HIGHGATE SPRINGS LAND PORT OF ENTRY EXPANSION AND MODERNIZATION PROJECT FINAL ENVIRONMENTAL ASSESSMENT FRANKLIN COUNTY, VERMONT

April 2025

PREPARED BY: U.S. GENERAL SERVICES ADMINISTRATION
NEW ENGLAND REGION

CONTENTS

Executive Summary ES-1
Introduction ES-1
Purpose and Need ES-1
Project Alternatives ES-1
Proposed Action ES-1
No Action Alternative ES-2
Public Scoping ES-2
Draft EA Public Review ES-2
Environmental Consequences ES-3
1.0 Introduction 1
1.1 Background 1
1.1.1 Site Location 1
1.1.2 Site Description 5
1.1.3 Traffic Flow Characteristics 8
1.2 Purpose and Need 10
1.2.1 Projected Site Conditions 10
1.2.2 Existing Facility Deficiencies 10
1.3 Public Involvement 11
1.3.1 Public Scoping Meeting 11
1.3.2 Summary of Public Scoping Comments 12
1.3.3 Draft EA Public Hearing 12
1.3.4 Summary of Public Hearing Comments 12
1.4 Relevant Environmental Laws and Regulations 13
1.4.1 National Environmental Policy Act and NEPA Process 13
1.4.2 Section 404 of the Clean Water Act 13
1.4.3 Section 7 of the Endangered Species Act 14
1.4.4 National Historic Preservation Act of 1966 14
1.4.5 Relevant Laws and Regulations 14
2.0 Description of The Proposed Action and Alternatives 17
2.1 Proposed Action 17
2.2 No Action Alternative 21
2.3 Alternatives Considered and Dismissed from Detailed Analysis 21
2.4 Comparison of Alternatives Considered 22
3.0 Affected Environment and Environmental Consequences 24
3.1 Methodology 24
3.2 Land Use 25
3.2.1 Affected Environment 25
3.2.2 Environmental Consequences 28
3.3 Geology, Topography, and Soils 28
3.3.1 Affected Environment 28
3.3.2 Environmental Consequences 33
3.4 Water Resources 34
3.4.1 Affected Environment 34
3.4.2 Environmental Consequences 40
3.5 Biological Resources 42

3.5.1 Affected Environment 42
3.5.2 Environmental Consequences 47
3.6 Utilities 50
3.6.1 Affected Environment 50
3.6.2 Environmental Consequences 52
3.7 Solid And Hazardous Materials And Waste 54
3.7.1 Affected Environment 55
3.7.2 Environmental Consequences 57
3.8 Traffic and Transportation 59
3.8.1 Affected Environment 59
3.8.2 Environmental Consequences 62
3.9 Noise 63
3.9.1 Affected Environment 63
3.9.2 Environmental Consequences 67
3.10 Cultural Resources 68
3.10.1 Affected Environment 68
3.10.2 Environmental Consequences 71
3.11 Socioeconomics 75
3.11.1 Affected Environment 75
3.11.2 Environmental Consequences 80
3.12 Dismissed Resources 82
4.0 List of Preparers 84
5.0 References 85
Appendix A – Scoping Report
Appendix B – Agency Consultation
Appendix C – Comments Received on the Draft EA and GSA's Responses

FIGURES:

Figure 1.1-1. Regional Location of the Highgate Springs LPOE 3
Figure 1.1-2. Highgate Springs LPOE Vicinity 4
Figure 1.1-3. Existing Layout of the Highgate Springs LPOE 5
Figure 1.1-4. View of the POV Primary Inspection Lanes, looking south 7
Figure 1.1-5. View of the Commercial Inspection Facility and Loading Dock, looking north 7
Figure 1.1-6. Existing Highgate Springs LPOE Traffic Flow 9
Figure 2.1-1. Project Area Under the Proposed Action 19
Figure 3.2-1. Zoning Designation of the Project Area and Vicinity 27
Figure 3.3-1. Topography of the Project Area and Vicinity 30
Figure 3.3-2. Soil Map of the Project Area 32
Figure 3.4-1. Delineated Wetlands in the Project Area and its Vicinity 39
Figure 3.5-1. Significant Natural Community and Habitat Block Near the Project Area 44
Figure 3.8-1. Average Southbound Passenger Vehicle Wait Times (October 2014) 61
Figure 3.8-2. Average Southbound Commercial Vehicle Wait Times (October 2014) 62
Figure 3.9-1. Map of Local Noise from Road Sources 66
Figure 3.10-1. Recommended Historic Properties APE for the Project 74

TABLES:

Table ES-1. Effects Comparison, Mitigation Measures, and Best Management Practices (BMPs) ES-4
Table 1.3-1. Commenters and Comments by Subject 12
Table 1.3-2. Commenters and Comments by Subject 13
Table 1.4-1. Other Relevant Laws and Regulations 15
Table 2.4-1. Comparison of the Proposed Action and the No Action Alternative 22
Table 3.4-1. Characteristics of Delineated Wetlands 36
Table 3.5-1. Rare and Uncommon Plant Species that May Occur Near the Project Area 46
Table 3.5-2. Migratory Bird Species Potentially Occurring In or Near the Project Area 47
Table 3.8-1. Southbound Average Daily Highgate Springs LPOE Traffic Volumes 60
Table 3.9-1. Sound Levels and Common Human Responses 64
Table 3.9-2. Permissible Noise Exposures 64
Table 3.11-1. Population Growth in Franklin and Chittenden Counties and the State of Vermont from 2010 to 2021 75
Table 3.11-2. Civilian Labor Force 2000 – 2021 76
Table 3.11-3. Unemployment Rate (%) 2000 – 2021 76
Table 3.11-4. Per Capita Personal Income 2000 – 2021 77
Table 3.11-5. Compensation of Employees by Industry in Franklin and Chittenden Counties, VT (2021) 78
Table 3.11-6. Tax Values and Property Values for Properties Acquired by GSA or Under Consideration for Acquisition 79
Table 3.12-1. Dismissed Resources and Reasons for Dismissal 82
Table 4.0-1. List of Preparers 84

ACRONYMS AND ABBREVIATIONS

A/E	Architecture/Engineering
A-35	Autoroute-35
ACM	Asbestos-containing Material
AJD	Approved Jurisdictional Determination
ANR	Vermont Agency of Natural Resources
APE	Area of Potential Effect
APHIS	Animal and Plant Health Inspection Service
AST	Aboveground Storage Tank
BCC	Birds of Conservation Concern
BGEPA	Bald and Golden Eagle Protection Act
bgs	Below Ground Surface
BMP	Best Management Practice
CBP	U.S. Customs and Border Protection
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CGP	Construction General Permit
CWA	Clean Water Act
dB	Decibels
dBA	A-weighted Decibels
DEC	Vermont Department of Environmental Conservation
EA	Environmental Assessment
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FDA	U.S. Food and Drug Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FPPA	Farmland Policy Protection Act
ft	feet
gpd	Gallons Per Day
GSA	U.S. General Services Administration
GSF	Gross Square Footage
I-89	Interstate 89
IPaC	Information for Planning and Consultation
LBP	Lead-Based Paint
LPOE	Land Port of Entry
MBTA	Migratory Bird Treaty Act
MCL	Maximum Contaminant Level
mg/L	milligrams per liter
mi	mile
MOA	Memorandum of Agreement
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NII	Non-Intrusive Inspection
NLEB	Northern Long-Eared Bat
NRCS	Natural Resources Conservation Service

NRHP	National Register of Historic Places
NTNC	Non-Transient Non-Community
OSHA	Occupational Safety and Health Administration
PAL	Public Archaeology Laboratory, Inc.
Pb	Lead
PBS	Public Buildings Service
PCB	Polychlorinated Biphenyl
PCPI	Per Capita Personal Income
PILOT	Payment in Lieu of Taxes
PM	Particulate Matter
POV	Privately-owned Vehicle
RCRA	Resource Conservation and Recovery Act
ROC	Region of Comparison
ROI	Region of Influence
RRP	Renovation, Repair and Painting
SF	Square Feet
SHPO	State Historic Preservation Office
SPCC	Spill Prevention, Control, and Countermeasures
spp.	Several Species
SWPPP	Stormwater Pollution Prevention Plan
THPO	Tribal Historic Preservation Officer
TMDL	Total Maximum Daily Load
TSCA	Toxic Substances Control Act
U.S.	United States
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USCB	U.S. Census Bureau
USFWS	U.S. Fish and Wildlife Service
UST	Underground Storage Tank
VACIS	Vehicle and Cargo Inspection System
VAOT	Vermont Agency of Transportation
VNHI	Vermont Natural Heritage Inventory
V.S.A.	Vermont Statutes Annotated
VSQG	Very Small Quantity Generator
VSWI	Vermont Significant Wetland Inventory
VT	Vermont
VT-78	Vermont Route 78
VWR	Vermont Wetlands Rules
WQS	Water Quality Standards

EXECUTIVE SUMMARY

INTRODUCTION

The United States (U.S.) General Services Administration (GSA) has prepared this Final Environmental Assessment (EA) to evaluate the social, economic, and environmental impacts resulting from the proposed expansion and modernization of the Highgate Springs Land Port of Entry (LPOE) [the Project]. The Highgate Springs LPOE is one of the three busiest LPOEs in New England and facilitates inspections for privately-owned vehicles (POVs), buses, and commercial traffic. GSA proposes to construct a new, modern LPOE with increased capacity to replace the existing LPOE at Highgate Springs, Vermont (VT).

As part of a nationwide effort, GSA conducted programmatic feasibility studies for LPOEs and their operational deficiencies based on the most recent LPOE design standard. The U.S. Department of Homeland Security's Customs and Border Protection (CBP), the primary tenant at LPOEs, participated in this effort. The 2021 Bipartisan Infrastructure Law allocated $3.4 billion to GSA to undertake 26 major construction and modernization projects along the northern and southern U.S. borders. Many of the LPOEs currently managed by GSA, including the Highgate Springs LPOE, are outdated and long overdue for modernization. The current facilities and configurations at the Highgate Springs LPOE do not meet the needs of GSA's federal agency tenants (CBP, U.S. Food and Drug Administration [FDA], and U.S. Department of Agriculture's Animal and Plant Health Inspection Service [APHIS]) and do not allow for efficient and safe inspections of the traveling public.

This Final EA analyzes two alternatives to the Project: (1) one "action" alternative, the Proposed Action, which involves the expansion and modernization of the LPOE at Highgate Springs, and (2) one "no action" alternative, which assumes that expansion and modernization of the LPOE would not occur.

The Final EA was prepared in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] 4321 et seq.), GSA Public Buildings Service (PBS) NEPA Desk Guide, and other relevant federal and state laws and regulations and executive orders.

PURPOSE AND NEED

The purpose of the Project is to improve and enhance the performance, safety, security, and efficiency of operations for cross-border travelers and federal agencies at the LPOE: CBP, FDA, and APHIS.

The Project need is twofold. First is the need to increase the LPOE capacity to accommodate the projected increase in traffic along Interstate 89 (I-89) due to the expansion of the Autoroute-35 (A-35) by the Canadian government. Second is the need to facilitate and accommodate the changing operations of CBP, FDA, and APHIS by ensuring that adequate facility and infrastructure resources are available to fulfill their functions and operations.

PROJECT ALTERNATIVES

GSA considered two alternatives to the proposed Project, as described below.

Proposed Action

Under the Proposed Action, GSA would develop the 57-acre private property to the west of the LPOE and acquire up to 4 acres of the Vermont Agency of Transportation (VAOT) property to the south of the LPOE. The Project area consists of approximately 50 acres of which around 34 acres would be permanently disturbed from the new LPOE and nearly 16 acres would be temporarily disturbed from staging of

construction materials and equipment. The Proposed Action would result in the demolition of all existing structures at the LPOE and the private property. Substantial earthwork would occur in the Project area, including excavation, grading, and cut and fill operations. Three new structures would be constructed: Main Building (serving POV and bus operations), Commercial Building (serving commercial operations with associated FDA and APHIS programs, and GSA operation and maintenance programs), and Training Building (including a firearms range-related program). The expanded LPOE would accommodate seven inspection lanes for POVs, two inspection lanes for buses, two inspection lanes for commercial vehicles, and one bypass lane for larger vehicles (such as snowplows). Supporting facilities would be constructed, including employee and visitor pedestrian paths, snow storage locations, helipad, return routes, up to 200 employee parking spaces, and utility connections.

The Proposed Action would occur in four phases to ensure minimal disruption to port functionality as the LPOE is expected to operate full time during this period. Construction would begin as early as 2025 and would be substantially completed by 2029. The Proposed Action would meet the purpose and need of GSA's tenant agencies.

No Action Alternative

The No Action Alternative assumes that demolition of existing facilities, construction of newer, larger facilities, and expansion and modernization of the Highgate Springs LPOE would not occur. GSA would not acquire additional land under the No Action Alternative. Maintenance, repairs, and alterations would occur as needed, and the operation of the existing LPOE would continue as it currently does. The No Action Alternative does not meet the purpose and need of GSA's tenant agencies.

PUBLIC SCOPING

GSA held a public scoping meeting on Thursday, January 12, 2023, from 5:30 to 7:30 PM at the St. Albans City Hall Auditorium located at 100 North Main Street, St. Albans City, VT, 05478. Seventeen members of the public attended the meeting.

The GSA team gave a 30-minute presentation providing background on the Project and an explanation of the NEPA process. GSA then provided an opportunity to interested attendees to submit verbal comments about the Project, which were recorded by a stenographer. An American Sign Language interpreter was available via video call to provide interpretive services.

Informational posters about the proposed alternatives, Project background, purpose and need, and comment submission process were provided at the meeting. Additional materials at the scoping meeting included a sign-in sheet, comment forms, and handouts. A recording of the public scoping meeting and copy of the presentation slides are available on the GSA website at: https://www.gsa.gov/about-us/gsa-regions/region-1-new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

The public scoping period began on January 3, 2023, and ended on February 17, 2023. GSA received letters from agencies, organizations, and individuals during the scoping period. The commenters provided input on the following topics: Project alternatives; cultural resources; requests for information; socioeconomics; permits; traffic and transportation; and water resources.

DRAFT EA PUBLIC REVIEW

GSA published the Draft EA on the project website on October 16, 2024. The public comment period began on October 16, 2024, and ended on November 19, 2024.

GSA held a Draft EA public hearing on Tuesday, October 29, 2024, from 6:00 to 8:00 PM at the St. Albans Town Hall located at 398 Georgia Shore Road, St. Albans City, VT, 05478. Six members of the public attended the meeting. The GSA team gave a 30-minute presentation providing an overview of the NEPA process, description of the proposed Project, and findings of the Draft EA. GSA then provided an opportunity to interested attendees to submit verbal comments about the Project, which were recorded by a stenographer. An American Sign Language interpreter was available via video call to provide interpretive services.

Informational posters about the proposed alternatives and their anticipated impacts were provided at the meeting. Additional materials at the Draft EA public hearing included a sign-in sheet, comment forms, and handouts. A recording of the public hearing and copy of the presentation slides are available at: https://www.gsa.gov/about-us/gsa-regions/region-1-new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

GSA received comments from agencies and individuals during the Draft EA public comment period. The commenters provided input on the following topics: Proposed Action; schedule; land ownership; water resources; biological resources; traffic and transportation; recreation; permits; and cumulative actions. All substantive comments have been incorporated into the Final EA.

ENVIRONMENTAL CONSEQUENCES

Table ES-1 presents a summary of the assessed environmental consequences associated with the Proposed Action and No Action Alternative for the resources analyzed in the Final EA.

Table ES-1. Effects Comparison, Mitigation Measures, and Best Management Practices (BMPs)

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Land Use	**Direct, long-term, minor, localized** and **beneficial** effects as the proposed development would be in accordance with Highgate zoning regulations and planning goals of the town. **Direct, long-term, minor, localized** and **regional,** and **adverse** effects through the replacement of private property with federal ownership, resulting in a loss in expected commercial and real estate tax revenue for the Town of Highgate and State of Vermont.	**Direct, long-term, minor, localized** and **regional,** and **adverse** effects through the replacement of private property with federal ownership, resulting in a loss in expected commercial and real estate tax revenue for the Town of Highgate and State of Vermont.	None.
Geology, Topography, and Soils	**Geology** **Direct, permanent, moderate, localized** and **adverse** effects to geology from line/channel drilling of the excavated bedrock and installation of monitoring wells. **Topography** **Direct, permanent, moderate, site-specific** and **adverse** effects to topography due to grading and leveling activities during site preparation. **Soils** **Direct** and **indirect, short-term, moderate, site-specific,** and **adverse** effects to soils within permanent limits of disturbance from excavation, grading, and cut and fill operations.	**No effects** to geology and topography. **Direct, long-term, negligible, site-specific,** and **adverse** effects to soils from regular operation and maintenance activities.	GSA would implement BMPs to minimize erosion and sedimentation, including temporary seeding, use of silt fencing and sediment traps, installing gravel construction entrances/exits, and other methods as determined during detailed design. Areas cleared of vegetation within the temporary limits of disturbance of the Project area would be revegetated with regionally appropriate native plant species. To the extent practicable, grading would be carried out such that the existing site hydrology is maintained and the import/export of fill is minimized. Existing grades would be met at the limits of work.

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Geology, Topography, and Soils (continued)	**Direct** and **indirect, long-term, minor, site-specific,** and **adverse** effects to soils within temporary limits of disturbance from soil compaction and vegetation clearing. **Direct** and **indirect, long-term, moderate, site-specific,** and **adverse** effects to soils at the new LPOE due to permanent removal of 11 acres of soils from the Project area, resulting in increased runoff and erosion from the additional impervious surfaces.		The new monitoring wells would be installed by licensed well drillers who would use the best available boring techniques to avoid causing undue soil erosion and effects to bedrock geology.
Water Resources	**Surface Water** **Direct, short-term, negligible, localized,** and **adverse** effects to surface waters and stormwater during construction-related activities from potential sediment/contaminant runoff from the Project area and accidental spills. **Direct, long-term, negligible, localized,** and **adverse** effects to surface waters and stormwater from increased runoff due to increase in impervious surfaces in the Project area. **Floodplains** **No effects** to floodplains as the Project area does not occur in a flood hazard area. **Wetlands** **Direct, permanent, moderate, localized,** and **adverse** effects from the filling of one Vermont Class II wetland.	**Direct, long-term, negligible, localized,** and **adverse** effects to water resources due to continued reductions in water quality from stormwater runoff.	GSA would develop and implement a Stormwater Pollution Prevention Plan (SWPPP) to control stormwater runoff and pollutants, which would include erosion prevention, sediment control, and water quality protection measures. BMPs such as the use of drop cloths, proper storage of chemicals, and immediate treatment of spill areas with absorbents and soil removal are examples of measures that would be implemented in the event of accidental spills. GSA would implement mitigation measures to minimize adverse effects to wetlands, such as establishing new wetlands or enlarging the boundaries of an existing wetland to compensate for the adverse effects from the Project. Mitigation may also include payment of fees to a

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Water Resources (continued)	**Direct, permanent, minor, localized,** and **adverse** effects from permanent encroachment into portions of the 50-foot buffer of another Class II wetland in the Project area. The wetland itself would not be altered. These wetlands were determined to provide considerable function or value by the State of Vermont based on their analysis. **Indirect, long-term, minor, localized,** and **adverse** effects to wetlands due to potential encroachment into the buffer zones of two Vermont Class II wetlands determined to provide considerable function or value by the State of Vermont based on their analysis, and are also classified as a vernal pool. **Groundwater** **Direct, short-term, minor, localized,** and **adverse** effects to groundwater due to infiltration of contaminants from construction activities and installation of monitoring wells. **Direct, long-term, minor, localized,** and **adverse** effects to groundwater from reduced groundwater recharge in the Project area due to increase in impervious surfaces.		federal "in-lieu fee" program or mitigation bank approved by the State of Vermont. For the installation of monitoring wells, well drillers would not use materials or procedures which may adversely affect the public health, the drill site, and groundwater. All drilling fluids and contaminated drill cuttings, samples, or liquids would be disposed of properly. All drilling equipment which may have become contaminated during a drilling operation would be thoroughly cleaned and decontaminated before reuse. Wells would be sited such that there is no migration of contaminants into uncontaminated zones.

Biological Resources	**<u>Vegetation</u>** **Direct, long-term** to **permanent, moderate, site-specific,** and **adverse** effects to vegetation and associated habitat due to the destruction and removal of native plant species during construction. Such effects may also occur from the potential impacts to two vernal pools lying in close proximity to the Project area. **<u>Wildlife</u>** **Direct, short-** and **long-term, minor, localized,** and **adverse** effects on wildlife due to the removal of available habitat and from construction- and operation-related disturbances. **<u>Special Status Species and Migratory Birds</u>** **Direct, short-** and **long-term, minor, localized,** and **adverse** effects on migratory birds due to the removal of potential breeding habitat and disturbance due to noise and activity during construction and operation. The Project **may affect, not likely to adversely affect** northern long-eared bat and tricolored bat as these species have the potential to occur in the Project area due to the availability of suitable habitat. **No effects** to monarch butterfly.	**Direct, long-term, minor, localized,** and **adverse** effects to biological resources. No changes to wildlife, vegetation, or natural communities would be expected. Noise or other disturbances to wildlife present in the Project area or the immediate vicinity from routine maintenance activities would occur at current levels. After expansion of A-35, the ambient noise levels at the LPOE would increase due to the projected increase in traffic.	GSA would implement BMPs such as the installation of a silt fence around the construction site and placement of gravel for heavy vehicle transit. Other BMPs, such as construction vehicles primarily using existing roadways, would be implemented during the construction and operation of the new, modern LPOE to minimize potential adverse effects to vegetation. Adverse effects would be mitigated in disturbed areas via replanting with native vegetation following the end of construction. Construction vehicles would observe maximum speed limits to minimize the possibility for any wildlife-vehicle collisions. Staging and stockpile areas would be located within or immediately adjacent to the construction footprint within the Project area to reduce the area of disturbance. GSA would avoid certain Project activities (e.g., tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts) between June 1 and August 15 to prevent potential effects to juvenile bats. If any federal- or state-listed species are detected during the construction phase, work would stop, and GSA

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Biological Resources (continued)			would initiate consultation with the relevant agencies. If required, GSA would conduct brief surveys to confirm the presence or absence of migratory bird nests in the Project area. Other BMPs would be implemented, such as minimizing tree removal to the greatest extent practicable and establishing an appropriate buffer around any active nests, if any are found, to protect nests from construction-related disturbance.
Utilities	**Direct, short-term, minor, regional,** and **adverse** effects on utilities due to increased demands during construction activities. **Potable Water Supply, Sanitary Sewer, and Wastewater Systems** **Direct, long-term, minor, site-specific** and **regional,** and **adverse** effects due to the increase in demand for water and sewer services as the new LPOE would cater to a greater number of employees and travelers, and would have expanded operations. **Stormwater Management** **Direct, long-term, minor, localized,** and **beneficial** effects due to the operation of stormwater management systems designed to retain and treat stormwater	**Direct, long-term, minor, site-specific** and **regional,** and **adverse** effects as utility demands, particularly for water and wastewater services, would likely increase due to the increase in the number of travelers at the LPOE after expansion of A-35. The facility would continue to operate aging, outdated equipment.	Construction crews would follow standard industry practices to minimize the chance of discovering unmarked utilities during construction work. These include: • locating and marking utilities prior to demolition and site preparation; and • coordination with utilities providers in the event of discovery of unmarked utilities.

