



**U.S. Department of Housing and Urban
Development**

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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: Education Center Expansion

Responsible Entity: Town of Westerly
45 Broad Street
Westerly, RI 02891

Responsible Entity Preparer: Ms. Melissa Davy, Assistant Town Manager

Grant Recipient (if different than Responsible Entity): Rhode Island Office of the Postsecondary Commissioner
560 Jefferson Blvd
Warwick, RI 02886

Certifying Officer Name and Title: Ms. Rachel Doyle, Director of Business Services

State/Local Identifier: Rhode Island

Consultant (if applicable): Pare Corporation
8 Blackstone Valley Place
Lincoln, RI 02865

Direct Comments to: Ms. Melissa Davy, Assistant Town Manager
Town of Westerly
45 Broad Street
Westerly, RI 02891
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Rhode Island Office of the Postsecondary Commissioner
560 Jefferson Blvd
Warwick, RI 02886
Phone: (401) 584-4934
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Project Location:

Tower Street School Community Center
83 Tower Street, Westerly, RI 02891
Assessor's Map 58, Lot 186

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The project involves the demolition of an existing building at the Project Location, originally used as a school since construction circa 1955, then as a community center beginning circa 2010. Upon completion of demolition activities, construction of a new community center building with commercial and non-profit tenant leasing options will be completed in roughly the same location where the existing building stands. Some services anticipated to be provided at the new community center will include, but are not limited to:

- Medical and dental, social/mental, and women's and children's health services.
- Recreational activities such as community gardening, sports, and walking trails/paths.
- Primary education supplemental programs and adult continuing education.
- Daycare services.
- Community-building and events.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

This project is necessary to revive a property that formerly served multiple needs for Westerly residents, including offering continuing education and after-school educational programming, community-building, health and wellness services, and recreational activities among many others. Residents of the Town have expressed support for this project and played a major role in the development of project alternatives.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The property on which the project is proposed is currently improved with a school building constructed in 1955 and formerly utilized as the Tower Street Elementary School. In 2010, the Town consolidated schools and Tower Street Elementary School was no longer needed as a public school. As such, the building was converted into a community center (Tower Street School Community Center) operated initially by members of the Westerly School Board. The Community Center offered various services throughout its 10-year operating period at low or no cost to community members, and the year prior to its closure saw more than 3,400 participants in community programs and events. The Covid-19 pandemic significantly affected the Center's staffing and ability to operate, and it was permanently closed in April 2020.

The existing building remains closed and unoccupied today. Several inspections of the building and property have been performed as part of alternatives development and feasibility evaluations, which have identified numerous issues with the building that prevent it from being habitable. These issues are further described in the [Draft Tower Street School Reuse Study](#) prepared for the Town in February 2023.

The property comprises a single lot encompassing 11.28 acres of land within an area of primarily residential development. Known environmental constraints of the property include freshwater wetland areas on the southeastern portion of the lot. A letter of Verification of Resource Area Delineation was received by the Rhode Island Department of Environmental Management's (RIDEM's) Freshwater Wetlands Division in July 2023, which confirms the delineation wetland lines for the property, but does not approve work within jurisdictional areas or wetland resources. As details on the design of the project progress, the scope of work for these areas will be developed to a point where filing(s) for alteration to resource areas, if applicable, can be made with the RIDEM.

Constraints to building height may also be present due to the property's location within the Conical Zone of the Westerly State Airport, which requires that a notice of proposed construction or alteration be filed with the Federal Aviation Administration (FAA). The design height of the proposed community center appears to be compliant with the FAA's requirements and no significant changes are expected to result from their review.

