

# **U.S. Department of Veterans Affairs**



## **Proposed Raleigh Outpatient Clinic Finding of No Significant Impact**

**August 2020**

**Prepared for:**

U.S. Department of Veterans Affairs  
Office of Construction and Facilities Management

**Prepared by:**

LRS Federal LLC

## 1.0 Introduction

A Final Environmental Assessment (EA), included by reference, was prepared to identify, analyze, and document the physical, environmental, cultural, and socioeconomic impacts associated with the U.S. Department of Veterans Affairs' (VA's) proposed action to construct and operate an approximately 222,325-square-foot outpatient clinic with approximately 1,300 parking spaces near Raleigh, North Carolina. The outpatient clinic would employ approximately 450 staff. The site would include other site improvements, amenities, and landscaped open space areas. The outpatient clinic would be designed and built to VA design criteria and in accordance with local building and zoning codes.

The purpose of the proposed action is to enhance and expand services to Veterans in the Raleigh, North Carolina, area by providing an integrated, right-sized, and energy-efficient outpatient clinic. The proposed Raleigh outpatient clinic would provide a centralized facility to consolidate and expand primary care, mental health, and specialty care services to Veterans in the rapidly growing region and relieve the existing overcrowded facilities.

The proposed action is needed to replace and consolidate three existing leased outpatient clinics in Raleigh; address current and future projected health care capacity, service gaps, and operational inefficiencies identified in the Strategic Capital Investment Planning process; and enhance VA outpatient services. The existing VA clinics are insufficient to meet the current and rapidly growing health care needs of Veterans in the Raleigh area. In addition, operating separate clinics in the area creates operational inefficiencies and poorly integrated services. The proposed outpatient clinic would allow VA to provide timely access to state-of-the-art health care and enhance primary care, mental health, dialysis, and limited specialty care services. It would also allow VA to provide new specialty care services, women's health care, ambulatory surgery, and imaging services to Veterans in the Raleigh area.

## 2.0 Alternatives

The following two locations are being considered for the proposed outpatient clinic:

- Southwest of the intersection of Rand Road and Benson Road, Garner, North Carolina (Alternative A)
- Southeast of the intersection of Old Stage Road and Ten Ten Road, Garner, North Carolina (Alternative B)

Alternative A is approximately 16.76 acres along the west side of Benson Road (Highway 50) in the Town of Garner, in the southern Raleigh metro area. The site is currently undeveloped and wooded. Primary access would be from Benson Road with secondary access from the north at Rand Road and from the south at Arbor Green Drive. The L-shaped building would be situated toward the western boundary with parking towards the north and east with additional parking to the south. The closest public transportation stop is about 1.5 miles north of the site. Surrounding properties include farmland, residential neighborhoods, a convenience store, an elementary school, an auto shop, and undeveloped land zoned for office and institutional use.

Alternative B is approximately 32.88 acres and is located at the intersection of Old Stage Road and Ten Ten Road in Garner; the site is partially in the Town of Garner (15.37 acres) with the remainder in unincorporated Wake County. If Alternative B is selected, the Town of Garner would annex the county property. The site includes cleared agricultural and wooded land with two residential structures, a shed, a septic drain field, and wells. A surface water feature is located in the wooded area near the center of the parcel with a ditch that extends in a westerly direction towards Old Stage Road. Primary access would be from Old Stage Road and Ten Ten Road. Two secondary access points from Ten Ten Road would facilitate entering parking areas on each side of the property. The L-shaped building would be situated in the southeastern portion of the site with primary parking northwest and east of the building, while

secondary parking would be east and south of the building. Initial landscape designs incorporate the surface water feature and wooded areas with limited construction in these areas. The closest public transportation stop is about 3 miles east of the site. Surrounding properties include a residential neighborhood, storage units, a grocery store, an elementary school, and undeveloped land.

Under the no action alternative, the proposed action would not be implemented. VA would continue to provide services at the three separate leased clinic locations. The two proposed locations would not be used by VA and could possibly be developed by others consistent with local zoning. This alternative would limit VA’s ability to provide needed health care services to Veterans in the region. The no action alternative does not meet the purpose and need. However, analysis of the no action alternative is required by Council on Environmental Quality regulations. It also provides a benchmark for comparing and analyzing the effects of the other alternatives.

