

**U.S. Department of the Interior
National Park Service, Northeast Region**

FINDING OF NO SIGNIFICANT IMPACT

Historic Surplus Property Program

MARINE EDUCATIONAL AND RECREATIONAL FACILITY

**Fort Adams State Park
Newport, Rhode Island**

INTRODUCTION

The Department of the Interior, National Park Service (NPS), has prepared this Finding of No Significant Impact (FONSI) for the Marine Educational and Recreational Facility at Fort Adams State Park, Newport, Rhode Island. This FONSI states the decision made, its likely environmental impacts and measures to minimize environmental harm, and discusses the basis for the decision. Attached to this FONSI are summaries of agency, tribal, and public involvement; and errata that show changes made to the text of the environmental assessment/assessment of effect (EA/AoE).

NPS has evaluated whether or not to approve a proposal by the Rhode Island Department of Environmental Management (RIDEM) and Sail Newport, Inc. (Sail Newport) to build a new Marine Educational and Recreational Facility on property leased by Sail Newport at Fort Adams State Park. The new building will serve water-dependent activities and Admiral's Pier. It will include classrooms, meeting rooms, offices, an event center, and regatta central and will function as the overall base of operations for Sail Newport's marine educational and recreational programs. The building will also provide public restrooms and locker room facilities for the mid-park area of Fort Adams State Park.

Fort Adams was transferred from the federal government to the State of Rhode Island and Providence Plantations (State of Rhode Island) through three separate conveyances administered by NPS. The Land and Water Conservation Fund provided the funding that overlays all of Fort Adams State Park and places restrictions on the property that require it to be used for public outdoor recreation.

On May 19, 1965, the General Services Administration, on behalf of the United States (US) government under the Federal Property and Administrative Services Act of 1949 (now called the Historic Surplus Property Program) transferred a parcel of property that included the fortification of Fort Adams to the State of Rhode Island for historic monument purposes. Two additional parcels were conveyed under separate deeds through the Federal Lands to Parks Program in 1978 and 1986 with restrictions to retain the land for a public park and public recreational uses. RIDEM currently administers the property on behalf of the state and leases property along Brenton Cove to Sail Newport. The leased property was part of the original 1965 property conveyance.

Through the deed restriction on the original 1965 property conveyance that also is incorporated into the lease agreement with Sail Newport, NPS is charged with ensuring the property is used in perpetuity for “continued use and maintenance as an historic monument.” As part of the evaluation of the proposal, NPS, in cooperation with RIDEM and Sail Newport, prepared an EA that analyzed two alternatives: a no action alternative and the proposed action to construct a new Marine Educational and Recreational Facility in the mid-park area of Fort Adams State Park.

The *Marine Educational and Recreational Facility Environmental Assessment/Assessment of Effect* (2016) was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and its implementing regulations (40 Code of Federal Regulations [CFR] 1500–1508); and NPS Director’s Order 12: *Conservation Planning, Environmental Impact Analysis, and Decision-making* (2011) and its accompanying handbook (2015). In addition, NPS integrated the NEPA process with that for Section 106 of the National Historic Preservation Act of 1966 (54 United States Code 306108) and used the NEPA documentation and coordination processes for Section 106 compliance pursuant to 36 CFR 800.8(c). Therefore, the EA also served as an AoE to historic properties under Section 106.

During preparation of the EA/AoE, NPS consulted with federal and state agencies, tribes, interested and affected parties, and the general public. The EA/AoE was made available for a 30-day review period, during which one public meeting was held. Several changes to the EA/AoE were made as a result of correspondence with the Rhode Island Coastal Resources Management Council regarding the federal coastal consistency determination and to make minor text changes for clarification (Attachment C).

SELECTED ACTION

Based on the analysis presented in the EA/AoE, NPS has decided to approve the proposal; therefore, the selected action is Alternative 2: Proposed Action – Construct Marine Educational and Recreational Facility. The selected action is summarized below and is fully described on pages 7 through 11 of the EA/AoE.

Under the selected action, RIDEM and Sail Newport will construct an approximately 8,000 square foot, three-story Marine Educational and Recreational Facility at the mid-park area of the property leased by Sail Newport at Fort Adams State Park. The ground floor of the building will include men’s and women’s public lavatories and locker rooms with shower facilities that will serve the athletic fields in the mid-park region of Fort Adams State Park and Sail Newport programs, a seasonal dock office, and storage area and will be constructed with flood-resistant building materials. The first floor will be located 3.5 feet above the base flood elevation (12 feet) and will include a kitchen and a multi-purpose great room that can accommodate 125 people seated and can be partitioned into smaller classrooms for simultaneous use. Restrooms and access to the elevator will also be provided. The second floor will contain the Sail Newport administrative offices.

