects

Based on the internal Togus VAMC 2024 Master Plan, potential projects at the Togus VAMC through 2024 include adding new specialty medical space to Building 200E by vertically expanding the existing structure—without increasing the building footprint or increasing impervious surface area. Another proposed project is the three-phased expansion of the nursing home area (in the southern portion of the Togus VAMC) to be completed over an 8-year period. The nursing home area is located approximately 1,500-feet south of the proposed Fisher House site. The nursing home project is anticipated to create new impervious surfaces, but the stormwater from the nursing home development would be directed to existing stormwater infrastructure that is separate from the proposed Fisher House development area. No other major projects are proposed at the Togus VAMC through 2024.

Major projects recently completed at the Togus VAMC include the Biomass Project in 2010; a Final EA concluded with a FONSI on or about December 2009. The Togus VAMC main flag pole and an adjacent rain garden located adjacent to the southern side of the proposed Fisher House site were constructed in 2015. The rain garden is approximately 2,000-square foot pervious area that allows infiltration of stormwater run-off from the asphalt-paved parking lot (12 spaces) located immediately east of Building 200E. The “Cabins in the Woods” development, which created new residential housing for homeless Veterans in an area located adjacent to South Gate Road, approximately 2,300-feet south of the proposed Fisher House site, began construction in 2017. Stormwater from this project is directed to Chase Stream. A Final EA concluded with a FONSI in May 2015.

Over a cumulative basis, the incremental potential impacts from the proposed future major projects described in the 2024 Master Plan, and from those projects recently completed at the Togus VAMC, are not anticipated to increase the impacts associated with the Proposed Action to a significant adverse level. This is because the individual impacts from the Proposed Action, as well as impacts past and proposed future projects, are considered to be minimal-to-moderate, have a localized ROI, and are generally associated with common construction projects with low complexity and limited duration. These impacts can often be minimized and managed using standard construction BMPs.

Therefore, the cumulative impacts from the Proposed Action and past, present, and reasonably foreseeable future actions are not anticipated to increase to a significant adverse level.

5.10.2 Potential for Generating Substantial Public Controversy

There are no known or anticipated elements associated with implementing the Proposed Action that are likely to generate substantial controversy among Togus VAMC stakeholders, regulatory agencies, or the general public. No unmitigated significant impacts of an adverse nature from

construction or operation of the Proposed Action on any of the environmental resources have been identified in the EA. With respect to resources, no issues have been identified that are believed to create conflicts with humans or with the environment that would appear to be controversial.

The community is anticipated to perceive the operation of the Fisher House as a long-term beneficial action, as it serves the needs of families and caregivers of veterans receiving medical services at the Togus VAMC and also aligns with the overall mission of the VA.

As discussed in Section 6, VA solicited input from various federal, state, and local government agencies, Native American Tribes, and the general public regarding the Proposed Action. No comments were received from the general public. None of the responses received from agencies and Native American Tribes expressed opposition to the Proposed Action. Therefore, it is concluded that implementing the Proposed Action would not generate substantial public controversy.

6 AGENCY COORDINATION AND PUBLIC INVOLVEMENT

6.1 Public and Agency Involvement

VA invites public participation in decision-making on new proposals through the NEPA process. Public participation with respect to decision-making on the Proposed Action is guided by 38 CFR Part 26, VA's policy for implementing the NEPA. Additional guidance is provided in VA's *Environmental Compliance Manual* (VA, 1998) and VA's *NEPA Interim Guidance for Projects* (VA, 2010). Consideration of the views and information of all interested persons promotes open communication and enables better decision-making. Agencies, organizations, and members of the public with a potential interest in the Proposed Action, such as minority, low-income, and disadvantaged persons, are urged to participate. The following sections describe agency coordination and public involvement efforts associated with this EA.