### 3.0 Affected Environment and Environmental Consequences

Based on the analysis in the Final EA, construction and operation of the outpatient clinic at either Alternative A or Alternative B would result in less than significant impacts. Table 3-1 summarizes the findings of the impact analysis by resource area.

**Table 3-1. Summary of Impact Analysis**

| <b>Resource Area</b>            | <b>Alternative A</b>   | <b>Alternative B</b>   | <b>No Action Alternative</b> |
|---------------------------------|--|--|------------------------------|
| Aesthetics                      | The outpatient clinic would be consistent with the aesthetics of the surrounding area and would be compatible with surrounding land uses, resulting in less than significant impacts.  | The outpatient clinic would be consistent with the aesthetics of the surrounding area and would be compatible with surrounding land uses, resulting in less than significant impacts.  | None                         |
| Air Quality                     | Construction activities would have short-term minor impacts related to emissions and fugitive dust. Long-term minor emissions from the operation of the outpatient clinic and vehicle emissions would result in less than significant impacts. | Construction activities would have short-term minor impacts related to emissions and fugitive dust. Long-term minor emissions from the operation of the outpatient clinic and vehicle emissions would result in less than significant impacts.   | None                         |
| Cultural and Historic Resources | No historic properties were identified. Less than significant impacts to cultural resources.   | Further investigation required to understand the National Register of Historic Places eligibility of the site. Establishing and implementing a memorandum of agreement (MOA) would resolve adverse impacts to eligible historic resources and would result in less than significant adverse effects on cultural resources. | None                         |

| <b>Resource Area</b>                          | <b>Alternative A</b>   | <b>Alternative B</b>   | <b>No Action Alternative</b> |
|---|--|--|------------------------------|
| Geology and Soils                             | Construction activities would include ground disturbance. Disturbances would be stabilized during operation and permit requirements would be met, resulting in less than significant impacts.  | Construction activities would include ground disturbance. Disturbances would be stabilized during operation and permit requirements would be met, resulting in less than significant impacts.  | None                         |
| Hydrology and Water Quality                   | Implementation of best management practices and groundwater control measures, and following permit requirements, would result in less than significant impacts.  | Implementation of best management practices and groundwater control measures, and following permit requirements, would result in less than significant impacts.  | None                         |
| Wildlife and Habitat                          | No federally or state listed species are at the site. Less than significant impacts to vegetation and wildlife habitats.   | No federally or state listed species are at the site. Less than significant impacts to vegetation and wildlife habitats.   | None                         |
| Noise   | Construction activities would have noticeably higher noise levels than current levels. Operation of the outpatient clinic would have a minor long-term increase in noise levels from traffic and ground maintenance. These impacts would be less than significant. | Construction activities would have noticeably higher noise levels than current levels. Operation of the outpatient clinic would have a minor long-term increase in noise levels from traffic and ground maintenance. These impacts would be less than significant. | None                         |
| Land Use                                      | Rezone a portion of Alternative A. Compatible with surrounding land uses. Less than significant impacts.   | Rezone a portion of Alternative B. Compatible with surrounding land uses. Less than significant impacts.   | None                         |
| Floodplains, Wetlands, and Coastal Management | No floodplains or coastal management areas. Impacts to wetlands would be less than significant.  | No floodplains or coastal management areas. Permitting and mitigation, as needed, of impacted wetland areas through USACE permit process would result in impacts that are less than significant impacts.   | None                         |
| Socioeconomics                                | Short-term beneficial impacts to local employment and personal income. Outpatient clinic would enhance health care for Veterans in the region. Less than significant adverse impacts.  | Short-term beneficial impacts to local employment and personal income. Outpatient clinic would enhance health care for Veterans in the region. Less than significant adverse impacts.  | None                         |

