

FINDING OF NO SIGNIFICANT IMPACT

CONSTRUCTION OF AN ARMED FORCES RESERVE CENTER AND IMPLEMENTATION OF BRAC 05 REALIGNMENT ACTIONS IN CAMDEN, NEW JERSEY

On September 8, 2005, the Defense Base Closure and Realignment Commission (“BRAC Commission”) recommended that certain realignment actions occur in Camden, NJ. These recommendations were approved by the President on September 23, 2005, and forwarded to Congress. Congress did not alter any of the BRAC Commission’s recommendations, and on November 9, 2005, the recommendations became law. The BRAC Commission’s recommendations must now be implemented as provided for in the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), as amended.

The U.S. Army Corps of Engineers, Mobile District, has prepared an Environmental Assessment (EA) which identifies, documents, and evaluates the environmental effects of the BRAC Commission’s recommended realignment of functions for Camden, NJ. The EA has been developed in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and implementing regulations issued by the President’s Council on Environmental Quality (CEQ)¹ and Environmental Analysis of Army Actions, 32 CFR Part 651. The 2006 Base Realignment Closure Manual for Compliance with the National Environmental Policy Act was used for guidance in preparing the EA. The purpose of the EA is to inform decision makers and the public of the likely environmental consequences of the proposed action and alternatives.

1.0 PROPOSED ACTION

The proposed action is to implement the BRAC Commission’s recommendation, as mandated by BRAC law, Public Law 101-510, by constructing new facilities to accommodate the personnel and functions of organizations realigning and relocating to Camden, NJ.

The BRAC Commission’s recommendations are²:

- Close the Nelson Brittin Army Reserve Center in Camden, NJ, and relocate units to a new consolidated Armed Forces Reserve Center in Camden, NJ, if the Army can acquire suitable land for the construction of the new facilities. The New (*sic*) AFRC shall have the capability to accommodate units from the New Jersey ARNG [*Army National Guard*] Armory, Burlington, if the state decides to relocate those units.

To implement these recommendations the Army has determined that locating the new facilities in Camden County meets the intent of the BRAC Commission’s recommendation to locate the facilities in Camden, NJ. The new facilities proposed for construction include:

Armed Forces Reserve Center and supporting facilities. The proposed AFRC would provide an approximately 53,291 square foot (SF) training facility with administrative, educational, assembly, library, learning center, vault, weapons simulator, and physical fitness areas for six U.S. Army Reserve units and one NJ Army National Guard (NJARNG) unit. Associated support facilities include an approximately 6,933 SF Organizational Maintenance Shop (OMS), and an approximately 1,217 SF unheated storage building. In addition, there would be approximately 2.25 acres of paved areas including

¹ Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500–1508.

² Although the BRAC language indicates the Nelson Brittin Army Reserve Center is located in Camden, NJ it is actually located in Pennsauken, NJ.

1.20 acres of military equipment parking (MEP) areas and 1.05 acres of privately-owned vehicle (POV) parking areas and access roads.

Supporting improvements proposed to complement the AFRC and associated facilities include fencing, the extension of utilities to service the project, and general site improvements. Anti Terrorism/Force Protection (AT/FP) safety and security measures, including minimum stand-off distance from roads, parking areas and vehicle unloading areas, would be incorporated into the facility designs and siting, and accessibility for disabled persons would also be provided.

2.0 ALTERNATIVES CONSIDERED

CEQ regulations require inclusion of the No Action Alternative. The No Action Alternative serves as a baseline against which the impacts of the Proposed Action and alternatives can be evaluated. Under the No Action Alternative, the U.S. Army would not implement the Proposed Action. U.S. Army Reserve units, as well as the NJARNG unit would continue to train at and operate from their current locations, though routine replacement or renovation actions could occur through normal military maintenance and construction procedures as circumstances independently warrant. The No Action Alternative is evaluated in detail in this EA to provide the baseline prescribed by CEQ regulations.

