

DEPARTMENT OF HOMELAND SECURITY
ENVIRONMENTAL PLANNING AND HISTORIC PRESERVATION PROGRAM

DRAFT
FINDING OF NO SIGNIFICANT IMPACT (FONSI) and
FINDING OF NO PRACTICABLE ALTERNATIVE (FONPA) for
The United States Department of Homeland Security's
Closure of Plum Island Animal Disease Center

PROPOSED ACTION

The United States (US) Department of Homeland security (DHS) proposes to conduct activities required to close Plum Island Animal Disease Center (PIADC) following the transfer of its mission to the National Bio- and Agro-Defense Facility (NBAF).

BACKGROUND AND DESCRIPTION OF PROPOSED ACTION

DHS has conducted an Environmental Assessment (EA) to assess the environmental impacts that may occur as a result of the Proposed Action pursuant to National Environmental Policy Act of 1969 (NEPA; 42 United States Code [USC] §§ 4321 et seq.); the White House Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508); DHS Management Directive 023-01, revision (rev.) 01, *Implementation of the NEPA*; and DHS Instruction 023-01-002-01 rev. 01, *Implementation of the NEPA*. The NEPA process also addresses requirements of the National Historic Preservation Act (54 USC § 300101 et seq.) and the Endangered Species Act (16 USC §§1531-1544).

PIADC is located on Plum Island, an 840-acre island owned by DHS and located 1.5 miles northeast of Orient Point in Suffolk County, New York within Long Island Sound. PIADC is operated by the DHS Science & Technology Directorate's Office of National Laboratories and is comprised of the PIADC research compound and supporting infrastructure, including an effluent decontamination system, a wastewater treatment plant, storage facilities, roadways, utilities, and DHS-owned mobile transportation assets. In addition to PIADC, Plum Island also includes natural land, the Plum Island Lighthouse, and buildings and structures associated with the former Fort Terry.

DHS also owns the Orient Point facility on Long Island, which consists of two parcels of land that support DHS operations on Plum Island. The first is a 0.5-acre parcel of land within Orient Point County Park that houses the utility transfer station, which supports the underground cabling and utilities on Plum Island. The second is a 9.5-acre site that serves as the ferry landing for the Plum Island-Orient Point ferries. Supporting infrastructure at the Orient Point facility includes two USTs used to heat buildings, one integrated AST for an emergency generator, parking, storage facilities, administrative space, and security fencing.

The mission of PIADC is to defend the US against accidental or intentional introduction of transboundary animal diseases, also known as foreign animal diseases, that threaten US livestock, industries, food security, and the economy. In 2008, Congress recognized the growing need for veterinary countermeasures to protect the US's agricultural sector and the limitations posed by the current PIADC facility (i.e., aging laboratory and research facilities and lack of space to construct a Biosafety Level 4 facility). Following completion of an Environmental Impact Statement (EIS) in 2008, DHS announced in a Record of Decision (ROD) their intent to construct the new NBAF in Manhattan, Kansas. Construction of the new NBAF facility is currently underway and is expected to be completed in 2022. Once NBAF is operational, DHS's mission at PIADC will be transferred to NBAF in accordance with DHS's prior EIS/ROD.

DHS has proposed to conduct activities required to close PIADC following the transfer of its mission to the NBAF (Proposed Action) as DHS will no longer have a mission need for Plum Island. The purpose of the Proposed Action is to effectively and efficiently close PIADC facilities and infrastructure following mission transfer to NBAF. The Proposed Action is needed to prepare for the Congressionally-mandated conveyance of the Plum Island asset, which consists of all DHS property associated with Plum Island and Orient Point including land, structures, materials, and equipment.

DHS has identified tasks that must be completed to facilitate the Proposed Action. These tasks include five primary components: 1) facilities decontamination and sampling efficacy validation, 2) waste management delineation and remediation activities; 3) subsurface oil delineation and remediation activities; 4) asset preservation and preparation for long-term storage (i.e., asset lay-up); and 5) asset disposition and permit transfer. No facility construction or demolition is included in the Proposed Action. Actions occurring following completion of closure activities (e.g., future disposal of the Plum Island asset) are not included in the Proposed Action.

ALTERNATIVES

DHS did not identify any reasonable alternatives to the Proposed Action. Under the Preferred Alternative, DHS would implement the Proposed Action which includes conducting the activities required to close PIADC following transfer of its mission to NBAF as described above. DHS did consider the No Action Alternative, under which DHS would retain administrative control and maintenance responsibilities of assets on Plum Island and Orient Point following transfer of the science mission from PIADC to NBAF. The No Action Alternative would not meet the requirements set forth in the Consolidated Appropriations Act of 2021, which mandates the disposal of the Plum Island asset. Thus, the No Action Alternative does not meet the purpose and need of the Proposed Action.