| <b>Resource Area</b>                 | <b>Alternative A</b>   | <b>Alternative B</b>   | <b>No Action Alternative</b> |
|--------------------------------------|--|--|------------------------------|
| Community Services                   | Minor increase in demand for fire protection, police services, and emergency services. Requires coordination with local agencies to expand public transportation. Less than significant impacts.   | Minor increase in demand for fire protection, police services, and emergency services. Requires coordination with local agencies to expand public transportation. Less than significant impacts.   | None                         |
| Solid Waste and Hazardous Materials  | Increased risk for unintentional releases of petroleum and hazardous materials during construction activities. Waste generated during operation of the outpatient clinic would be collected and disposed of properly. Less than significant impacts. | Increased risk for unintentional releases of petroleum and hazardous materials during construction activities. Waste generated during operation of the outpatient clinic would be collected and disposed of properly. Less than significant impacts. | None                         |
| Traffic, Transportation, and Parking | Improvements to intersections would address increased traffic. Sufficient parking space. Less than significant impacts.  | Improvements to intersections would address increased traffic. Sufficient parking space. Less than significant impacts.  | None                         |
| Utilities                            | Increased demand for utilities. Requires the extension of utility connections. Less than significant impacts.  | Increased demand for utilities. Requires the extension of utility connections. Less than significant impacts.  | None                         |
| Environmental Justice                | No disproportionate impacts to minority or low-income populations. Less than significant impacts.  | No disproportionate impacts to minority or low-income populations. Less than significant impacts.  | None                         |

## 4.0 Protection, Mitigation, and Compliance Measures

Table 4-1 summarizes the protection and mitigation measures identified in the Final EA. Mitigation measures are typically project-specific requirements, not routinely implemented as part of a development project, that are necessary to reduce potentially adverse environmental impacts.

The table also provides a summary of protection measures, BMPs, and regulatory requirements that are regularly implemented as part of proposed activities, as appropriate. In general, implementation of mitigation measures, protection measures, BMPs, and regulatory requirements would maintain impacts at acceptable levels for the resource areas analyzed.

The measures listed in Table 4-1 would be included by VA’s developer in construction and operation of the selected alternative.

**Table 4-1. Description and Type of Measures by Resource Area**

| Resource Area                   | Description   | Type   |
|---------------------------------|---|--|
| All                             | The selected developer would review the letters from NCDEQ (7/28/2020, 8/3/2020) and NCWRC (8/5/2020) (see Appendix F.4 of the Final EA) and implement appropriate measures in developing detailed site, construction, and facility operation plans. The recommendations and requirements include implementing low impact development techniques for minimizing stormwater runoff, using non-invasive native vegetation species, incorporating biodegradable and wildlife-friendly sediment and erosion control devices during construction, additional measures to protect aquatic and terrestrial wildlife in developing landscapes, and complying with riparian buffer rules, as well as other recommended measures. | Protection measures, regulatory requirements |
| Aesthetics                      | Use the VA design and landscaping criteria outlined in the VA Raleigh, NC Outpatient Clinic Request for Lease Proposals to ensure attractive design of the outpatient clinic and surrounding landscaping.   | BMP  |
|                                 | Comply with the Town of Garner Unified Development Ordinance and the Wake County Unified Development Code.  | Regulatory requirement                       |
| Air Quality                     | Use appropriate dust suppression measures such as dust suppressants or palliatives (water, clay additives, or polymers), stabilizing disturbed areas with vegetation or mulch, or limiting earth moving construction activities during high wind conditions.  | BMP  |
|                                 | Use newer construction equipment with emissions controls.   | BMP  |
|                                 | Reduce idling of construction equipment and vehicles to minimize exhaust emissions.   | BMP  |
| Cultural and Historic Resources | Should previously unidentified historic or culturally significant items be discovered during project construction, the construction contractor would immediately cease work in the area of the discovery until VA, a qualified archaeologist, NC SHPO, and the consulting Tribes are contacted to properly identify and appropriately treat discovered items in accordance with applicable state and federal law(s).  | Regulatory requirement                       |
|                                 | Should human remains be identified during ground-disturbing activities, all work in the vicinity of the discovery would cease immediately. An Unanticipated Discovery Plan would be implemented, which would include the VA project representative contacting the Wake County coroner to evaluate any human remains.  | Regulatory requirement                       |