During the initial site selection process in 2008 the Army identified two sites in Camden County (Alternative 1 – Cross Keys Road and Alternative 2 – Erial Road) that were considered to be reasonable alternatives for implementing the Proposed Action, and further identified the Cross Keys Road site as the original preferred alternative site. Under Alternative 1, the U.S. Army would purchase approximately 11 acres of land located at 389 Cross Keys Road in Gloucester Township, Camden County, NJ and construct the facilities described in the Proposed Action. Under Alternative 2, the U.S. Army would purchase approximately 10 acres of a 34 acre parcel of land located at 320 Erial Road in Sicklerville (Winslow Township), Camden County, NJ and construct the facilities described in the Proposed Action. Under this alternative, property acquisition would not include any wetlands associated with the unnamed tributary to the Great Egg Harbor River along the northeast portion of the 34 acre parcel or the easement associated with the overhead transmission lines along the eastern portion of the property.

The two alternative sites, as well as the No Action Alternative, were analyzed in an EA by the Army. The EA was released for public review during a 30-day comment period beginning July 2, 2009 and then extended for an additional 30 days. In response to public comments and the Mayor of Gloucester Township's concern about removing a commercial property from a taxable status, the Army granted Camden County the opportunity to identify additional sites for the Army to consider as alternatives for implementing the Proposed Action. Camden County offered three additional sites for the Army to consider. The Army convened a Site Survey Team and visited the sites on December 3, 2009. Upon review of the sites, the Army identified one site in the Lakeland area of Gloucester Township, NJ to be a reasonable alternative for implementing the Proposed Action. The Army also identified this site as the new preferred alternative for implementing the Proposed Action. Under the Preferred Alternative the Army would purchase approximately 12 acres of Camden County owned property at the intersection of Woodbury-Turnersville Road and Salina Road in the Lakeland area of Gloucester Township, Camden County, NJ and construct the facilities described in the Proposed Action.

Other alternatives were considered, but not analyzed in the EA. These included nine other new construction locations located in the Camden County, NJ area. These other alternatives were considered not feasible to implement the Proposed Action and were therefore dismissed from further analysis.

3.0 FACTORS CONSIDERED IN DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT REQUIRED

The EA, which is incorporated by reference into this Finding of No Significant Impact (FNSI), identified and examined potential effects of the alternatives. The EA evaluated 12 resource areas and areas of environmental and socioeconomic concern: land use, aesthetic and visual resources, air quality, noise, geology and soils, water resources, biological resources, cultural resources, socioeconomics, transportation, utilities, and hazardous and toxic substances.

The EA determined that implementation of the proposed realignment actions would not have any significant adverse effects on any of the environmental or related resource areas within the local or surrounding areas of the alternative sites. All of the resource areas other than *Surface Water* and *Soils* on the Preferred Alternative site were evaluated to be at the No Effects or No Significant Effect levels. With the implementation of appropriate mitigation measures as stipulated by the New Jersey Department of Environmental Protection (NJDEP) in their draft Technical Manual for Flood Hazard Area Control Act Rules N.J.A.C. 7:13 for the disturbance and disposal of acid producing soils, the impacts on surface waters and soils under the Preferred Alternative site were evaluated at the No Significant Effect level.

The Preferred Alternative site is underlain by the lower member of the Kirkwood geologic formation; a formation that the NJDEP presumes to contain acid producing soils. As a result, there is an assumed 150-foot riparian zone buffer associated with the unnamed tributary of the South Branch of Big Timber Creek which restricts the type and amount of activity that can occur within the buffer zone. This buffer encroaches upon the western and northwestern portion of the Preferred Alternative site and could impact the construction of facilities on the site. Therefore, on May 17, 2010 the Army conducted soil testing in accordance with the methods required by the NJDEP to verify if acid producing soils are actually present on the site; however, test results were not available prior to the EA being released for public comment. Therefore, the analysis in the EA included the possibility that acid producing soils existed on the site and that the 150-foot riparian buffer would remain intact.