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Utilities (Continued)	runoff efficiently per latest building standards and codes. **Direct, long-term, negligible, localized,** and **adverse** effects from increased stormwater runoff due to increase in impervious surfaces in the Project area from the new construction. **Energy Systems and Supply** **Direct, long-term, minor, site-specific** and **regional,** and **beneficial** effects as the LPOE would operate energy efficient building systems that would comply with the latest standards and codes and reduce dependence on nonrenewable energy sources. The use of propane would likely reduce at the new LPOE. **Direct, long-term, negligible, regional,** and **adverse** effects to the local electric utility from increase in the electrical consumption due to expanded operations at the new LPOE. **Telecommunication Services** **Direct, long-term, minor, site-specific,** and **beneficial** effects due to the installation of upgraded telecommunication infrastructure at the new LPOE.		
Solid and Hazardous Materials and Waste	**Direct, short-term, negligible, site-specific,** and **adverse** effects from accidental spills of hazardous materials, such as from construction vehicles or during the	**Direct, long-term, minor, localized,** and **adverse** effects to solid and hazardous waste and materials management as the existing LPOE would not have the capacity to handle the greater quantities of waste generated by the projected increase in	Construction and demolition waste would be removed frequently to minimize contaminant runoff from standing waste. Removal and disposal of fuel and other storage tanks would be conducted using

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Solid and Hazardous Materials and Waste (continued)	removal of existing fuel and other storage tanks. **Direct, short-term, moderate, localized,** and **adverse** effects from the generation and disposal of hazardous materials such as asbestos-containing materials (ACM), lead-based paint (LBP), and polychlorinated biphenyls (PCBs) present in the existing buildings on the private property, and the disposal of all existing fuel and other storage tanks and potential associated contamination. Such effects would also result from the generation of solid and hazardous construction and demolition waste from construction activities and the potential for contaminant runoff from standing waste (stockpiles). **Direct, long-term, negligible, site-specific,** and **adverse** effects from the accidental spill/leak of hazardous materials from vehicles crossing the LPOE. **Direct, long-term, minor, localized,** and **adverse** effects from the use of hazardous materials and generation of solid and hazardous waste at the new, expanded LPOE, including the generation of ammunition waste from the firearms range.	traffic and travelers at the LPOE after expansion of A-35.	licensed contractors and all proper closure procedures. Accidental spills of hazardous materials (e.g., diesel fuel from vehicles, paint, solvents) would be minimized by implementing practices such as regular vehicle inspections and maintenance, proper storage of hazardous materials, maintaining a clean working environment, and adherence to a Spill Prevention, Control, and Countermeasure plan. BMPs for managing ACM during demolition may include adequately wetting all regulated ACMs, sealing the material in leak tight containers, and disposing of the ACMs as expediently as practicable. Lead-safe practices would be employed during demolition. All brass and lead ammunition wastes would be kept separate and stored in dedicated sealable buckets which would only be utilized for wastes from the firearms range. All suitable recovered brass casings and recovered lead slugs and lead impregnated wastes would be collected and sent to an approved licensed recycling facility. ‘Lead

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Solid and Hazardous Materials and Waste (continued)			only' wastes not sent for recycling would be properly characterized in accordance with the Resource Conservation and Recovery Act (RCRA), and managed in compliance with all applicable hazardous waste storage, labeling, and disposal requirements.
Traffic and Transportation	**Direct, short-term, minor, localized,** and **adverse** effects due to demolition and construction activities which would disrupt traffic patterns and cause vehicle processing delays. Construction would occur in phases to minimize traffic disruption and to ensure that the LPOE is fully operational. **Direct, long-term, moderate, localized,** and **beneficial** effects due to the expansion and reconfiguration of the LPOE which would improve vehicle processing and traffic efficiency and reduce congestion.	**Direct, long-term, moderate, localized,** and **adverse** effects due to inadequate vehicle queuing and processing infrastructure. The LPOE does not have the capacity to handle the projected 30 percent increase in traffic after A-35 expansion.	None.
Noise	**Direct, short-term, minor** to **moderate, localized,** and **adverse** effects due to demolition and construction activities which would result in increased noise levels in and around the Project area. **Direct, long-term, minor, localized,** and **adverse** effects due to the anticipated increase in traffic at the LPOE and the resulting increase in ambient noise levels.	**Direct, long-term, minor, localized,** and **adverse** effects due to the traffic traveling through the LPOE and its operations.	The firearms range would include soundproof insulation to contain noise and limit disturbance. Personnel who undergo training at the range would wear hearing protection to limit noise exposure.

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Cultural Resources	**Archaeological Resources** **No effects** to archaeological resources. **Architectural Properties** **No effects** to historic properties as there are no historic properties or critical viewsheds in the Project area and the recommended area of potential effects. **Native American Tribes** **Direct, short-term, minor, localized,** and **adverse** effects to tribal subsistence, cultural, and recreational activities from construction noise and emissions. **Direct, long-term, negligible, localized,** and **adverse** effects to tribal subsistence, cultural, and recreational activities from increased traffic at the LPOE.	**No effects** to archeological resources and historic properties. **Direct, long-term, negligible, localized,** and **adverse** effects to tribal subsistence, cultural, and recreational activities from increased traffic at the LPOE.	GSA contractors would be provided with an Inadvertent Discovery Plan for cultural resources and human remains, which would be implemented if such materials are uncovered during construction. GSA would coordinate with the Vermont State Historic Preservation Office (SHPO) to resolve any potential adverse effects resulting from an inadvertent discovery.
Socioeconomics	**Direct, indirect,** and **induced, short-term, minor, regional,** and **beneficial** effects due to the creation of construction and related jobs. **Direct, short-term, negligible, regional,** and **adverse** effects to businesses due to delays in delivery of shipment during construction from increased vehicle processing times. **Direct, long-term, minor, localized**, and **adverse** effects due to the displacement of a local privately-owned business. **Direct, long-term, minor, localized** and **regional,** and **adverse** effects due to the	**Direct, long-term, negligible, regional,** and **adverse** effects to businesses due to delays in delivery of shipment as the LPOE would not have the capacity to handle the projected increase in traffic. **Direct, long-term, minor, regional,** and **beneficial** effects due to increase in cross-border trade between the U.S. and Canada. **Direct, long-term, minor, localized**, and **adverse** effects due to the displacement of a local privately-owned business. **Direct, long-term, minor, localized** and **regional,** and **adverse** effects due to the	None.

Resource	Proposed Action	No Action Alternative	Mitigation Measures and BMPs
Socioeconomics (continued)	loss in expected commercial and real estate tax revenue from replacement of private property with federal property. **Direct, long-term, minor, regional,** and **beneficial** effects due to increase in cross-border trade between the U.S. and Canada. **Direct, long-term, negligible, regional,** and **beneficial** effects due to the creation of new jobs at the LPOE.	loss in expected commercial and real estate tax revenue from replacement of private property with federal property.	

1.0 INTRODUCTION

The United States (U.S.) General Services Administration (GSA) has prepared this Final Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] 4321 et seq.), GSA Public Buildings Service (PBS) NEPA Desk Guide, and other relevant federal and state laws and regulations and executive orders (EOs).[1]

NEPA requires federal agencies to examine the potential effects of their proposed projects or actions on the human and natural environment and to consider alternatives to the proposal before deciding on taking an action. This Final EA evaluates the social, economic, and environmental effects resulting from the expansion and modernization of the Highgate Springs Land Port of Entry (LPOE) [the Project]. In addition, GSA is integrating the processes required under Section 7 of the Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA) with NEPA.

GSA proposes to construct a new, modern LPOE with increased capacity to replace the existing LPOE at Highgate Springs, Vermont (VT). The Highgate Springs LPOE is located at the northern end of U.S. Interstate Highway 89 (I-89), approximately 40 miles (mi) north of Burlington, VT, across the international border from the Canadian port of entry at Saint-Armand/Philipsburg, Quebec. The U.S. Department of Homeland Security's Customs and Border Protection (CBP) currently inspects private and commercial vehicles and truck traffic crossing into the U.S. at the Highgate Spring LPOE.

1.1 BACKGROUND

GSA's PBS assists federal agency customers housed in GSA facilities with their current and future workplace needs based on their specific mission requirements. As part of a nationwide effort, GSA, with support and input from CBP, conducted programmatic feasibility studies for LPOEs and their operational deficiencies based on the 2023 CBP LPOE Design Standard. These programmatic feasibility studies provided viable alternatives to modernize each port, correct deficiencies, and bring the facilities up to current standards (EYP, 2019).

The Bipartisan Infrastructure Law passed in 2021 and allocated $3.4 billion to GSA to undertake 26 major construction and modernization projects along the northern and southern U.S. borders. Many of the LPOEs currently managed by GSA are outdated and long overdue for modernization. Some LPOEs are operating at full capacity and have surpassed the needs for which they were originally designed.

The Highgate Springs LPOE is one of the three busiest LPOEs in New England. CBP currently inspects privately-owned vehicles (POVs), buses, and commercial traffic on the U.S.-Canada border. The LPOE does not have the facilities to accommodate pedestrian traffic. The LPOE is operational 24 hours a day, seven days a week.

1.1.1 Site Location

The Highgate Springs LPOE is located on a 16.1-acre property owned by GSA in northwestern Franklin County, VT. The LPOE is bounded by the U.S.-Canada border to the north; I-89 to the east; Vermont Agency

[1] There have been several revisions to this Final EA from the Draft EA that published in October 2024. This Final EA has been updated for consistency with the NEPA as amended by the Fiscal Responsibility Act of 2023 (Public Law 118-5), as well as current Executive Orders (including EO 14154, *Unleashing American Energy*), Council on Environmental Quality (CEQ) guidance, and GSA policies.

of Transportation (VAOT) property to the south; and private property owned by A.N. Deringer, Inc.[2] to the west. I-89 is owned by VAOT with the exception of a portion of the southbound lanes immediately south of the international border that are owned by the U.S. The LPOE lies approximately 1,340 feet (ft) to the east of Lake Champlain, is predominantly surrounded by woodlands, and consists of approximately 13 acres of developed land (the remaining area of the LPOE is vegetated and undeveloped).

The 57-acre private property consists of 54 acres of undeveloped forest and 3 acres of developed land. This developed portion contains an office building with an access road and a parking lot, a warehouse building, and a small storage shed. Highgate State Park is to the west of the private property. The VAOT property contains only the concrete foundation slab remains of the former Highgate Welcome Center which was demolished in 2012. **Figure 1.1-1** shows the regional location of the Highgate Springs LPOE and **Figure 1.1-2** shows the LPOE and adjacent properties.

[2] GSA purchased the A.N. Deringer, Inc. property on November 1, 2024, following the publication of the Draft EA and prior to the publication of the Final EA. For the purposes of this document, any reference to private property owned by Deringer is referring to the 57-acre parcel west of the existing LPOE that GSA purchased on November 1, 2024.

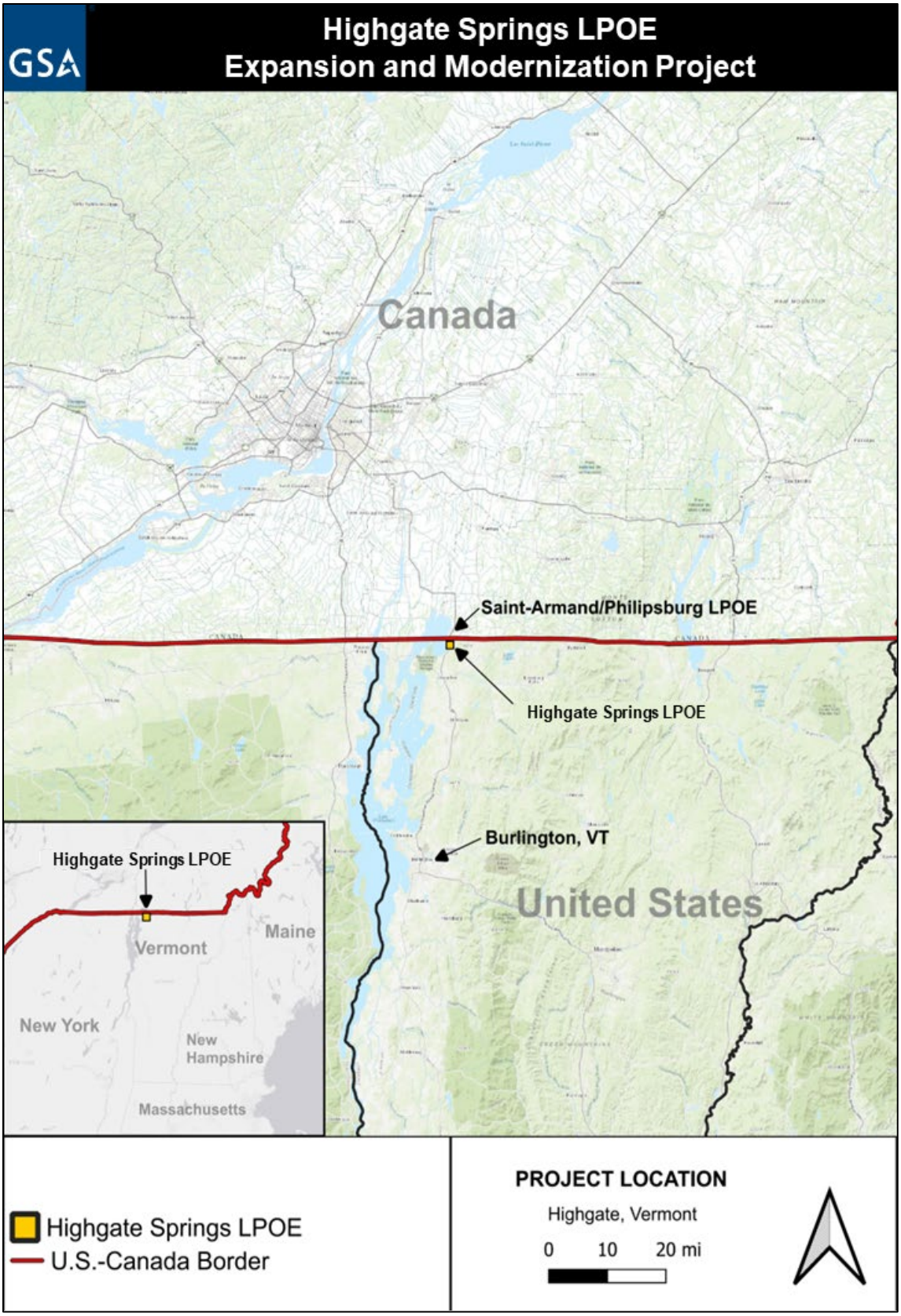
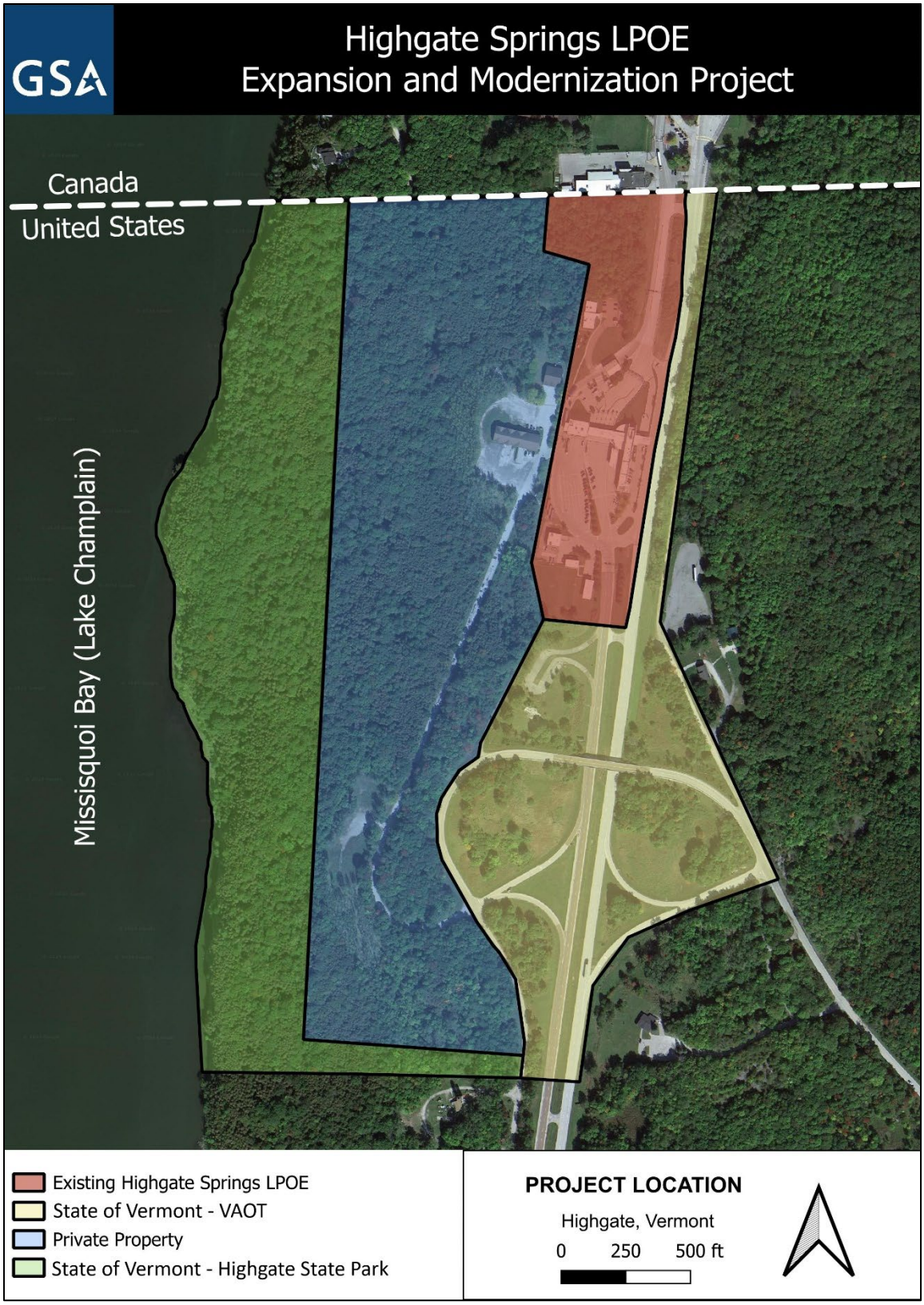


Figure 1.1-1. Regional Location of the Highgate Springs LPOE

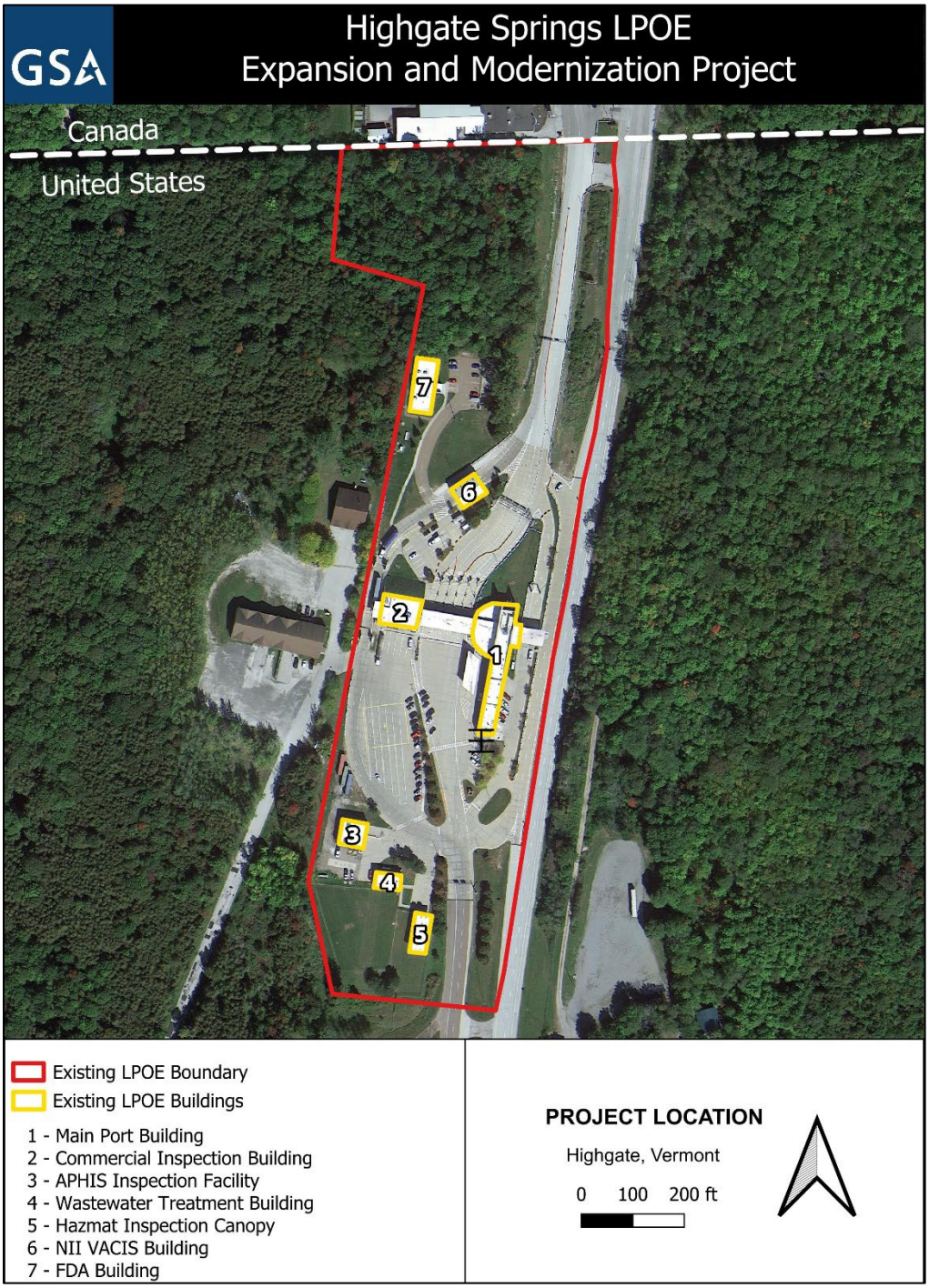


Source: VCGI, 2023

Figure 1.1-2. Highgate Springs LPOE Vicinity

1.1.2 Site Description

The Highgate Springs LPOE is owned and managed by GSA. There are three federal agency tenants at the LPOE: CBP; U.S. Food and Drug Administration (FDA); and U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). **Figure 1.1-3** shows the layout of the buildings at the LPOE.