Funding Information

Grant Number	HUD Program	Funding Amount
B-23-CP-RI-1356	Congressionally Directed Spending	\$1,500,000.00

Estimated Total HUD Funded Amount: \$1,500,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$ 30,000,000.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Supporting evidence for the compliance determinations below is included in each **Worksheet Summary**, which can be viewed at the hyperlink in the lefthand column of each category.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The project is located within the conical zone of the Westerly State Airport. Using preliminary design parameters for the proposed building height and recent ground survey data of the Site, the FAA Notice Criteria Tool (version 2018.2.0), the filing of FAA Form 7460-1 is required for the project due to an exceedance of the criteria outlined at 14 CFR § 77.9(b). FAA input on the design may be necessary, but it is anticipated that the project will receive a determination of no hazard to air navigation with minimal changes to the current design.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	As shown in the attached Site Plan, the Project is not within a Coastal Barrier Resource System (CBRS) Unit. The nearest CBRS Units are located more than three (3) miles to the south and southwest of the Site. The following units were identified as being closest to the project site: <ul style="list-style-type: none"> • Misquamut Beach Otherwise Protected Area RI-13P (3.33 mi S) • Maschaug Ponds CBRS System Unit D07 (4.09 mi SSW) • Napatree Units CBRS System Unit D08/Otherwise Protected Area D08P (4.72 mi SW) • Barn Island Unit CBRS System Unit CT-00 (3.74 mi SW) A certified map was also prepared using the U.S. Fish & Wildlife Service CBRS Mapper on July 18, 2024, which indicates that the pin situated on the Project Site is not within a CBRS Unit.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<p><u>Flood Insurance</u></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Project Site is situated between FEMA FIRM Panel 44009C0139K, effective 4/3/2020, and Panel 44009C0143J, effective 4/3/2020. According to a FIRMette produced through the FEMA Map Service Center depicting the Site's flood zoning on each Panel, the Site is located within Flood Zone X (unshaded), which is defined as an area of minimal flood hazard, with a less than 0.2% annual chance of flooding.</p>

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p><u>Clean Air</u></p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Project Site was historically situated in an area of nonattainment for the 1-hour ozone standard established in 1979, which has since been revoked. The Project Site has not been identified in an area of nonattainment for the 8-hour ozone standard currently in effect.</p> <p>Construction activities during the Project could have a temporary adverse impact on local air quality without proper controls in place. Specifically, the following activities during Project construction must adhere to regulatory requirements intended to mitigate adverse impacts on air quality:</p> <ul style="list-style-type: none"> Asbestos abatement necessary for existing building demolition must meet the requirements of the <i>Rhode Island Air Pollution Control Regulation No. 22 - Air Toxics</i> (250-RICR-120-05-22) as well as other regulatory requirements further discussed under Site Contamination. Lead-based paint must be removed from surfaces in accordance with the RIDEM requirements for <i>Removal of Lead-Based Paint from Exterior Surfaces</i> (250-RICR-120-05-24) as well as other regulatory requirements further discussed under Site Contamination. All construction activities must be performed in a way that prevents noncompliance with the Rhode Island regulations for <i>Visible Emissions</i> (250-RICR-120-05-01) and <i>Fugitive Dusts</i> (250-RICR-120-05-05). Any fuel burning devices intended for use during construction activities (e.g., emergency generators) may require a permit under the <i>Rhode Island Air Pollution Control Regulations No. 9</i> (250-RICR-120-05-09) or <i>No. 43</i> (250-RICR-120-05-43). Where feasible, diesel engines operating on-site during construction activities should limit idling in accordance with the <i>Rhode Island Diesel Engine Anti-Idling Program</i> (250-RICR-120-05-45).
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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p>	<p>No activities proposed as part of this project are anticipated to be completed below or above the high-water mark of tidal waters, within a 200' contiguous area of coastal resource areas, within 50' of a contiguous freshwater resource, in floodplains associated with coastal or contiguous resource areas, or within critical coastal areas. The nearest coastal resource is located approximately 0.8 miles west of the Project Site. The nearest critical coastal area is the Salt Pond Region SAMP, located roughly 2.5 miles south of the Project Site. A Site Plan depicting the approximate extent of the jurisdictional area of the CRMC relative to the Site is provided herein.</p> <p>Additionally, the proposed project does not consist of and is not expected to include those certain inland activities requiring review by the Rhode Island Coastal Resources Management Council (CRMC) regardless of distance from coastal features.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>A Phase I ESA was completed by Pare Corporation on August 19, 2024 which did not identify any RECs, HRECs, or CRECs associated with the Site. Several non-REC and <i>de minimis</i> conditions were identified at the Site, including:</p> <ul style="list-style-type: none"> • Past use of #4 fuel oil to heat the building, stored in a 5,000-gallon underground storage tank (UST). This finding is considered a non-REC because the UST was removed in 1995 in accordance with applicable UST closure requirements, at which time no evidence of a release was encountered. • Dry wells observed on the Site, which discharge directly to the Site subsurface, were considered non-RECs because information available during the ESA indicates that they were installed in the 1990s and receive roof runoff from a portion of the Site building, an allowable practice of the Rhode Island Stormwater Design and Installation Standards Manual. No evidence was identified during the ESA to indicate that the dry wells had received other sources of effluent, such as effluent that could contain oil and/or hazardous materials. • Solid wastes observed to be disposed of on-Site were considered <i>de minimis</i> conditions due to the limited quantities observed and the types of materials primarily observed (residential food wrapper waste and small piles of discarded soil/asphalt).