ANTICIPATED ENVIRONMENTAL IMPACTS

According to the analysis in the accompanying EA, referenced herein in its entirety, implementation of the Proposed Action would result in no significant environmental impacts of an adverse nature in any resource category, in particular: air quality and climate change, earth resources, water resources, biological resources, cultural and historic resources, socioeconomics and environmental justice, hazardous and toxic materials and waste, health and safety, or cumulative impacts. Additionally, the following resources were dismissed from analysis as there would be no potential for impacts under the Proposed Action: infrastructure, land use, visual resources and aesthetics, noise, and recreation.

IMPACT MINIMIZATION MEASURES

To avoid or minimize adverse environmental impacts to the extent practicable, DHS identified best management practices (BMPs) in the EA (included herein in Table 1) that would be applied, as applicable, to all closure activities to ensure the avoidance of significant impacts on resources. These BMPs are considered part of the Proposed Action.

Table 1: Standard Best Management Practices for Plum Island Closure Activities

Resource	Best Management Practice
Air Quality and Climate Change	<ul style="list-style-type: none"> • Wet ground during excavation or grading activities to minimize dust. • Ensure stockpiled debris and soil are covered. • Ensure truckloads are covered. • Require a speed of less than 15 miles per hour for heavy equipment on unpaved surfaces. • Whenever possible, use electricity from established electrical power sources instead of generators. • Use low volatile organic compound (VOC) architectural materials, supplies, and equipment. • Regularly repair and service heavy equipment to prevent excess emissions. • Shut down heavy equipment when not needed. • Clean excess soil from heavy equipment and trucks leaving the work area to prevent off-site transport of soil.
Earth Resources	<ul style="list-style-type: none"> • Implement erosion and sediment control measures specified in the Stormwater Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES) General Permit (e.g., silt fences, check dams, etc.). • Implement pollution prevention activities identified in the SWPPP. • Ensure the separation of contaminated soils from clean soils. • Adhere to the Spill Prevention Control and Countermeasure Plan (SPCCP).
Water Resources	<ul style="list-style-type: none"> • Abandon monitoring wells in accordance with New York State Department of Environmental Conservation (NYDEC) guidance document: <i>CP-43: Groundwater Monitoring Well Decommissioning Policy</i>. • Conduct routine inspections of equipment and heavy machinery.
Biological Resources	<ul style="list-style-type: none"> • Inspect and thoroughly clean heavy machinery to remove rhizomes and seeds to minimize the potential distribution of invasive species. • Cease work immediately and contact the DHS's Environmental Manager if any special status species or migratory nesting birds are observed where heavy machinery would be operated. • Limit vegetation clearing to previously disturbed areas within the PIADC research compound and on or in the immediate vicinity of the waste management areas (WMAs)/ area of potential concern (AOPC).

Resource	Best Management Practice
Biological Resources (continued)	<ul style="list-style-type: none"> • Restrict vegetation clearing activities to occur only during the day between November and March, which avoids the identified special status species and migratory bird nesting periods and timeframes. • Conduct pedestrian surveys of the limits of disturbance (LOD) and surrounding areas to identify bald eagle nests prior to vegetation clearing. • If bald eagle nests are discovered, coordinate with United States Fish and Wildlife Service (USFWS) and implement measures included in the USFWS's National Bald Eagle Management Guidelines (i.e., establishing buffers around nesting sites or observing seasonal restrictions).
Cultural and Historic Resources	<ul style="list-style-type: none"> • Conduct all proposed activities related to historic properties in accordance with the NHPA Section 106 Programmatic Agreement (PA) and Historic Properties Management Plan (HPMP). • Proceed as stipulated in the PA to ensure compliance with applicable regulations and consultation requirements in the event unanticipated and previously unidentified archaeological resources are discovered.
Socioeconomics and Environmental Justice	<ul style="list-style-type: none"> • N/A
Hazardous and Toxic Materials and Waste	<ul style="list-style-type: none"> • Use approved, validated methods to carry out decontamination in accordance with NYSDEC, Federal Select Agent Program, and any other applicable federal, state, and local regulations. • Ensure proper transport, storage, and disposal of hazardous and toxic materials and waste (HTMW). • Ensure appropriate decontamination of any asbestos-containing materials that are removed using approved, validated methods. • Separate contaminated soils from clean soils and ensure removal or decontamination of soils using approved, validated methods. • Construct a decontamination pad for the decontamination and cleaning of large equipment and heavy machinery. Decontaminate all equipment in-between work as each site. • Containerize, label, and characterize all HTMW waste derived from WMA/AOPC investigations. • Ensure spill containment materials are contained on-site. • Adhere to the SPCCP. • Ensure the proper closure of tanks permanently out of service by following the requirements outlined in 6 New York Codes, Rules, and Regulations (NYCRR) 613.9(b) and other applicable federal, state, and local regulations. • Adhere to the NYSDEC Guidance for Petroleum Stipulation Agreement for subsurface oil delineation and remediation. • Dispose of or recycle decontaminated HTMW and non-hazardous solid waste at permitted facilities in accordance with federal, state, and local regulations.