Source: EYP, 2019

Figure 1.1-3. Existing Layout of the Highgate Springs LPOE

The LPOE was constructed in 1997 and expanded in 2004 and 2005. The existing buildings and facilities at the LPOE consist of the following:

- **Main Port Building**: A two-story building that houses office spaces for employees, garage, interview rooms, and public restrooms for visitors (EYP, 2019). Attached to the main portion of the building is a one-story area that functions as a lobby for visitors and has additional office spaces for CBP officers. The building has a gross square footage (GSF) of 24,050. Five inspection lanes are available for POVs, one of which is a NEXUS lane (see **Figure 1.1-4**). NEXUS lanes are dedicated processing lanes at designated northern border ports of entry. The NEXUS program allows expedited processing for pre-screened travelers when entering the U.S. and Canada (CBP, 2022). There is an attached single bus inspection lane on the east side of the building (EYP, 2019). A secondary inspection canopy is located adjacent to the Main Port Building to the immediate south. Cars flagged for further inspection by CBP are required to park under the secondary inspection canopy.
- **Commercial Inspection Building**: A single-story building that houses offices, storage spaces, and a cargo storage area (EYP, 2019). The building has a GSF of 5,864. The west side of the building has an inspection booth for processing commercial vehicles. The garage connects to an external loading dock area where commercial vehicles requiring secondary inspection are processed (see **Figure 1.1-5**). A helipad is located just south of the Commercial Inspection Building.
- **APHIS Inspection Facility**: A single-story building located on the southern end of the LPOE property where inspections of plants and animals (e.g., cattle, hogs, fowl) occur (EYP, 2019). Livestock coming through the commercial inspection area are typically processed here, but pets are also occasionally inspected. Three to four inspections are performed at APHIS per week on average. The size of the building is 2,228 GSF. A tank for animal waste is located on the exterior of the building.
- **Wastewater Treatment Building**: A single-story, 1,647-GSF building that currently functions as storage space (EYP, 2019).
- **HAZMAT Inspection Canopy**: This canopy consists of a steel roof deck and covers an area of 3,192 GSF (EYP, 2019). It is used to contain hazardous materials (e.g., fuel oil or other liquids) that may be leaking from trucks or other vehicles.
- **Non-Intrusive Inspection [NII]/Vehicle and Cargo Inspection System [VACIS] Building**: A single-story, 2,390-GSF building consisting of a garage area where non-intrusive inspections are performed on commercial vehicles (EYP, 2019). This is one of the newer additions to the facility and was constructed in 2004.
- **FDA Building**: This building is the latest addition to the LPOE and was constructed in 2005 (EYP, 2019). It is a single-story building with an area of 4,620 GSF. It currently serves as an office, laboratory, and storage space for FDA and CBP employees. Samples of food, animal feed, devices, and other commodities that are collected by the FDA staff from commercial vehicles are processed in the labs.
- **Parking**: The LPOE has 60 employee parking spaces (DBB, 2023a) and they are located across from the Main Port Building, in front of the APHIS Inspection Facility, and in front of the FDA Building (EYP, 2019).

Currently, both cleared and rejected vehicles interact and cross each other in a post inspection zone prior to cleared vehicles proceeding into the U.S. and rejected vehicles returning to Canada. CBP escorts guide rejected commercial vehicles back to Canada. No “Exit Control” station or booth exists (DBB, 2023b).

Source: Solv, 2023a

Figure 1.1-4. View of the POV Primary Inspection Lanes, looking south

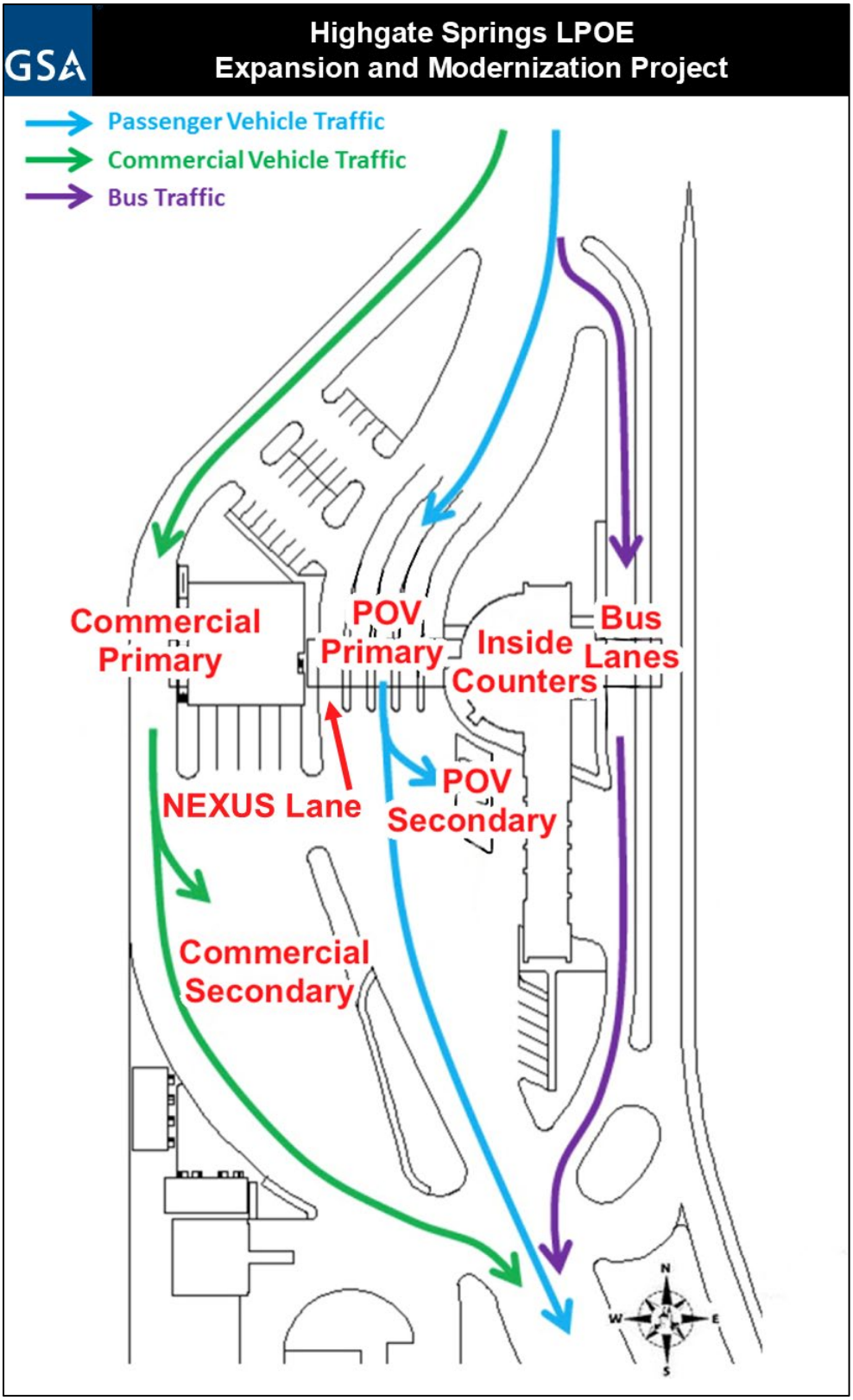
Source: Solv, 2023a

Figure 1.1-5. View of the Commercial Inspection Facility and Loading Dock, looking north

1.1.3 Traffic Flow Characteristics

The Highgate Springs LPOE has four general POV lanes, one NEXUS primary lane, one commercial primary lane, and one bus inspection lane. Additionally, there are six POV secondary parking spaces and ten commercial secondary parking spaces (GSA, 2017). Traffic in the LPOE flows from north to south (from Canada to the U.S) and is discussed more fully below.

Figure 1.1-6 depicts the current traffic flow at the LPOE for traffic approaching from the north (GSA, 2017). Traffic approaches the LPOE along the two-lane Route 133 in Quebec and exits on I-89 in Vermont. Commercial vehicles such as trucks primarily utilize the right traffic lane and POV traffic uses the left lane. When the POV primary lane backs up, trucks utilize the shoulder of the port approach road for queuing and to bypass the POV traffic. The trucks pass through the NII/VACIS Building in order to access the primary inspection window along the west side of the Commercial Inspection Building. Cargo vehicles requiring additional inspection or processing pull into the secondary parking area or the dock inspection bays and proceed to the inside counter. POV traffic is processed at the five-lane primary inspection canopy with the farthest lane to the west designated for NEXUS vehicles. There are six secondary parking spaces adjacent to the processing building where passengers proceed for additional entry processing. Buses have a dedicated entry lane on the east side of the Main Port Building with a small processing office specifically for bus passengers. If additional processing is required for bus passengers, they are directed to the main counter for processing.



Source: GSA, 2017

Figure 1.1-6. Existing Highgate Springs LPOE Traffic Flow

1.2 PURPOSE AND NEED

The purpose of the Project is to expand and modernize the Highgate Springs LPOE to improve and enhance the performance, safety, security, and efficiency of operations for cross-border travelers and federal agencies at the LPOE: CBP, FDA, and APHIS. More specifically, the goals of the Project are to increase vehicle inspection processing capacities and to accommodate current and future operations of CBP, FDA, and APHIS.

The Project's need is twofold. First is the need to increase the LPOE's capacity due to increased demand. The LPOE does not currently have the ability to accommodate the projected increase in traffic along I-89 resulting from the expansion of Autoroute-35 (A-35) by the Canadian government. Second is the need to facilitate and accommodate the changing operations of CBP, FDA, and APHIS. The condition of some of the buildings and infrastructure at the LPOE has deteriorated over time, adversely impacting the operations of these agencies. The Project would ensure that adequate facility and infrastructure resources are available for CBP, FDA, and APHIS to fulfill their functions and operations. The Project needs are explained in detail below.

1.2.1 Projected Site Conditions

A-35 is a major traffic route that runs from Montreal in Canada and ends 8.3 mi short of the U.S.-Canada border north of the Highgate Springs LPOE. South of its current terminus in Canada, A-35 continues as the two-lane Route 133, which travels down south to join I-89 in the U.S. (VAOT, 2016). The Canadian government is expanding A-35, which, when completed, is expected to improve the travel time and reliability for passengers and freight trips that pass between the U.S. and Canada. Traffic is expected to increase at the Highgate Springs LPOE by about 30 percent (EYP, 2019). Per the 2015 VAOT traffic impacts study, the completion of the A-35 project would result in the following operational changes at the Highgate Springs LPOE:

- Diversion of traffic flow from neighboring LPOEs, resulting in an additional 345 POV trips and 106 truck trips in the southbound direction per day.
- A 28 percent increase in POVs and 40 percent increase in trucks traveling through the LPOE in the peak month of October. The monthly traffic for October and November is expected to reach 91,000, of which 80,000 would be POVs and 11,000 would be trucks.
- Increase in the quantity and value of commodities entering the U.S. from Canada.

1.2.2 Existing Facility Deficiencies

GSA conducted a feasibility study in 2019 to assess the condition of the LPOE and determine the existing deficiencies in its functions and operations (EYP, 2019). The major issues identified by the study are summarized below:

Aging buildings and infrastructure

- Building conditions have deteriorated over the course of the LPOE's operation. This has compromised the performance and integrity of these buildings, resulting in health and safety concerns for the LPOE personnel. This has also led to increased costs for the day-to-day maintenance of the LPOE.
- The buildings do not sufficiently comply with a number of current standards, including PBS design standard, the Architectural Barriers Act, and automatic fire suppression system coverage. The

current LPOE has consumed excessive energy due to inadvertently providing large quantities of unwanted heat for interior spaces.

- Some of the buildings are undersized and do not adequately meet the needs of GSA's tenant agencies.

Inadequate vehicle queuing and processing infrastructure

- The POV inspection lanes feature a sharp S curve in advance of the inspection booths. This alignment restricts visibility and delays approaching vehicles.
- The length of the existing bus and commercial inspection lanes is not sufficient. This results in delays in processing times because the configuration of the POV queue blocks the bus and commercial inspection lanes.
- The number of existing vehicle inspection lanes is not sufficient, particularly during peak hours and seasons, resulting in substantial processing delays at the LPOE.

Other Deficiencies

- There is no dedicated training facility with a firearms range for CBP officials. An existing cargo area is currently used for training purposes, which does not provide adequate infrastructure to meet CBP's needs.
- There is insufficient snow storage and snow plowing can be a challenge during busy queuing times.
- The LPOE does not have sufficient infrastructure and facilities to support processing for rejected vehicles returning to Canada.

1.3 PUBLIC INVOLVEMENT

1.3.1 Public Scoping Meeting

A public scoping meeting was held on Thursday, January 12, 2023, from 5:30 to 7:30 PM at the St. Albans City Hall Auditorium located at 100 North Main Street, St. Albans City, VT 05478. The public was notified of the Highgate Springs LPOE scoping meeting through multiple channels of communication, including newspaper ads, radio station announcements, letters to interested parties, press release, and social media posts. Seventeen members of the public attended the meeting.

An open house format was used to encourage discussion and information sharing and to ensure that the public had opportunities to speak with GSA representatives. The GSA team gave a 30-minute presentation providing background on the Project and an explanation of the NEPA process. GSA then provided an opportunity to interested attendees to submit verbal comments about the Project, which were recorded by a stenographer. An American Sign Language interpreter was available via video call to provide interpretive services.

Informational posters about the proposed alternatives, Project background, purpose and need, and comment submission process were provided at the meeting. Additional materials at the scoping meeting included a sign-in sheet, comment forms, and handouts. A recording of the public scoping meeting and copy of the presentation slides are available at: https://www.gsa.gov/about-us/gsa-regions/region-1-new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

1.3.2 Summary of Public Scoping Comments

The public scoping period began on January 3, 2023, and ended on February 17, 2023. GSA offered multiple ways to submit comments, including comment forms, letters, emails, and spoken comments recorded at the public meeting. GSA received letters from agencies, organizations, and individuals during the scoping period. The commenters provided input on the following topics: Project alternatives; cultural resources; requests for information; socioeconomics; permits; traffic and transportation; and water resources. A few of the comments received were outside of the Project scope. A breakdown of the comments is provided in **Table 1.3-1** and a detailed description of the comments is included in the Scoping Report in Appendix A.

Table 1.3-1. Commenters and Comments by Subject

Subject	Number of Agency Comments	Number of Public Comments
Alternatives	10	0
Cultural Resources	0	1
Requests for Information	0	9
Socioeconomics	12	0
Permits	4	0
Traffic and Transportation	2	0
Water Resources	2	0
Outside the Scope of the EA	0	6

1.3.3 Draft EA Public Hearing

GSA published the Draft EA on the Project website on October 16, 2024, and held a public hearing to receive comments on the document on Tuesday, October 29, 2024, from 6:00 to 8:00 PM at the St. Albans Town Hall located at 398 Georgia Shore Road, St. Albans City, VT, 05478. The public was notified of the public hearing through newspaper ads, radio station announcements, letters to interested parties, press release, and social media posts. Six members of the public attended the meeting.

An open house format was used to encourage discussion and information sharing and to ensure that the public had opportunities to speak with GSA representatives. The GSA team gave a 30-minute presentation providing an overview of the NEPA process, description of the proposed Project, and findings of the Draft EA. GSA then provided an opportunity to interested attendees to submit verbal comments about the Project, which were recorded by a stenographer. An American Sign Language interpreter was available via video call to provide interpretive services.

Informational posters about the proposed alternatives and their anticipated impacts were provided at the meeting. Additional materials at the Draft EA public hearing included a sign-in sheet, comment forms, and handouts. A recording of the public hearing and copy of the presentation slides are available at: https://www.gsa.gov/about-us/gsa-regions/region-1-new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

1.3.4 Summary of Public Hearing Comments

The public comment period began on October 16, 2024, and ended on November 19, 2024. GSA offered multiple ways to submit comments, including comment forms, letters, emails, and spoken comments

recorded at the public meeting. GSA received comments from agencies and individuals during the Draft EA public comment period. The commenters provided input on the following topics: Proposed Action; schedule; land ownership; water resources; biological resources; traffic and transportation; recreation; permits; and cumulative actions. A breakdown of the comments is provided in **Table 1.3-2**. All comments received on the Draft EA and GSA's responses to those comments are included in Appendix C.

Table 1.3-2. Commenters and Comments by Subject

Subject	Number of Agency Comments	Number of Public Comments
Biological Resources	3	0
Cumulative Action	2	0
Land Ownership	3	0
Permits	1	0
Proposed Action	1	1
Recreation	2	0
Schedule	1	0
Traffic and Transportation	0	1
Water Resources	3	0

1.4 RELEVANT ENVIRONMENTAL LAWS AND REGULATIONS

1.4.1 National Environmental Policy Act and NEPA Process

NEPA was signed into law on January 1, 1970. NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions (42 U.S.C. 4321 et seq.). The primary purpose of an EA is to ensure federal agencies consider environmental impacts in their planning and decision-making. Federal agencies must prepare an EA if the action is not likely to have significant effects or when the significance of the effects is unknown. GSA's EAs and other NEPA documents are prepared in accordance with GSA Order ADM 1095.1F – Environmental Considerations in Decision Making and the GSA PBS NEPA Desk Guide (GSA, 1999).

1.4.2 Section 404 of the Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating the discharge of pollutants into waters of the U.S. and oversees the implementation of surface water quality standards. Specifically, Section 404 of the CWA (33 U.S.C. 1344) regulates the discharge of dredged and fill materials into waters of the U.S., including wetlands. Section 404 requires federal agencies to obtain a permit before dredged or fill material may be discharged into such waters. The U.S. Army Corps of Engineers (USACE) is responsible for the day-to-day administration of the program, and issues decisions on the permits. States can also participate in Section 404 decisions through state program general permits, water quality certification, and program assumption.

GSA's Section 404 consultation and coordination with the USACE, as well as the agency's coordination with the Vermont Agency of Natural Resources' (ANR) Department of Environmental Conservation (DEC), is described in detail in Section 3.4 Water Resources. Correspondence from USACE and VT ANR is included in Appendix B.

1.4.3 Section 7 of the Endangered Species Act

The ESA provides a means for conserving the ecosystems upon which threatened and endangered species depend and a program for the conservation of such species. The ESA directs all federal agencies to participate in conserving these species and to use their authorities to further the purposes of the ESA. Specifically, Section 7(a)(1) of the ESA charges federal agencies to aid in the conservation of threatened and endangered species, and Section 7(a)(2) requires the agencies to ensure that their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 of the ESA (16 U.S.C. 1531 et seq.) outlines the procedures for federal interagency cooperation to conserve federally-listed species and designated critical habitats.

GSA's Section 7 consultation activities for this Final EA are described in more detail in Section 3.5 Biological Resources and informal Section 7 correspondence between GSA and the U.S. Fish and Wildlife Service (USFWS) is included in Appendix B.

1.4.4 National Historic Preservation Act of 1966

The NHPA [54 U.S.C. 300101 et seq.] (89 Public Law 665 [1966]) directs each federal agency, and those tribal, state, and local governments that assume federal agency responsibilities, to protect historic properties and to avoid, minimize, or mitigate possible harm that may result from agency actions. The process for identifying and assessing the effects a federal agency's actions may have on historic properties is known as the Section 106 process and is detailed in 36 CFR 800. Early consideration of historic or cultural resources in project planning and full consultation with interested parties are key to effective compliance with Section 106.

Historic properties are those that are listed in or eligible for listing in the National Register of Historic Places (NRHP). The NRHP is a list of districts, sites, buildings, structures, and objects that have been determined by the National Park Service to be significant in American history, architecture, archaeology, engineering, or culture at the local, state, or national level. Generally, a property must be at least 50 years old to qualify for listing in the NRHP (36 CFR 60.4), but there are exceptions.

The Section 106 process includes three steps: (1) initiate consultation with the primary consulting parties, (2) assess effects of the project on sites listed in or eligible for listing in the NRHP, and (3) resolve any adverse effects via design changes or mitigation.

GSA is coordinating with the VT Division of Historic Preservation (i.e., the State Historic Preservation Office [SHPO]) concurrently with this Final EA. This is described in more detail in Section 3.10 Cultural Resources. GSA conducted a Phase 1A archaeological reconnaissance investigation in December 2022 and a Phase 1A historic architectural properties survey in January 2023. Based on the results of these studies, GSA conducted a Phase 1B archaeological resources investigation for this Project in Fall 2024, and will continue coordination with the VT SHPO beyond publication of the Final EA as needed. In addition, GSA contractors will be provided with an Inadvertent Discovery Plan for cultural resources and human remains, which shall be implemented if such materials are uncovered during construction. Correspondence between GSA and the SHPO is included in Appendix B.

1.4.5 Relevant Laws and Regulations

Table 1.4-1 lists other relevant laws, regulations, and EOs that GSA must comply with as part of project planning and NEPA processes.