6.1.1 Public Review

VA, as the federal proponent of the Proposed Action, published and distributed a Draft EA for a 30-day public comment period. The start of the comment period was announced in a NOA published in the *Bangor Daily News* and the *Kennebec Journal*. During this period the Draft EA was made available for public review at the Togus VAMC, the Maine State Library (230 State Street, Augusta, Maine, 04333), and on the Togus VAMC website (www.maine.va.gov). An affidavit of the NOA is included in Appendix F.

Additionally, a public meeting was held at the Togus VAMC during the 30-day review period to inform the public and stakeholders about the Proposed Action. The VA announced the details (date, location) of the meeting in the same NOA described above. No public comments were received during the public meeting or during the 30-day public review period. Therefore, the Final EA

6.1.2 Agency Coordination

Interagency and Intergovernmental Coordination for Environmental Planning (IICEP) is a federally-mandated process for informing and coordinating with other governmental agencies regarding Federal Proposed Actions. CEQ Regulations require intergovernmental notifications prior to making any detailed statement of environmental impacts. Through the IICEP process, VA notifies relevant federal, state, and local agencies and allows them sufficient time to make known their environmental concerns specific to a Proposed Action. Comments and concerns submitted by these agencies during the IICEP process are subsequently incorporated into the analysis of potential environmental impacts conducted as part of the Draft EA. This coordination fulfills requirements under EO 12372 (superseded by EO 12416, and subsequently supplemented by EO 13132), which requires federal agencies to cooperate with and consider state and local views in implementing a federal proposal. It also constitutes the IICEP process for the EA.

During development of the Draft EA, the VA solicited input regarding the Proposed Action from select federal, state, and local agencies (listed below).

US Army Corps of Engineers, Maine Project Office

National Marine Fisheries Service Northeast Region

U.S. Fish and Wildlife Service

National Park Service

Advisory Council on Historic Preservation

Maine Historic Preservation Commission (MESHPO)

Maine Department of Inland Fisheries and Wildlife

Maine Coastal Program

Maine DEP, Bureau of Air Quality

Maine DEP, Land Resource Regulation Division

State of Maine, Drinking Water Program

Maine Department of Agriculture, Conservation, and Forestry

State Floodplain Coordinator

Town of Chelsea, Town Manager

On November 10, 2016, a letter was sent to each agency with a brief description of the Proposed Action and a request for input or concerns prior to the publication of the Draft EA. Responses were received from NOAA, USACE, Maine Natural Areas Program, Maine Center for Disease Control and Prevention Drinking Water Program, the Maine Historical Preservation Commission, and the Maine Coastal Program. Input received from these agencies regarding the Proposed Action analyses and permit requirements was incorporated into the EA. Copies of correspondence letters are provided in Appendix D.

A second notification was made to the agencies on February 1, 2017, in advance of the publication of the Draft EA and the public meeting held on February 13, 2017. This notification requested comments from the agencies within the 30-day comment period and invited the agencies to attend the public meeting. Comments received from the Maine Department of Agriculture, Conservation, and Forestry (Dept. of Conservation) indicated that there were no rare botanical features known within the project area. These comments have been incorporated into the Final EA. Copies of notification letters and correspondence is included in Appendix D.

6.1.3 Native American Consultation

In accordance with 36 CFR 800.2 and EO 13175, *Consultation and Coordination with Indian Tribal Governments*, dated November 6, 2000, four Federally-recognized Native American Tribes, identified as those having current or historical ties to the area, have been consulted on the Proposed Action. The four Native American Tribes are identified in the following list:

Houlton Band of Maliseet Indians

Aroostook Band of Micmacs

Passamaquoddy Tribe of Maine

Penobscot Indian Nation

As part of the initial scoping process for the proposed Fisher House, the VA on December 18, 2015, sent letters to these Native American Tribes to request their input early in the planning process. No responses were received regarding this letter.

Following the scoping process and during preparation of the Draft EA, the VA sent a letter to these Native American Tribes with a brief description of the Proposed Action and a request for input or concerns prior to the publication of the Draft EA. On November 18, 2016, the Penobscot Nation responded, indicating that the Proposed Action appeared to have no impact on a structure or site of historic, architectural or archaeological significance to the Penobscot Nation. Copies of correspondence letters and responses are provided in Appendix E.