Disturbing acid producing soils through construction activities would expose them to air causing them to go through the sulfuricization process, resulting in significant impacts to the soils and subsequently to the surface waters through runoff. To prevent or minimize the problem of water pollution and soil contamination that may otherwise be caused by exposure of acid producing soils to the atmosphere, the NJDEP requires a number of mitigations measures in their draft Technical Manual for Flood Hazard Area Control Act Rules N.J.A.C. 7:13 (Section 7.5 General Mitigation Standards, Section 7.6 Mitigation Procedures Along Channels, and Section 7.7 Disposal of Acid Producing Soil Deposits) that must be implemented when disturbing and/or disposing of acid producing soils. To avoid significantly impacting soils and surface waters, the Army, if acid producing soils were present, would implement these soil mitigation measures and would go through the necessary permitting process to obtain a permit from the NJDEP under the Flood Hazard Area Control Act to conduct allowable, regulated activities in the 150-foot riparian zone. To obtain a permit under these circumstances, the Army might have to reengineer the design of the facilities on the site to adjust what is constructed in the buffer. Meeting NJDEP permit requirements and implementing the required soil mitigation measures stipulated by the NJDEP would result in no significant impacts to soils or surface waters. If acid producing soils are present and the Army is not able to reengineer the design of the facilities in a manner sufficient enough to meet NJDEP permitting requirements, the Army would not be able to construct the facilities on this site and would need to consider one of the other two alternative sites evaluated in the EA. This action would result in no impacts to soils or surface waters on the Preferred Alternative site.

On June 10, 2010 the Army received the results of the soil tests conducted at the Rutgers University Soil Testing Laboratory indicating that acid producing soils were not present on the Preferred Alternative site.

Therefore, per the NJDEP's draft Technical Manual for Flood Hazard Area Control Act Rules N.J.A.C. 7:13 the 150-foot riparian buffer reverts to a 50-foot riparian buffer, and implementing the Proposed Action on the Preferred Alternative site would have no significant effect on soils or water resources resulting from acid producing soils. If the Preferred Alternative site is selected, the Army would avoid the 50-foot riparian buffer to the maximum extent practicable; however, if construction activities encroach upon the buffer, the Army would obtain a permit from the NJDEP under the Flood Hazard Area Control Act to conduct allowable construction activities within the 50-foot riparian buffer.

The Army conducted intensive architectural and Phase 1B archaeological surveys of the Preferred Alternative site. No structures on the site or within direct view of the site were found to qualify as historic properties. The archaeological investigations found remnants of the former historic activity on the property and recorded the multi-component archaeological site with the New Jersey State Museum (28-Ca-123); though the Army is recommending it as ineligible for listing on the National Register of Historic Places (NRHP).

A portion of the area where construction activities would take place on the Preferred Alternative site is within an area currently covered by asphalt paving and was not included in the subsurface archaeological investigations. Historic background research, including aerial images, suggest that the asphalt-paved parking lot within the property is sensitive for potentially significant historic archaeological deposits associated with a pre-1930s barn associated with the County Farm Complex on the site. However, consistent with 36 CFR 800.13 (post-review discoveries), if the Preferred Alternative site is selected for implementing the Proposed Action, the construction specifications for the AFRC facility would include a provision for treating any unanticipated archaeological resources that may be discovered during the removal of the asphalt parking lot. Therefore, the Army has made a *no historic properties affected* determination for the Preferred Alternative site. This determination along with the Phase I/II Cultural Resources Investigation report was provided to the NJ State Historic Preservation Officer (NJSHPO) on May 28, 2010.

In a response letter dated July 27, 2010, the NJSHPO concurred with the Army's assessment of the multi-component archaeological site (28-Ca-123) as not eligible for listing on the NRHP. The NJSHPO further recommended that no additional archaeological surveys are needed for the existing parking lot as additional archaeological remains of the early 20th century County Farm Complex is unlikely to yield information important in history (Criterion D; 36 CFR 60.4). Consequently, the NJSHPO concurred with the Army's determination of *no historic properties affected* within the project's area of potential effect. Completion of consultation has resulted in impacts to archaeological resources at the no significant impact level.

To implement the Proposed Action several permits or plans may be required. A Stormwater Management Plan and a New Jersey Pollutant Discharge Elimination System permit would likely be required. Also, a Maintenance and Protection of Traffic (MPT) plan would be required and need to be approved by Camden County and the New Jersey Department of Transportation. The MPT would need to be prepared to the specifications of the Manual on Uniform Traffic Control Device. In addition, should the Army select the Alternative 2 site for construction of the AFRC, a determination would need to be made as to what state classification and associated buffer/transition area applies to the forested wetlands in the vicinity of the approximately 10 acres to be purchased. All proposed construction activities would try to avoid to the maximum extent possible any wetland buffer/transition area. However, should the proposed project encroach upon any designated wetland buffer/transition area, the Army would be required to undergo the New Jersey Freshwater Wetland Permit process to obtain all applicable permits necessary. Should the Preferred Alternative site be selected, the Army would need to obtain a New Jersey Freshwater Wetland Permit should construction activities encroach upon the 50-foot wetland buffer/transition area in the northwest portion of the property. The Army would also need to obtain a permit under the Flood Hazard Area Control Act should construction activities encroach upon the 50-foot

riparian buffer. Obtaining the necessary permits and complying with the requirements set forth in them would ensure that any impacts would be at the No Significant Impact level.