Table 1.4-1. Other Relevant Laws and Regulations

Federal Statutes
• Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa-mm) • Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) • Clean Air Act of 1970 as amended (42 U.S.C. 7401 et seq.) • Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) • Energy Independence and Security Act (42 U.S.C. 17001 et seq.) • Energy Policy Act of 2005 (42 U.S.C. 13201 et seq.) • Farmland Protection Policy Act (7 U.S.C. 4201-4201) • Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) • Migratory Bird Treaty Act (16 U.S.C. 703-712) • National Energy Conservation Policy Act (42 U.S.C. 8231 et seq.) • Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) • Noise Control Act (42 U.S.C. 4901 et seq.) • Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) • Quiet Communities Act of 1978 (42 U.S.C. 4913) • Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.) • Toxic Substances Control Act (15 U.S.C. 2601 et seq.) • Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs Act (42 U.S.C. 4601 et seq.)
State of Vermont Statutes
• Vermont Statutes Title 10 – Conservation and Development • Chapter 37 - Wetlands Protection and Water Res. Management (§§ 901 — 930) • Chapter 47 - Water Pollution Control (§§ 1250 — 1389b) • Chapter 48 - Groundwater Protection (§§ 1390 — 1419) • Chapter 49 - Protection Of Navigable Waters and Shorelands (§§ 1421 — 1428) • Chapter 56 – Public Water Supply (§§ 1671 — 1685) • Chapter 61 - Water Supply and Wastewater Permit (§§ 1951-1955 — 1957) • Chapter 64 - Potable Water Supply and Wastewater System Permit (§§ 1971 — 1982) • Chapter 123 - Protection Of Endangered Species (§§ 5401 — 5410)
Regulations
• 32 CFR 229 – Protection of Archaeological Resources: Uniform Regulations • 36 CFR 800 – Protection of Historic Properties • 40 CFR 6, 51, and 93 – Conformity of General Federal Actions to State or Federal Implementation Plans • 40 CFR 300-399 – Hazardous Substance Regulations • Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 Federal Register 44716, Thursday, September 29, 1983)

Executive Orders
• EO 11593 – Protection and Enhancement of the Cultural Environment • EO 11988 – Floodplain Management • EO 11990 – Protection of Wetlands • EO 12088 – Federal Compliance with Pollution Control • EO 13007 – Indian Sacred Sites • EO 13045 – Protection of Children from Environmental Health Risks and Safety Risks • EO 13175 – Consultation and Coordination with Indian Tribal Governments • EO 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds • EO 13287 – Preserve America • EO 13327 – Federal Real Property Asset Management • EO 13589 – Promoting Efficient Spending • EO 14154 – Unleashing American Energy

2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

GSA and CBP conducted several feasibility and design studies from 2019 to 2024, which led to the identification of one action alternative that meets the stated purpose and need of the Project and thus has been analyzed in detail in this Final EA.

GSA also analyzed a "No Action" alternative, which compares the potential impacts of the action alternative with the effects that would occur if GSA continued to operate the Highgate Springs LPOE under current conditions (i.e., the status quo).

2.1 PROPOSED ACTION

The Project would entail the expansion and modernization of the existing Highgate Springs LPOE to provide additional capacity to accommodate the anticipated increase in traffic at the U.S.-Canada border, and to meet the functional and operational needs of GSA's tenant agencies.

Under the Proposed Action, GSA would develop a 57-acre property to the west of the existing LPOE, and acquire up to 4 acres from the VAOT property to the south of the existing LPOE. **Figure 2.1-1** shows the Project area and the limits of the proposed permanent disturbance. The Project area includes the following: the existing LPOE, a portion of the private property to the west, and the VAOT property to the south. As shown in the figure, approximately 4 acres of the VAOT-owned northbound portion of the I-89, to the east of the LPOE, is also included in the Project area. The Project area consists of approximately 50 acres of which around 34 acres would be permanently disturbed from the new LPOE and nearly 16 acres would be temporarily disturbed from staging of construction materials and equipment. These 34 acres of proposed permanent disturbance comprise 23 acres of currently disturbed land (built structures and landscaping) and approximately 11 acres of vegetation which would be permanently removed under the Proposed Action. Of the 16 acres of proposed temporary disturbance, approximately 4 acres comprise currently disturbed land and the remaining 12 acres are undisturbed, vegetated areas. To the extent practicable, construction personnel would make use of already disturbed land for staging purposes.

The Proposed Action would result in the demolition of all existing structures at the LPOE and the private property. Due to the site's topography, substantial earthwork would occur in the Project area, including excavation, grading, and cut and fill operations (DBB, 2024). General excavation would primarily involve the removal of miscellaneous fill, which would utilize conventional earthmoving equipment (track-hoes, excavator, etc.). Obstructions such as remnant foundations, buried concrete, and subsurface utilities may be encountered during excavation. Where bedrock is shallow, rock excavation would be required. In such cases, line/channel drilling would be utilized to limit rock overbreak. Line drilling consists of closely spaced vertical drill holes (4 to 6 inches on center) along the line of the excavation, whereas channel drilling consists of vertical holes that overlap each other to create a continuous channel. Cut depths within inspection lanes to the north of the proposed new structures would average 3 ft and 5 ft. Isolated areas of substantial fill depths as great as 12 ft lie to the west of the proposed Commercial Building. Southeast of the proposed buildings are shallow cut and fill depths, ranging between - 2 ft and + 3 ft. Retaining walls may be needed to accommodate grade changes along the site, particularly along the western side of the site. Appropriate measures would be implemented to stabilize the work area during earthwork operations.

Dedicated disposal contractors would haul demolished materials and other construction debris offsite for disposal of standard materials. Because the buildings on the private property were constructed in 1970s and 1980s, they may contain hazardous construction materials such as asbestos containing materials and

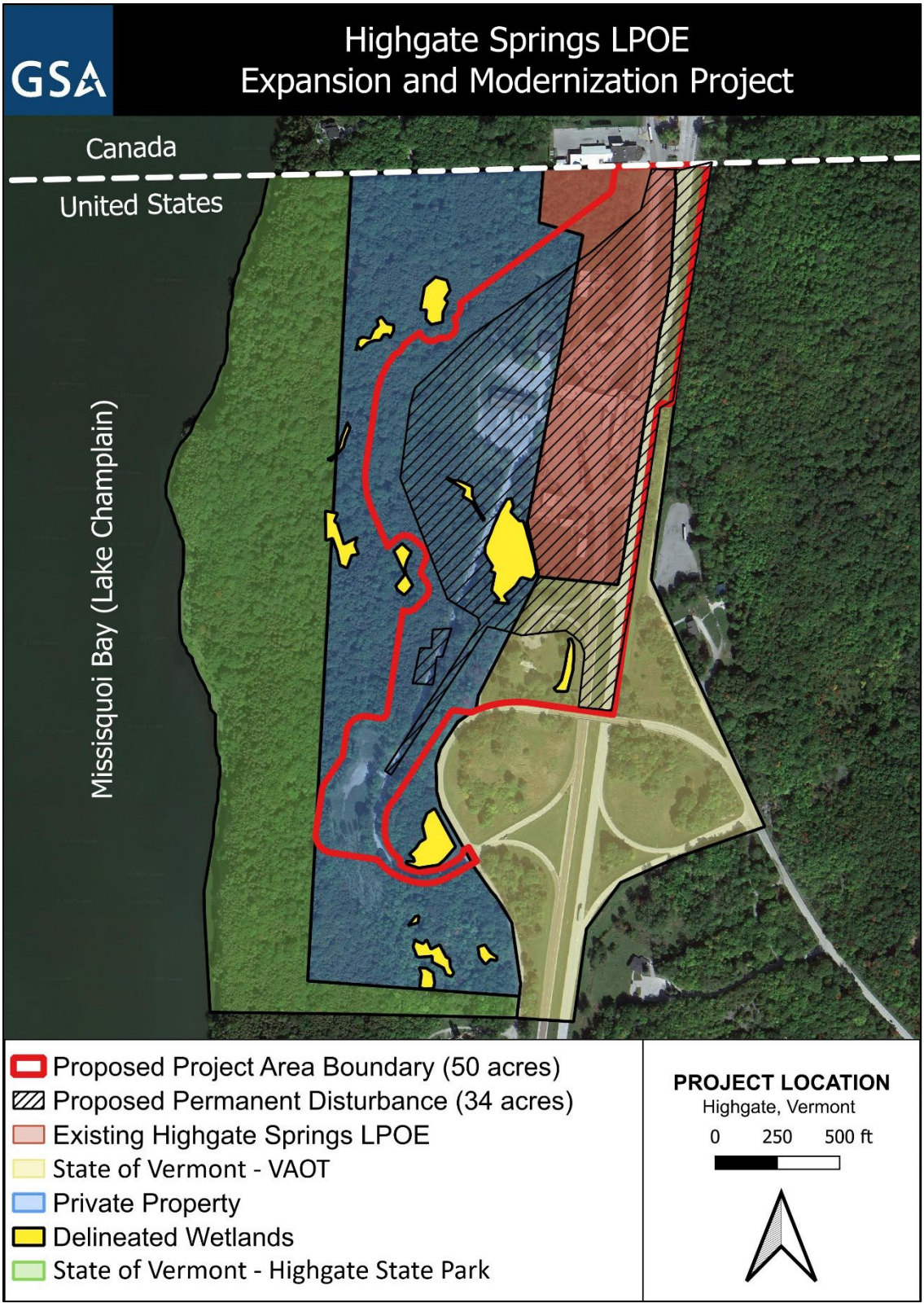
lead-based paint. Any hazardous materials would be handled in accordance with all applicable regulations and would be transported and disposed of offsite by licensed disposal contractors.

Construction of an early site package (e.g., tree clearing, demolition, site work) is anticipated to begin as early as 2025 and projected to be substantially completed by 2029. Outdoor construction activities (site work, demolition, installation of utility lines, etc.) would occur in the spring, summer, and fall months and indoor work would occur in winter. Construction of the new structures and roads would be carried out in phases to ensure minimal disruption to port functionality as the LPOE is expected to operate full time during this period. Up to 80 construction personnel would be hired for outdoor construction work, and between 50 to 60 personnel would be hired for indoor work. Once construction is completed, the staging area would be reseeded with native vegetation.

The Proposed Action would result in the construction of three buildings: a two-story Main Building (serving POV and bus operations), a two-story Commercial Building (serving CBP commercial operations with associated FDA and APHIS programs, and GSA operation and maintenance programs), and a single-level Training Building located further away to the south of the Main and Commercial Buildings (including a firearms range-related program) [DBB, 2024]. Together, the Main Building and Commercial Building would comprise 100,000 square feet (SF), and the Training Building would be 13,000 SF.

- **Main Building**

  The visiting public in POVs would interact with CBP personnel on the eastern end of the Main Building. POV traffic would be accommodated through seven POV primary inspection booths, with POV secondary inspection and visitor parking spaces located directly behind the Main Building. The visiting public traveling via bus would interact with CBP personnel on the western end of the Main Building and would be routed through two bus lanes. A secondary inspection area for buses would be located adjacent to the Main Building. Enforcement areas for CBP officials would be centrally located for quick and easy access from both POV and bus operation areas. A northbound inspection area would be allocated on the eastern edge of this site. A central service road spine would be constructed in the north-south direction behind the Main Building which would act as the central axis between the Main and Commercial Buildings. This road would be used by CBP as well as POV vehicles directed to the APHIS lot for additional inspections. The employee parking lot would have a capacity of approximately 200 vehicles and would be located to the south of the Main Building.



Source: VCGI, 2023

Figure 2.1-1. Project Area Under the Proposed Action

- **Commercial Building**

  Commercial traffic would interact with CBP personnel on the western end of the Commercial Building. Traffic would be routed through two commercial inspection lanes and an additional lane would be in use for larger vehicles (bypass lane). The bypass lane would primarily provide access to snowplows that would be used for clearing snow during winters. FDA and APHIS would be located within the Commercial Building. The GSA service-related program would also be located within the Commercial Building with a dedicated GSA service yard along its frontage. Space would be available within the Commercial Building for building support, such as the location of a secondary inspection area for trucks, a HAZMAT containment area, an impound lot, and an APHIS inspection area. The helipad, which is currently located south of the existing Commercial Inspection Building, would move to the proposed commercial inspection lot.

- **Training Building**

  A single-level Training Building would be located off a newly redesigned service road, outside the current LPOE. This building would be equipped with a firearms range.

In addition to the three main structures described above, the new LPOE facility would also accommodate employee and visitor pedestrian paths to provide access to/from the buildings and parking areas. These routes would be sited such that they do not cross inspection lanes and other high traffic areas. Under the Proposed Action, adequate snow storage locations would be provided in extra queuing lanes or designated areas. These areas would be located outside of vehicle and pedestrian routes. A separate NII/VACIS building would not be constructed; however, NII technology would be incorporated in the inspection lanes.

A rejection route would be provided for trucks and buses to turn around and travel back to Canada if they were not approved to enter the U.S. The route would cross the car lanes of I-89 South and the auxiliary lanes of I-89 North before merging with the main lanes of I-89 North. Instead of merging immediately, the rejection route roadway would continue as an added lane/acceleration lane parallel to the main lanes before merging further north to prevent potential delays and queues. A rejection lane would also be provided for northbound vehicles to turn around should they be required to remain in the U.S. instead of continuing into Canada.

The newly constructed buildings on the site would require utility connections to serve the building systems. The specific utilities required to serve each building would include, but not be limited to, propane, domestic water systems, and electrical. Due to its location, the Training Building would have separate electrical service and independent water tanks.

Three groundwater wells are located on the LPOE; however, they are currently not being used as a potable water source due to high levels of contamination. Three monitoring wells are present on the LPOE that were intended to monitor the onsite leach field/wastewater system; however, they are currently not in use but are uncapped. There is one potable water well on the private property. All wells on the VAOT property are capped and, therefore, not in use. Under the Proposed Action, the groundwater wells on the LPOE and private property would continue to not be used, and the existing monitoring wells would be capped. New monitoring wells would be installed in the Project area to monitor the onsite septic system.

The new port would be designed in accordance with GSA's Core Building Standards and CBP's LPOE Design Standard. The new LPOE would address the following design principles:

- Site development optimization which includes strategic building location and orientation, native landscaping options, and natural security features.

- Water resources protection and conservation. The Project may incorporate designated measures to achieve this, such as promoting the use of harvested rainwater and recycled greywater for irrigation and controlling stormwater runoff by reducing impervious surfaces and increasing onsite infiltration.

The proposed site layout and design would focus on efficient traffic flow and strong visual control of the site by ensuring appropriate alignment and configuration of vehicle inspection lanes, such that views of the drivers and LPOE officials would not be obstructed.

The Proposed Action is expected to create additional full-time positions at the LPOE for operations, maintenance, and janitorial services, including one federal GSA position and as many as ten additional contract employees. Additional full-time positions would also be created for GSA's tenant agencies at the LPOE; however, data for the tenant agencies were unavailable due to their confidential nature.

2.2 NO ACTION ALTERNATIVE

The No Action Alternative assumes that no demolition of existing facilities, construction of newer, larger facilities, and expansion of LPOE operations would occur at Highgate Springs. No additional land would be acquired under the No Action Alternative and GSA would maintain ownership of the 57-acre private property. Maintenance, repairs, and alterations would occur as needed, and the operation of the existing facilities would continue as described in Chapter 1. This alternative would not meet the purpose and need of the Project as the current LPOE does not have the capacity to accommodate the projected increases in traffic at the U.S.-Canada border resulting from the expansion of A-35. Although the No Action Alternative does not meet the purpose and need for the Project, this alternative is carried forward for analysis and comparison of impacts from the Project, as required by NEPA.

2.3 ALTERNATIVES CONSIDERED AND DISMISSED FROM DETAILED ANALYSIS

GSA considered, but dismissed, two other build alternatives during the alternative development process. Under the first dismissed alternative, GSA proposed to develop the 57-acre private property to the west and acquire up to 4 acres of VAOT property to the south of the LPOE (EYP, 2019). GSA's tenant agencies and their operations would be co-located within one single building, except for NII and APHIS buildings, which would function as stand-alone facilities west and south of the new Main Port Building. The POV lanes would flow east of the Main Port Building, while the bus and commercial traffic lanes would flow west of the Main Port Building. This alternative involves the construction of seven POV lanes, two commercial lanes, and two bus lanes. There would be a centralized parking space for all employees. This alternative was ultimately dismissed from detailed analysis as it did not meet the operational and security needs of CBP, and obstructed critical views of vehicles approaching the LPOE.

The second dismissed alternative is similar to the Proposed Action in terms of building mass, orientation, and traffic/public flow (DBB, 2024). The primary difference is the proposed avoidance of all wetlands and their buffers in the area of study. By maintaining the isolated wetland, port operations and truck maneuvering clearances cannot extend north-south and, therefore, would extend east-west. This alternative was dismissed because it would encroach further west than the Proposed Action and would require additional clearing of forested areas. The presence of steep topography to the west would limit the scope of expansion of the LPOE. Additionally, maintaining the isolated wetland would continue to visually obstruct CBP's line-of-site at the LPOE due to the density and height of the existing vegetation. This would reduce clear lines of sight from the buildings and the existing commercial traffic and raise security concerns. Due to the reasons cited above and the greater cost of project implementation, this alternative was dismissed from further analysis.

2.4 COMPARISON OF ALTERNATIVES CONSIDERED

Table 2.4-1 compares the Proposed Action and the No Action Alternative by Project elements.

Table 2.4-1. Comparison of the Proposed Action and the No Action Alternative

Project Elements	Proposed Action	No Action Alternative
Land Acquisition	Development of 57 acres of private property and acquisition of up to 4 acres of VAOT property.	GSA would not acquire the VAOT property.
Site Preparation (Demolition)	Demolition of all existing LPOE and privately owned building structures within the Project area would occur.	No demolition would occur.
Site Preparation (Excavation, Grading, and Cut and Fill)	Site preparation would include: • Tree clearing. • Soil excavation to remove miscellaneous fill in areas of deep bedrock and rock excavation in areas of shallow bedrock. • Cut and fill operations to enable leveling of the site topography. • Creation of retention walls to accommodate grade changes. • Staging for construction and stockpile areas would be located within the Project area.	No site preparation would occur.
Construction and Expansion of the LPOE	Construction of the following: • Main Building, Commercial Building, and Training Building. • Truck yard, HAZMAT containment area, impound lot, and APHIS inspection area. • Seven inspection lanes for POVs, two inspection lanes for buses, two inspection lanes for commercial vehicles, and one bypass lane for larger vehicles (such as snowplows). • Other supporting structures and facilities such as employee and visitor pedestrian paths, snow storage locations, helipad, return routes, parking lots, and utility connections.	No construction or expansion of the LPOE would occur. Maintenance, repairs, and alterations would occur as needed.
Operation of the LPOE	The new LPOE would: • Expand and upgrade inspection lanes and facilities to optimize site circulation and queuing, and handle the anticipated 30 percent increase in traffic flows.	Existing operations of the LPOE would continue and would not meet the Project purpose and need.

Project Elements	Proposed Action	No Action Alternative
	• Improve operational efficiency of the tenants by providing larger work spaces. • Establish a clear line of sight for CBP officials. • Meet the Project purpose and need.	

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

Chapter 3 describes the existing environment that may be affected by the Project, and the potential environmental consequences associated with the Proposed Action and the No Action Alternative.

3.1 METHODOLOGY

This section summarizes the existing physical, biological, social, and economic conditions of the Project area. For each resource analyzed in this chapter, the bounds of the area that could be impacted by the Project are defined, and the elements or components of the resource that may be potentially affected are described. For some resources, the geographic area for analysis extends beyond the boundaries of the Project area. For other resources, the area of analysis is located within the footprint of the Project area.

The analysis of environmental consequences for each resource begins by explaining the methodology used to characterize potential effects, including any assumptions made. This analysis considers how the condition of a resource would change as a result of implementing the Project and describes the types of effects that would occur (e.g., direct, indirect, beneficial, or adverse). The significance of effects is assessed using three parameters: magnitude, duration, and extent. The types of effects and the evaluation criteria to determine the significance of effects are described below.

Types of Effects

Chapter 3's effects analysis uses the following definitions for direct and indirect effects:

Direct effects: Effects that are caused by the action and occur at the same time and place.

Indirect effects: Effects that are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects also include "induced changes" in the human and natural environments.

Identified effects may be either adverse or beneficial. For this Final EA, the following definitions are used:

Adverse effects: Those effects which are regarded as having a negative and harmful effect on the analyzed resource. An adverse effect causes a change that moves the resource away from a desired condition or detracts from its appearance or condition.

Beneficial effects: Those effects which are regarded as having a positive and supportive effect on the analyzed resource. A beneficial effect constitutes a positive change in the condition or appearance of the resource or a change that moves the resource toward a desired condition.

Evaluation Criteria

Evaluation criteria (or significance criteria) provide a structured framework for assessing effects, supporting conclusions regarding the significance of effects, and comparing effects between alternatives.

The significance of effects is determined systematically by assessing three parameters of environmental effects: magnitude (how much), duration (how long), and extent (sphere of influence). Each parameter is divided into the following levels:

Magnitude:

Major – Substantial effect or change in a resource that is easily defined, noticeable, and measurable, or exceeds a standard.

Moderate – Noticeable change in a resource occurs, but the integrity of the resource remains intact.

Minor – Change in a resource occurs, but no substantial resource effect results.

Negligible – The effect is at the lowest levels of detection – barely measurable but with perceptible consequences.

None – The effect is below the threshold of detection with no perceptible consequences.

Duration:

Permanent – The effect would last indefinitely.

Long-term – The effect would likely last for the duration of the Project, or for as long as the new Highgate Springs LPOE is in operation.

Short-term – The effect would last for the duration of the construction phase.

Temporary – The effect would last for a portion of the construction phase.

Extent:

Regional – Would affect the resource on a county, regional, or state level, extending well past the immediate Project area. These may also include effects that would extend beyond U.S.'s international border and into Canada.

Localized – Would affect the resource only in the Project area or its immediate surroundings, and would not extend into the county, region, state, or beyond the U.S.-Canada border. These also include impacts within the Town of Highgate.

Site-specific – Would affect the resource over a portion of the Project area.

3.2 LAND USE

This section assesses the potential for existing land use patterns and development trends within the Project area to affect or be affected by the implementation of the Project. The Project would take place on parcels that include the existing LPOE, private property located west of the LPOE, and VAOT property to the south.

3.2.1 Affected Environment

The Highgate Springs LPOE is one of the busiest LPOEs in New England and provides a critical link between the U.S. Northeast Seaboard and Canada. It is located on a 16.1-acre property owned by GSA. The remaining area consists of undeveloped, vegetated land. The LPOE is north of the Town of Highgate, VT and is bounded by the U.S.-Canada border to the north, I-89 to the east, VAOT property to the south, and private property to the west (purchased by GSA as of November 1, 2024). I-89 is owned by VAOT with the exception of a portion of the southbound lanes immediately south of the international border that are owned by the U.S. The LPOE is predominantly surrounded by woodlands, although there is some light development located on the private property.

Highgate State Park, managed by the VT Department of Forests, Parks and Recreation, separates Lake Champlain from the private property. The private property contains an office structure, a small warehouse to store cargo, a shed, and a paved driveway and parking area for trucks/cargo containers. The developed

portion of the private property covers 3 acres; the remaining 54 acres comprise undeveloped forest. Immediately to the south of the LPOE is an empty lot, approximately 4 acres in size, owned by VAOT. This lot is currently used as a vehicle staging area and temporary fill material storage area. The area of analysis for land use is the Project area.

3.2.1.1 Municipal Zoning Designations

Zoning designations in the Project area are defined in the Town of Highgate Development Regulations and are depicted by the official zoning map. The entirety of the Project area is designated as industrial-commercial (Town of Highgate, 2022) [see **Figure 3.2-1**]. This designation enables commercial uses that specifically serve industries or their employees and is intended to afford employment opportunities in manufacturing, warehousing, and service functions for the citizens of Highgate.