A second notification was made to the Native American Tribes upon publication of the Draft EA; this notification requested comments from the Native American Tribes within the 30-day comment period and invited the Native American Tribes to attend the public meeting. The Penobscot Nation responded on February 27, 2017, reiterating their prior conclusion that the Proposed Action would not have an impact to the Penobscot Nation. Copies of correspondence are included in Appendix E.

6.1.4 Availability of the Final SEA and FONSI

A NOA for the Final SEA and FONSI will be published in the *Bangor Daily News* and *Kennebec Journal* indicating that the Final SEA and FONSI have been completed and are available for public review at the Togus VAMC, the Maine State Library (230 State Street, Augusta, Maine, 04333), and on the Togus VAMC website (www.maine.va.gov). An affidavit of the NOA will be included in the Administrative Record for this project, which the VA Maine Healthcare System will maintain.

7 BEST MANAGEMENT PRACTICES AND MITIGATION MEASURES

This section summarizes the management and mitigation measures identified in Section 5.

The Proposed Action would cause no significant adverse impacts on the quality of human health or the environment because it incorporates a combination of management measures (BMPs/environmental protection measures) and mitigation measures.

Management measures are routine measures and/or regulatory compliance actions that are regularly implemented as part of development projects, as appropriate, undertaken by the VA and occurring in Maine. These management measures are incorporated into the Proposed Action and are required to ensure that adverse effects remain at or below minimal-to-moderate levels and do not become significant over time, either directly or indirectly, individually or cumulatively, for the environmental resources analyzed in this EA. These management measures are reiterated in Section 7.1.

Mitigation measures are defined as project-specific requirements not routinely implemented as part of development projects and which are necessary to reduce potentially significant adverse effects to less-than-significant levels. The Proposed Action incorporates specific mitigation for historic preservation; this mitigation is needed due to the adverse effect the Proposed Action would cause on the historic district and Quarters 1 as detailed in the MOA executed in December 2017. The mitigation measures are reiterated in Section 7.2.

Per established protocols, procedures, and requirements, the VA (and contractors) will implement the management and mitigation measures and will satisfy all applicable regulatory requirements in association with implementation of the Proposed Action.

7.1 Management Measures

With implementation of these management measures, specified for the following environmental resources, the adverse impacts associated with the Proposed Action on these resources will remain at or below minimal-to-moderate levels; no significant impact would occur. In addition to the following management measures routinely implemented during commercial construction projects, the Proposed Action will incorporate the management measures identified in the VA's *Master Construction Specifications (MF04)* for construction standards for temporary environmental controls, demolition, and waste management (VA, 2009).

Environmental Resource	Management Measures	
	Construction	**Operation**
Aesthetics	• Use appropriate dust suppression methods during onsite construction (see Air Quality, below). • Limit land clearing and tree removal. • Create vegetated border between Fisher House and Quarters 1. • Design the Fisher House consistent with regional architectural style. • Avoid development near the Quarters 1 rock outcrop.	• Professionally maintain landscape with native, non-invasive vegetation.

Environmental Resource	Management Measures	
	Construction	**Operation**
Air Quality	• Use appropriate dust suppression methods during onsite construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions. • Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces. • Cover haul trucks with tarps. • Stabilize previously disturbed areas with vegetation or mulching if such area would be inactive for several weeks or more. • Visually monitor all construction activities regularly, and particularly during extended periods of dry weather, and implement dust control measures when appropriate. • Use of newer off-road and on-road construction equipment that meets the latest EPA or CARB standards, to the extent practicable. • Limit the idling of mobile sources to three minutes. • Maintain mature trees to the extent practicable.	None identified.
Cultural Resources	• Should human remains or other cultural items as defined by NAGPRA be discovered during project construction, the construction contractor would immediately cease work until VA, a qualified archaeologist, the MESHPO, and Native American Tribes are contacted to properly identify and appropriately treat discovered items in accordance with applicable State and federal law(s).	*For required mitigation, see MITIGATION MEASURES in Section 7.2*

