



## OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION

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### National Environmental Policy Act Adoption of the Categorical Exclusion Determination for the Demolish And Construct Crescent Harbor Elementary School Project, Oak Harbor School District- Naval Air Station 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 Categorical Exclusion (CATEX) for “Demolish And Construct Crescent Harbor Elementary School (CHES) Project, Oak Harbor School District” executed February 14, 2024 (Attachment 1). The OLDCC Grantee, Oak Harbor School District (OHSD), proposes to demolish and rebuild CHES. The new CHES will increase its capacity from 459 to 500 students. The Proposed Action would result in an increased building size from 48,165 square feet to approximately 71,000 square feet. The new school would be constructed according to updated building codes that would ensure the safety, health, well-being, and quality of education for military connected students in the OHSD.

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 8121 of Public Law 116-93, the “Consolidated Appropriations Act, 2020.” The Grantee and NAS Whidbey Island prepared a Record of CATEX (Attachment 1) for the demolish and construct Crescent Harbor Elementary School. NAS Whidbey Island applied the following Navy CATEX 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 34. Demolition, disposal, or improvements involving buildings or structures when done in accordance with applicable regulations including those regulations applying to removal of asbestos, polychlorinated biphenyls, and other hazardous materials.
- 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 CATEX applies to a proposed action if the action covered by the original CATEX determination and OLDCC's proposed action are substantially the same. The action evaluated in the NAS Whidbey Island Record of CATEX 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 CATEX, and that no extraordinary circumstances exist to preclude use of the Categorical Exclusion. Therefore, OLDCC adopts the Navy CATEX 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 OLDCC-Funded Oak Harbor School District Project: Demolish and Construct Crescent Harbor Elementary School, Sea Plane Base, Naval Air Station Whidbey Island, Oak Harbor, Island County, Washington" Navy CATEX Determination signed by Laura R. Muhs, Installation Environmental Program Director, on June 4, 2024; also includes additional supporting consultation records (Attachment 1- Crescent Harbor-NAS Whidbey Island CATEX).
- Supporting environmental documentation and consultation records; various formats, signatories, and production or signature dates (Attachment 2 – Crescent Harbor PSMTI Supporting Environmental Documentation and Consultation Records).

The CATEX 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 CATEX 30, 33, 34, and 35 listed in 32 CFR Part 775.6(f) are 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 Action would take place in an upland area with no reasonably foreseeable coastal effects. Therefore, a Coastal Zone Management Act federal consistency determination was not conducted. The Proposed Action site is in an area with zero to five percent slopes, with no streams or wetlands present. The nearest downstream surface water is approximately 0.5 miles away. A nationwide or regional Clean Water Act Section 404 wetland fill permit would not be triggered by the Proposed Action. However, there are two wetlands, A and B, downstream of the Proposed Action site approximately 15 acres and 2 acres, respectively. Wetland A is classified as forested, emergent; and wetland B is classified as forested/shrub, emergent. The Proposed Action would implement the appropriate stormwater Best Management Practices (BMPs) to mitigate any potential impacts during demolition, construction, and from increased impervious surface after construction. The BMPs would prioritize hydroperiod protection, so there would not be an adverse effect on the size, function, or biological value of the wetlands. Construction would disturb more than an acre; therefore, the Proposed Action would require a Clean Water Act Section 401 Water Quality Certification from the Washington Department of Ecology and would be subject to the requirements

of the National Pollution Discharge Elimination System Construction General Permit for stormwater associated with construction activities for Federal facility operators in Washington State.

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 Grantee and NAS Whidbey Island prepared and executed the attached CATEX determination (Attachment 1) is the same action as OLDCC's Proposed Action and applying the Navy CATEX 30, 33, 34, 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