

DRAFT
FINDING OF NO SIGNIFICANT IMPACT

**Environmental Assessment
for the
Implementation of the Integrated Cultural Resources Management Plan, 2024-2028
United States Army Garrison, West Point, New York**

I. NAME OF ACTION

The United States Army Garrison (USAG) West Point proposes to implement their Integrated Cultural Resources Management Plan (ICRMP) for the period of 2024-2028 (Project) within the ICRMP Action Area as shown in Figure 1. The ICRMP Action Area includes the entirety of the USAG West Point boundary, located in Orange and Putnam Counties, New York (West Point).

II. DESCRIPTION OF ACTION

Proposed Action: The Proposed Action is to fully implement the ICRMP 5-Year Plan that includes a broad set of protocols to ensure compliance with Federal and Army regulations for the management of cultural resources over the next 5 years.

The primary parts of the ICRMP 5-Year Plan include:

- *Maintenance and administration of the 2016 Operations, Maintenance and Development Programmatic Agreement (OM&D PA) with the New York Office of Parks, Recreation, and Historic Preservation (OPRHP) and the Advisory Council on Historic Preservation:* Cultural resources staff will continue to review and coordinate ongoing operation, maintenance, and development activities at West Point with the requirements of National Historic Preservation Act (NHPA), in accordance with the 2016 OM&D PA. It is imperative that this agreement be maintained to meet the requirements of NHPA and to ensure the continued day-to-day operation of both the USAG and the US Military Academy (USMA).
- *Maintenance and implementation of other agreement documents and mitigations:* Cultural resources staff will ensure all other agreement documents, management plans, and mitigations are current and implemented. This includes ensuring the adequacy of and adherence to existing Tribal consultation agreements and West Point Housing and Lodging Programmatic agreements, completing all outstanding mitigations, and updating the ICRMP in 2028. This also includes implementing and abiding by any other legal agreements made after the implementation of the ICRMP.
- *Upgrading the archaeological curation facility and completing artifact inventory:* Cultural resources staff will ensure compliance with Federal regulations for the curation of Federally-owned and administered archaeological collections (36 Code of Federal Regulations Part 79). All efforts will be made to upgrade the curation facility to meet Federal curatorial facility standards. In addition, a complete inventory of West Point's archaeological collection, already underway, will be finished.

- *Continuing historic property evaluations and monitoring:* Cultural resources staff will continue to evaluate properties for historical significance, as required by NHPA. Also, identified historic properties will be monitored through periodic condition assessments.

In addition to the 2016 OM&D PA concerning consultation procedures with the New York State Historic Preservation Officer (SHPO) and Advisory Council for Historic Preservation (ACHP), West Point also has an existing agreement with the Stockbridge-Munsee Community. Implementation of the ICRMP would continue to support these obligations. Table 1 provides a summary of the existing agreements, including tribal agreements, that West Point has in place.

Table 1. Cultural Resources Management and Tribal Consultation Agreements for USAG West Point, New York.

Year	Type	Agreement
2003	Programmatic Agreement	Between the United States Military Academy (USMA), West Point, New York, and the New York State Historic Preservation Officer (SHPO) Regarding Utilities Privatization at the USMA, West Point, Orange County, New York.
2008	Programmatic Agreement	Among the United States Army Garrison (USAG), West Point, New York, the SHPO, and Advisory Council on Historic Preservation Regarding the Residential Community Initiative Implementation at the USAG, West Point, Orange County, New York.
2013	Programmatic Agreement	Between the USAG West Point and the SHPO for the Privatization of Army Lodging.
2014	Memorandum of Agreement	USAG West Point and Stockbridge-Munsee Community Regarding Consultation Procedures.
2016	Programmatic Agreement	Operations, Maintenance, and Development Programmatic Agreement concerning consultation procedures with the SHPO and Advisory Council on Historic Preservation. ¹

Alternatives: Alternatives considered include: 1) Preferred Alternative – fully implement the ICRMP 5-Year Plan that will ensure compliance with Federal and Army regulations for the management of cultural resources over the next 5 years.; 2) Alternative 1 – partial implementation of the ICRMP (implement three of the four primary parts of the ICRMP 5-Year Plan, including bullet points 1, 2, and 4 noted above); and 3) the No Action Alternative.