Environmental Resource	Management Measures	
	Construction	**Operation**
Topography, Geology and Soils	• Attend pre-application meeting with MEDEP; prepare and obtain required permits. • Develop Fisher House and parking lot to comply to the maximum extent technically feasible with EISA 438. • Incorporate Low Impact Development or green infrastructure practices and an appropriately designed stormwater system. • Prepare and implement SESC Plan and BMPs to control soil erosion and sedimentation. • Install and monitor erosion-prevention measures, such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap, and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation. • Retain on-site vegetation to the maximum extent possible. • Plant and maintain soil-stabilizing vegetation on disturbed areas. • Use native, non-invasive vegetation to re-vegetate disturbed soils. • Ensure construction vehicles are equipped with spill kits and workers are properly trained in their operation. Notify Togus VAMC and MEDEP in the event of an accidental release of fuel or fluid.	• Maintain vegetation in previously exposed soil areas. • Implementation of a maintenance plan to ensure the long-term effectiveness of LID, green infrastructure, and stormwater treatment structures or measures (such as oil/grit separators, or swales, etc.). • Annual inspections of stormwater control structures/measures. • Annual removal of accumulated pollutants, as necessary.
Hydrology and Water Resources	• Implement BMPS specified for above for soils. • Maintain 75-foot setback from Duck Pond. • Utilize existing stormwater piping system to manage excess stormwater.	• Implement BMPS specified for above for soils. • Utilize and maintain existing stormwater piping system to manage excess stormwater.

Environmental Resource	Management Measures	
	Construction	**Operation**
Solid and Hazardous Materials	• Construction contractors will maintain vehicles and equipment in good working order and maintain an emergency spill kit on-site at all times. • Ensure workers are properly trained in spill kit operation. • Notify VA, Togus VAMC, and MEDEP in the event of an accidental release of fuel or hydraulic fluid.	• Continue to manage any operational-related solid and hazardous materials in accordance with VA's SOPs and applicable federal and state laws governing the use, generation, storage, or transportation of solid or hazardous materials. • Follow label directions for all cleaning chemicals currently used at the Togus VAMC. • Limit the use of chemical fertilizers, pesticides, and herbicides for lawn maintenance around the building.
Transportation and Parking	• Ensure debris and/or soil is not deposited on local roadways during the construction period. As necessary, use water, brushes, or other physical means to remove soil from construction vehicles and equipment prior to leaving the site. • Ensure construction activities do not adversely effect traffic flow on Pond Road or on local roadways; time construction traffic to avoid peak travel hours.	• Install signage indicating that Fisher House parking is reserved for guests and staff. • Install signage along Pond Road and within the Fisher House parking lot to inform drivers to exercise caution when exiting or entering the Fisher House.
Noise	• The construction contractor shall provide sound-deadening devices on equipment and take noise abatement measures to comply with noise control requirements specified in the VA's Master Construction Specifications (MF-04) (VA, 2009). • Provide soundproof housings or enclosures for noise producing machinery. • Use efficient intake and exhaust mufflers on internal combustion engines that are maintained so	None identified.