The entire building will be outfitted with energy efficient heating, ventilating, and air conditioning and lighting fixtures. It will include an American with Disabilities Act-accessible

entrance lobby and elevator. Additionally, a solar photovoltaic (PV) system will be installed on the roof of the building to provide a percentage of the building's average annual energy consumption. The facility also will include stormwater and rain harvesting systems.

MITIGATION MEASURES

RIDEM and Sail Newport, through contractors and in accordance with applicable state and federal permits, will implement an appropriate level of monitoring and ensure that best management practices (BMPs) are employed throughout the construction process.

BMPs to be employed could include the use of straw (i.e., bio-logs) to intercept stormwater runoff on the site, baled hay around the construction access area to confine sediment to the work area, silt sacks in catch basins to capture sediment/debris from entering the catch basins, protection devices around existing trees, and temporary construction fencing around the construction site.

Implementing and monitoring these BMPs will help ensure that no environmental or cultural resources are damaged and the public is protected. Additional BMPs or mitigation measures may also be stipulated by the State of Rhode Island during the permitting process for the selected action.

FINDING OF NO SIGNIFICANT IMPACT

As described in the EA/AoE, both adverse and beneficial impacts on resources within Fort Adams State Park will occur as a result of implementing the selected action. However, no significant, adverse impacts were identified that would require analysis in an environmental impact statement.

No contributing elements to the Fort Adams Historic District are located within or adjacent to the location of the new Marine Educational and Recreational Facility. Therefore, the selected action will have no direct impacts on the Historic District itself. Because the facility will be outside the Fort Adams National Historic Landmark (NHL), it will have no direct impacts on the NHL. The Marine Educational and Recreational Facility will be visible from multiple locations within the Fort Adams Historic District and nearby NHL, including the Officer's Quarters, advanced redoubt, and the fort itself. However, adverse impacts from the selected action on the resources will be minimal because the building has been designed to fit within the context and setting of the Historic District and nearby NHL and will not alter character-defining features of the Historic District or nearby NHL.

The selected action will have some adverse impacts on sustainability and energy conservation potential from the use of construction materials and generation of materials that may not be recycled or reused after demolition. However, impacts on sustainability and energy conservation potential, overall, will be predominantly beneficial because of the increased functionality of the facility, the use of energy efficient systems and fixtures, the use of a stormwater and rain

harvesting collection system, and the on-site production of electricity through the use of the rooftop solar PV system; all of which will extend the facility's lifecycle, reduce energy demand, and minimize water use and stormwater runoff water.

Impacts on recreation from the selected action will be beneficial. Marine educational and recreational programs will be enhanced because Sail Newport will be able to accommodate more students with more classroom space, and with adequate utilities, it can provide programs year-round and more efficiently conduct programs during inclement weather. The locker room and restroom facilities on the ground floor will also provide additional amenities for users of the athletic fields across the street from the facility. Users of the Marine Educational and Recreational Facility will have access to more amenities, which will increase visitation to the park, enhance recreational facilities, and provide a more enjoyable experience for visitors at the park. Additionally, while the purpose of the new facility is unrelated to the preservation, interpretation, and education of the state park as a historic monument, the selected action is consistent with the purpose of the property conveyance because recreational uses are acceptable for Historic Surplus Property Program properties.

The impacts of other past, present, or reasonably foreseeable actions on resources, in conjunction with the impacts of the selected action, will result in some adverse cumulative impacts on the Fort Adams Historic District and the nearby NHL, as well as sustainability and energy conservation potential, while impacts on recreation will be beneficial. As demonstrated in the EA/AoE, these actions will not result in any significant, adverse cumulative impacts.

In summary, the selected action will not have a significant, adverse effect on the human environment. There are no significant, adverse impacts on historic properties, sustainability and energy conservation potential, or recreation. No highly uncertain or controversial impacts, unique or unknown risks, significant, adverse cumulative effects, or elements of precedence were identified. Implementation of the selected action will not violate any federal, state, or local environmental protection law.

Based on the foregoing, it has been determined that an environmental impact statement is not required for this action and thus will not be prepared.

DECISION REACHED AND RATIONALE

In reaching this decision, NPS put the most weight on its responsibility under the deed restriction on the original 1965 property conveyance to ensure that the property is used in perpetuity for "continued use and maintenance as an historic monument." While the new Marine Educational and Recreational Facility would not enhance the use or maintenance of Fort Adams State Park as a historic monument, it is consistent with the purpose of the original property conveyance under the Historic Surplus Property Program because recreational uses are acceptable for historic surplus properties. The building will introduce a new visual element into the Fort Adams Historic District; however, it has been designed to fit within the context and setting of the Fort Adams Historic District and nearby NHL and will have no adverse effect on the Historic District or NHL because it will not alter their character-defining features in a manner that would diminish their integrity.

