



U.S. Army Corps
Of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Public Notice

Date: July 31, 2017

Comment Period Closes: August 30, 2017

Evaluation Branch, Planning Division

U.S. FOOD AND DRUG ADMINISTRATION WINCHESTER ENGINEERING AND ANALYTICAL CENTER WINCHESTER AND WOBURN, MASSACHUSETTS

Interested parties are hereby notified under the provisions of the National Environmental Policy Act (NEPA) (implementing regulations in Title 40, Parts 1500-1508 of the Code of Federal Regulations) that the U.S. Army Corps of Engineers (USACE), New England District, is preparing an Environmental Assessment for a proposed construction and demolition project at the U.S. Food and Drug Administration, Winchester Engineering and Analytical Center (FDA-WEAC) (Figure 1). This public notice provides information about the FDA-WEAC project and documents compliance with all applicable laws and regulations.

Purpose and Need for Work: The project involves the construction of a new building for the FDA-WEAC and demolition of the current building at 109 Holton Street (Figure 2). The proposed project involves the construction of a new facility of approximately 75,000 square feet and demolition of the current facility at 109 Holton Street in Winchester and Woburn, Massachusetts. The existing facility no longer meets the FDA-WEAC standards for size, configuration and amenities. The current facility is 60 years old and has outdated electrical and mechanical systems and it has reached its size and capacity for the technical equipment needed for the facility to perform its analytical work. The purpose of the project is to improve the facility by providing a building that meets current standards of quality of life, energy conservation, size, technological capability, and safety.

Alternatives Analysis: The FDA-WEAC construction project plan formulation considered several alternatives to house the facility. These included the no action alternative, renovation of the current FDA-WEAC building, leasing an alternative space, and the current proposal.

Coordination: Letters of coordination have been sent to the following agencies:

Federal

U.S. Fish and Wildlife Service

U.S. Environmental Protection Agency

State

Massachusetts Department of Fish and Wildlife

Natural Heritage and Endangered Species Program
Massachusetts Historical Commission

Tribal Governments

Mashpee Wampanoag Tribe - Tribal Historic Preservation Office
Wampanoag Tribe of Gay Head (Aquinnah) Tribal Historic Preservation Office

Local

Town of Winchester
City of Woburn

Endangered Species: The northern long-eared bat (NLEB), a federally-listed threatened species, is a medium-sized bat found across much of the eastern and northcentral United States. Suitable summer habitat for the NLEB consists of a wide variety of forested/wooded habitats where the bats roost, forage, and travel. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet of other forested/wooded habitat. Females give birth between late May to late July and roost in maternity colonies. In winter, the NLEB hibernates in caves and mines.

Approximately 50 trees will need to be removed for construction of the new facility and for staging areas. As per correspondence from the Massachusetts Natural Heritage and Endangered Species Program dated 8 February 2017, there are no maternity trees located on site. In addition, the FDA-WEAC facility is located within an industrial area; the remaining forest habitat associated with the site is isolated and highly disturbed in some areas. Therefore, the Corps has made a determination that this project is not likely to adversely affect the NLEB. The U.S. Fish and Wildlife Service has concurred with this determination.

Environmental Impacts: An Environmental Assessment (EA) is being prepared for the FDA-WEAC construction and demolition project. A preliminary determination was made that an Environmental Impact Statement is not required under the provisions of the National Environmental Policy Act of 1969.

Cultural Resources: This project should have no effect on historic properties as the facility is fully developed and there are no areas of archaeological sensitivity. This determination is being coordinated with the Massachusetts State Historic Preservation Officer and the Mashpee Wampanoag and the Wampanoag Tribe of Gay Head (Aquinnah) Tribal Historic Preservation Officers in accordance with Section 106 of the National Historic Preservation Act, as amended.

Compliance: This Public Notice is being issued in compliance with several environmental laws and regulations (see Attachment A).

Availability of the Environmental Assessment: A copy of the EA can be obtained via the website below or upon request by contacting Kathleen A. Atwood at 978-318-8537 or Jennifer Flanagan at 978-318-8015.

<http://www.nae.usace.army.mil/Missions/Public-Notices/>

Public Comments: Comments are invited from all concerned parties and should be directed to the District Engineer at 696 Virginia Road, Concord, MA 01742, ATTN: Planning Division, Evaluation Branch within 30 days of this notice. Please bring this notice to the attention of anyone you know to be interested in the project.

