



OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION

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National Environmental Policy Act Adoption of the Categorical Exclusion Determination for the Hand-in-Hand Early Learning Center Elementary School Relocation Project, Oak Harbor School District-NAS Whidbey Island, Washington

Pursuant to the Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] Parts 1500–1508) implementing the National Environmental Policy Act (NEPA), the Department of Defense Office of Local Defense Community Cooperation (OLDCC) gives notice that it is adopting the Naval Air Station (NAS) Whidbey Island Record of Environmental Consideration (REC) for “Construct Hand-in-Hand Early Learning/Home Connection/Oak Harbor Virtual Academy” executed February 14, 2024 (Attachment 1). The prospective OLDCC Grantee, Oak Harbor School District, proposes to rebuild the Hand-in-Hand Early Learning Center and Home Connection school buildings in a new location, which the Navy is preparing to lease to the applicant. The new Hand-in-Hand Learning Center will increase its capacity to 514 students. Construction is estimated at approximately 76,705 square feet for buildings and 25,000 square feet, 9,000 square feet, and 200,000 square feet for outdoor play hard surface play areas, soft surface play areas, and a grass field, respectively. The Proposed Action will benefit NAS Whidbey Island and the Hand-in-Hand Learning Center student population by placing the school out of an Accident Potential Zone and region with noise levels above 75 dBA.

OLDCC is the grantor of federal funding for the proposed project under the Public Schools on Military Installations Program, which seeks to assist Local Education Agencies in constructing, renovating, repairing, or expanding elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies pursuant to Section 8128 of Public Law 115-245, the “Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019.” The prospective Grantee and NAS Whidbey Island prepared a REC (Attachment 1) for the relocation of the Hand-in-Hand Learning Center. NAS Whidbey Island applied the following Categorical Exclusions listed in 32 CFR Part 775.6(f) to this project:

- CATEX 30. Renewals and minor amendments of existing real estate grants for use of government-owned real property where no significant change in land use is anticipated.
- CATEX 33. New construction that is similar to or compatible with existing land use (i.e., site and scale of construction are consistent with those of existing adjacent or nearby facilities) and, when completed, the use or operation of which complies with existing regulatory requirements (e.g., a building within a cantonment area with associated discharges and runoff within existing handling capacities). The test for whether this CATEX can be applied should focus on whether the proposed action generally fits within the designated land use of the proposed site.
- CATEX 35. Acquisition, installation, modernization, repair, or operation of utility (including, but not limited to, water, sewer, and electrical) and communication systems

(including, but not limited to, data processing cable and similar electronic equipment) that use existing rights of way, easements, distribution systems, and facilities.

Furthermore, NAS Whidbey Island determined that none of the extraordinary circumstances outlined in 32 CFR 775.6(e) are applicable to this project. OLDCC agrees with this determination and finds the attached documentation appropriately evaluates the proposed action.

In accordance with the Council on Environmental Quality's "National Environmental Policy Act Implementing Regulations" at 40 CFR §1506.3, OLDCC may adopt another agency's determination that a Categorical Exclusion applies to a proposed action if the action covered by the original Categorical Exclusion determination and OLDCC's proposed action are substantially the same. The action evaluated in the NAS Whidbey Island REC is the same proposed project that is the subject of the OLDCC award. Further, OLDCC agrees the Proposed Action will not have significant individual or cumulative environmental impacts, meets the criteria for the listed Categorical Exclusion, and that no extraordinary circumstances exist to preclude use of the Categorical Exclusion. Therefore, OLDCC adopts the Navy Categorical Exclusion determination for the subject project as supported by the analysis and documentation provided in the following attached files, which are incorporated by reference herein:

- "Record of Categorical Exclusion, In Accordance with the National Environmental Policy Act (NEPA), for Project: Construct Hand-in-Hand Early Learning/Home Connection/Oak Harbor Virtual Academy, Sea Plane Base, Naval Air Station Whidbey Island, Oak Harbor, Island County, Washington" Navy Categorical Exclusion Determination signed by Laura R. Muhs, Installation Environmental Program Director, on February 14, 2024; also includes additional supporting consultation records (Attachment 1- Hand-in-Hand-NAS Whidbey Island REC).
- Supporting environmental documentation and consultation records; various formats, signatories, and production or signature dates (Attachment 2 – Hand-in-Hand PSMI Supporting Environmental Documentation and Consultation Records).