| Resource Area               | Description   | Type                   |
|-----------------------------|---|------------------------|
|                             | Alternative B: Conduct Phase II archaeological investigation to determine if 31WA1202 is eligible for listing on the NRHP. Develop and execute an MOA between VA, North Carolina SHPO, and other consulting parties to address adverse effects to the George Williams Farm and if determined eligible, site 31WA1202. | Regulatory requirement |
| Geology and Soils           | During construction, implement approved erosion and sedimentation control measures, and obtain a state-issued NPDES permit.   | Regulatory requirement |
|                             | Implement an erosion and sediment control plan approved by the North Carolina Division of Energy, Mineral, and Land Resources.  | Regulatory requirement |
|                             | Implement the SWPPP to address runoff during construction.  | Regulatory requirement |
| Hydrology and Water Quality | During construction, implement approved erosion and sedimentation control measures, and obtain a state-issued NPDES permit.   | Regulatory requirement |
|                             | Implement the SWPPP to address runoff during construction.  | Regulatory requirement |
|                             | Implement an erosion and sediment control plan approved by the North Carolina Division of Energy, Mineral, and Land Resources.  | Regulatory requirement |
|                             | Obtain a wastewater permit from Wake County.  | Regulatory requirement |
|                             | If shallow groundwater is encountered during construction, implement appropriate groundwater control and dewatering measures, such as sump pumps, wellpoint systems, or deep well systems.  | BMP                    |
| Wildlife and Habitat        | Use native species to the extent practicable when vegetating disturbed land to avoid the potential introduction of non-native or invasive species.  | BMP                    |
| Noise                       | The Town of Garner ordinance does not allow construction noise in residential districts from 6 PM to 7 AM.  | Regulatory requirement |
|                             | Wake County ordinance does not allow construction-related noise from 11 PM to 7 AM.   | Regulatory requirement |
|                             | Reduce idling of noise-generating heavy equipment when it is not needed or in use.  | BMP                    |
|                             | Maintain equipment per manufacturers' recommendations to minimize noise generation.   | BMP                    |
| Land Use                    | Comply with zoning regulations and development standards.   | Regulatory requirement |
|                             | Complete a rezoning for the portions of the site that are not permitted under current zoning designations.  | Regulatory requirement |

| Resource Area                                      | Description  | Type                   |
|--|--|------------------------|
| Floodplains, Wetlands, and Coastal Zone Management | Alternative B: Apply for NWP 39 to fill no more than 0.5 acres of non-tidal waters of the U.S. and the corresponding North Carolina Water Quality Certification 4139 to demonstrate conformance with Section 401 requirements. Comply with any compensatory mitigation requirements tied to NWP 39.  | Regulatory requirement |
|  | Alternative B: As needed, obtain an Individual Permit if more than 0.5 acres of wetlands would be impacted.  | Regulatory requirement |
| Socioeconomics                                     | Secure the construction area to prevent unauthorized access to the property and to reduce the potential of health and safety risks.  | Protection measure     |
|  | During operation, secure service areas, equipment pads, and other potentially dangerous areas.   | Protection measure     |
| Community Services                                 | Comply with OSHA safety and health regulations for construction detailed in 29 CFR Part 1926.  | Regulatory requirement |
| Solid Waste and Hazardous Materials                | Use proper storage and labeling of petroleum products and hazardous materials in approved containers.  | BMP                    |
|  | Store containers on a level and impervious surface.  | BMP                    |
|  | Provide a secondary containment system around fuel storage containers and during refueling activities.   | BMP                    |
|  | Manage and dispose of solid waste, hazardous materials, and medical waste in compliance with federal, state, and local regulations. The wastes would be collected and properly disposed of by a waste disposal company at approved disposal facilities.  | Regulatory requirement |
| Traffic, Transportation, and Parking               | <p>Alternative A: Coordinate with state and local jurisdictions to implement the following mitigation measures, or similar measures accepted by NCDOT and the local jurisdiction.</p> <ul style="list-style-type: none"> <li>• Benson Road and Rand Road intersection—provide a second eastbound left turn lane shared with the right turn movement.</li> <li>• Benson Road access—construct an exclusive right turn lane with 200 feet of storage and an exclusive left turn lane with 200 feet of storage for ingress.</li> <li>• Arbor Greene Drive access—construct an exclusive right turn lane with 200 feet of storage for ingress.</li> <li>• Benson Road—widen southbound Benson Road with an additional through lane and half of the median to match the four-lane divided cross section planned in the Garner Forward Transportation Plan.</li> </ul> | Mitigation measure     |

| Resource Area         | Description  | Type               |
|-----------------------|--|--------------------|
|                       | <p>Alternative B: Coordinate with state and local jurisdictions to implement the following mitigation measures, or similar measures accepted by NCDOT and the local jurisdiction.</p> <ul style="list-style-type: none"> <li>• Ten Ten Road access A, B, and C—construct an exclusive right turn lane with 200 feet of storage for ingress.</li> <li>• Ten Ten Road access B—construct an exclusive left turn lane with 200 feet of storage for ingress.</li> <li>• Old Stage Road—widen northbound Old Stage Road with an additional through lane and half of the median to match the four-lane divided cross section planned in the Garner Forward Transportation Plan.</li> <li>• Ten Ten Road—widen eastbound Ten Ten Road with an additional through lane and half of the median to match the four-lane divided cross section planned in the Garner Forward Transportation Plan.</li> </ul> | Mitigation measure |
| Utilities             | None required.   |                    |
| Environmental Justice | None required.   |                    |