3.2.1.2 Town Plan

The Highgate Town Plan aids decisionmakers in navigating the future development and growth of the community (NRPC, 2015). The plan outlines a commitment to sustainable growth and protection of natural assets in addition to maintaining the character of a rural, agrarian town. Goals for industrial and commercial development within the town include the following:

- Encourage clean and environmentally sound light industrial and/or commercial development in appropriate districts;
- Continue economic planning for new locally owned and operated businesses, and promote businesses that offer year-round employment and which utilize the local labor and materials; and
- Promote the importance of the village as the town's social, cultural, and economic center.

Source: Town of Highgate, 2022

Figure 3.2-1. Zoning Designation of the Project Area and Vicinity

3.2.2 Environmental Consequences

3.2.2.1 Proposed Action

The Proposed Action would include demolition and new construction within the Project area. Construction and demolition would occur in phases to maintain consistent operations at the LPOE throughout the construction period. The Project area is zoned for industrial-commercial buildings and uses, and construction within these areas would be compatible with this zoning designation and the Town of Highgate regulations and planned sustainable growth patterns, resulting in **direct, long-term, minor, localized,** and **beneficial** effects.

Expanded LPOE site operations associated with the Proposed Action would also have **direct, long-term, minor, localized** and **regional,** and **adverse** effects. Industrial-commercial areas are typically planned with the anticipation of tax revenue generation from real estate and businesses. This is particularly relevant given the limited availability of industrial and commercial zones in Highgate. The replacement of the privately-owned commercial property with federal ownership removes these revenues, approximately $19,775 annually, from the Town of Highgate and State of Vermont tax base, representing an approximately 0.23 percent decrease in the Town of Highgate's tax base, and a 0.0021 percent decrease in the State of Vermont's tax base. This contributes **minor, adverse** effects to land use (see Section 3.11, Socioeconomics, for detailed discussion and analysis) (Town of Highgate, 2024; VCGI, 2023; VT AA, No Date-a; VT AA, No Date-b; VT AA, 2023; VT AA, 2024). Transfer of the VAOT parcel from state to federal ownership would not result in any changes to the Town of Highgate or State of Vermont tax base.

3.2.2.2 No Action Alternative

Under the No Action Alternative, no demolition, construction, or additional land acquisition would occur. The purchase of the privately-owned commercial property by GSA removes the real estate and business revenues, approximately $19,775 annually, from the Town of Highgate and State of Vermont tax base, representing an approximately 0.23 percent decrease in the Town of Highgate's tax base, and a 0.0021 percent decrease in the State of Vermont's tax base. This contributes **direct, long-term, minor, localized** and **regional,** and **adverse** effects to land use (see Section 3.11, Socioeconomics, for detailed discussion and analysis) (Town of Highgate, 2024; VCGI, 2023; VT AA, No Date-a; VT AA, No Date-b; VT AA, 2023; VT AA, 2024).

3.3 GEOLOGY, TOPOGRAPHY, AND SOILS

Geology is the study of the Earth's dynamics and composition (Fairbridge, 1954; Lu, 2015). Topography refers to the three-dimensional arrangement of physical attributes (e.g., shape, steepness, height, and depth) of an area or region, including geologic features such as mountains, plateaus, and valleys (Crippen, 2010). Soil is a collective term for the inorganic and organic substrate covering bedrock which supports vegetation growth and cover, in turn providing habitat and food for animals (NRCS, 1978).

3.3.1 Affected Environment

The area of analysis for geology, topography, and soils is the Project area. Approximately 23 acres within the footprint of potential permanent disturbance have been previously disturbed and contain structures (including the existing LPOE and 3 acres of development on the private property), paved surfaces, and a few landscaped areas. The entirety of the VAOT property is previously disturbed. The Project area also includes 11 acres of previously undisturbed forested land within the footprint of potential permanent disturbance. Of the 16 acres of proposed temporary disturbance, approximately 4 acres comprise currently disturbed land and the remaining 12 acres are undisturbed, vegetated areas.

3.3.1.1 Geology

The geology of the region consists of low hills and plains in the western foothills of the Green Mountains, with the area of analysis residing entirely within the Champlain Lowlands Province. The Champlain Lowland has an irregular topography with a variety of hills and low mountains and extends from Lake Champlain to the Green Mountains (Stewart, 1974). The area of analysis is underlain entirely with sedimentary formations consisting of various sandstone[3], limestone[4], and dolostone[5] compositions (Alares, 2021). This bedrock formed sometime between the Lower Ordovician to Upper Cambrian period, roughly 500 million years ago (VT Geological Survey, 2023).

Geotechnical investigations performed at and near the Project area showed 2 to 3 feet of topsoil underlain by up to about 7 feet of fill, and finally, competent bedrock. Overall, the top of the bedrock was interpreted at depths from approximately 2.5 to 10 feet below ground surface (bgs), which is considered to be shallow (DBB, 2024). As mentioned in Section 2.1, four potable water wells and three monitoring wells are present in the Project area.

3.3.1.1.1 Geologic Hazards

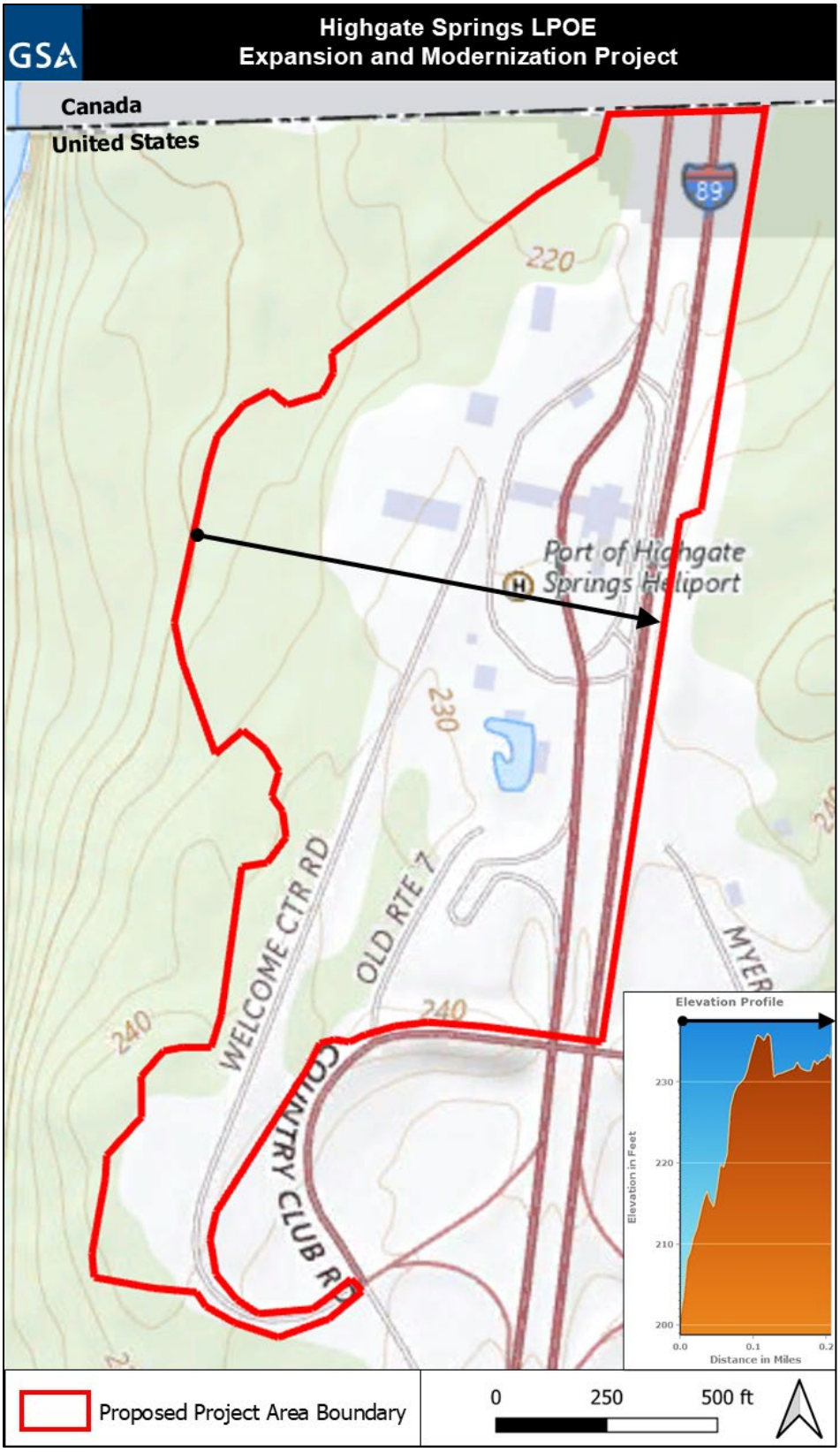
The area of analysis does not contain any active faults, and there are no active Quaternary faults[6] within 60 mi of the area of analysis (USGS, 2024). No earthquakes greater than magnitude 5.0 have occurred within 60 mi of the area of analysis within the last 100 years (Earthquake Track, 2024a). Within 60 mi of the area of analysis, earthquakes between magnitude 1.6 and 3.1 have occurred repeatedly in the last 50 years. Similar seismic activity is expected in the future (Earthquake Track, 2024b). According to the Federal Emergency Management Agency Earthquake Hazards Map, the area of analysis is determined as being within a seismic design category (which reflects the likelihood of experiencing earthquake shaking of various intensities) of "C". Category C determines that an area could experience strong shaking, resulting in negligible damage to buildings of good design and construction, slight to moderate damage to well-built or ordinary structures, and considerable damage to poorly built structures (FEMA, 2020).

Landslides have been observed within 5 mi of the area of analysis; however, the landslides were minor in size and localized to the banks of Rock River. Other acknowledged geological hazards such as rockslides, volcanoes, avalanches, and land subsidence are not a problem in the area of analysis (VT ANR, 2024a).

3.3.1.2 Topography

The area of analysis ranges from approximately 187 to 232 ft above mean sea level. The topography of the current footprint of the LPOE and VAOT property is relatively flat, and there is minimal elevation change from north to south across the entire area of analysis. The forested, west side of the private property slopes toward Lake Champlain, with a total elevation loss of 53 ft over 0.15 mi and an average slope of 8.3 percent (Google Earth, 2023) [see **Figure 3.3-1**].

[3] Sandstone is a clastic rock (i.e., composed of broken pieces of older rock) formed through transportation, deposition, and compaction of sand grains.
[4] Limestone is a sedimentary rock composed principally of calcium carbonate.
[5] Dolostone is a sedimentary rock composed primarily of dolomite.
[6] A Quaternary fault is one that has been recognized at the surface and that has moved in the past 1.6 million years, corresponding to the Quaternary Period, which covers the last 2.6 million years (USGS, No Date-a).



Source: USGS, No Date-b

Figure 3.3-1. Topography of the Project Area and Vicinity

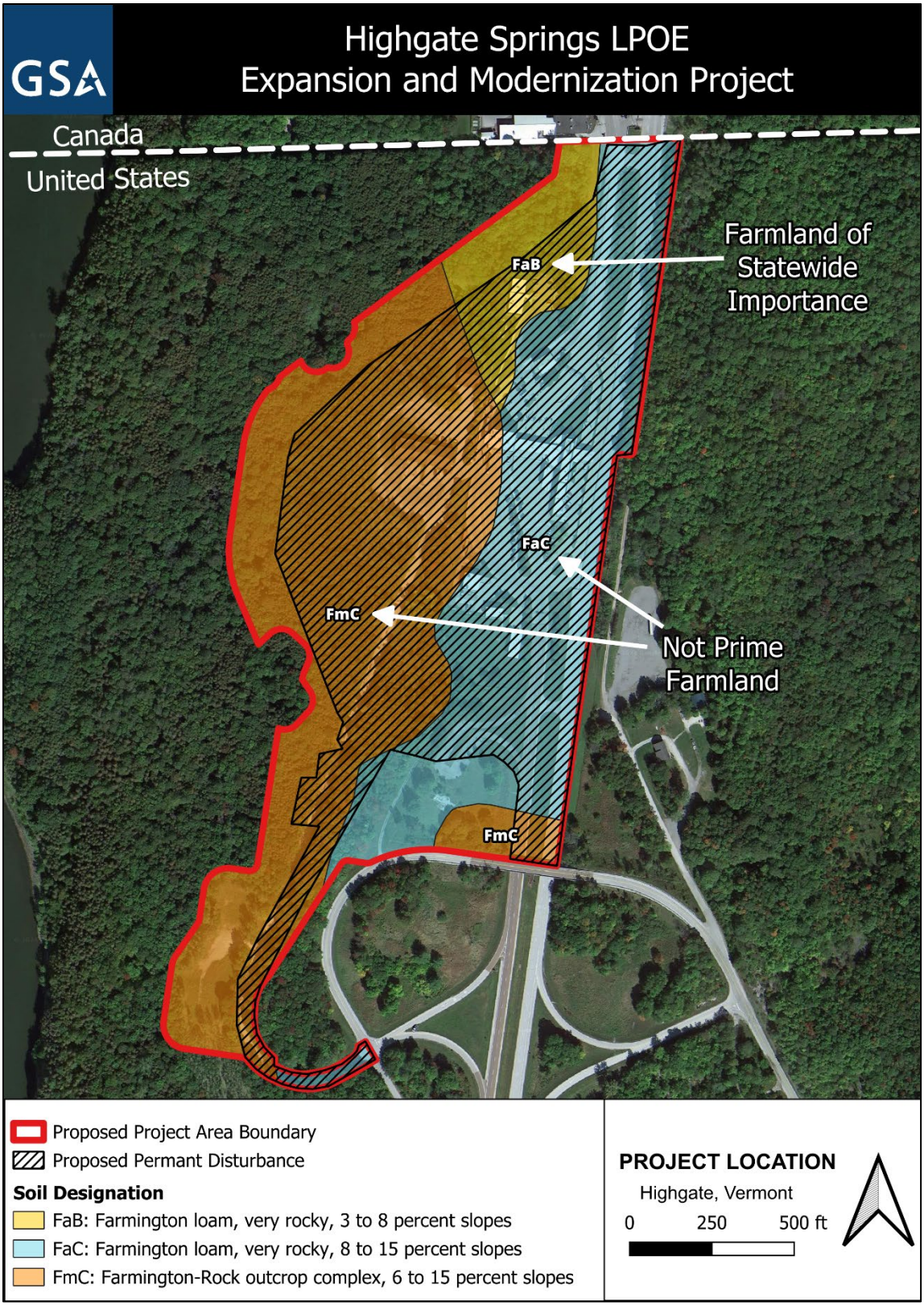
3.3.1.3 Soils

The Natural Resources Conservation Service (NRCS) classifies and provides protections to soils which contain ideal characteristics for agricultural production. Prime farmland is defined as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses. Prime farmland has the combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods. Farmland of statewide importance is defined as those lands which do not meet the definition of prime farmland, but still economically produce high yields of crops (NRCS, 1978). Prime farmlands and farmlands of statewide importance are protected under the Farmland Policy Protection Act (FPPA), and consultation with NRCS is required for any federal action which would remove these areas from existing or future agricultural production.

Based on the NRCS Web Soil Survey, three soil associations are present within the area of analysis: (1) Farmington Loam, very rocky, 3 to 8 percent slopes, (2) Farmington Loam, very rocky, 8 to 15 percent slopes, and (3) Farmington-Rock outcrop complex, 6 to 15 percent slopes (NRCS, 2023). The slope range for each soil type is expressed as a percentage of the distance between two points. A higher slope range can increase erosion potential in a particular area. A 0 to 3 percent slope gradient is considered nearly level, 4 to 8 percent is considered gently sloping, and 9 to 16 percent is strongly sloping. The composition of the soil additionally determines the erodibility. Silt loam soils such as Farmington Loam and Farmington-Rock outcrop complex consist of moderate amounts of sand, a small amount of clay, and a large amount of silt leading to higher-than-average erodibility. Erodibility is valued with the factor, K, which ranges between 0.02 and 0.62 with higher values being more susceptible to erosion by water.

The soils found in the area of analysis are described below and shown in **Figure 3.3-2**:

- Farmington Loam – Farmington soils are shallow, somewhat excessively well-drained soils formed in till. Farmington soils are found on glaciated uplands and have potential for high surface runoff. Internal drainage is typically medium, meaning this soil complex drains at a moderate rate with little pooling or puddling, largely because of cracks in the underlying bedrock (NRCS, 2007). Farmington loam has an erodibility factor of approximately 0.32, providing a medium susceptibility to erosion by water. Around 4.4 acres of the Project area consist of soils classified as Farmington loam, very rocky, 3 to 8 percent slopes (FaB), whereas 19.2 acres of the Project area is classified as Farmington Loam, very rocky, 8 to 15 percent slopes (FaC). FaB soils are rated as farmland of statewide importance under FPPA. FaC soils are not considered prime farmland.
- Farmington-Rock outcrop complex, 6 to 15 percent slopes (FmC) – This soil complex is composed of approximately 50 percent Farmington soil and 30 percent rock outcrop complex (NRCS, 2007). Rock outcrops consist entirely of unweathered bedrock and are generally composed of cliffs and talus landforms developed in weathering rock. Farmington-Rock outcrop complex has an erodibility factor of approximately 0.32, providing a medium susceptibility to erosion by water. It has very high runoff and low drainage. Around 26.2 acres of the Project area is classified as FmC and it is not considered prime farmland.



Source: NRCS, 2023

Figure 3.3-2. Soil Map of the Project Area

3.3.2 Environmental Consequences

3.3.2.1 Proposed Action

Under the Proposed Action, construction activities would begin with equipment staging and the demolition of structures in areas where earthwork (tree clearing, excavation, grading, cut and fill) is needed. To the extent practicable, existing disturbed and developed land within the proposed temporary and permanent disturbance footprints of the Project area (see **Figure 2.1-1**) would be utilized for staging construction equipment and stockpiling. Of the 16 acres proposed for temporary disturbance, 4 acres are developed. Some vegetation in previously undisturbed portions of this area may be disturbed/removed to accommodate staging.

The presence and use of heavy equipment, foot traffic from the construction personnel, and the location of materials and debris stockpiles in previously undisturbed areas would contribute to soil compaction, resulting in adverse effects to soils. Compaction decreases soil porosity, prohibiting the transfer of air and water through the soil leading to decreased vegetative productivity due to root restriction. The loss of soil structure due to compaction would adversely affect drainage patterns. Natural soil horizons would likely be lost during vegetation removal and associated site disturbances. Heavy equipment may compact or loosen and destroy the structure and function of organic and mineral soils over the long term, reducing soil moisture and likely resulting in increased runoff and erosion. Soil erosion could occur as a result of ground disturbance, leading to detachment of soils and transport of freshly disturbed surfaces in wind and stormwater runoff. This would result in **direct** and **indirect, long-term, minor, site-specific,** and **adverse** effects to soils.

Best Management Practices (BMPs) would be implemented to prevent or reduce soil erosion and runoff and other adverse effects to soils. BMPs could include temporary seeding, use of silt fencing and sediment traps, installing gravel construction entrances/exits, and other methods as determined during detailed design. Areas cleared of vegetation within the temporary limits of disturbance of the Project area would be revegetated with regionally appropriate native plant species. In the long term, plant roots would minimize erosion and sedimentation by re-stabilizing the topsoil.

As discussed in Section 2.1, substantial earthwork (vegetation clearing, excavation, grading, and cut and fill operations) would occur in the Project area. Such activities would result in substantial movement of earth, exposing the soils and fill materials to wind and stormwater runoff. Additionally, the excavated earth would be stockpiled in the staging area until disposal and would therefore be susceptible to erosion. However, the BMPs described above would be implemented to minimize adverse effects to soils, resulting in **direct** and **indirect, short-term, moderate, site-specific,** and **adverse** effects to soils within the proposed permanent area of disturbance during construction.

Due to the shallow depth to bedrock in the Project area, rock excavation would be needed in some areas. The use of line or channel drilling described above would directly affect the excavated bedrock and stress-induced damage to surrounding rock mass may occur. Practices to reduce potential effects to surrounding rock mass would be adhered to, when possible, to ensure minimal effects to geology within the Project area. As such, the **adverse** effects to geology from earthwork would be **direct, permanent, moderate,** and **localized**. Given the average slope of roughly 8.3 percent of the Project area from east to west, the proposed earthwork would affect the site topography by leveling the Project area in its undeveloped, western portions to accommodate the siting of LPOE structures. To the extent practicable, grading would be carried out such that the existing site hydrology is maintained and the import/export of fill is minimized. Existing grades would be met at the limits of work. As such, effects to topography would be **direct, permanent, moderate, site-specific,** and **adverse.**

The Proposed Action would cap and close all existing monitoring wells in the Project area. To monitor the onsite septic system, new monitoring wells would be installed under the Proposed Action. Section 3.4 Water Resources provides further information on the existing wells in the Project area. The new wells would be constructed by licensed well drillers and may require a construction permit from VT DEC. The well drillers would avoid causing undue soil erosion and effects to bedrock geology using the best available boring techniques. As such, the drilling of monitoring wells for the Proposed Action would result in **direct, permanent, moderate, localized,** and **adverse** effects to geology. Because the Project area is not located on any active faults and is not susceptible to landslides, the Proposed Action is not anticipated to result in any geologic hazards.

After construction of the new LPOE is completed, there would be approximately 11 acres of additional impervious surfaces (e.g., buildings, parking lots, roads) than currently exist in the Project area, though there would be some landscaped surfaces onsite. Covering soils with impervious surfaces would result in the permanent loss of soil structure and function and would increase the potential for water runoff and soil erosion. While erosion control measures would be implemented in compliance with all requirements by law, limited soil erosion could still occur as a result of increased runoff associated with the additional impervious surfaces. Overall, effects to soils in the Project area from the operation of the new, expanded LPOE would be **direct** and **indirect, long-term, moderate, site-specific,** and **adverse**.

Under the Proposed Action, approximately 1.9 acres of the Project area classified as farmland of statewide importance would be permanently converted to non-agricultural uses and an additional 1.9 acres would be temporarily affected during construction activities. GSA completed the Farmland Conversion Impact Rating form (AD-1006) and coordinated with the NRCS VT State Office to determine if the Project is in compliance with the FPPA (see Appendix B). NRCS confirmed that the Project would not require any additional mitigation measures, modifications, or consideration of alternative sites.

3.3.2.2 No Action Alternative

No effects to geology or topography in the Project area would occur under the No Action Alternative as there would not be any ground disturbing activities. Disturbance to soils would continue to occur as a result of regular maintenance activities (e.g., facility repairs, septic system monitoring, and landscaping). These effects would not noticeably alter soil compaction, soil horizons, runoff, or erosion within the Project area. Overall, effects of the No Action Alternative on soils would be **direct, long-term, negligible, site-specific,** and **adverse**.