26 July 2017
Date 

Everett Bole
Everett Bole
U.S. Department of Health and Human Services
Chief of Environmental Compliance (PSC)



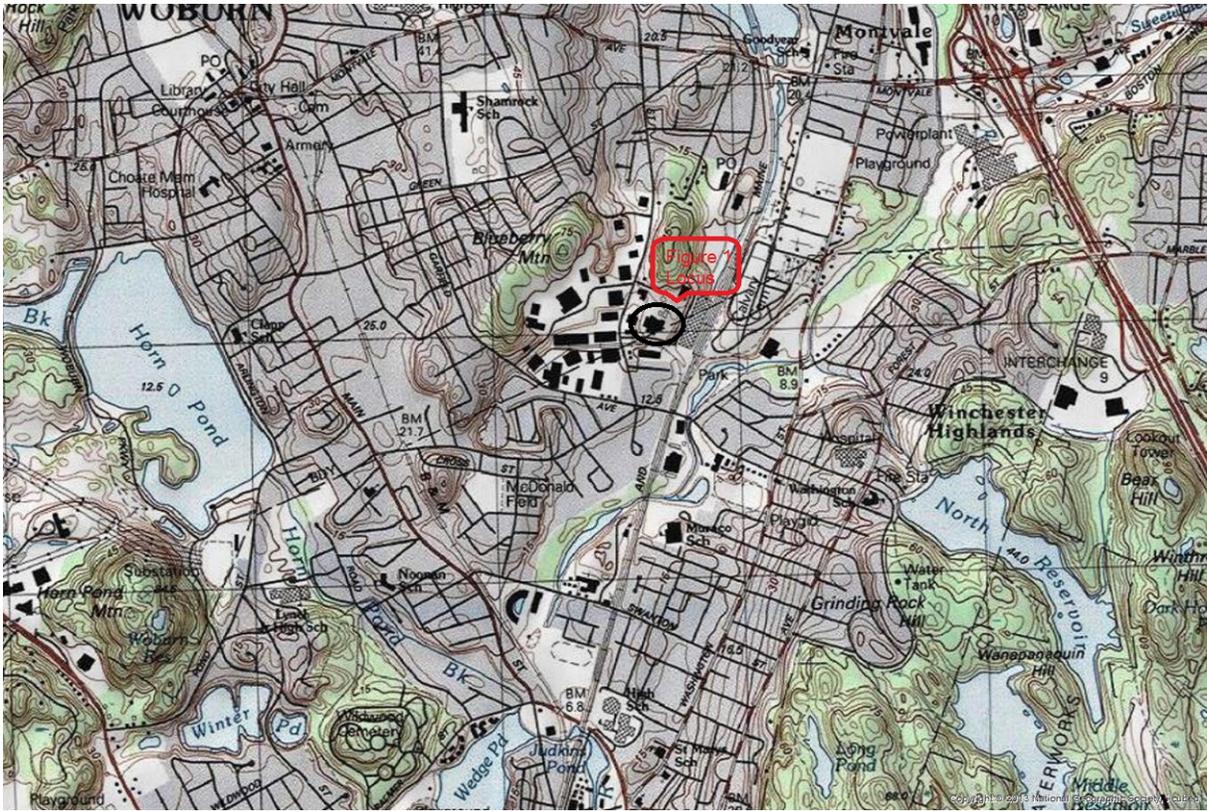


Figure 1 Site Location Map

Figure 2 Site location and proposed construction plan

Attachment A

PERTINENT LAWS, REGULATIONS AND DIRECTIVES

Clean Air Act, as amended (42 U.S.C. 1221 et. seq.)

Endangered Species Act of 1973, as amended (16 U.S.C. 668aa-668cc)

Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994.

Executive Order 13007, Accommodations of Sacred Sites, May 24, 1996.

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, April 21, 1997.

Fish and Wildlife Coordination Act (16 U.S.C. 661-666c)

National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)

National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq.

White House Memorandum, Government-to-Government Relations with Indian Tribes, April 29, 1994.