The following federal, state, and/or local environmental permits and approvals were identified as being required as part of the proposed action. This list may not be exhaustive, and the selected developer will be responsible for any additional compliance and permits.

- North Carolina Department of Environmental Quality, National Pollution Discharge Elimination System (NPDES) permit, if needed
- North Carolina general permit (NCG01) from the North Carolina Division of Energy, Mineral, and Land Resources
- Erosion and sediment control plan submitted to the North Carolina Division of Energy, Mineral, and Land Resources
- Wake County land disturbing permit
- Neuse River rules for nitrogen control permit administered by the Town of Garner
- Municipal Separate Storm Sewer System NPDES permit administered by the Town of Garner
- Stormwater pollution prevention plan
- Wastewater permit from Wake County
- Sewer extension permit in coordination with Wake County and the North Carolina Division of Water Resources to determine the appropriate permit requirements
- Plans and specifications for the construction, expansion, or alteration of the City of Raleigh water system must be approved through the City of Raleigh delegated plan approval authority. Please contact them at (919) 996-3245 for further information.

The following environmental permits are required for Alternative A and Alternative B in addition to those listed above.

Alternative A

- None specific to Alternative A.

Alternative B

- Nationwide Permit (NWP) 39 from USACE and the corresponding North Carolina Water Quality Certification 4139 to demonstrate conformance with Section 401 requirements.

- As needed, obtain an Individual Permit from USACE if more than 0.5 acres of wetlands would be impacted.
- Obtain a permit from Wake County Department of Environmental Services and provide at least 24-hour notice prior to abandoning a water well. Abandonment of any wells, if required, must comply with Title 15A Subchapter 2C.0100 of the North Carolina Administrative Code.
- Contact Wake County Department of Environmental Service prior to closing the septic field and tank.

## 5.0 Agency Coordination and Public Participation

VA consulted with appropriate federal, state, and local regulatory agencies, and federally recognized Native American Tribes. The consultation is documented in the Final EA and appendices.

The public was provided with an opportunity to review and comment on the Draft EA. A total of three letters were received during a 30-day public comment period and one question was asked during a virtual public meeting. These comments and VA's responses are documented in the Final EA.

USACE is reviewing a request for concurrence with an Approved Jurisdictional Determination that wetland and surface water features on Alternative A are non-jurisdictional and therefore would not require Clean Water Act Section 404 permitting. USACE is also reviewing a request for concurrence with an Approved Jurisdictional Determination that one wetland area on Alternative B is non-jurisdictional and/or exempt from permitting along with a Preliminary Jurisdictional Determination that an ephemeral channel on the site is a jurisdictional linear wetland.

The North Carolina SHPO concurred that construction and operation of the outpatient clinic at Alternative A would not affect any properties or archaeological sites eligible for listing in the NRHP. The SHPO also concurred that construction at Alternative B would result in adverse effects and that development of an MOA would be necessary.

NCDOT reviewed and provided comments on traffic studies submitted for each site. Once VA selects the site, the developer will continue to coordinate with NCDOT to implement appropriate traffic congestion mitigation measures.

## 6.0 Finding of No Significant Impact

After careful review of the Final EA, VA has concluded that implementation of either alternative would not generate significant controversy or have a significant impact on the quality of the human or natural environment provided the selected developer implements the protection, mitigation, and compliance measures identified in Section 4.0. This analysis fulfills the requirements of the National Environmental Policy Act of 1969 and is consistent with the VA and Council on Environmental Quality regulations implementing the Act. An environmental impact statement is not required.

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Christine Modovsky  
Environmental Engineer  
Environmental Program Office  
VA Office of Construction & Facilities Management

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Reuben Clemons  
Director, Lease Execution  
Office of Real Property  
VA Office of Construction & Facilities Management