

FINDING OF NO SIGNIFICANT IMPACT  
WEST HEATING PLANT DISPOSAL  
WASHINGTON, DC

FINDING

In accordance with the National Environmental Policy Act (NEPA), Council on Environmental Quality Regulations for Implementing NEPA (40 CFR 1500-1508), U.S. General Services Administration (GSA) Order ADM 1095.1 F: Environmental Considerations in Decision Making, and the GSA Public Buildings Service NEPA Desk Guide, I find that the proposed disposal of the West Heating Plant parcel in Washington, DC, as described in the attached Environmental Assessment (EA), is not a major Federal action significantly affecting the quality of the natural and human environment. Therefore, an Environmental Impact Statement will not be prepared for the disposal of the property. The disposal of the property was not found to cause significant direct or indirect impacts as studied in the EA.

*This FONSI will become final 30 days after publication of its Notice of Availability in the Washington Post provided that no information leading to a contrary finding is received or identified during the 30-day review period.*

APPROVED: \_\_\_\_\_

Date: \_\_\_\_\_

Julia E. Hudson  
Regional Administrator  
U.S. General Services Administration  
National Capital Region

## **I. BASIS FOR FINDING.**

GSA prepared an environmental assessment (EA) analyzing the direct and indirect environmental impacts that could result from disposal of the West Heating Plant parcel in Washington, DC, as surplus Federal property. The EA was prepared pursuant to the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality Regulations for Implementing NEPA (40 CFR §§ 1500-1508), GSA Order ADM 1095.1 F: Environmental Considerations in Decision Making, and the GSA Public Buildings Service NEPA Desk Guide. The EA documents the potential direct, indirect, and cumulative impacts for the Action Alternative (Disposal) and the No-Action Alternative.

The environmental issues addressed in the EA were identified through early public involvement (scoping), which included consultations with Federal and local agencies and other stakeholders. In addition to scoping, a Draft EA was distributed for a 30-day public review period. The Final EA responds to comments and concerns received during the 30-day public review. The Final EA is incorporated by reference into this Finding of No Significant Impact (FONSI).

## **II. PURPOSE OF AND NEED FOR THE PROPOSED ACTION.**

The purpose of the proposed action is the disposal of the West Heating Plant parcel and its removal from Federal ownership. The need for the proposed action is to eliminate the costs associated with the maintenance of a property that has been identified as excess. This proposed action is consistent with the June 20, 2010, Presidential Memorandum (*Presidential Memorandum – Disposing of Unneeded Federal Real Estate*) that calls for Federal agencies to identify and dispose of excess properties.

## **III. DESCRIPTION OF ALTERNATIVES.**

Two alternatives were considered in detail in this EA: an Action Alternative and the No-Action Alternative. These alternatives are summarized below. The alternatives are described in greater detail in Chapter 2 of the Final EA.

**No-Action Alternative.** Under the No-Action Alternative, GSA would not dispose of the West Heating Plant parcel, and current uses of the site would continue. GSA would continue to maintain the parcel in a caretaker status, and there would be no future redevelopment of the site.

**Action Alternative.** GSA's proposed action is the disposal of the West Heating Plant parcel. Disposal of the parcel by GSA would remove the property from Federal ownership, and the land would become subject to the District of Columbia's land use and taxing authority. All future development or reuse would be subject to local zoning, permitting, and other applicable land use controls. GSA would not restrict future use of the property should it leave Federal ownership other than by deed restrictions as are

authorized by statute for the protection of human health, the environment, and historic resources.

#### **IV. ACTIONS SELECTED FOR IMPLEMENTATION.**

Disposal of the West Heating Plant parcel was selected for implementation.

#### **V. ENVIRONMENTAL CONSEQUENCES.**

The EA analyzed the impacts of each of the alternatives on the natural and human environment. This section summarizes the direct and indirect impacts associated with disposal of the West Heating Plant parcel. This section also identifies deed notices and covenants for the resource issues that were analyzed in detail. A full description and listing of deed notices and covenants can be found in the Final EA.

To fully evaluate potential indirect impacts associated with the disposal of the property, GSA selected a reasonable future development scenario for NEPA analysis. The postulated development scenario was coordinated with the District of Columbia Office of Planning (DCOP). Any future redevelopment on the site as undertaken by the successful transferee entity would be subject to local planning, zoning, and review controls that would regulate the type of development that could occur; these restrictions would ensure that any new development or reuse be consistent with the character of the surrounding area. For example, any future redevelopment or reuse would be subject to District of Columbia zoning controls, and a developer would be required to take the property through the zoning process. The developer would be required to apply to the Zoning Commission and coordinate with the DCOP staff in the zoning of the site so that it is not inconsistent with the District of Columbia Comprehensive Plan. Because the site is located in the Georgetown Historic District and is adjacent to Rock Creek Park, reviews by the District of Columbia Historic Preservation Office, the Old Georgetown Board and the U.S. Commission of Fine Arts would potentially be required for any proposed modifications to the site. The District's Historic Preservation Review Board (HPRB) may also undertake such a review.