Environmental Resource	Management Measures	
	Construction	**Operation**
	equipment generates noise below specified levels. • Conduct truck loading, unloading, and hauling operations so that noise is kept to a minimum. For example, do not drop objects in dump truck beds, or needlessly rev engines. • Make best efforts to conduct construction activities involving repetitive, high-level impact noise between 8:00 am and 6:00 pm. • Select material transportation routes as far away from sensitive receptors as possible. • Shut down noise-generating heavy equipment when it is not needed. • Encourage construction personnel to operate equipment in the quietest manner practicable (e.g. implement speed restrictions, retarder brake restrictions, engine speed/revving restrictions).	
Floodplains, Wetlands, and Coastal Zone Management	• Locate Fisher House development outside a 1% or 0.2% floodplain. • Maintain 75-foot setback buffer between Fisher House development area and Duck Pond (compliance with Maine's Mandatory Shoreland Zoning Law). • Maintain pre-development hydrology to the maximum extent technically feasible per EISA 438. • Incorporate LID systems into the Fisher House design. • Implement BMPs specified for soil and hydrology/water resources to avoid the discharge of dredged or fill material into the waters of the United States, including wetlands. • Complete ME CMP CZMA consistency determination process.	• Implement operational BMPs and maintenance measures as described for soil and hydrology/water resources. • Maintain LID systems.

Based on the analysis of effects for the Proposed Action presented in this EA, no management measures were identified as being required for the following technical resource areas: *Land Use and Zoning; Wildlife and Habitat; Socioeconomics; Utilities; Community Services; Alternative Energy Sources;* and *Environmental Justice.*

7.2 Mitigation Measures

As previously described under cultural resources in Section 5.3, developing the 0.5-acre site would adversely effect both the National Historic Landmark (Quarters 1) and the National Register Historic District (the entire Togus VAMC campus and National Cemetery). By incorporating mitigation for historic preservation into the Proposed Action, as detailed in the MOA executed in December 2017 (see Appendix C), the adverse impact is reduced to a significant-but-mitigated level. A summary of the mitigation measures for the Proposed Action is presented in the following table.

Environmental Resource	Mitigation Measures
	Construction and Operation
Cultural Resources	• Implement the commitments specified in the MOA executed on December 2017 (included in Appendix C) to mitigate the Proposed Action's adverse effect on the National Historic Landmark and the National Register Historic District. • The MOA stipulates that mitigation for historical preservation will include, but not be limited to, a maintenance plan for Quarters 1 and preservation of the rock outcrops near Quarters 1. The MOA also includes an "Inadvertent Discovery" SOP for potential subsurface resources in accordance with 36 CFR § Section 800.13(b) of the ACHP regulations and VA Polices and Directives. • VA Maine Healthcare System will implement the maintenance plan and monitor to ensure the mitigation commitments stipulated in the MOA are implemented.

7.3 Unavoidable Adverse Impacts

Unavoidable adverse impacts are the effects on natural and human resources that would remain after management and mitigation measures have been applied. A summary of these impacts is provided in the following table.

Aesthetics. The presence of the Fisher House has an unavoidable aesthetic effect, as a portion of the grass-covered open field will include a human-built structure.

Soils. Grading and developing the site will result in the long-term loss of topsoil, which will be covered with impervious features (building, parking lot).

Hydrology. Although the Fisher House will be designed to maintain pre-development hydrology to the maximum extent technically feasible in the post-development condition, construction and operation of the Proposed Action will convert the pervious nature of the site to an impervious area.

Energy Resources. The use of nonrenewable energy resources during construction and operation of the Proposed Action is an unavoidable occurrence. Construction and operation of

the Proposed Action would require the use of fossil fuels, a non-renewable natural resource. Energy supplies, although relatively small, would be committed to operating the Fisher House. Renewable energy options were considered but deemed to be not cost effective given the relatively small scale of the Fisher House project. However, the Fisher House will incorporate energy-efficient building materials (windows, doors, insulation) to reduce the amount of energy required to operate the facility.

8 CONCLUSIONS

This EA was performed to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic impacts associated with the Proposed Action and No Action Alternative. The EA was prepared according to NEPA, CEQ, 38 CFR Part 26, and the VA *NEPA Interim Guidance for Projects*. The EA analyses and conclusions were additionally informed through consultation with regulatory agencies and Native American Tribes to identify regulatory concerns and associated management and/or mitigation actions needed to further reduce potential adverse associated with implementing the Proposed Action. The EA was also made available for public comment.