As an acceptable recreational use of a Historic Surplus Property, the new facility will enhance and facilitate Sail Newport's existing educational and recreational programs by providing more classroom space, as well as adequate heat and other utilities making it possible to provide programs year-round and more efficiently during inclement weather. The new facility will also allow Sail Newport to expand its community outreach with area institutions (local, regional, and charter schools and colleges) and expand its recreational and learn-to-sail programs. The restrooms and locker rooms on the ground floor will serve the athletic fields in the mid-park region of Fort Adams State Park and Sail Newport programs, providing visitors greater and more convenient amenities.

For these reasons and in consideration of the likely environmental impacts described in this finding of no significant impact, I have decided to approve RIDEM and Sail Newport's proposal to construct a new Marine Educational and Recreational Facility as described under alternative 2.

Recommended: Shaun Eyring 5.12.16
Shaun Eyring, Chief, Cultural Resources Date
Northeast Region, National Park Service

Approved: Michael A. Caldwell 5-18-16
Michael A. Caldwell, Regional Director Date
Northeast Region, National Park Service

Attachment A Agency and Tribal Consultation
Attachment B Public Involvement and Comments Received
Attachment C Errata Sheet

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ATTACHMENT A**AGENCY AND TRIBAL CONSULTATION****Section 7 of the Endangered Species Act**

The National Park Service (NPS) reviewed species data for the project area through the US Fish and Wildlife Service Information, Planning and Conservation System and Rhode Island Geographic Information System data. NPS determined that there will be no effect on any listed species because no federally listed threatened or endangered species are located in the project area.

Section 106 of the National Historic Preservation Act

Fort Adams was listed in the National Register of Historic Places as a Historic District in 1971 and was designated a National Historic Landmark (NHL) in 1976. Because of potential effects on the Historic District and the nearby NHL from the construction of the Marine Educational and Recreational Facility, the Rhode Island Historical Preservation and Heritage Commission (RIHPHC) was contacted early in the design process. RIHPHC was first notified of the proposed building and provided conceptual plans in February 2013. RIHPHC provided comments on the design, including noting the presence of a previous building in this location that served as the Post Office and that the former Post Office provided a historical precedence for a building of similar shape and size in this location. RIHPHC also expressed concern regarding the complex roofline of the conceptual plans.

In December 2014, Sail Newport provided RIHPHC with revised plans for the building that responded to some but not all of RIHPHC's concerns. RIHPHC again expressed concern about the complex roofline and use of a solar photovoltaic (PV) system, both of which would introduce new elements to the Fort Adams Historic District. Subsequent to the December 2014 RIHPHC submittal, the building design was altered to respond to RIHPHC's concerns. The roofline was simplified and the decision was made to only install the solar PV system on the southern roof of the structure, making it less visible from contributing features of the Historic District and the nearby NHL.

NPS submitted letters to the Advisory Council on Historic Preservation (ACHP) and RIHPHC on March 17, 2016, notifying them that it was using the process and documentation required for preparation of the environmental assessment/assessment of effect (EA/AoE) to also comply with Section 106 of the National Historic Preservation Act (NHPA) in accordance with 36 Code of Federal Regulations [CFR] 800.8(c) and that the EA/AoE would be available for public comment from March 18 to April 18, 2016. The letters also indicated that the selected action will have no adverse effect on the Fort Adams Historic District or NHL. On April 5, 2016, RIHPHC concurred with the NPS determination that there would be no adverse effect "because the new facility will be compatible with the historic surroundings of Fort Adams State Park and will not diminish the integrity to this historic property." No response has been received from the ACHP.

On March 17, 2016, NPS also submitted letters to the Narragansett Indian Tribe, the Wampanoag Tribe of Gay Head, and the Mashpee Wampanoag Tribe notifying them that it was using the process and documentation required for preparation of the EA/AoE to also comply with Section 106 of the NHPA in accordance with 36 CFR 800.8(c) and that the EA/AoE would

be available for public comment from March 18 to April 18, 2016. None of the Tribes responded.

Coastal Zone Management Act

Pursuant to the Coastal Zone Management Act of 1972, NPS submitted a federal Coastal Zone Consistency Determination to the Rhode Island Coastal Resources Management Council (RI CRMC) on March 17, 2016. The correspondence indicated that NPS determined that the selected action will be conducted in a manner consistent to the maximum extent practicable with the enforceable policies of Rhode Island's approved Coastal Resources Management Plan and will not impact natural or cultural resources of the State's coastal zone. However, after subsequent conversations with RI CRMC, NPS determined that the Rhode Island Department of Environmental Management (RIDEM), the project proponent, is responsible for complying with all state and local permitting processes, including consistency with the approved Coastal Resources Management Plan. Therefore, NPS submitted a second letter dated April 7, 2017, to RI CRMC clarifying its original March 17, 2016, letter and indicating that RIDEM, as the project proponent, would be responsible for ensuring the selected action is consistent with Rhode Island's Coastal Resources Management Plan. On April 8, 2016, RI CRMC responded that it was closing the file for the Federal Coastal Consistency Determination Request submitted by NPS on March 17, 2016, and will await RIDEM's application for State Assent for the selected action to fulfill the requirements of the Coastal Zone Management Act.