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<p>Contamination and Toxic Substances (Con't) 24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Additionally, several conditions outside the scope of a standard ASTM Phase I ESA were identified, including:</p> <ul style="list-style-type: none"> Asbestos-containing building materials (ACBM) are present in Site structures. The potential for radon gas in current and future Site structures to accumulate to concentrations in excess of the EPA's Action Limit of 4 picocuries per liter (pCi/L). The potential for lead-based paint to be present at the Site (Note that since completion of the ESA, a lead hazard evaluation was identified which confirmed the presence of lead-based paint). The potential for materials contaminated with polychlorinated biphenyls (PCBs) to be present at the Site. Apparent mold and mildew impacts to the building interior, which appears to be related to water damage observed in the building. <p>Compliance will be achieved as part of demolition and construction activities associated with the proposed new building on the project Site. Currently, the following are anticipated to be necessary as the project progresses:</p> <ul style="list-style-type: none"> Lead-based paint abatement in accordance with the Rhode Island Department of Health's (RIDOH's) requirements for <i>Lead Inspections</i> (216-RICR-50-15-05) and <i>Lead Safe Work Practices</i> (216-RICR-50-15-12), and the RIDEM requirements for <i>Removal of Lead-Based Paint from Exterior Surfaces</i> (also known as <i>Air Pollution Control Regulation No. 24</i>; 250-RICR-120-05-24) by professionals licensed in accordance with 216-RICR-50-15-11. Abatement of ACBM in the existing building in accordance with the RIDOH's <i>Asbestos Control</i> regulations (216-RICR-50-15-01) and the Rhode Island <i>Air Pollution Control Regulation No. 22 - Air Toxics</i> (250-RICR-120-05-22). The installation of a radon gas mitigation system in any future building(s) proposed at the site by Rhode Island licensed professionals in accordance with the RIDOH's <i>Radon Control</i> regulations (216-RICR-50-15-02) and the Rhode Island State Building Code (<i>RISBC</i>; 510-RICR-00-00-01, <i>et seq.</i>).