Based on the EA analyses and input, implementing the Proposed Action with the aforementioned management and mitigation measures will cause no significant impact of an adverse nature, either directly or indirectly, over a short- or long-term, independently or cumulatively, on the environmental resources analyzed, including: aesthetics; air quality; topography, geology and soils; hydrology and water quality; wildlife and habitat; noise; land use and zoning; floodplains, wetlands, and coastal zone management; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; alternative energy sources; and environmental justice. Mitigation for historical preservation is incorporated into the Proposed Action; therefore, the Proposed Action will have a significant-but-mitigated adverse impact on cultural resources.

Accordingly, the analyses presented in this EA provide sufficient evidence to conclude that the effects of the Proposed Action support a FONSI, and that an Environmental Impact Statement (EIS) is not required.

9 LIST OF PREPARERS

Mabbett & Associates, Inc.

A Glucksman, LEED AP, Project Manager, Environmental Scientist

K. Hanrahan, M.S., Environmental Scientist

B. Cotta, E.I.T, Environmental Engineer

J. Lockerd, CPEA, Environmental Scientist

H. Bisbee, M.S., Environmental Scientist

10 REFERENCES CITED

California Air Resources Board (CARB), 2016. Ambient Air Quality Standards; Accessed at http://www.arb.ca.gov/research/aaqs/aaqs2.pdf.

CEQ. 40 CFR Parts 1500-1508, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA).

Clean Air Act of 1970 (42 U.S. Code [USC] 7401 et. seq.; 40 CFR Parts 50-87) Section 176(c).

Federal Interagency Committee on Noise (FICON), 1992. Federal Agency Review of Selected Airport Noise Analysis Issues. August 1992.

FEMA, 2011. Flood Insurance Rate Maps 23011C0537D and 23011C0539D, dated June 16, 2011.

Fort Hill Infrastructure Services, LLC. 2014. Final Environmental Assessment for Volunteers of American Northern New England: A Proposed Enhanced Use Lease for the Redevelopment of a Portion of the Togus VAMC. December 2014.

Mabbett and Associates, 2016. Phase 1 Environmental Site Assessment, Building 14, Togus VAMC. November 2016.

Maine Geological Survey, Department of Conservation, 1985. Bedrock Geologic Map of Maine. Accessed at http://www.maine.gov/dacf/mgs/pubs/online/bedrock/bgmm.pdf on October 6, 2016.

Maine Geological Survey, Department of Conservation, 2010. Bedrock Well Depth, Augusta 30 x 60-minute Quadrangle. Accessed at http://www.maine.gov/dacf/mgs/pubs/online/bgwrm/augusta_depth.pdf on October 6, 2016.

NEPAssist, 2016. Results for 1 VA Center, Augusta, Maine. Accessed October 2016.

Schruben PG., Arndt RE., and Bawiec WJ, 1994. Geology of the Conterminous U.S. at 1:2,500,000 Scale – a digital representation of the 1974 P.B. King and H.M Beikman Map.

U.S. Department of the Interior, U.S. Geological Survey, 2014. Togus Pond Quadrangle, Maine – 7.5-minute series. NSN. 7643016370535.

USDA, NRCS, 2016. Web Soil Survey for 1 VA Center, Augusta, Maine. Accessed November 2016.

USEPA, 1971. Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances. December 31, 1971.

USEPA, 1974. Information on Levels of Environmental Noise Requisite to Protect Health and Welfare with an Adequate Margin of Safety. March 1974.

USEPA, 2016. Status of SIP Required Elements for Maine Designated Areas, November 6, 2016, https://www3.epa.gov/airquality/urbanair/sipstatus/reports/me_elembypoll.html#ozone-8hr__2008__1652).

USFWS, 2016. Information for Planning and Conservation Report for Togus VAMC. August 31, 2016.

USFWS, 2016. National Wetlands Inventory Online Mapper, 2016.

VA, 1998. Environmental Compliance Manual. Last updated July 1998.