FINDING OF NO SIGNIFICANT IMPACT

Food and Drug Administration Winchester Engineering and Analytical Center Winchester and Woburn, Massachusetts

The Food and Drug Administration, Winchester Engineering and Analytical Center (FDA-WEAC) is located in Winchester and Woburn, Massachusetts, approximately 9 miles north of Boston. The installation is located on a fully developed parcel at 109 Holton Street. The building was constructed in 1952 and was originally used by the Atomic Energy Commission to extract uranium and thorium from ore to prepare uranium tetrafluoride. Since 1961, the facility has operated a radiation surveillance laboratory. The FDA-WEAC tests medical devices, household appliances (microwaves), and food safety.

The FDA-WEAC Replacement Construction Project Environmental Assessment (EA) is a decision-support document and the recommended or proposed actions must be assessed for their environmental effects in accordance with the National Environmental Policy Act (NEPA) and the Council of Environmental Quality (CEQ) regulations. An EA is completed to evaluate the potential impacts and cumulative effects of projects being proposed. The EA provides responsible and timely consideration of project environmental and cultural resources and ensures environmental mandates and considerations are incorporated in the planning process.

The proposed project involves the construction of a new facility of approximately 35,000 square feet and demolition of the current facility at 109 Holton Street in Winchester and Woburn, Massachusetts. The existing facility no longer meets the FDA-WEAC standards for size, configuration and amenities. The current facility is 60 years old and has outdated electrical and mechanical systems and it has reached its size and capacity for the technical equipment needed for the facility to perform its analytical work. The purpose of the project is to improve the facility by providing a building that meets current standards of quality of life, energy conservation, size, technological capability, and safety.

The FDA-WEAC Replacement Construction Project EA is compliant with the NEPA and the CEQ regulations 40 CFR, 1500–1517. I find that based on the evaluation of environmental effects discussed in this document, the proposed FDA-WEAC Replacement Construction Project is not a major federal action significantly affecting the quality of the human environment. Under the CEQ NEPA regulations, “NEPA significance” is a concept dependent upon context and intensity (40 C.F.R. § 1508.27.) When considering a site-specific action like the FDA-WEAC Replacement Construction Project, significance is measured by the impacts felt at a local scale, as opposed to a regional or nationwide context. The CEQ regulations identify a number of factors to measure the intensity of impact. These factors are discussed below, and none are implicated here to warrant a finding of NEPA significance. A review of these NEPA “intensity” factors reveals that the proposed action will not result in a significant impact - neither beneficial nor detrimental - to the human environment.

Impacts on public health or safety: The project is expected to have no effect on public health and safety. During the construction phase of the proposed project, heavy construction equipment and vehicles will be transported to the site, however, access to the site will be limited during construction.

Unique characteristics: The FDA-WEAC Replacement Construction Project will not impact wild and scenic rivers, prime farmlands, cultural and historic resources or waters of the United States.

Controversy: The proposed project is not controversial.

Uncertain impacts: The impacts of the proposed project are not uncertain. They are readily understood based on past experiences the U.S. Army Corps of Engineers, New England District has had with similar projects.

Precedent for future actions: The FDA-WEAC Replacement Construction Project was prepared pursuant to applicable laws and regulations and would not establish a precedent for future actions with significant effects.

Cumulative significance: As discussed in the EA, to the extent that other actions from the past, present and foreseeable future are expected to be related to the project as proposed, this project will provide little measurable cumulative impact to the area.

Historic resources: The FDA-WEAC Replacement Construction Project will have no effect on historic properties.

Endangered species: The project will have no known negative impacts on any Federal or state threatened or endangered species. The northern long-eared bat (*Myotis septentrionalis*), a Federally listed "Threatened" species, is found throughout Massachusetts. Due to the urban/suburban setting and the lack of sizable and suitable forest habitat in the project vicinity, it is unlikely that the northern long-eared bat is present in the project area. As such, the proposed project is "unlikely to adversely affect" the northern long-eared bat.

Potential violation of federal law: This action will not violate federal law.

Based on my review and evaluation of the environmental effects as presented in the Environmental Assessment, I have determined that the FDA-WEAC Replacement Construction Project is not a major federal action significantly affecting the quality of the human environment. Therefore, I have determined that this project is exempt from requirements to prepare an Environmental Impact Statement.

Date

Everett Bole
U.S. Department of Health and Human Services
Chief of Environmental Compliance (PSC)