The Categorical Exclusion determination and supporting materials in Attachments 1 and 2 demonstrate that the Proposed Action will have no significant environmental impacts and therefore does not require further assessment. The documentation constitutes a complete NEPA determination and shows that Navy Categorical Exclusion 30, 33, and 35 listed in 32 CFR Part 775.6(f) is applicable to the subject project.

OLDCC has independently reviewed the attached documentation and finds that implementation of the Proposed Action will not significantly impact the quality of the human environment. NAS Whidbey Island is in Island County, Washington, which is in attainment for all National Ambient Air Quality Standards. Emissions due to the proposed action would be construction-related and temporary. The proposed project site is not located within a wetland or floodplain and will have no effect to these resource areas. The project is not located close enough to the shoreline to warrant a Coastal Zone Management Act federal consistency determination; no effects to coastal areas are anticipated. Similarly, no effects to marine mammals are anticipated due to the project location. The prospective Grantee must follow the project design best management practices as stated in the NAS Whidbey Island REC to prevent erosion and protect runoff, as well as limiting

nuisance dust (Attachment 1). Typical construction noise is expected but will be temporary and not significant.

The project location was surveyed for the presence of the threatened marbled murrelet, which is known to nest at a shoreline approximately 0.83 miles away. No individuals were found during the survey, and the habitat surveyed was determined to not be of sufficient quality due to the nearby noise sources. Therefore, no effects to the marbled murrelet are anticipated. The full assessment performed by NAS Whidbey Field can be found in Attachment 2. The Proposed Action will require the felling of approximately 10.98 acres of trees. Timber activities will be seasonally restricted to minimize impacts to migratory birds.

NAS Whidbey Island consulted with the Washington State Historic Preservation Office (SHPO) for a review of this project. A definition of the Area of Potential Effect (APE) was submitted to the SHPO on April 14, 2022. The SHPO concurred with this definition on the same day. The prospective Grantee submitted a finding of No Adverse Effects to the SHPO and requested concurrence on this determination on October 20, 2022. The SHPO concurred with this determination on October 21, 2022, on the stipulation of professional archaeological monitoring and an unanticipated discovery plan. Record of consultation with the SHPO is included in Attachment 2. NAS Whidbey Island also consulted with four federally recognized tribes, the Samish, the Stillaguamish, the Swinomish, and the Upper Skagit. Consultation included a map of the APE (sent on April 14, 2022) and a description of the project (sent on October 20, 2022). To date, no responses from any of the tribes have been received. Consultation with tribes can be found in Attachment 2. If human remains, funerary objects, cultural items, or archaeological materials are encountered during project construction and related work, activity in the area must cease immediately and appropriate Native American tribal government contacts, SHPO, OLDCC, and NAS Whidbey Island personnel must be contacted for additional guidance.

The action for which the prospective Grantee and NAS Whidbey Island prepared and executed the attached Categorical Exclusion determination (Attachment 1) is the same action as OLDCC's Proposed Action and applying the Navy Categorical Exclusions 30, 33, and 35 listed in 32 CFR Part 775.6(f) is an appropriate NEPA determination for this project. Therefore, OLDCC adopts the Categorical Exclusion determination per 40 CFR § 1506.3. Further, OLDCC, as the adopting agency, confirms that none of the circumstances listed in 40 CFR § 1506.3(e) are present.

I have determined that the information provided above and in the attached documents provides sufficient evidence and analysis for determining that an Environmental Assessment or Environmental Impact Statement is not required.

Sincerely,

Patrick J. O'Brien
Director

Attachments:
As stated