Reviews from other agencies may also be required, including the District's Department of the Environment (DDOE) for the removal of hazardous wastes (see Section 3.10 in the Final EA) and identifying appropriate erosion control during construction (see Section 3.6 in the Final EA), as well as the U.S. Army Corps of Engineers for any maintenance or modifications to the existing riparian buffer (see Section 3.6 in the Final EA). These and other levels of reviews for permitting and zoning would ensure that any future development is not unrestricted and is consistent with applicable Federal regulations and local legislation, permits, and regulations. A full description of the local review processes required for permitting and zoning can be found in the Final EA. These processes were accounted for in the analysis of indirect impacts from the action alternative.

In addition to the resource issues summarized below, a number of issues were considered for evaluation at the outset of the process, but were eliminated from detailed study within the EA because either there would be no impacts or impacts would be negligible. Resource issues dismissed from detailed study include: Air Quality; Coastal Zone Management; Cultural Resources – Archeology; Environmental Justice; Infrastructure; Land Use and Zoning; Community Facilities; Population, Housing, Income, Employment, and Education; Topography, Geology, and Soils; and Vegetation, Wetlands, and Wildlife.

**Transportation.** There would be no direct impacts associated with the disposal of the West Heating Plant parcel. Indirect impacts include minor to moderate and long-term adverse impacts on the 30<sup>th</sup> and M Streets intersection; this intersection would operate at level of service F, regardless of any future reuse or development of the West Heating Plant parcel. There would be fewer impacts to the 29<sup>th</sup> and K Streets intersection, with minor long term minor effects.

#### Deed Notices and Covenants

- None.

**Water Resources.** There would be no direct impacts associated with disposal of the West Heating Plant parcel. Indirect impacts related to future redevelopment of the property would include minor, temporary adverse impacts on surface water from runoff during construction after disposal has occurred, and minor adverse impacts from construction in a floodplain. There would be no impacts to groundwater.

#### Deed Notices and Covenants

- GSA, in compliance with Executive Order 11988: Floodplain Management, will notify potential bidders/buyers that the West Heating Plant parcel site is located within the 100-year floodplain.

**Historic Resources.** See Section VI: Section 106 of the National Historic Preservation Act.

**Visual Resources.** There would be no direct impacts on visual resources associated with the disposal of the property. Indirect impacts associated with development of the property include negligible long-term adverse impacts on local visual resources, moderate, long-term adverse impacts on the views of the West Heating Plant, and moderate, long-term adverse impacts on neighborhood character.

#### Deed Notices and Covenants

- None

**Noise.** There would be no direct impacts on noise associated with the disposal of the West Heating Plant parcel. Indirect impacts include minor, short-term impacts from construction noise during development of the property, and minor, long-term impacts

from a slight increase in vehicular traffic and new development on the site after disposal has occurred.

#### Deed Notices and Covenants

- None

**Hazardous Materials and Waste/Public Health and Safety.** There would be no direct impacts on public health and safety related to hazardous materials associated with the disposal of the property. There would be moderate, short-term adverse impacts if appropriate remediation/removal is not undertaken.

#### Deed Notices and Covenants

- Per concurrence from DDOE, GSA will notify potential bidders/buyers of the West Heating Plant parcel of the presence of hazardous materials on the site, as determined by the Phase II Environmental Site Assessment and Human Health Risk Assessment conducted for the site.
- A deed restriction indicating that Grantee (which term includes Grantee's successors and assigns) is prohibited from using the groundwater located below the surface of the Property. Furthermore, ownership of the groundwater is being retained by the Government.

## **VI. SECTION 106 of the NATIONAL HISTORIC PRESERVATION ACT.**

GSA has determined the West Heating Plant is individually eligible for the National Register of Historic Places, and the plant is a contributing structure in the Georgetown Historic District National Historic Landmark and the District of Columbia Inventory of Historic Sites. Pursuant to Section 106 of the National Historic Preservation Act (NHPA), Federal agencies are required to consider the effects of any undertakings on districts, sites, buildings, structures, or objects included, or eligible for inclusion, in the NHRP. Federal agencies are also required to afford the Advisory Council on Historic Preservation (ACHP) a "reasonable opportunity to comment with regard to such undertaking."

In accordance with Section 106 of the NHPA, GSA has consulted with the DC State Historic Preservation Office (DC SHPO), the ACHP, and Consulting Parties on the content of historic preservation covenants to be placed in the transfer documents that would afford protection to the West Heating Plant and its site. The covenant language has been added to the Final EA in Appendix F. GSA's actions during consultation included (a) developing specific documentation in a Determination of Eligibility report which describes the West Heating Plant's significance and its contributing features and (b) seeking concurrence from the DC SHPO in a determination for the disposal undertaking of no adverse effect under Section 106 (36 CFR Part 800.5(a)(2)(vii)), based upon protective transfer covenants. The covenants and applicable law will impose upon the buyer the requirement that any redevelopment of the site be consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties and

Guidelines for Rehabilitating Historic Buildings, and be subject to the review of the DC SHPO, the U.S. Commission of Fine Arts and the Old Georgetown Board, the DC Zoning Commission, and other applicable public processes, all of which allow for extensive citizen comment. With these requirements, provisions, and covenants, GSA's Section 106 responsibilities for the disposal undertaking have been completed. GSA, with the concurrence of the DC SHPO, has determined that the disposal of the West Heating Plant parcel will not have an adverse effect on historic properties. .