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<p>Contamination and Toxic Substances (Con't)</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<ul style="list-style-type: none"> • The proper removal and disposal of all remaining equipment and electrical, mechanical, and structural materials from the existing building as part of demolition activities. Any manufactured products known or suspected to contain PCBs in concentrations of 50 ppm or greater, and any wastes derived from such products, shall be managed in accordance with the requirements of the Toxic Substances Control Act (TSCA; 40 CFR § 761), the RIDEM <i>Rules and Regulations for Hazardous Waste Management</i> (250-RICR-140-10-01), and the RIDEM <i>Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases</i> (250-RICR-140-30-01), as applicable. • As current plans for the site include proposed childcare facilities, the project is subject to the Rhode Island <i>Industrial Property Remediation and Reuse Act</i>, also known as the Safe School Siting Act (R.I.G.L. § 23-19.14), which requires that subsurface investigations, including, but not limited to, collection of soil, groundwater, and soil gas samples, be performed at properties on which childcare and/or educational facilities are proposed. • As applicable, any excess soils that are intended to be excavated from the Site should be properly characterized for disposal at a licensed facility. It is recommended that characterization be performed in advance of the start of construction activities to better anticipate construction schedule and costs. • Mold and mildew issues at the Site appear to be associated with water damage which may have occurred when the building was unoccupied. This issue is expected to be abated with completion of demolition and new building construction activities. The town should ensure that the proposed building design will meet applicable local, state, and federal building code requirements, which should ensure that future mold and mildew growth is adequately inhibited and the conditions that promote the growth of mold and mildew are properly mitigated. Additionally, contractors involved in demolition activities should be informed of its presence in order to provide proper respiratory protection and medical surveillance to their employees as necessary.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<u>Endangered Species</u> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	An Informal Consultation under Section 7 is necessary due to the Site's location within the ranges and/or known habitat of several Federally endangered or threatened species.
<u>Explosive and Flammable Hazards</u> 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The Rhode Island Department of Environmental Management (RIDEM) Environmental Resource Mapper was reviewed to identify listings of Aboveground Storage Tanks (ASTs) within a 1-mile radius of the Project Site (data last updated 2016). Facilities required to submit Tier II reporting information under Section 312 of the Emergency Planning and Community Right-to-Know (EPCRA) were also reviewed due to their potential to use or store large quantities of hazardous materials in above-ground containers other than ASTs (data last updated 2021).</p> <p>The Project Site was not listed in the AST or EPCRA databases. Nine (9) registered AST facilities and three (3) EPCRA Tier II facilities were identified within the search distance of the Project Site. Using the HUD Acceptable Separation Distance (ASD) Electronic Assessment Tool, the Project Site appears to be at or greater than the minimum ASD for thermal radiation both for buildings and people relative to all of the identified listings.</p> <p>No indications of proposed future AST storage were found during the course of this review.</p>
<u>Farmlands Protection</u> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project Site is not located within an area containing soils considered to be Prime Farmland or Farmland of Statewide Importance.
<u>Floodplain Management</u> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project Site is situated between FEMA FIRM Panel 44009C0139K, effective 4/3/2020, and Panel 44009C0143J, effective 4/3/2020. According to a FIRMette produced through the FEMA Map Service Center depicting the Site's flood zoning on each Panel, the Site is located within Flood Zone X (unshaded), which is defined as an area of minimal flood hazard, with a less than 0.2% annual chance of flooding. No floodplains are depicted within the proposed Project Area.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<p><u>Historic Preservation</u></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>A review of state and national historic properties, as well as archeological sites, did not produce any listed sites with known significance to Indigenous Americans within one (1) mile of the project Site. An archaeological site of Indigenous American significance (Nursery Site, RI-273) was identified roughly 1.3 miles to the south-southeast of the Site.</p> <p>Based on past development and use of the Site, it appears unlikely that adverse impacts on Indigenous American artifacts will occur as a result of this project; however, Native Americans tribes were historically present in the area of Westerly and surrounding towns for thousands of years, and the potential to encounter artifacts of Native American archeological, religious, and/or cultural significance cannot be eliminated. Should evidence of historical Native American use of the Site be encountered during the project, the Rhode Island Historic Preservation and Heritage Society (RIHPHS) shall be notified, and work shall be paused until such time that an archeological survey can be completed and interested parties agree that work associated with the project can continue.</p>
<p><u>Noise Abatement and Control</u></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project involves the demolition of an existing structure formerly used as a school and later a community center, and the new construction of a building intended to be commercial tenant-occupied and serve as a community center. Commercial tenants known or anticipated to occupy the new building at this time include Wood River Health Center, which will provide medical services to the local community.</p> <p>Demolition and construction activities will be performed in accordance with all local noise ordinances, and noise is not anticipated to reach excessive levels through the anticipated future site use. Future tenants that are not reasonably known or anticipated at this time will need to comply with the requirements of the municipal noise ordinance and would be unlikely to cause excessive noise in this situation.</p>
<p><u>Sole Source Aquifers</u></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located within the Pawcatuck Sole Source Aquifer. Correspondence with the EPA was initiated on 7/2/2024. The EPA provided a checklist of review documentation that should be provided for review as the final design for the project nears completion.</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