Because none of the predicted effects of the proposed realignment actions would result in significant impacts, mitigation measures are not required, and implementation of the Proposed Action will not require the preparation of an Environmental Impact Statement. Therefore, preparation of a FNSI is appropriate.

4.0 PUBLIC COMMENT

Interested parties were invited to review and comment on the original EA and Draft FNSI from July 2, 2009 through July 31, 2009. A Notice of Availability was published on July 2 and July 3, 2009 in the Courier-Post newspaper.

During the initial 30-day comment period the U.S. Army received requests from the Mayor of Gloucester Township and other citizens to extend the comment period by 30 days to allow the public adequate time to review the document and provide comments. The Mayor and others also requested a public meeting be set up in Gloucester Township. The U.S. Army granted a 30-day extension of the comment period until August 30, 2009. The U.S. Army also agreed to conduct a public meeting on August 17, 2009 in Gloucester Township and recorded the proceedings.

During the extended 60-day public comment period a total of 47 sets of written comments were received from interested parties. In addition, a number of comments were made during the public meeting held on August 17, 2009. A number of topics were addressed in the comments. The topics of most concern dealt with potential impacts on residential property values and other socioeconomic impacts, removing a commercial property from a taxable status, visual impacts on neighboring residences, noise, traffic concerns, stormwater runoff and impacts to ground water, wildlife impacts, and concerns for impacts to children.

A summary of the written comments received on the EA and the U.S. Army's responses to those comments, as well as the transcript from the public meeting and the U.S. Army's responses to comments received at the meeting are included in Appendix E of the EA. One written comment regarding the lack of sewer capacity and the existence of a sewer moratorium at the Alternative 2 – Erial Road site resulted in changes to the Affected Environment and Environmental Consequences portion of the Utilities Section (*Section 4.12.1.2 – Sanitary Sewer Service* and *Section 4.12.2.3 – Sanitary Sewer Service* respectively) of the EA. These changes have been incorporated in the second EA for this project, but did not change the finding that the Proposed Action would have no significant impact on utilities. As a result of the comments, the Army also agreed to allow Camden County to offer additional sites for consideration as alternatives for implementing the Proposed Action, and resulted in the evaluation of one additional site in the Lakeland area of Gloucester Township which the Army identified as its new Preferred Alternative.

Interested parties were invited to review and comment on the second EA and Draft FNSI for this project, which incorporates the evaluation of the new Preferred Alternative, from June 11, 2010 through July 10, 2010. A Notice of Availability was published on June 11, 2010 and June 12, 2010 in the Courier-Post newspaper.

One comment was received on the EA during the 30-day public comment period. The Delaware Nation indicated that implementing the project on the preferred site would not endanger any known sites of interest to them.

The U.S. Army sent a coordination letter for the Alternative 1 and Alternative 2 sites dated April 10, 2009 to the U.S. Fish and Wildlife Service (USFWS) with follow up correspondence dated May 19, 2009. By

letter dated July 21, 2009 the USFWS indicated that no federally listed or proposed threatened or endangered flora or fauna under the jurisdiction of the USFWS exists on either of the proposed alternative sites. The USFWS recommended that all upland clearing be minimized to the maximum extent practicable, that a tree clearing restriction be established from April 1 through August 15 to protect potential nesting migratory birds, and that all landscaping proposed for the project utilizes native species of New Jersey.

The Preferred Alternative site was evaluated for federally-listed rare, threatened, or endangered species of plants or animals. It was determined that no endangered species habitats or occurrence of individuals are located on the site, and a letter to the USFWS was sent on March 9, 2010 seeking confirmation that no federally-listed species occur on the Preferred Alternative site. To date, no responding correspondence has been received from the USFWS.