3.4 WATER RESOURCES

This section discusses the affected environment and environmental consequences that would result under each alternative for water resources in and near the Project area, including surface waters, stormwater, wetlands, and groundwater resources.

3.4.1 Affected Environment

For the Proposed Action, the area of analysis for water resources is the Project area.

3.4.1.1 Surface Water

The Project area is located in the Missisquoi Bay watershed, which encompasses 767,246 acres with approximately 58 percent of the watershed located in Vermont and 42 percent in Quebec, Canada (VTDEC, 2021). In Vermont, the watershed extends over most of Franklin County and parts of Orleans and

Lamoille Counties. The Project area is located in close proximity to the Missisquoi Bay of Lake Champlain, separated from the bay by Highgate State Park.

Section 303(d) of CWA requires states to identify waters where current pollution control technologies alone cannot meet the water quality standards (WQS) set for that waterbody. Every two years, states are required to submit a list of impaired waters, and any additional waters that are expected to become impaired in the near future, to the U.S. Environmental Protection Agency (EPA) [EPA, 2024]. For the State of Vermont, the DEC monitors and assesses the chemical, physical, and biological status of surface waters to determine if they meet the state's water quality standards (VTDEC, 2021). VT DEC publishes the 303(d) List of Impaired Waters which identifies stressed, impaired, and altered waters and includes information on responsible pollutant and/or physical alterations to aquatic and riparian habitat, the stressor, and the pollutant source. Such waters become a priority of restoration through the development of Total Maximum Daily Loads (TMDLs), which specify the maximum amount of pollutant that a waterbody can receive and still meet the VT WQS. Due to historic settlement and land use patterns in the watershed, particularly agriculture, phosphorus concentrations in the Missisquoi Bay exceed the VT WQS of 0.025 milligram per liter (mg/L) of phosphorus, resulting in water quality impairment from recurring algal blooms (IJC, 2020). This has led to the development of a phosphorus TMDL for the management of the pollutant in Missisquoi Bay.

Within the Project area, stormwater runoff flows in a westerly direction toward the Missisquoi Bay. Drainage on the private property sheet flows to the west into Highgate State Park and eventually the Missisquoi Bay.

3.4.1.2 Floodplains

The Flood Insurance Rate Map Community Panel No. 5000550005B indicates that the entirety of the Project area is located in an area of minimal flood hazard, Zone C (FEMA, 1983).

3.4.1.3 Wetlands

Based on a review of the VT Significant Wetlands Inventory (VSWI) and the USFWS' National Wetlands Inventory, Langan Engineering, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) conducted a field investigation and delineation of wetlands and waters of the U.S. on the LPOE, private property, and the VAOT property in August 2023 (Langan, 2023). The delineation methodology adhered to the USACE guidelines as specifically referenced in the *1987 Corps of Engineers Wetland Delineation Manual* and the *2012 Northcentral and Northeast Regional Supplement (Version 2.0)*. Results of the survey were shared with the USACE and VT DEC, and a request for an Approved Jurisdictional Determination was made to the USACE in November 2023. In April 2024, the USACE and VT DEC conducted field surveys to verify the federal jurisdictional status and the State of Vermont classification of wetlands delineated by Langan. Survey results are included in **Table 3.4-1** below. **Figure 3.4-1** presents a map of the delineated wetlands.

Table 3.4-1. Characteristics of Delineated Wetlands

Wetland	Wetland Description	Size (acres)	Jurisdictional Status	Vermont Wetland Class
A/A12	Wetland A is a forested scrub-shrub emergent wetland located in the central portion of the LPOE. Wetland A12, which is connected to Wetland A via a culvert, is a linear palustrine forested wetland into which Wetland A drains. Wetland A/A12 is considered a single feature.	1.223	Isolated, Non-Jurisdictional	Class II
B	Forested emergent wetland located in the northern portion of the site.	0.345	Isolated, Non-Jurisdictional	Class II vernal pool
C	Palustrine emergent stormwater feature located in the central portion of the site adjacent to I-89 and the U.S. Route 7 overpass. The wetland drains to a culvert beneath the overpass. This feature is a roadside ditch/swale excavated wholly in and draining only dry land.	0.154	Isolated, Non-Jurisdictional	Exempt; not a wetland
F	Seasonally ponded palustrine forested wetland located in the southern portion of the site.	0.019	Isolated, Non-Jurisdictional	Class II
G	Palustrine emergent wetland with a palustrine forested and scrub-shrub fringe located in the southern portion of the site.	0.095	Isolated, Non-Jurisdictional	Class II vernal pool
H	Palustrine forested wetland situated on a rocky landscape located in the west-central portion of the site.	0.149	Isolated, Non-Jurisdictional	Class III
I	Palustrine forested wetland located at the intersection of U.S. Route 7 and Welcome Center Road. The feature is partially ponded and drains to a roadside swale, which adjoins to a culvert beneath Welcome Center Road.	0.519	Isolated, Non-Jurisdictional	Class II
J	Vernal pool located in the southern portion of the site.	0.213	Isolated, Non-Jurisdictional	Class II vernal pool
K	Seasonally ponded wetland located in the southern portion of the site.	0.074	Isolated, Non-Jurisdictional	Class III
L	Vernal pool located in the northwestern portion of the site	0.146	Isolated, Non-Jurisdictional	Class II vernal pool
M	Linear palustrine forested wetland located adjacent to the western property line.	0.055	Isolated, Non-Jurisdictional	Class III
N	Palustrine forested wetland located adjacent to the western property line.	0.291	Isolated, Non-Jurisdictional	Class II

Source: Langan, 2023; USACE, 2024

As shown in **Table 3.4-1**, all wetlands were found to be isolated, i.e., not having a surface water connection or significant nexus to traditionally navigable water or relatively permanent water (Langan, 2023). Per USACE's Approved Jurisdictional Determination (AJD) letter dated July 18, 2024, these wetlands were confirmed to be non-jurisdictional for the purposes of Section 404 of the CWA (USACE, 2024). The AJD can be found in Appendix B.

The State of Vermont protects wetlands which provide substantial functions and values, as well as the buffer zone directly adjacent to such wetlands (VTDEC, No Date-a). Based on their functions and values, wetlands in Vermont are classified as Class I, II, or III and are protected by Vermont Wetlands Rules (VWR). All wetlands contiguous to wetlands shown on the VSWI are presumed to be Class II wetlands, unless identified as Class I or III wetlands (10 Vermont Statutes Annotated [V.S.A.] Section 902). Additional categories of wetlands that are regulated as Class II wetlands include the following:

- The wetland is of the same type and threshold size as those mapped on the VSWI maps: i.e., open water (pond); emergent marsh; shrub swamp; forested swamp; wet meadow; beaver pond or beaver meadow; bog or fen; and is greater than 0.5 acres in size.
- The wetland contains dense, persistent non-woody vegetation or a prevalence of woody vegetation; is adjacent to a stream, river, or open body of water; and is over 2,500 square feet in size.
- The wetland is a vernal pool that provides amphibian breeding habitat.
- The wetland is a headwater wetland.
- The wetland contains a species that appears in the Vermont Natural Heritage Inventory (VNHI) database as rare, threatened, endangered or uncommon; or is an exemplary natural community as mapped by VNHI.

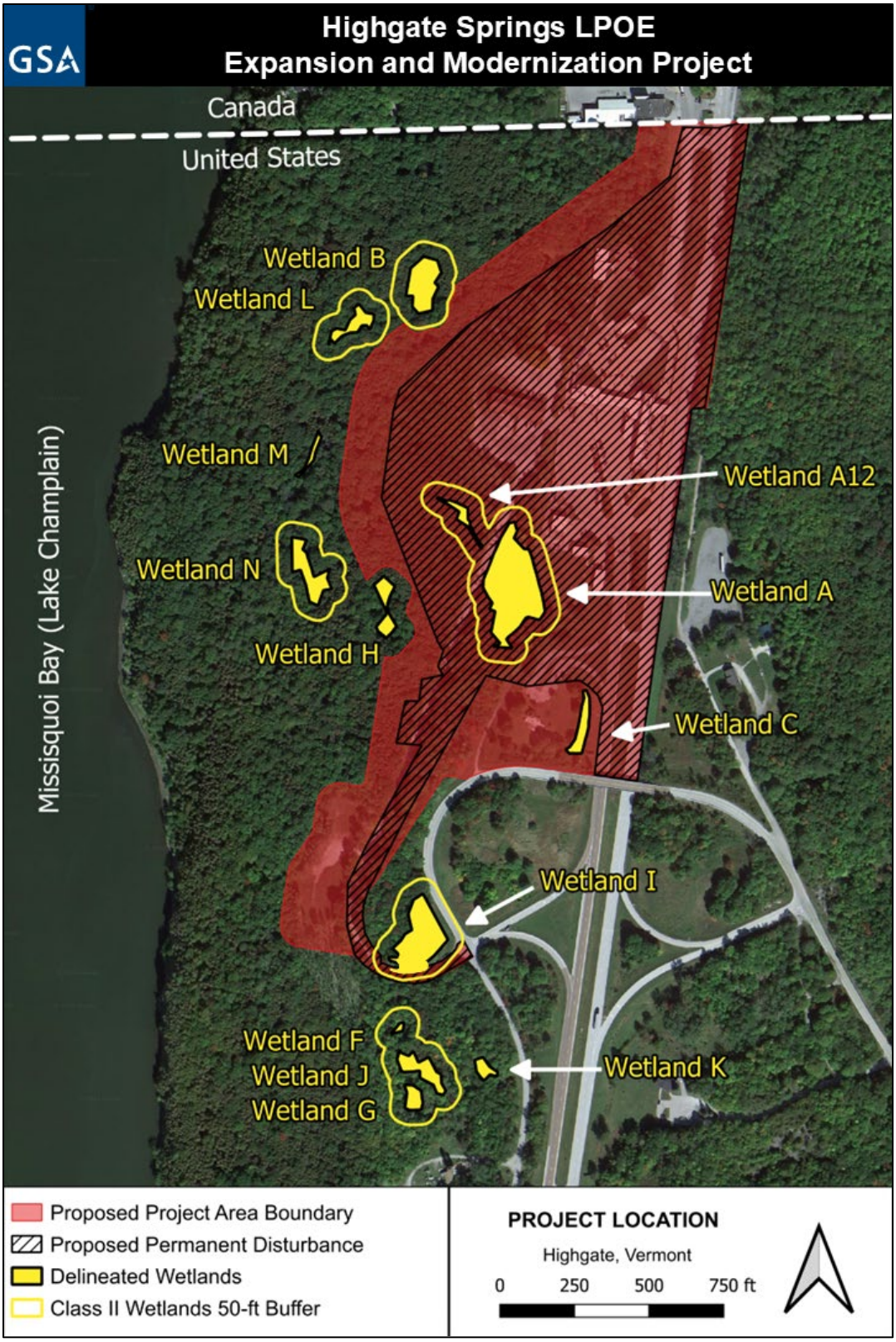
Of the 13 wetlands delineated by Langan, VT DEC identified four Class II wetlands (A/A12, F, I, and N), four Class II vernal pools[7] (B, G, J, L), three Class III wetlands (H, K, M), and one water feature that did not qualify as a wetland under the state definition (Wetland C). Per the site survey and analysis conducted by VT DEC, Wetlands A/A12, B, F, G, I, J, L, and N were determined to provide significant function or value. Any activity within a Class II wetland or its mandated 50-ft buffer zone requires a permit from the State of Vermont. Class III wetlands do not have buffer zones and activities in such wetlands are exempt from permitting.

3.4.1.4 Groundwater

Groundwater within the Project area is relatively shallow and likely occurs less than 20 ft bgs (Alares, 2021). The estimated depth to first occurrence of groundwater at the private and VAOT properties is less than 6 ft (WSP, 2022). Groundwater flows in a westerly direction toward Missisquoi Bay (Alares, 2021). An investigation conducted by Alares Engineering of the existing LPOE in 2021 found that the local groundwater source does not directly produce potable water, and the local well water exceeds the primary and/or secondary Maximum Contaminant Level (MCL) water quality standards for the following: Radionuclides (Gross Alpha, Radium-226, and Radium-228); Chloride; Total Dissolved Solids; Sodium; Iron; Arsenic; and Total Coliforms (Alares, 2022). Three groundwater wells are located on the LPOE; however, they are currently not being used as a potable water source because the well water quality exceeds state and federal standards for the pollutants listed above. Three monitoring wells are present on the LPOE and

[7] Vernal pools are small depressions in forests that fill with water in the spring and fall. They provide breeding habitat for many salamanders and frogs and have characteristic populations of fairy shrimp, fingernail clams, snails, water fleas, and copepods (VTDEC, No Date-b).

are used to monitor the onsite leach field/wastewater system. The water system on the LPOE is categorized as a Public Non-Transient Non-Community (NTNC) water system with a permit to operate issued by VT DEC. NTNC systems are defined as public water systems that are not public community water systems and that regularly serve at least 25 of the same individuals daily for more than six months per year (VTDEC, No Date-c). NTNC systems generally include schools, offices, daycares, and factories. There is one potable water well on the private property. All wells on the VAOT property are capped and, therefore, not in use.



Source: Langan, 2024

Figure 3.4-1. Delineated Wetlands in the Project Area and its Vicinity

3.4.2 Environmental Consequences

3.4.2.1 Proposed Action

3.4.2.1.1 Surface Water

Construction-related activities associated with the Proposed Action (particularly removal of vegetation, excavation, grading, and cut and fill operations) would expose soils and sediments to possible erosion and transport by rainfall. Associated runoff during storm events would flow down the predominantly western slope of the Project area, through Highgate State Park, and eventually drain into Missisquoi Bay. However, due to the implementation of construction BMPs described below, substantial stormwater runoff is unlikely to reach Missisquoi Bay from the Project area and thus would not noticeably alter nutrient concentrations, turbidity, or any other water quality indicators.

For construction under the Proposed Action, which would disturb more than 1 acre, a Construction General Permit (CGP) would be required under the National Pollutant Discharge Elimination System program. Permits contain limits on what can be discharged, monitoring and reporting requirements, and other provisions to ensure that the discharge does not harm water quality. Issuance of a CGP would be contingent upon the submission of a Stormwater Pollution Prevention Plan (SWPPP) to VT DEC. The SWPPP would include erosion prevention, sediment control, and water quality requirements of the State of Vermont in controlling stormwater runoff and pollutants during construction and post construction.

Accidental spills of chemicals, fuels, or other substances used during construction would have a low likelihood of occurring; however, if they do occur, they could contribute to small reductions in water quality in the Missisquoi Bay, depending on the volume and composition of spilled substances. Spill prevention BMPs would be implemented to reduce the risk of contaminated sediments escaping the site via erosion or the risk of spilled materials (e.g., diesel fuels or oils) escaping the site via stormwater runoff during the construction phase. Drop cloths, proper storage of chemicals, and immediate treatment of spill areas with absorbents and soil removal are examples of BMPs that are often identified in a SWPPP to mitigate the risk of spills.

These effects would occur during the estimated 3-year construction period and would end once construction activities are completed. Through the implementation of the SWPPP, the effects of construction on stormwater runoff would be negligible because the risk of escape of sediments or other pollutants from the site would be minimal. The Proposed Action would have **direct, short-term, negligible, localized,** and **adverse** effects to surface waters and stormwater during construction-related activities.

The replacement of approximately 11 acres of vegetated surfaces with impervious surfaces, in addition to the existing 23 acres of impervious surfaces already present in the Project area, would reduce natural stormwater percolation and attenuation processes, thereby increasing stormwater runoff associated with the LPOE. Stormwater infrastructure for the new LPOE facility would be designed in accordance with all federal, state, and local regulations and the latest building codes to reduce runoff, minimize impervious surfaces, and promote porous paving surfaces. Due to the loss of pervious surfaces, it is possible that Missisquoi Bay and the Highgate State Park would experience increased stormwater runoff and associated contamination after construction of the new LPOE. Overall, **long-term** effects to surface waters and stormwater from the Proposed Action would be **direct**, **negligible**, **localized**, and **adverse** as the design of the stormwater infrastructure would help offset/reduce adverse effects from increased impervious surfaces.

3.4.2.1.2 Floodplains

The Project area is located in a zone of minimal flooding and, as such, the Proposed Action would not affect floodplains.

3.4.2.1.3 Wetlands

The Proposed Action would fill and permanently alter 1.223 acres of Vermont Class II wetland, Wetland A/A12. The Project would also encroach upon the 50-ft buffer of Wetland I, another Vermont Class II wetland. Wetland C is exempt under VWR and would not constitute adverse effects. Additionally, while Wetlands B and L would not be directly affected, Project activities such as grading, utility installation, retaining walls, and stormwater measures (e.g., outfalls) may affect the 50-ft vegetated buffers around these wetlands. Wetlands B and L are Class II vernal pools. For any effects to Class II wetlands and associated buffers, GSA would require an Individual State Wetland Permit prior to the implementation of the Project. All other wetlands are located further outside of the Project area and would not be affected.

Due to the anticipated permanent effects to Vermont Class II wetlands, GSA would implement mitigation measures as required by the State of Vermont. Such measures may include establishing new wetlands or enlarging the boundaries of an existing wetland to compensate for the adverse effects from the Project (VT ANR, 2023a). Mitigation may also include payment of fees to a federal "in-lieu fee" program or mitigation bank approved by the state.

Because no wetlands in the Project area are jurisdictional (and therefore not regulated by the USACE), the Proposed Action would not require a CWA Section 404 permit. GSA initiated consultation with the USACE and VT DEC in November 2023 and would continue to coordinate with these agencies over the course of the Project.

Effects to Wetland A/A12 would be **direct, permanent, moderate, localized,** and **adverse** whereas effects to portions of Wetland I's buffer would be **direct, permanent, minor, localized,** and **adverse**. Wetland I itself would not be altered. The Proposed Action would have **indirect, long-term, minor, localized,** and **adverse** effects on Wetlands B and L as they may be affected during construction due to their close proximity to the Project area. Wetlands in the Project area would be protected to the extent practicable by implementing provisions of the SWPPP. GSA would adhere to VT DEC's permitting process to obtain an Individual State Wetland Permit prior to Project commencement and would develop a mitigation plan. Implementation of appropriate BMPs and mitigation measures is anticipated to offset the severity of effects to wetlands in the Project area.

3.4.2.1.4 Groundwater

Under the Proposed Action, substantial earthwork would occur to prepare the site for construction of the new LPOE facilities. Due to the occurrence of shallow groundwater throughout the Project area, contaminants (such as hazardous materials like fuel, paint, and other chemicals) may percolate into the groundwater from storm events and may adversely affect groundwater quality. This is not likely to noticeably affect groundwater quality or availability in the Project area or beyond. GSA would implement appropriate BMPs to minimize adverse effects to groundwater. The Proposed Action would result in small reductions of ground recharge from the addition of 11 acres of impervious surfaces to the Project area. However, the stormwater infrastructure design that would be incorporated into the new LPOE would promote stormwater infiltration to recharge the groundwater where feasible. The Proposed Action would result in **direct, short-term** and **long-term, minor, localized,** and **adverse** effects to groundwater. Short-term effects would result from potential infiltration of contaminants in the groundwater during

construction, whereas long-term effects would result from reductions in groundwater recharge due to the overall increase in impervious areas.

The three groundwater wells on the LPOE would continue to not be used, and all existing monitoring wells would be capped. New monitoring wells would be installed to monitor the onsite septic system. The potable water well on the private property would also be capped. Installation of new monitoring wells would only be conducted by licensed well drillers and may require a construction permit from VT DEC. Construction of monitoring wells and abandonment of existing wells would adhere to the requirements set forth in the Vermont Water Supply Rule, including, but not limited to, the following (10 V.S.A. Section 1395a[b]):

- Well drillers shall not cause undue soil erosion or water pollution, or contaminate the site with fuels, lubricants, solvents, and other pollutants. Preparations should be made in advance to contain and promptly remove any contaminants which are accidently spilled.
- Well drillers shall not use materials or procedures which may adversely affect the public health, the drill site, and groundwater. All drilling fluids and contaminated drill cuttings, samples, or liquids shall be disposed of properly.
- All drilling equipment which may have become contaminated during a drilling operation shall be thoroughly cleaned and decontaminated before reuse.
- Monitoring wells shall be designed and constructed to prevent any migration of contaminants into uncontaminated zones.
- All abandoned wells shall be closed to prevent the contamination of ground or surface water resources, the migration of fluids, and risks to the health and safety of the public.

As such, the Project would result in **direct, short-term, minor, localized,** and **adverse** effects to groundwater quality during well installation; however, well drillers would take appropriate measures, as discussed above, to minimize adverse effects. As groundwater wells in the Project area would continue to not be used for potable and other domestic uses, no long-term effects to groundwater use are anticipated.

3.4.2.2 No Action Alternative

Under the No Action Alternative, no construction or modernization activities would occur at the current LPOE other than maintenance, repair, and alternation, as needed. Drainage and stormwater would remain unchanged from current conditions. Reductions in water quality of wetlands and groundwater in the Project area would continue to occur from stormwater runoff. As such, the No Action Alternative would have **direct, long-term, negligible, localized,** and **adverse** effects to water resources in the Project area.

3.5 BIOLOGICAL RESOURCES

This section discusses the affected environment and environmental consequences that would result under each alternative for biological resources in and near the Project area, including vegetation, wildlife, and special status species. Special status species include federal- and state-listed species and migratory birds.

3.5.1 Affected Environment

The area of analysis for biological resources is the Project area. The Project area is characterized by a mixture of native forests, wetlands, disturbed roadside environments, landscaped areas, and impervious surfaces, such as parking lots, roads and highways, and various buildings. The eastern section of the

Project area contains impervious surfaces, which occupy approximately half of the Project area. The remaining Project area consists of approximately 24 acres of undisturbed vegetation.

3.5.1.1 Vegetation

The majority of vegetation in the Highgate Springs LPOE consists of landscaped grasses, shrubs, trees, and early successional roadside vegetation such as goldenrod (*Solidago* spp.), thistle (*Cirsium* spp.), and dandelion (*Taraxacum officinale*). The forested areas located on the private property and on the northernmost section of the existing LPOE consist of plant communities typical of the Champlain Lowlands ecoregion[8] (EPA, 2022a). Trees commonly occurring in the Champlain Lowlands ecoregion include northern white cedar (*Thuja occidentalis*), red and sugar maple (*Acer rubrum* and Acer *saccharum*, respectively), American beech (*Fagus grandifolia*), white oak (*Quercus alba*), and red pine (*Pinus resinosa*) (USGS, 2010; Google Maps, 2022). Vegetation in the vicinity of the Project area is mostly similar to that of the Project area, with more deciduous trees present to the east as the elevation increases. Plant species occurring in and immediately surrounding the wetlands within and near the Project area consist of cattails (several species [spp.] of the genus *Typha*), sensitive fern (*Onoclea sensibilis*), St. John's wort (*Hypericum perforatum*), nettles (*Urtica* spp.), and various wetland grasses (Alares, 2021).