<p><u>Wetlands Protection</u></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>There are wetland resources located on-Site, which were verified by the Rhode Island Department of Environmental Management (RIDEM) Division of Freshwater Wetlands in July 2023 (attached). The wetlands verified by RIDEM consist of:</p> <ul style="list-style-type: none"> • Deciduous Forested Swamp • Two (2) Intermittent Streams, one fed by culvert/stormwater, and the other apparently groundwater-fed • One (1) Pond <p>Buffer zones and jurisdictional areas were defined as follows:</p> <ul style="list-style-type: none"> • Jurisdictional Area – 200-feet from the edge of a river or stream, and 100-feet from the edge of all other freshwater wetlands • Deciduous Forested Swamp – 50-foot buffer zone, increased to 75-feet where wetland flags come within 50-feet of the pond • Each Intermittent Stream – 100-foot buffer zone • Pond – 75-foot buffer zone where it is unprotected by other buffer zones (e.g., the buffer zone of the Deciduous Forested Swamp, which surrounds the pond) <p>Based on preliminary plans for the project, some minor work is proposed within the Jurisdictional Areas and 50' buffer zone of the wetlands, which will require a filing with the RIDEM Division of Freshwater Wetlands, but is anticipated to receive a Finding of Insignificant Alteration as no buffer zone or resource areas are anticipated to be altered.</p>
<p><u>Wild and Scenic Rivers</u></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The nearest Wild & Scenic River is the Pawcatuck River and tributaries, which generally flows along the boundary of the Town of Westerly with adjacent Rhode Island towns and the Connecticut State Line. The Project Site is greater than ¼-mile away from the nearest portion of this Wild and Scenic River.</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>While the community has some elevated key environmental justice indicators, the Project Site is not located within an Environmental Justice area as defined by the RIDEM’s Environmental Justice Policy (amended 2023); however, the former and proposed use of the Project Site includes childcare and educational services covered under the environmental equity and public participation requirements of Rhode Island’s <i>Industrial Property Remediation and Reuse Act</i> (R.I.G.L. § 23-19.14-5). As such, further environmental investigation of the Site is required prior to redevelopment, and public involvement in the scope and findings of these investigations will allow for members of the public to participate in Site redevelopment activities.</p> <p>Additionally, the Project proposes the creation of services that will benefit low-income and minority households by providing accessible healthcare and childcare services that are presently in short supply in the community.</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	This project is not anticipated to result in a significant change to land use and zoning, and will result in an aesthetic improvement to urban design.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	Stormwater will primarily be managed through a series of low-impact designs that will allow for improved treatment and offset the increased footprint of impervious area at the site.
Hazards and Nuisances including Site Safety and Noise	2	This project is not anticipated to result in a significant change to site safety or noise.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	This project will provide a space for commercial tenants who are expected to hire locally and provide employment for younger residents of Westerly and surrounding communities.
Demographic Character Changes, Displacement	2	This project is not anticipated to result in a significant change to demographic characteristics. The project is anticipated to serve most demographics present in Westerly.
Environmental Justice	1	While the project is not located within an Environmental Justice area, the Project proposes the creation of services that will benefit low-income and minority households by providing accessible healthcare and childcare services that are presently in short supply in the community.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	1	The project will improve access to educational facilities by providing a space where continuing education classes will be offered. The site was previously used for these purposes until its closure circa 2020.
Commercial Facilities	1	The project will provide tenant space for commercial business, which will create local jobs and is a more feasible option for many types of small businesses than purchase of their own facility.
Health Care and Social Services	1	The project will improve access to health care and social services by providing a space that offers medical services, community recreation, and childcare services. The site was previously used for similar purposes until its closure circa 2020.
Solid Waste Disposal / Recycling	2	This project is not anticipated to result in a significant increase in solid waste generation.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Waste Water / Sanitary Sewers	2	This project is not anticipated to result in a significant impact to wastewater/sanitary sewers. The site is presently serviced by municipal sewer, and the proposed project will utilize these existing connections with minor spatial and use modifications.
Water Supply	2	This project is not anticipated to result in a significant impact to water supply. The site is presently serviced by municipal water, and the proposed project will utilize these existing connections with minor spatial and use modifications.
Public Safety - Police, Fire and Emergency Medical	2	This project is not anticipated to result in a significant impact to public safety, and may have beneficial impacts particularly on emergency medical services.
Parks, Open Space and Recreation	1	The project will have a beneficial impact on open space and recreation, by providing open space for community gardening, recreational sports, and walking trails.
Transportation and Accessibility	2	The project is not anticipated to result in a significant change to transportation or accessibility. ADA accommodations will improve accessibility to the proposed building relative to the existing structure. The proposed layout also includes a drop-off/pick-up lane that could be used by public transportation services; public transportation is available in the area where the project is located.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	This project is not anticipated to result in a significant impact to natural features or water resources, and may have a beneficial impact with control and mitigation of invasive plants during construction.
Vegetation, Wildlife	1	Portions of vegetated areas of the site are impacted by invasive plants that can be addressed and/or mitigated during construction activities.
Other Factors	--	--