VA, 2011. Office of Construction and Facilities Management. Washington D.C. MF04, (Master Construction Specifications in Masterformat2004), Division 00 - Special Sections, Section 01 57 19, Temporary Environmental Controls.

VA, 2010. NEPA Interim Guidance for Projects.

VA, 2012. National Register of Historic Places Form, Togus VA Medical Center and National Cemetery. October 3, 2012.

VA, 2014. A Strategic Sustainability Performance Plan. June 30, 2014.

11 LIST OF ACRONYMS AND ABBREVIATIONS

ACHP - Advisory Council on Historic Preservation

AIRFA- American Indian Religious Freedom Act

amsl - above mean sea level

ARPA - Archaeological Resources Protection Act

bgs - Below Ground Surface

BMP - Best Management Practice

CAA - Clean Air Act

CAAA - Clean Air Act Amendments

CARB - California Air Resources Board

CBOC - Community Based Outpatient Clinics

CEQ - Council on Environmental Quality

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act

CFR - Code of Federal Regulations

CH_4 - Methane

CO - Carbon Monoxide

CO_2 - Carbon Dioxide

dBA - Decibel

DNI - Day-Night Average Sound

EA - Environmental Assessment

EIS - Environmental Impact Statement

EISA - Energy Independence and Security Act

EO - Executive Order

EPA - United States Environmental Protection Agency

EPCRA - Emergency Planning and Community Right-to-Know Act

ESA - Endangered Species Act

FAA - Federal Aviation Administration

FEMA - Federal Emergency Management Agency

FIRM - Flood Insurance Rate Map

FONSI - Finding of No Significant Impact

FPPA - Farmland Protection Policy Act

FY - Fiscal Year

GHG - Greenhouse Gas

HAP - Hazardous Air Pollutant

IICEP - Interagency and Intergovernmental Coordination for Environmental Planning

LID - Low Impact Development

MEDEP - Maine Department of Environmental Protection

MEDOT - Maine Department of Transportation

MOA - Memorandum of Agreement

NAAQS - National Ambient Air Quality Standards

NACD - Native American Consultation Database

NAGPRA - Native American Graves Protection and Repatriation Act

NEPA - National Environmental Policy Act

NHPA - National Historic Preservation Act

NOA - Notice of Availability

NPDES - National Pollution Discharge Elimination System

NRCS - Natural Resources Conservation Service

Pb - Lead

PCB - Polychlorinated biphenyls

Phase I – Phase I Environmental Site Assessment

PM - Particulate matter

PM_{10} - Particulate matter less than or equal to 10 micrometers in aerodynamic size

$PM_{2.5}$ - Particulate matter less than or equal to 2.5 micrometers in aerodynamic size

PTE - Potential to Emit

RCRA - Resource Conservation and Recovery Act

REC - Recognized Environmental Condition

ROI - Region of Influence

SDWA - Safe Drinking Water Act

SESC - Soil Erosion and Sediment Control Plan

MESHPO - Maine State Historic Preservation Officer

SIP - State Implementation Plan

SME - Subject Matter Expert

SO_2 - Sulfur dioxide

SOP - Standard Operating Procedures

SPCC - Spill Prevention, Control and Countermeasure Plans

SWPPP - Storm Water Pollution Prevention Plan

TPY - Tons per year

USACE - United States Army Corps of Engineers

USC - United States Code

USDA - United State Department of Agriculture

USFWS - United States Fish and Wildlife Service

USGS - United States Geological Survey

USNPS - United States National Park Service

VA - Department of Veterans Affairs

VAMC - Veterans Affairs Medical Center

12 APPENDICES

APPENDIX A

Maps and Figures

APPENDIX B

Existing Conditions Documentation

APPENDIX C

Historic Preservation Documentation

APPENDIX D

Regulatory Agency Correspondence

APPENDIX E

Native American Tribes Correspondence

APPENDIX F

Public Involvement Documentation

APPENDIX G

Environmental Permits/Notifications Required