Adjacent to the Project area to the west is a strip of Limestone Bluff Cedar-Pine forest associated with the shore of Lake Champlain (see **Figure 3.5-1**). The Limestone Bluff Cedar-Pine forest occurs entirely within Highgate State Park and has been designated by the State of Vermont as a Significant Natural Community[9] (VT ANR, 2020) to protect its vertical dolomite cliffs that represent one of the finest calcareous cliff communities and cobble shores in Vermont. The best-known natural communities in Vermont are monitored by the VT Fish & Wildlife Department as Significant Natural Communities (VT ANR, No Date-a). The Limestone Bluff Cedar-Pine forest is a rare and threatened Significant Natural Community, with many rare and protected plants (VT ANR, 2006). The dominant tree species within Limestone Bluff Cedar-Pine forest is the northern white cedar; other tree species present may include hemlock (*Tsuga canadensis*), white pine (*Pinus strobus*), red pine, and sugar maple (VT ANR, 2006; VT ANR, No Date-b). As depicted in **Figure 3.5-1**, the strip of Limestone Bluff Cedar-Pine forest is located outside of the Project area.

A portion of the Project area (approximately 10 acres) encroaches on an approximately 80-acre "VT Habitat Block"[10] (VT F&W, 2014; VT ANR, 2023b; VT ANR, 2024c). Habitat Blocks are used by the VT Fish and Wildlife Service Conservation Design for land conservation planning (VT ANR, 2023b; VT ANR, No Date-c). As of 2023, there are 4,214 Habitat Blocks in Vermont that are assigned a Total Weighted Block Score for quality and ecological importance according to the methods outlined in *Vermont Habitat Blocks and Habitat Connectivity: An Analysis using Geographic Information Systems* (VT ANR, 2023b). Total Weighted Block Scores range from 0.8 to 8.3 with an average of 3.5 (VT F&W, 2014). The Habitat Block that overlaps the Project area was assigned a score of approximately 0.8 to 3.1[11]. As stated in Section 3.2

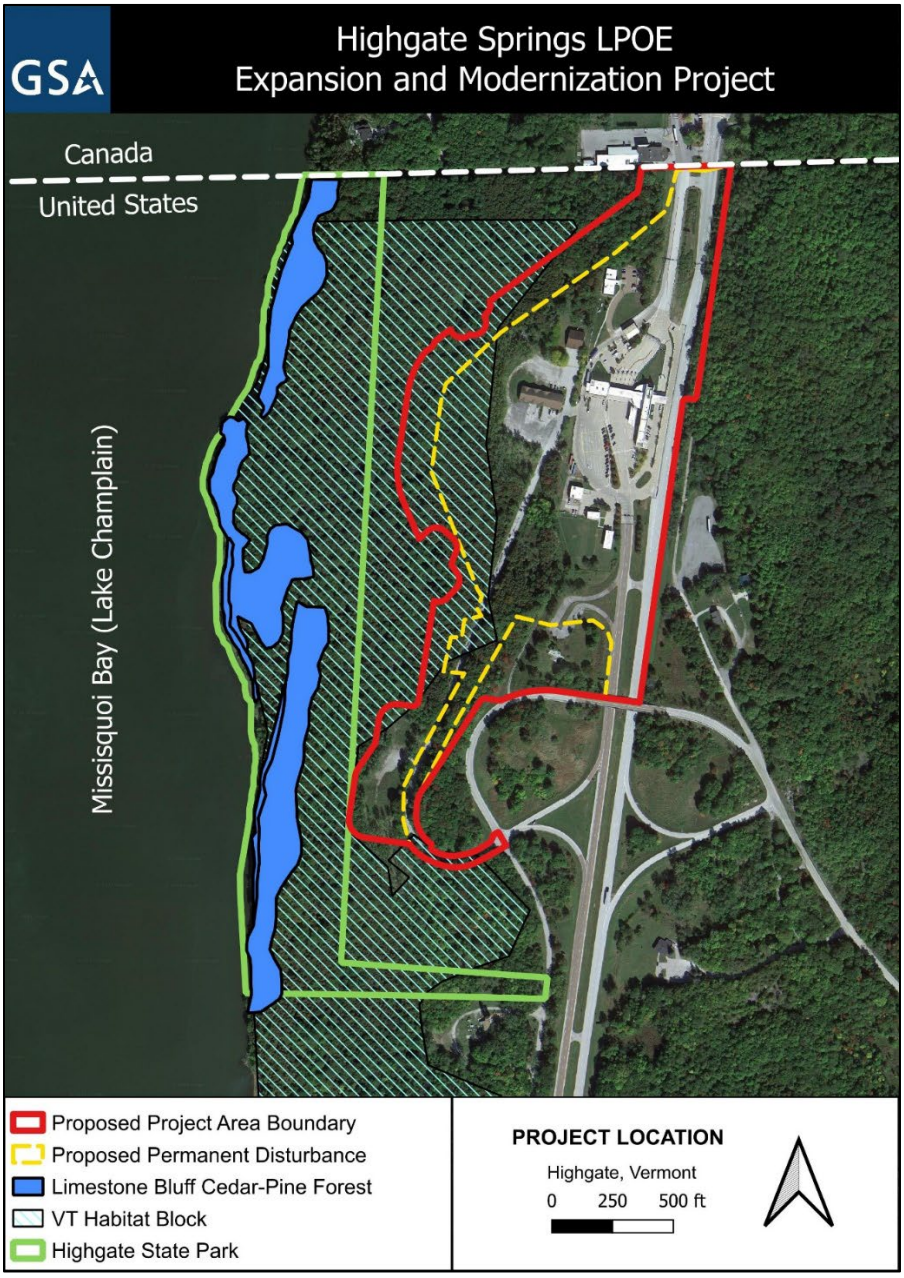
[8] An ecoregion is a geographically defined area where ecosystems and environmental resources are generally similar (EPA, 2022a).

[9] A natural community is an assemblage of plants and animals recurring across a landscape in areas with similar environmental conditions (VT ANR, 2006).

[10] Habitat Blocks are contiguous areas of vegetative cover of at least 20 acres with little to no human disturbance within them but that are surrounded by human development, such as roads or agriculture (VT F&W, 2014; VT ANR, 2023b).

[11] A review of the Total Weighted Block Score map (VT F&W, 2014, page 29) in the Vermont Habitat Blocks and Habitat Connectivity report indicates that the Habitat Block overlapping the Project area is scored somewhere between 0.8 and 3.1. The exact Total Weighted Block Score for this area could not be determined due to the size and scale of the map.

Land Use, the entirety of the proposed Project area is zoned as industrial-commercial, including the portion that overlaps the Habitat Block (Town of Highgate, 2022).



Source: VCGI, 2023; VT ANR, 2024c; VT ANR, 2024d

Figure 3.5-1. Significant Natural Community and Habitat Block Near the Project Area

3.5.1.2 Wildlife

Small rodents such as bats, shrews, squirrels, voles, and mice (NorthWoods, No Date); meso- (i.e., mid-ranking) predators such as coyotes (*Canis latrans*), raccoons (*Procyon lotor*), skunks (*Mephitis mephitis*), woodchucks (*Marmota monax*), and beavers (*Castor canadensis*); and large mammals such as white-tailed deer (*Odocoileus virginianus*), could use the forest, wetland, and early successional habitat within the

Project area for foraging. Small songbirds can forage and nest within the forested area, and birds of prey could forage within the roadside vegetation. Birds observed in the area include gulls, ducks, herons, eagles, hawks, and a variety of small passerine (i.e., perching) songbirds.

Wetlands in and near the Project area support waterfowl such as Virginia rail (*Rallus limicola*) and wading birds such as great blue heron (*Ardea herodias*); mammals such as black bear (*Ursus americana*) and bobcat (*Lynx rufus*); amphibians such as blue-spotted salamander (*Ambystoma laterale*) and pickerel frog (*Lithobates palustris*); and reptiles such as stinkpot turtle (*Sternotherus odoratus*) and smooth green snake (*Opheodrys vernalis*) (VWR Section 5.4[a], [b], [c], & [d]).

3.5.1.3 Special Status Species

According to the USFWS Information for Planning and Consultation (IPaC) online project planning tool (USFWS, 2023a) and VT ANR's Natural Resources Atlas (VT ANR, 2020), there are three species protected under Section 7 of the ESA that may occur in or near the Project area: the endangered northern long-eared bat (NLEB; *Myotis septentrionalis*), the proposed endangered tricolored bat (*Perimyotis subflavus*), and the candidate monarch butterfly (*Danaus plexippus*) [see Appendix B]. The monarch butterfly is not documented as occurring in the Project area or vicinity, and the likelihood of occurrence is low due to the high level of disturbance and limited presence of suitable habitat. Because the monarch butterfly is a candidate species, no consultation under ESA Section 7 is required.

NLEB hibernate during winter in caves or mines, called hibernacula, and roost during the summer in the crevices of live or dead trees, and occasionally in human structures (USFWS, No Date-a). Similarly, tricolored bats hibernate during winter in caves or mines, and roost during summer in the leaf clusters or lichens of live or dead trees, in pine needles, or in artificial roosts such as barns (USFWS, No Date-b).

NLEB and tricolored bat are state-listed as endangered (VT F&W, 2022a) but are not listed in the Natural Resources Atlas as occurring in the immediate vicinity of the Project area (VT ANR, 2020). There is no designated critical bat habitat within or near the Project area (USFWS, 2023a) and there are no known NLEB or tricolored bat roosting trees or hibernacula in the immediate vicinity of the Project area (USFWS, 2024a). However, GSA informally consulted with USFWS under ESA Section 7 to solicit input on the two federally listed bat species with the potential to occur in and around the Project area (see Appendix B). USFWS confirmed that tricolored bats have been detected within 3 miles of the Project area. Therefore, it is possible that individual NLEB and/or tricolored bats could occur in the forested habitat within the Project area during spring, summer, or fall (USFWS, 2024a). No federally listed plant species are known to occur in Franklin County (VT F&W, 2022b; USFWS, 2022a; USFWS, 2022b; USFWS, 2023b).

Additionally, there are no documented Vermont state-listed plant or wildlife species, or critical habitat known to occur in or near the Project area (VT ANR, 2020). Multiple plant species considered rare or uncommon in the State of Vermont are known to occur along the shore of Lake Champlain (VT ANR, 2020). GSA contacted VT ANR to inform them of the proposed Project, request additional information, and inquire about any potential concerns. VT ANR identified nine rare or uncommon plant species that may occur in or near the Project area, listed in **Table 3.5-1**. Coordination with VT ANR regarding effects to state-listed species and habitats is ongoing. VT ANR's comments received on the Draft EA indicate that a field review during the growing season (typically mid-June through late September) would determine the presence of additional protected species in and around the Project area. GSA would make the Project area available to VT ANR during the growing season for a field visit.

Table 3.5-1. Rare and Uncommon Plant Species that May Occur Near the Project Area

Common Name	Scientific Name	Status	State Listing Status
Purple clematis	*Clematis occidentalis*	Uncommon	Not state-listed
Climbing furnitory	*Adlumia fungosa*	Uncommon	Not state-listed
Wall rue	*Asplenium ruta-muraria*	Uncommon	Not state-listed
Shining ladies'-tresses	*Spiranthes lucida*	Uncommon	Not state-listed
Hitchcock's sedge	*Carex hitchcockiana*	Uncommon	Not state-listed
American bittersweet	*Celastrus scandens*	Uncommon	Not state-listed
Moss spp.	*Dicranium muehlenbeckii*	Rare	Not state-listed
Border meadow-rue	*Thalictrum venulosum*	Rare	Not state-listed
Graham's rockcress	*Boechera grahamii*	Rare	Not state-listed

Source: VT ANR, 2024b

Migratory birds are designated as special status species due to their protection by the Migratory Bird Treaty Act (MBTA) and EO 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds*. EO 13186 clarifies the responsibilities of federal agencies to consider the effects of agency actions on birds listed under MBTA. Over 250 species of birds have been recorded in Franklin County, VT, and many are classified as migratory birds. Some species may nest within the forested habitats occurring in or near the Project area. The USFWS IpaC online project planning tool (USFWS, 2023a) identified 14 migratory bird species potentially occurring in or near the Project area, 13 of which are designated as USFWS Birds of Conservation Concern (BCCs) [see **Table 3.5-2**]. BCCs are migratory birds that, without additional conservation actions, are likely to become candidates for listing under ESA Section 7. The nesting periods for BCC species range from mid-March to early October.

Occasional transient bald eagles (*Haliaeetus leucocephalus*) may occur in the Project area and vicinity, but there are no known bald eagle nests in or near the Project area. The bald eagle was removed from ESA listing in 2007 and from the Vermont state list of endangered and threatened species in 2022, but it is still protected under the Bald and Golden Eagle Protection Act and the MBTA.

Table 3.5-2. Migratory Bird Species Potentially Occurring In or Near the Project Area

Common Name	Scientific Name	Bird of Conservation Concern?	Breeding Season
Bald Eagle	*Haliaeetus leucocephalus*	No	Dec 1 to Aug 31
Belted Kingfisher	*Megaceryle alcyon*	Yes	Mar 15 to Jul 25
Black-billed Cuckoo	*Coccyzus erythropthalmus*	Yes	May 15 to Oct 10
Bobolink	*Dolichonyx oryzivorus*	Yes	May 20 to Jul 31
Canada Warbler	*Cardellina canadensis*	Yes	May 20 to Aug 20
Cerulean Warbler	*Dendroica cerulea*	Yes	Apr 20 to Jul 20
Chimney Swift	*Chaetura pelagica*	Yes	Mar 15 to Aug 25
Eastern Meadowlark	*Sturnella magna*	Yes	Apr 25 to Aug 31
Evening Grosbeak	*Coccothraustes vespertinus*	Yes	May 15 to Aug 10
Golden-winged Warbler	*Vermivora chrysoptera*	Yes	May 1 to Jul 20
Lesser Yellowlegs	*Tringa flavipes*	Yes	Does not breed in the area
Short-billed Dowitcher	*Limnodromus griseus*	Yes	Does not breed in the area
Upland Sandpiper	*Bartramia longicauda*	Yes	May 1 to Aug 31
Wood Thrush	*Hylocichla mustelina*	Yes	May 10 to Aug 31

Source: USFWS, 2023a

3.5.2 Environmental Consequences

3.5.2.1 Proposed Action

Under the Proposed Action, adverse effects to biological resources would be primarily associated with the removal of available vegetation communities and wildlife habitat in the Project area and the temporary, recurring disturbance to wildlife within and immediately surrounding the Project area due to construction and demolition activities.

3.5.2.1.1 Vegetation

Under the Proposed Action, all vegetation in previously undisturbed areas, including mature trees and undergrowth, would be removed where structures and roads for the expanded LPOE would be constructed. Vegetation would be permanently removed from a maximum of 11 acres of the Project area closest to the existing facilities and would be temporarily disturbed during construction on an additional 12 acres of the outer Project area to accommodate staging (see **Figure 2.1-1**). Other construction would take place in previously disturbed areas consisting of landscaped and roadside vegetation or impervious surfaces. The total footprint of the proposed development would be approximately 50 acres.

Heavy equipment may cause short-term disturbance to ground cover, grasses, and other low vegetation that is present in the temporary footprint of disturbance. Repeated disturbance of vegetation (e.g., due to vehicle passes) during these activities would damage and destroy grasses or the plants composing the forest's undergrowth. There would also be site-specific vegetation disturbance from foot traffic during vegetation clearing, construction, and demolition activities. Overall effects on vegetation would be

minimized by concentrating the area of disturbance to the smallest area necessary to complete the Project.

Construction activities could potentially spread invasive plant species directly to the Project area. Additionally, construction activities would create disturbed conditions that would be susceptible to the establishment and spread of invasive species within the Project area. However, BMPs such as equipment washing and proper disposal of invasive species found during construction activities would be implemented to prevent the introduction and establishment of invasive species.

As discussed in Section 3.4 Water Resources, the Project would affect Class II wetlands (A/A12 and I) and Class II wetlands also classified as vernal pools (B and L). Vernal pools are an uncommon community in Vermont and provide critical breeding habitat to salamanders and frogs. Similar wetland vegetation (e.g., cattails, sensitive fern, nettles, and various wetland grasses) occurs widely throughout the region and as such, effects to wetland vegetation populations are not anticipated. Runoff from earthwork activities could damage nearby wetland vegetation and habitat in vernal pools due to potentially accelerated sedimentation of wetlands within the Project area. However, BMPs described in Section 3.3 Geology, Topography, and Soils and Section 3.4 Water Resources would be implemented to minimize erosion and potential impacts to wetland vegetation. GSA would adhere to the Individual State Wetland Permit requirements (see Section 3.4.2.1.3) and implement mitigation measures required by the State of Vermont to minimize adverse effects to the extent practicable.

Other BMPs, such as the primary use of existing roadways and other disturbed/impervious areas by construction vehicles, would be implemented during construction of the new LPOE to minimize potential adverse effects to vegetation. Additionally, effects would be mitigated in disturbed areas via replanting with native vegetation following the end of construction.

Operation of the new, expanded LPOE would minimally affect vegetation relative to existing conditions at the LPOE. Therefore, the operation and routine maintenance of the new LPOE would have no effect on vegetation.

The Proposed Action would have **direct, long-term** to **permanent, moderate, site-specific,** and **adverse** effects on vegetation. Significant Natural Community vegetation occurring within Highgate State Park would not be affected. Populations of native plant species could experience short-term effects within the Project area. However, these plant species occur widely outside the Project area and in the region; thus, there would be no long-term effects to regional native plant populations.

3.5.2.1.2 Wildlife

Adverse effects to wildlife under the Proposed Action would primarily occur due to the temporary and permanent removal of available habitat in the Project area and from the temporary disturbance of wildlife in the Project area and vicinity. Demolition and construction activities and human presence would cause displacement of and disturbance to resident wildlife for the duration of the Project. Effects would range from noise and visual disturbance during Project activities to changes in available habitat on-site over the short- and long-term. Species would be expected to return to areas where vegetation is not cleared and habitat still exists after Project activities are completed. Some species may be prevented from using the resources in the Project area due to destruction or alteration of habitat.

Under the Proposed Action, the amount of undisturbed habitat removed would be relatively small compared to the availability of potential habitat in the surrounding vicinity. Thus, population-level effects to wildlife species are unlikely. Displaced species could return to the Project area and vicinity where habitat still exists following construction.

Disturbances to wildlife would be temporary but recurring over the 3-year construction period as different buildings and structures are constructed and demolished. Construction noise and associated visual disturbance could potentially result in the temporary displacement of wildlife within and in the immediate vicinity of the Project area while humans or equipment are present. Noise can startle individual animals, cause stress, mask communication and other natural sounds, and displace animals from surrounding habitat. However, the areas surrounding the Project area generally consist of similar habitats, so any displaced animals could potentially use these similar habitats and return to the Project area and vicinity where habitat still exists upon completion of construction. Any displacement of animals is not likely to increase their energy expenditure or resource competition outside of the range of natural variation.

During operation of the new LPOE, noise from the projected increase in traffic passing through the port would have long-term adverse effects on wildlife. However, traffic noise regularly occurs at the existing LPOE, so wildlife present in and near the Project area are not likely to experience a substantially higher level of disturbance. Wildlife would likely continue to stay away from the port, especially during periods of higher traffic.

BMPs would be implemented during the construction and operation of the new LPOE to minimize potential adverse effects to wildlife. Construction vehicles would observe maximum speed limits to minimize the possibility for any wildlife-vehicle collisions. Staging and stockpile areas would be located within or immediately adjacent to the construction footprint within the Project area to reduce the area of habitat disturbance. GSA would adhere to all applicable federal and state wildlife laws during construction and operation of the new LPOE.

The Proposed Action would have **direct, short-** and **long-term, minor, localized,** and **adverse** effects on wildlife due to the removal of available habitat and from construction- and operation-related disturbances.

3.5.2.1.3 Special Status Species

As discussed in Section 3.5.1.3, NLEB and tricolored bats could occur in the suitable habitat within or near the Project area, and particularly forested areas during spring, summer, and fall. Vegetation, including potentially suitable bat roosting trees, would be permanently removed from a maximum of 11 acres of the Project area closest to the existing facilities and would be temporarily disturbed during construction on an additional 12 acres of the outer Project area. However, GSA would avoid certain Project activities (e.g., tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts) between June 1 and August 15 to prevent potential effects to juvenile bats. Potential effects to bats in or near the Project area as a result of operation of the new, modern LPOE facility would not substantially differ relative to operation of the existing LPOE. Therefore, construction activities outside the bat active season timeframe ***may affect, not likely to adversely affect*** NLEB and tricolored bat under the Proposed Action.

There are no known occurrences of monarch butterfly in the woodland habitat within the Project area, and approximately half of the Project area contains landscaped grasses and other disturbed habitats that lack nectar resources and are not suitable for monarch butterfly. Therefore, the Proposed Action would have ***no effect*** on monarch butterfly.

USFWS concurred with GSA's determination of effects of the Proposed Action on federally listed species discussed above in a letter dated October 17, 2024. The letter is included in Appendix B.

If any federal- or state-listed species are detected during the construction phase, work would stop, and GSA would initiate consultation with the relevant agencies. GSA would adhere to all applicable federal and state laws regulating special-status species.

The Significant Natural Community occurring in Highgate State Park adjacent to the Project area may have associated uncommon, rare, and/or additional protected species. As stated in Section 3.5.1.3, GSA would make the Project area available to VT ANR for a field visit during the growing season (typically mid-June through late September) to determine the presence of any protected species. If determined to be present, such species may experience short-term effects during construction from noise and visual disturbances and long-term effects during operation of the new LPOE facility due to the loss of 11 acres of vegetation and associated habitat. The Project would also result in a reduced forested buffer between the new LPOE and Highgate State Park. Based on the agency's findings and recommendations, GSA would implement mitigation measures prior to the commencement of Project activities to minimize effects on protected species.