By undated letter the NJDEP Division of Fish and Wildlife (DFW) confirmed that the state listed threatened species Coopers Hawk, and Species of Concern Eastern Box Turtle, Eastern King Snake and Great Blue Heron have been mapped to occur on the Alternative 1 site. The DFW requested GIS shapefiles for the project boundary in order to complete their review of potential project impacts. The shapefiles were sent to the DFW on August 28, 2009. By e-mail dated October 28, 2009, the 99th RSC received a letter from the DFW stating that the Alternative 1 site is not valued for state or federal endangered or threatened species, does not fall within the Pinelands Preserve, and, there are no wetlands present on-site. The DFW agreed that the site is unlikely to serve as Cooper's hawk breeding habitat. The DFW stated that the Eastern King Snake and the Eastern Box Turtle may use now-open areas for basking or nesting, however, there are no known records of these species within the site boundary. The DFW concurred with the finding of no significant impact.

On April 10, 2009 the U.S. Army sent a coordination letter to the NJ Historic Preservation Officer (NJSHPO) describing the Proposed Action for the Camden BRAC AFRC project and the findings of the Phase I/II Cultural Resource Investigations for the Alternative 1 and Alternative 2 sites. The correspondence indicated that two prehistoric archeological sites were identified; one on the Alternative 1 site and one on the Alternative 2 site, but that only the archeological site on the Alternative 2 site (Erial Road) was being recommended for listing on the National Register of Historic Places (NRHP). Follow-up correspondence occurred on May 19, 2009. By letter dated August 20, 2009, the NJSHPO responded to the Army, concurring with the Army's determination of eligibility for the NRHP and that no adverse affects would occur to any cultural resources listed or eligible for listing on the NRHP as a result of implementing the Proposed Action at either of these two sites.

By letter dated March 8, 2010, the Army sent a coordination letter to the NJSHPO regarding the new Preferred Alternative site describing the Proposed Action and indicating that a Phase I/II Cultural Resource Investigation was going to take place on the property. By correspondence dated April 9, 2010 the NJSHPO concurred that a Phase 1B Archaeological survey of the Preferred Alternative site was appropriate and also requested that an architectural survey be conducted. The Army completed the archaeological and architectural surveys in March, 2010 and by letter dated May 28, 2010 sent the NJSHPO the Phase I/II Cultural Resource Investigation report along with a corresponding letter seeking the NJSHPO's concurrence with the Army's determination that implementing the proposed action at the Preferred Alternative site would have no adverse affect on any resources on or eligible for inclusion on the NRHP. By letter dated July 27, 2010, the NJSHPO concurred with the Army's determination of *no historic properties affected* within the project's area of potential effect. Pursuant to 36 CFR 800.4(d) (1), no further Section 106 consultation is required unless additional resources are discovered during the project implementation pursuant to 36 CFR 800.13.

On April 10, 2009 the U.S. Army sent coordination letters describing the Proposed Action and the findings of the Phase I/II Cultural Resource Investigations for the Alternative 1 and Alternative 2 sites to

the Stockbridge-Munsee Tribe and the Delaware Nation. On April 27, 2009 the U.S. Army sent a coordination letter to the Shawnee Tribe. Follow-up correspondence was sent to all three tribes on June 15, 2009. By letter dated July 8, 2009 the Stockbridge-Munsee Tribe indicated that the proposed project would not impact any sites of interest to the tribe. By letter dated September 28, 2009 the Delaware Nation indicated that the proposed project would not impact any sites of interest to the Delaware Nation. To date no responding correspondence has been received from the Shawnee Tribe.

By letters dated March 8, 2010, the Army sent coordination letters regarding the new Preferred Alternative site to the Delaware Nation, the Stockbridge-Munsee Tribe, and the Shawnee Tribe. By correspondence dated March 18, 2010 the Stockbridge-Munsee Tribe indicated that the Preferred Alternative site is outside their area of interest. By correspondence dated April 22, 2010 the Delaware Nation indicated that implementing the Proposed Action under the Preferred Alternative would not impact any sites of interest to the tribe. To date, no correspondence has been received from the Shawnee Tribe.

5.0 CONCLUSION

Based on the EA and public comments received on the EA, it has been determined that implementation of the Proposed Action will have no significant direct, indirect, or cumulative adverse effects on the quality of the natural or human environment. Because no significant environmental impacts will result from implementation of the Proposed Action, an Environmental Impact Statement is not required and will not be prepared.

Date: _____

3 Aug 2010

for



GS13
Chief.

EWJ D13

JOSE E. CEPEDA
Colonel, U.S. Army Reserve
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