ATTACHMENT B**PUBLIC INVOLVEMENT AND COMMENTS RECEIVED**

During preparation of the environmental assessment/assessment of effect (EA/AoE), the National Park Service (NPS) consulted with federal and state agencies, tribes, interested and affected parties, and the general public.

Public Involvement

Interested public and agencies were provided an opportunity to review and comment on the EA/AoE during a 30-day review period from March 18, 2016, through April 18, 2016. Availability of the EA/AoE was announced on the NPS Planning, Environment and Public Comment (PEPC) website (<http://parkplanning.nps.gov/nero>) and through a press release that was published on March 18, 2016, in the *Providence Journal* and the *Newport Daily News*. In addition, an open house public meeting was held at the Newport Public Library on April 7, 2016.

Public Comments

A total of two comments were received during the public comment period, and neither raised any concerns. Both comments indicated support for the project, stating that it would provide a benefit to the public and would be a good use of the park. No changes to the EA/AoE are warranted as a result of the public comments.

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ATTACHMENT C

ERRATA SHEET

Introduction

This errata sheet documents changes to the text of the environmental assessment/assessment of effect (EA/AoE) as a result of correspondence with the Rhode Island Coastal Resources Management Council regarding the federal coastal consistency determination, as well as other minor text changes made for clarification.

For ease of reference, changes to the EA/AoE text are noted by chapter and page number. Text within a paragraph that has been deleted is shown by a ~~strikeout~~ and added text is underlined. Typographical, spelling, and punctuation errors are not changed unless necessary to make the passage understandable.

ERRATA

Table of Contents, page iii: delete the ~~Appendix~~ heading and delete ~~Appendix A: Federal Consistency Determination~~

Chapter 2: Alternatives, page 7: the following edits are made:

The ground floor of the building would provide men's and women's public lavatories and locker rooms with shower facilities that would serve the athletic fields in the mid-park region of Fort Adams State Park and Sail Newport programs, as well as a seasonal dock office and storage area.

Chapter 2: Alternatives, page 9: the following edits are made:

This floor would be constructed of post and beam timber and would consist of ~~classrooms, a kitchen, a multi-purpose great room, and a great room~~ and a kitchen. ~~It~~The great room could accommodate 125 people seated and would be designed so that it can be partitioned into smaller spaces to allow smaller classes to occur simultaneously. The classrooms would be used for instruction on sailing, boating, and marine sciences, while the great room would be used for social and charitable fundraisers, and all would be available for use year-round and during inclement weather. Restrooms and access to the elevator also would be provided. Additionally, the space would be made available for other ~~non-sailing mission-related programming that occurs at Fort Adams, including rugby, soccer, and lacrosse programs and road races.~~

Chapter 3: Affected Environment and Environmental Consequences, page 22: the following edits are made:

Under alternative 2, a new facility would be constructed in Fort Adams State Park on property leased by Sail Newport to provide classrooms, a kitchen, and a multi-purpose great room, ~~and a great room~~ that would serve multiple functions.

Chapter 3: Affected Environment and Environmental Consequences, page 27: the following edits are made:

Under alternative 2, construction of the new Marine Educational and Recreational Facility in the mid-park area of Fort Adams State Park would provide classrooms, a kitchen, and a multi-purpose great room, and a great room, serving that would serve multiple functions.

Chapter 3: Affected Environment and Environmental Consequences, page 27: the following edits are made:

The larger new facility also would allow Sail Newport to better accommodate social and charitable functions and fundraisers and make the facilities available for other mission-related programming that occurs at Fort Adams~~to outside users~~.

Chapter 4, page 30: replace the Coastal Zone Management Act paragraph in its entirety with the following text:

The proposed action is located within 200 feet of the shoreline along Brenton Cove and is therefore subject to compliance with the Rhode Island Coastal Resources Management Program. Pursuant to the Coastal Zone Management Act of 1972, the Rhode Island Coastal Management Program, approved by the National Oceanic and Atmospheric Administration in 1978, is administered by the Rhode Island Coastal Resources Management Council. As the project proponent, RIDEM will be responsible for complying with all state and local permitting processes, including consistency with the approved Rhode Island Coastal Management Program. This will be accomplished through the application process for State Assent.

Appendix A: delete Appendix A: Federal Consistency Determination in its entirety.