Environmental Assessment Factor	Impact Code	Impact Evaluation
CLIMATE AND ENERGY		
Climate Change Impacts	1	Stormwater management proposed as part of this project will result in an improvement to overall stormwater quality and will ensure that the systems are sized to manage the higher volume of stormwater expected to occur during a single storm event as climate change continues to impact local weather patterns.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Energy Efficiency	1	The proposed project will include the demolition of a building constructed circa 1955, with the construction of a new building conforming to current energy efficiency requirements for new buildings.

Additional Studies Performed:

[Draft Tower Street School Reuse Study](#), prepared by an ad hoc Committee for the Tower Street Redevelopment for the Town of Westerly c/o Westerly Town Council on 2/23/2023

Field Inspection (Date and completed by):

- 1/5/2022 – Allied Consulting Services visited the Site as part of inspection and evaluation of mechanical/HVAC, plumbing, electrical, and communications services in the existing building.
- 5/26/2022 – Environmental Lead Detection, Inc. performed a Lead-Based Paint survey of the building.
- 6/1/2022, 6/3/2022 – AltTech Services visited the Site to conduct a hazardous building material assessment.
- 6/16/2022 – On-Site Insight visited the site to assess the property value as part of a Capital Needs Assessment.
- 6/17/2024 – Pare personnel visited the Site as part of the Phase I ESA Site Reconnaissance.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

See Attached [Interagency Review Log](#), note that consultation is ongoing and information will be amended as responses are received.

List of Permits Obtained:

7/12/2023 – Verification of Resource Area Delineation – RIDEM Division of Freshwater Wetlands
 Additional permits shall be obtained as development of project details continues.

Public Outreach [24 CFR 50.23 & 58.43]:

The public has been involved in this project since its inception. In June 2022, a series of 35 interviews were held with local Key Leaders regarding the reuse of the property. A public forum was subsequently held on July 19, 2022, which more than 60 individuals attended. In September 2022, a Community Needs Assessment was conducted to evaluate potential reuse of the subject property. Respondents to these events had a significant impact on the project development and alternative development.

This draft EA and the associated documents were made publicly available for viewing on 10/2/2024.