Resource	Best Management Practice
Health and Safety	<ul style="list-style-type: none"> • Ensure all personnel carrying out closure activities are properly trained, adhere to project-specific health and safety plans, and wear personal protective equipment. • Use proper storage and handling procedures for HTMW. • Operate machinery according to standard protocols. • Comply with all applicable federal, state, and local regulations regarding health and safety.

STAKEHOLDERS, ELECTED OFFICIALS, AND PUBLIC INVOLVEMENT

The EA has been coordinated with appropriate stakeholders, including federal, state, and local agencies, non-governmental organizations, and Native American Tribes having an interest in the Proposed Action. An early public notice was published in the *Suffolk Times* and *Riverhead News Review*, on January 27, 2022 seeking advanced public comment on the Proposed Action regarding its potential impacts. The public comment period for this early notice ended on March 11, 2022, and comments were received from 4 agencies, 4 non-governmental organizations, and 3 private citizens. Comments were summarized in a Scoping Report included in Appendix A of the EA and addressed as appropriate in the EA.

Additionally, a Notice of Availability was published on September 8, 2022, in the *Suffolk Times* and *Riverhead News Review*, daily print newspapers, to announce the availability of the Draft EA and Draft FONSI/FONPA and initiate the public review period which will conclude 30 days later on October 9, 2022. The 30-day public review period will provide an opportunity to provide input about the Proposed Action. The Draft EA and Draft FONSI/FONPA were made available on the DHS website at: <https://www.dhs.gov/national-environmental-policy-act> and printed copies of the Draft EA and Draft FONSI/FONPA were made available in hard copy at the Floyd Memorial Library at 539 1st Street, Greenport, New York 11944 and the Southold Free Library at 53705 Main Road, Southold, New York 11971 for public review. Comments on the Draft EA or inquiries regarding the document should be submitted during the 30-day comment period via electronic mail at: PlumIslandClosureEA@ST.DHS.GOV.

FINDING OF NO PRACTICABLE ALTERNATIVE

The Preferred Alternative involves working in the 100-year floodplain to prepare existing buildings for long-term storage and delineate and remediate existing historically contaminated areas (i.e., a WMA and AOPC). Proposed activities would not alter or interfere with the long-term function of the 100-year floodplain or increase the potential for flooding in the Proposed Action area. Because proposed work is necessary at these existing previously disturbed sites, there is no practicable alternative for conducting work within the floodplain. Pursuant to Executive Order 11988, *Floodplain Management*, and information presented in the Draft EA, there is no practicable alternative to the Preferred Alternative, and the Proposed Action includes all practicable measures to minimize harm to the environment. This finding fulfills the requirements of the referenced Executive Order and 32 CFR Part 989 for a FONPA.

FINDING OF NO SIGNIFICANT IMPACT

The EA for this project was prepared according to NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, DHS Directive 023-01 rev 01, and DHS Instruction 023-01-002-01 rev. 01, and other pertinent environmental statutes, regulations, executive orders, and compliance requirements. The analyses described in the EA demonstrate that the Proposed Action would result in no significant impact on the environment. As a result, no additional analysis or documentation (i.e., Environmental Impact Statement) is required under NEPA or CEQ’s Regulations Implementing the Procedural Provisions of NEPA. DHS would continue to utilize all practical means to minimize or avoid the potential for adverse impacts to the human and natural environment.

CONCLUSION

Based on the information presented in the EA, the undersigned find that the Proposed Federal Action is consistent with the existing national environmental policies and objectives as set forth in NEPA, and that it will not significantly affect the quality of the human environment.

DATE

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