¹ As part of National Historic Preservation Act compliance, the National Park Service also is consulted regarding adverse effects in West Point's National Historic Landmark District.

III. ANTICIPATED ENVIRONMENTAL EFFECTS

Potential environmental impact issues related to implementation of the ICRMP 5-year plan and the minimization and mitigation measures that would be employed to address them include:

Water Resources

- No special mitigation measures warranted.

Geology and Soils

- No special mitigation measures warranted.

Air Resources

- No special mitigation measures warranted.

Natural Resources

- No special mitigation measures warranted.

Cultural Resources

- No special mitigation measures warranted.

Visual Resources

- No special mitigation measures warranted.

Health and Safety

- All construction contractors will be required to prepare and implement health and safety plans that comply with EM 385-1-1, Occupational Safety and Health Administration, local military base rules, and any other Federal, state, and local, laws, ordinances, criteria, rules and regulations that may apply. These include safety measures outlined in 29 Code of Federal Regulations (CFR) Part 1926, *Safety and Health Regulations for Construction*, and AR 385-10, *Army Safety Program*.
- Per AR 420-1, *Army Facilities Management*, and AR 200-1, *Environmental Protection and Enhancement*, radon mitigation techniques, such as the use of radon resistant materials, will be used for the Project. Post-construction radon testing of the upgraded archaeological curation facility will be implemented to ensure radon mitigation techniques implemented are effective. If necessary based on radon testing results, additional mitigation and testing will be conducted to ensure radon levels are below the USEPA action level.
- During all construction activities that may pose a physical hazard to visitors and/or building employees/staff, the construction area will be closed to visitor and employee/staff access. Highly visible barriers will be erected around the construction and staging areas to prevent public access.

Noise

- No special mitigation measures warranted.

Traffic and Transportation

- No special mitigation measures warranted.

Utilities and Infrastructure

- No special mitigation measures warranted.

Materials and Wastes

- Prior to beginning demolition or upgrade work, the archaeological curation facility building and existing infrastructure elements will be examined by trained inspectors to identify the presence of ACM and LBP in any elements being demolished and removed from the structures, if these structures have not already been surveyed.
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- Any materials not characterized for lead contamination are assumed to contain lead, and will be managed as hazardous waste. Any materials identified to contain LBP or ACM will be disposed of in accordance with applicable Federal, state, and local solid waste management regulations, including USEPA regulations, and in coordination with the West Point Solid Waste Management Branch.
 - Where required, ACM (especially asbestos that could become friable during demolition), will be removed and disposed of separately prior to demolition in accordance with the Army, USEPA, and Occupational Safety and Health Administration guidelines, which include contractor training and notification requirements, use of personal protective equipment, and approved disposal methods. The removal of ACM will be conducted by trained and certified workers, and all work requests that may disturb asbestos will be reviewed by the West Point Environmental Management Division, which is responsible for managing the hazardous waste program at West Point.
 - All waste disposal will be in accordance with applicable local, state, and Federal regulations.
 - Hazardous wastes will be disposed of at state-licensed off-site disposal facilities.
 - For Project-related use of typical hazardous construction materials (such as solvents, lubricants, sealants, adhesives, petroleum products, paints, and stains) West Point will require its contractors to comply with proper and legal transport, temporary storage, handling/use, reporting, and disposal procedures, in accordance with all Federal, state, and local regulations.
 - Hazardous materials that are inadvertently spilled will be handled and disposed of in accordance with local, state, Federal, and Army regulations, and in accordance with established USAG West Point procedures, including the USAG West Point Hazardous Waste Management Policy.
 - Construction contractors will be responsible for preventing and responding to spills by implementing proper storage and handling procedures, including USAG West Point's Installation Spill Contingency Plan.
 - Non-hazardous debris will be collected in dumpsters, monitored daily, and will not be allowed to litter adjacent areas.
 - A Construction Waste Management Plan will be implemented to achieve a minimum 50% recycling rate for building construction materials. The remaining construction debris (including hazardous waste) will be disposed of at a landfill licensed to accept such debris.
 - Construction contractors are responsible for submitting and maintaining a construction Waste Management Plan and contractors must provide their own disposal containers.
 - Hazardous materials will be handled and stored in accordance with established procedures and guidelines, such as 29 CFR Part 1926, Safety and Health Regulations for Construction.
 - If workers are required to perform ground disturbing activities, they will receive instruction on procedures to follow in the event anything suspicious (e.g., UXO) is uncovered during ground disturbing activities.
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Land Use