Cumulative Impact Analysis [24 CFR 58.32]:

N/A

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:

Several alternatives have been evaluated to date; information presented in this document assumes that the “Preferred Alternative” has been selected, further described below:

Alternative 1 – Sale of Property to Private Interests

The Town has considered selling the property on which the project is proposed to commercial private interests in the past, which would be the lowest cost alternative for the town as any work proposed on the property after sale would typically be at the expense of the new owner. Some concerns with this approach include the loss of valuable land by the town, the likely permanent loss of community space, and the use(s) of the property by prospective private owners. The Pros and Cons of this alternative are further summarized below:

Pros:

- Lowest Cost Option
- Produces a one-time revenue associated with the sale of the property
- No further financial investment in the property for the town
- No further liability for the town

Cons:

- Permanent loss of more than 11-acres of public land
- Permanent loss of space previously used for educational, community engagement, and open space and recreation services
- Neighborhood concerns about future prospects/use of the property (e.g., concerns about warehouses, solar farms, residential subdivisions, etc.)
- Potential for private owners to acquire property but be unable to move forward on any redevelopment activities due to financial issues, conflicts with local bylaws, or numerous other issues that can hinder redevelopments
- Members of the public have voiced their opinions against this alternative

As summarized above, the benefits do not appear to outweigh the deficits associated with this alternative, and it is consequently not considered to be a feasible alternative.

Alternative 2 – Modifications to Existing Building for Reopening

The project site was evaluated for the feasibility to revitalize the existing building and reopen it for use as a community center. Several surveys and inspections, further documented in the Draft Tower Street School Reuse Study, were conducted at the site, which identified several issues in the existing building. Several public forums have also been held as part of alternative development and evaluation, which identified both pros and cons associated with this alternative, as summarized below:

Pros:

- Keeps more than 11-acres of land under ownership of the Town
- Would allow reuse of the site for educational, community engagement, and open space and recreational purposes
- Property is within ½-mile of Downtown Westerly
- Property is located within an established residential neighborhood, which is one of the primary communities that the proposed use would serve
- The property is connected to municipal sewer and water
- The property is connected to municipal firewater services
- The property is serviced by public transportation (Rhode Island Public Transport Authority [RIPTA])

Cons:

- A total replacement of the mechanical system would be required
- The existing building does not have air conditioning and would be expensive to retrofit
- The existing building does not conform to the State Fire Safety Code
- Significant upgrades to plumbing, electrical, and communications systems would be necessary
- Hazardous building materials were identified in the building that would require localized abatement as part of mechanical, electrical, plumbing, and communications renovations, and could require a complete abatement depending on anticipated use(s) of the building in the future
- Significant water damage and associated mold and mildew impacts were observed in the building that would require abatement
- The roof was found to be leaking in several places, which would require abatement
- Non-energy efficient structural materials and devices are present throughout the building
- The existing building layout may not be suitable for certain types of tenants, and does not allow much leniency for partitioning, retrofitting, or the use of specialized equipment that might not be found in a school
- The estimated capital costs for initial renovations were more than \$3 million and more than \$5 million over the course of a 20-year period, roughly

The cost and level of effort needed to complete the above work satisfactorily so that the building could continue to serve the community for an extended period would not be significantly different to the cost and level of effort required for the construction of a new building. Even if the above steps were taken at the existing building, it is unlikely that efforts such as retrofitting would achieve the same amount of energy efficiency as new construction due to other areas of the building that remain energy inefficient (e.g., windows, doors, insulation). As such, this alternative is less feasible than the Preferred Alternative.

Alternative 3 (Preferred Alternative) – Construction of a New Community Center on the Same Parcel

The project site was evaluated for construction of a new community center roughly in the existing building's footprint. The pros and cons of this alternative are summarized below:

Pros:

- Provides all of the same benefits that Alternative 2 would provide
- Would create leased space by which the town could ensure a source of continued revenue for facility upkeep and maintenance
- Would provide additional services compared to the services that the existing building provided prior to its closure (e.g., medical services, daycare services, and additional options with leased spaces)
- Allows for construction of a building designed for long-term use as opposed to retrofitting
- Allows the use of sustainable engineering and architecture, aligning with some of the goals of the ad hoc Tower Street Redevelopment Committee

Cons:

- Slightly higher cost and greater level of effort involved relative to Alternate 2
- Total project cost is more difficult to estimate due to building demolition activities and inherent variability in soil conditions and quality across the site
- May generate more waste than Alternative 2 as a result of building demolition

Where possible, construction and improvement of exterior appurtenances will be limited to previously disturbed areas of the site, maximizing the use and maintenance of existing vegetated areas, and will incorporate low-impact design into stormwater management. Several alternatives are also being evaluated for the incorporation of additional energy efficient construction, including:

- Solar hot water
- Rooftop photovoltaic array
- Daylight monitoring/harvesting systems
- High efficiency HVAC systems, including geothermal
- Energy efficient pool mechanical/heat recovery systems

No Action Alternative [24 CFR 58.40(e)]:

An alternative of No Action was evaluated for this project, which would involve no change to the existing conditions at the site. With this alternative, the existing Tower Street School would remain unoccupied at the property, while limited public use of exterior appurtenances would remain available. The pros and cons of this alternative are summarized below:

Pros:

- In the immediate future, it would incur no costs for the town
- Public use of portions of the property remains available
- Would generate significantly less waste than Alternates 2 and 3

Cons:

- Existing building would remain unoccupied/uninhabitable
- Would need to be inspected for vandalism, which would use town resources and funding
- Building exterior/landscaping would still need to be maintained
- Town could be liable for any injuries or damage that occurs on or because of the property
- Detrimental to neighborhood aesthetics
- Building condition would likely continue to deteriorate and could eventually produce a hazard associated with a release of hazardous building materials
- The property would likely end up going through this same process at a later date as the building and property conditions become increasingly out of compliance with applicable local, state, and federal regulations.

Based on the above, No Action is not a feasible alternative.

Summary of Findings and Conclusions:

Based on the work conducted to date on alternatives development and feasibility evaluations, **Alternative 3 – Construction of a New Community Center on the Same Parcel** is considered the Preferred Alternative which will provide the greatest benefits with minor deficiencies relative to the other alternatives evaluated for this project. While some project details remain under development and several agencies are pending response at this time, No Adverse Effects are expected to the environment from the alternative selected for this project.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
24 CFR Part 51 Subpart D 14 CFR § 77.9(b)	<i>Form 7460-1 will be filed with the FAA at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest. Interagency review will include representatives of the FAA, Westerly Airport, and the Rhode Island Airport Corporation, as applicable. Any recommendations resulting from this review shall be incorporated into the project scope of work and this EA.</i>
24 CFR Part 50.3(i) & 58.5(i)(2)	<i>Mitigation and management of environmental conditions identified in association with the existing building will be performed during building demolition activities in accordance with the requirements and applicable standards outlined in the Contamination and Toxic Substances section of this EA.</i>
R.I.G.L. § 23-19.14	<i>Vapor intrusion potential into the proposed building will be evaluated in accordance with the Rhode Island Department of Education's (RIDE's) policy. This can be completed after demolition of the existing structure, but should be completed prior to start of construction of the new community center. Any findings and/or recommendations resulting from this assessment shall be incorporated into the project scope of work and this EA.</i>
Executive Order 11990, particularly §§ 2 and 5 250-RICR-150-15-3	<i>As project design progresses, should any impacts to resource areas be identified and/or work proposed within jurisdictional areas, appropriate applications shall be filed with the RIDEM Division of Freshwater Wetlands. Any recommendations resulting from the permitting process shall be incorporated into the project scope of work and this EA.</i>
Endangered Species Act § 7, 50 CFR Part 402	<i>Informal Consultation is required and is being commenced as part of interagency review, due to the reasonably anticipated presence of Federally Endangered Species within the project area. Any recommendations resulting from this review shall be incorporated into the project scope of work and this EA.</i>
40 CFR Part 149	<i>Upon further development of project design, stormwater details and site plans shall be transmitted to EPA representatives for review. Any recommendations resulting from this review shall be incorporated into the project scope of work and this EA.</i>

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Certifying Officer Signature: _____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).