- No special mitigation measures warranted.
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Socioeconomics

- No special mitigation measures warranted.
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Coastal Zone

- No special mitigation measures warranted.
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Careful design, the use of good engineering and best management practices, and the implementation of certain construction and operational procedures would avoid, minimize, or

mitigate these minor potential environmental impacts presented in the Environmental Assessment to a less than significant level.

IV. PUBLIC INVOLVEMENT

The Draft EA and this Finding of No Significant Impact are being made available for public review at the following locations, in addition to the USAG WP Environmental Management Division SharePoint site at: <https://www.nan.usace.army.mil/Missions/Environmental/Environmental-Assessment/West-Point-ICRMP/>.

Village of Highland Falls 303 Main Street Highland Falls, New York 10928	Town of Highland Falls 254 Main Street Highland Falls, New York 10928
Town of Woodbury 511 Route 32 Highland Mills, New York 10930	Highland Falls Public Library 298 Main Street Highland Falls, New York 10928
Town of Phillipstown 238 Main Street 1 st Floor Cold Spring, New York 10516	Town of Cold Spring 85 Main Street Cold Spring, NY 10516
The Alice Curtis Desmond and Hamilton Fish Library P.O. Box 265 Garrison, NY 10524	Julia L. Butterfield Memorial Library 10 Morris Avenue Cold Spring, NY 10516

Additionally, the electronic versions of the Draft EA and Finding of No Significant Impact have been sent directly to a total of 18 local, State, County, and Federal agencies; tribal groups, and interested parties.

The Draft EA will be available for the 30-day public review period. During the time period of 13 and 14 September 2023, public notices were published in the *Times Herald Record* (Middletown, New York), *Putnam County News and Recorder* (Cold Spring, New York), *Cornwall Local* (Cornwall-on-Hudson, New York), *News of the Highlands* (Highland Falls, New York), and the *Pointer View* (USMA, West Point, New York) to notify interested persons and organizations of the availability of the Draft EA for public review and comment. Affidavits of publication will be provided in Appendix E of the Final EA. The deadline for public comment on this Proposed Action is 18 November 2023.

Comments on the Draft EA received during the 30-day public review comment period and responses to these comments will be included in Appendix C of the Final EA.

V. FACTS AND CONCLUSIONS

This EA was prepared to assess the potential environmental impacts of implementing the Project, or “Proposed Action”. This EA has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) (42 United States Code 4321-4347), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA (Title 40 Code of Federal Regulations [CFR] 1500-1508). This EA and the Proposed Action are guided by Army’s commitment to and specific policies for conserving natural and cultural resources, including Army Regulation (AR) 200-2 (*Environmental Analysis of Army Actions*, Title 32 CFR Part 651), which contains policy, responsibilities, and procedures for integrating environmental considerations in Army planning and decision making. In addition, West Point and this EA acknowledge and are consistent with the relevant portions of the Installation Management Command Circular 200-10-1, *NEPA Practices and Procedures* (22 November 2010), and the 14 January 2011 CEQ memorandum for heads of Federal departments and agencies, *Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigation Findings of No Significant Impact*.

Based on the evaluation of environmental impacts discussed in this document, the Proposed Action is not a major Federal action significantly affecting the quality of the human environment.

Implementation of the mitigation measures discussed above and in the respective sections of the EA would reduce the potential impacts of the Proposed Action, resulting in no significant adverse impacts to the environment. An Environmental Impact Statement is, therefore, not required.

ANTHONY J. BIANCHI
COL, US ARMY
Commanding
United States Army Garrison West Point