Bald eagles and other migratory birds may occur in or near the Project area but are unlikely to utilize the available habitat due to the high levels of disturbance and traffic, and they are not known to nest nearby. If evidence of migratory bird nesting is observed during site preparation (e.g., birds are seen carrying nesting material), GSA would conduct brief surveys to confirm the presence or absence of nests in the Project area. Other BMPs would be implemented, such as minimizing tree removal to the greatest extent practicable and establishing an appropriate buffer around any active nests, if any are found, to protect nests from construction-related disturbance (USFWS, 2024b). Construction activities could temporarily displace migratory birds while humans or equipment are present and active, but the disturbance would not increase migratory bird energy expenditure or resource competition outside of the range of natural variation. Therefore, the Proposed Action would have **direct, short-** and **long-term, minor, localized,** and **adverse** effects on migratory birds due to the removal of potential breeding habitat and disturbance due to noise and activity during construction of the new LPOE.

3.5.2.2 No Action Alternative

Under the No Action Alternative, no construction or modernization activities would occur at the current LPOE other than maintenance, repair, and alteration, as needed. No changes to wildlife, vegetation, or natural communities would be expected. Noise or other disturbances to wildlife present in the Project area or the immediate vicinity from LPOE operations would continue to occur at current levels. After expansion of A-35, the ambient noise levels at the LPOE would increase due to the projected increase in traffic. Thus, effects to biological resources under the No Action Alternative would be **direct, long-term, minor, localized,** and **adverse**.

3.6 UTILITIES

This section describes the utilities within the Project area, such as potable water supply and wastewater systems, energy systems and supply, stormwater management, and telecommunication services.

3.6.1 Affected Environment

The affected environment for utilities comprises the entirety of the Project area. Currently, overhead utilities (largely power lines) cross the Highgate Springs LPOE in the north-south direction along the western property line with several light poles. Several underground utilities including water lines, sewer mains, drainage pipes, and trench drains also exist onsite (DBB, 2023b).

3.6.1.1 Potable Water Supply, Sanitary Sewer, and Wastewater Systems

The City of St. Albans Water Department currently provides potable water to the LPOE through bulk delivery via truck every two to three days due to poor water quality. The City of St. Albans provides municipal water sourced from surface water at Fairfax Reservoir and Lake Champlain (City of St. Albans, 2021). Water is transferred from trucks to storage tanks at the LPOE; the tanks are located in the basement of the Commercial Inspection Building and can store up to 10,200 gallons of water. The current water treatment systems include chlorination and filtration and use pumps to deliver the water to the distribution system, which supplies water to the rest of the LPOE (Alares, 2022). The current system is unable to operate under gravity flow, but water distribution is connected to the facility's emergency power system to support water service in the event of power loss. The LPOE is equipped with a limited fire sprinkler system but does not have fire hydrants. Historically, facility water usage has ranged from 1,700 to 1,850 gallons per day (gpd). APHIS performs sporadic washdowns of livestock that pass through the LPOE. When livestock washdowns are performed, water usage may increase to 3,400 to 5,550 gpd (Alares, 2022). Bottled water is supplied to the private property as the current source of potable water (WSP, 2022). As explained in Section 3.4 Water Resources, the groundwater wells on the LPOE, private property, and VAOT property are not used for consumption or operations.

Sanitary sewage is treated on site, with separate leach fields for the LPOE and private property. The LPOE wastewater is treated in a building located between the APHIS Inspection Facility and HAZMAT canopy and pumped into an approximate 20,000 SF leach field behind the APHIS Inspection Facility. The leach field at the private property is in a mound north of the office building and west of the FDA building and is approximately 17,000 SF (DBB, 2023b). Three water quality monitoring wells are located on the LPOE to monitor the onsite leach field/wastewater system.

3.6.1.2 Stormwater Management

The Highgate Springs LPOE is largely paved and maintains a stormwater catchment system to carry stormwater off the property (Alares, 2022). The stormwater drainage system at the LPOE includes collection structures, underground piping, and detention basins. Stormwater generally discharges from building roofs and paved areas onto grade, and drains to catch basins, detention basins, or to nearby wetlands by sheet action. Storm drainage from the LPOE is conveyed to the northern portion of the site via pipe, and discharges to a swale parallel to I-89. Drainage on the private property sheet flows to the west into Highgate State Park (DBB, 2023b).

The existing LPOE has a storm drainage network with multiple connections to an existing 18-inch and 24-inch reinforced concrete pipe storm sewer located on the east side of I-89N. Capacity of the existing storm sewer is currently unknown (DBB, 2024).

3.6.1.3 Energy Systems and Supply

Energy at the Highgate Springs LPOE is a combination of electric power, propane gas, and diesel fuel. The Swanton Village Electric Department provides electricity to the facility through overhead distribution lines. A local supplier provides propane gas in bulk (via truck) [Alares, 2022]. Electric power is used for most energy needs, while propane is used to power various appliances such as water heaters and boilers. Diesel fuel is used to power two emergency generators located within the Main Port Building (EYP, 2019). The Swanton Village Electric Department provides electricity to the private property whereas Bournes Energy supplies propane to the site (Alares, 2022). There is one decommissioned electrical power generator and one emergency generator on the private property (WSP, 2022).

The existing LPOE has one underground storage tank (UST) that stores diesel fuel for one of the generators and several propane tanks. There are two abandoned propane aboveground storage tanks (ASTs) associated with the generators on the private property.

3.6.1.4 Telecommunication Services

Conduits running overhead against the site's canopy provide internet and telephone services to the Highgate Springs LPOE (EYP, 2019). The tenant agency, CBP, provides internet services for the LPOE, which are adequate for the facility. Telephone service coverage in the Project area is inadequate (Solv, 2023b; Solv, 2024). CBP operates a communications tower onsite that is critical for rapid, reliable communication transmissions for issues related to border security (DBB, 2024).

3.6.2 Environmental Consequences

3.6.2.1 Proposed Action

Under the Proposed Action, all existing structures within the Project area, including those within the LPOE and private property, would be demolished. Construction of new LPOE structures would occur in phases to ensure minimal disruption to port functionality, as described in Section 2.1. Utility infrastructure for the new, replacement LPOE would be installed during the first phase of construction. Construction crews would follow standard industry practices to minimize the chance of discovering unmarked utilities during construction work. These include:

- locating and marking utilities prior to demolition and site preparation; and
- coordination with utilities providers in the event of discovery of unmarked utilities.

Utility connections to the Training Building would be separate from the connections provided to the Main and Commercial Buildings. There may be **direct, short-term, minor, regional,** and **adverse** effects to utilities due to increase in demands for domestic water, wastewater, electricity, and propane to power and support construction activities. Outside of construction activities, there are not likely to be additional increases in utility demands during the construction period. The LPOE and associated personnel would experience minimal disruptions to functionality, thus their utility demands are expected to remain similar to current conditions.

Upon completion of construction, the expanded LPOE would require all ongoing utility services, including potable water, wastewater, electricity, propane, and telecommunication services. None of these utility loads would be expected to exceed the capacity of the municipal infrastructure, utility systems, or on-site facilities.

The LPOE's current design has resulted in excessive energy consumption at the existing facility, especially due to large quantities of unwanted heat loss/gain in the interior spaces. Additionally, the condition of existing buildings and infrastructure at the LPOE has deteriorated over time. The new LPOE facilities would be designed and built adhering to the latest building standards and codes, ensuring that they are more energy and water efficient compared to existing facilities.

3.6.2.1.1 Potable Water Supply, Sanitary Sewer, and Wastewater Systems

The new LPOE would continue to receive bulk deliveries of potable water from the St. Albans Water Department under the Proposed Action, which would be treated prior to consumption. The existing water storage tanks would be removed and three new 10,000-gallon storage tanks would be installed to store enough potable water needed for five days. The new LPOE would likely yield a water requirement of 20 gpd per employee per shift. The total sanitary flows for the Main, Commercial, and Training Buildings are

projected to be 5,220 gpd, 3,620 gpd, and 300 gpd, respectively. The APHIS animal spray-down operations would require up to 6,600 gpd and would generate minimal sanitary flows (DBB, 2024).

The existing sanitary sewer leach fields would be decommissioned per the VT DEC Environmental Protection Rules, 2019 Section 1-930 (14). The sanitary sewer treatment for the new LPOE would be achieved via septic system and leach field and these systems would be installed per VT DEC's permitting requirements. The septic tank volume is twice the design-flow capacity, which is projected to be 10,440 gallons for the Main Building and 7,240 gallons for the Commercial Building. Because of the shallow bedrock, a mounded leach-field system would likely be needed. The Main Building and Commercial Building would have independent leach field systems to avoid the need for pumping. The leach field systems would be approximately 20,000 SF for the Main Building and approximately 14,000 SF for the Commercial Building (DBB, 2024).

Due to the increase in the number of employees at the new LPOE, the greater magnitude of LPOE operations, and the substantial increase in travelers passing through the LPOE after expansion of A-35, there would be **direct, long-term, minor, site-specific** and **regional,** and **adverse** effects on potable water, sanitary sewer, and wastewater systems at the new LPOE.

3.6.2.1.2 Stormwater Management

To comply with the requirements set forth in the June 2019 Energy Independence and Security Act 438 memorandum and the VT DEC stormwater design guidelines, stormwater management systems at the new LPOE would be designed to retain the 95th percentile storm event[12] (1.2 inches) onsite. Where feasible, stormwater would be retained via ground infiltration (e.g., via bioretention swales or planters) to treat surface runoff and provide retention volume. To maintain existing hydrology, bioretention areas would have overflow connections to the existing storm sewer on the east side of I-89N to divert rainwater from larger storms, adhering to permitting requirements. The existing LPOE sewer connections may be reused or replaced, pending further investigation. Detention may be required to prevent overflow during storm events. Stormwater from the southwestern half of the Project area would be discharged to the adjacent wooded areas; VT DEC would confirm discharge locations prior to installment of discharge infrastructure. Site design would be aimed at reducing runoff, minimizing impervious surfaces, and promoting onsite infiltration (DBB, 2024). Therefore, due to the improved stormwater management infrastructure at the new LPOE, potential effects to stormwater management under the Proposed Action would be **direct, long-term, minor, localized,** and **beneficial**. The Proposed Action would also result in an additional 11 acres of impervious surfaces in the Project area, resulting in **direct, long-term, negligible, localized,** and **adverse** effects due to increased stormwater runoff. The design of the stormwater infrastructure would help offset/reduce adverse effects from increased impervious surfaces at the new LPOE, resulting in minimal adverse effects.

3.6.2.1.3 Energy Systems and Supply

The new LPOE would primarily use electricity to satisfy onsite power needs. The electrical systems would be designed in coordination with Swanton Village Electric Department to meet the load requirements of the new LPOE. A separate electrical service for the Training Building is proposed. Existing emergency generators would likely be auctioned or repurposed at other GSA properties and two new emergency generators would be installed at the LPOE. The generators would use diesel fuel. New domestic water

[12] The 95th percentile storm event is defined as the measured precipitation depth accumulated over a 24-hour period for the period of record that ranks as the 95th percentile rainfall depth based on the range of all daily event occurrences during this period (EPA, 2009).

heaters and other building equipment would be installed that would run on electricity. All existing underground and aboveground diesel fuel and propane tanks would be removed. New ASTs or USTs may be installed to store diesel fuel for the generators. As such, the increased use of electricity at the new LPOE due to expanded operations would result in **direct, long-term, negligible, regional,** and **adverse** effects to the local electric utility.

The new LPOE would likely use fewer quantities of fuel such as propane as most of its energy needs would be met via electricity and diesel fuel, resulting in **direct, long-term, minor, site-specific** and **regional,** and **beneficial** effects.

3.6.2.1.4 Telecommunication Services

The new LPOE would use a hardwired internet connection obtained through a commercial internet service provider. The existing CBP tower would be relocated as necessary to allow more flexibility in the site layout, and would continue to provide a means of reliable communication to CBP. GSA may explore additional options to provide adequate phone coverage at the site. Overall, it is expected that telecommunication services would be expanded to adequately meet the requirements of the tenants at the new LPOE. Therefore, potential effects to telecommunication services under the Proposed Action would be **direct, long-term, minor, site-specific,** and **beneficial**.

3.6.2.2 No Action Alternative

Under the No Action Alternative, construction and demolition activities would not occur in the Project area. Utility demands at the LPOE, particularly for water and wastewater services, would likely increase due to the projected increase in the number of travelers passing through the LPOE after expansion of A-35. Additionally, the LPOE would continue to use old, inefficient equipment for facility operations. Therefore, effects to utilities at the LPOE under the No Action Alternative would be **direct, long-term, minor, site-specific** and **regional,** and **adverse**. There would be no effects to utilities at the private property.

3.7 SOLID AND HAZARDOUS MATERIALS AND WASTE

GSA facilities generate both nonhazardous and hazardous solid waste that requires proper management under the Resource Conservation and Recovery Act (RCRA). “Solid waste” is defined under 40 CFR 261.2 as any garbage or refuse or other discarded material. “Hazardous waste” is a subset of solid waste that is defined by 40 CFR 261.3 as exhibiting hazardous characteristics of ignitability, corrosivity, reactivity, or toxicity that pose a substantial threat to human health, the environment, or both; or is listed as a RCRA hazardous waste. “Universal waste” is a subset of hazardous waste which is commonly generated from a wide variety of businesses (e.g., batteries, pesticides, mercury-containing equipment, lamps, aerosol cans, and electronics) (GSA, 2024).

RCRA establishes a system for controlling hazardous waste through hazardous waste generator regulations that establish criteria for the identification of hazardous waste and standards for treatment and disposal. Hazardous waste in Vermont is regulated primarily under the authority of RCRA and the Vermont Hazardous Waste Management Regulations. The Toxic Substances Control Act (TSCA) governs chemical substances and mixtures and provides EPA with the authority to regulate the production, use, and disposal of chemicals that have the potential to cause harm to human health or the environment. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) prohibits the use of pesticides that generally pose unreasonable risks to people or the environment at federal facilities unless an exemption is requested by the agency under Section 18 of FIFRA.

EO 12088, *Federal Compliance with Pollution Control*, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved (VT ANR, 2022). Worker health and safety and public safety, managed by the Occupational Health and Safety Administration (OSHA), are key issues when dealing with hazardous materials that may affect human health and the environment.

3.7.1 Affected Environment

The area of analysis for solid waste, hazardous waste, and hazardous materials is the entirety of the Project area. The existing LPOE frequently processes commercial vehicles carrying hazardous cargo in addition to facilitating regular inspections for POVs, buses, and commercial traffic. The LPOE currently stores small quantities of hazardous materials including paints, solvents, cleaning products, and pesticides used for operation and maintenance activities. Four water ASTs, one 1,000-gallon diesel fuel UST, and one active propane AST and one abandoned propane AST are present at the LPOE. Solid waste is generated onsite at the LPOE and is collected in standard dumpsters which are emptied once a week by a solid waste contractor and hauled to a sanitary landfill for disposal.

A Phase I Environmental Site Assessment was performed in November 2022 to evaluate the properties considered for acquisition by GSA. The assessment was used to establish the history of, and existing conditions at, the private and VAOT properties to identify any environmental conditions of concern. The assessment identified the presence of solid waste, hazardous waste, and hazardous materials on the private property. Hazardous materials such as cleaning products were observed in interior storage areas within the office building. The survey also found the presence of carpeting, tires, tarps, and landscaping material solid waste on the private property. The VAOT property was not observed to contain any solid wastes other than unused impervious surfaces and a utility pole line (WSP, 2022).

3.7.1.1 Chemicals Associated with Operation and Maintenance Activities

The Highgate Springs LPOE frequently processes commercial vehicles carrying hazardous cargo in addition to facilitating regular inspections for POVs, buses, and commercial traffic. The 1994 EA for the original Highgate Springs LPOE identified an average of 12,360 shipments entering and 8,100 exiting the U.S. through the LPOE each year containing hazardous materials (GSA, 1994). Due to the increase in the number of vehicles passing through the LPOE since its construction in 1994, it is likely that the average number of shipments carrying hazardous cargo has increased in subsequent years. The presence and inspection of commercial trucks carrying hazardous materials or waste at the HAZMAT Inspection Canopy offers the greatest potential for hazardous waste and material contamination at the LPOE. For most other sources, such as small oil and gasoline leaks from POVs, a Spill Prevention, Control, and Countermeasures (SPCC) plan is in place to contain and remove accidental spills and leaks of hazardous materials. However, due to the longevity of site operations and the potential for small spills associated with routine vehicle inspections, it is still possible for contaminated soil to exist in association with the Commercial Inspection Building and/or vehicle inspection canopies.

Extensive safety measures are in place to ensure that no unauthorized entry of hazardous cargo occurs, that all hazardous cargo is properly identified through signage and documentation, and that no physical defects are present that could result in contamination either at the LPOE or during transport within the U.S. If inspection of hazardous cargo reveals leakage, appropriate measures and protocols are followed by CBP personnel. Remediation equipment (i.e., fire extinguishers) and absorbent substances are stored at the LPOE for immediate availability in the event of a spill. As the LPOE does not serve the purpose of providing long-term detention facilities for hazardous materials, neither GSA nor CBP are obligated to maintain custody of a hazardous cargo for more than 48 hours after the date of detention. After this time,

the shipment is considered unclaimed or abandoned and is turned over to EPA for storage or disposition (19 CFR 12.122). LPOE personnel follow the most up-to-date regulations, guidance, and operating procedures that are relevant to inspecting and managing hazardous waste.

Hazardous materials including paints, solvents, cleaning products, and pesticides are used at the LPOE for operation and maintenance activities. Hazardous wastes from cleaning and maintenance activities, in addition to waste generated during the cleanup of oil and fuel spills, are disposed of and stored according to federal, state, and local regulations. The LPOE generates less than 220 pounds of hazardous waste per month, and it is categorized as a 'Very Small Quantity' generator (VSQG) [EPA, No Date]. VSQGs face the lowest level of required actions for hazardous waste generators, but they are still required to identify all the hazardous waste generated and ensure that waste is delivered to a facility authorized to manage it.

3.7.1.2 Aboveground and Underground Storage Tanks

The LPOE currently contains one UST and multiple ASTs. There is one 1,000-gallon UST located in the Main Port Building to provide diesel fuel to an emergency generator (WSP, 2022). There are several propane and water storage tanks located on the site, including an abandoned propane AST located behind the APHIS Inspection Facility, a propane AST located behind the Wastewater Treatment Building that is currently in use, a 1,000-gallon water AST located in the FDA Building, and three 3,400-gallon water ASTs in the Commercial Inspection Building.

The private property contains two propane ASTs previously used for powering the electrical power generator and emergency generator on the property.

3.7.1.3 Polychlorinated Biphenyls

Polychlorinated biphenyls (PCBs) are organic chlorine compounds that were once widely employed as a dielectric and coolant fluid in electrical apparatuses and other technologies involving heat transfer. In 1976, concern over the toxicity and persistence of PCBs in the environment led Congress to ban their domestic production, as detailed in TSCA. The EPA has since issued PCB usage and disposal regulations and guidance (EPA, 2005).

A Phase I Environmental Site Assessment has not been performed for the Highgate Springs LPOE. However, the private property and VAOT property assessment report notes additional transformers are likely located at the LPOE. PCB contamination often occurs as a result of damaged electrical transformers that were built before 1979; as the existing LPOE was constructed between 1997 and 2005, the transformers are unlikely to contain PCBs.

During the Phase I assessment, an oil stain was observed beneath the decommissioned propane-powered electrical generator in a shed on the private property. Due to the oil stain being associated with an electrical power generator, the presence of PCBs on the private property could not be ruled out. No PCBs were observed on the VAOT property.

3.7.1.4 Asbestos and Asbestos Containing Materials

Asbestos is a naturally occurring mineral fiber that was once used in a wide variety of building construction materials due to its fiber strength and heat resistance. However, disturbance or damage to ACMs can release asbestos fibers into the air, which increases the risk of lung disease when inhaled. EPA has introduced bans on a variety of specific asbestos-containing materials (ACMs) under TSCA and the Clean Air Act, examples of which include pipe insulation, flooring felt, and corrugated, commercial, or specialty paper (EPA, 2022b).

As the existing LPOE buildings were constructed between 1997 and 2005, years after Congress banned the use of ACMs in building construction, they are unlikely to contain any ACMs. The buildings on the private property were identified as potentially containing ACMs in materials such as roofing, joint compound, floor tiles, and ceiling tiles. No ACMs are present on the VAOT property (WSP, 2022).

3.7.1.5 Lead Based Paint and Other Lead Materials

Lead is a highly toxic metal that was once commonly used as an ingredient in paint. Due to concerns about the toxicity of lead dust that is released when lead-based paint (LBP) is damaged, the U.S. Consumer Product Safety Commission banned LBP in residential and public properties in 1978. Structures built before 1978 are likely to contain LBP, which is classified as paint that contains greater than or equal to 0.5 percent lead by weight, or 1.0 milligram per square centimeter lead by x-ray fluorescence (EPA, 2023).

To date, no LBP survey has been conducted at the LPOE, the private property, or the VAOT property. However, the existing buildings at the LPOE were constructed between 1997 and 2005 and thus are unlikely to contain LBP. The buildings on the private property were identified as potentially containing LBP due to their construction sometime between the 1970s and 1980s. The VAOT property does not contain any LBP.

3.7.1.6 Generation and Disposal of Solid Wastes

Solid waste generated onsite at the LPOE is collected in standard trash dumpsters. The dumpsters are typically emptied once a week by a carting company under contract with GSA. The solid waste is delivered to a transfer facility and then hauled to a sanitary landfill for disposal.

3.7.2 Environmental Consequences

3.7.2.1 The Proposed Action

Under the Proposed Action, all existing LPOE facilities and buildings on the private property would be demolished and replaced with new construction over four distinct phases to ensure minimal disruption to port functionality. The private property contains the only buildings and sites with the potential for containing hazardous materials, including PCBs, ACMs, and LBP. Disturbance to these materials resulting in the generation of hazardous waste and the disposal of said waste would lead to **direct, short-term, moderate, localized,** and **adverse** effects. Thorough inspections for hazardous materials would be conducted prior to demolition, in accordance with all applicable laws and regulations. On the private property, the oil stain that could potentially contain PCBs would be remedied before construction. All identified ACMs with the potential to be disturbed during demolition activities would be abated by a licensed/accredited abatement contractor in accordance with all applicable federal, state, and local regulations. Additionally, any LBP encountered during demolition activities would be collected and disposed of in accordance with applicable laws and regulations. The EPA Lead Renovation, Repair and Painting (RRP) Rule does not apply to total demolition projects, but it is recommended that lead-safe practices are employed during demolition[13] (EPA, 2022c). Typical construction methods and proper adherence to BMPs would mitigate the potential for most adverse effects.

[13] EPA's 2008 Lead-Based Paint RRP Rule aims to protect the public from lead-based paint hazards associated with renovation, repair, and painting activities. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting firms to be EPA-certified. This rule does not apply to total demolition of a structure.

The Proposed Action would include the removal and disposal of all USTs and ASTs from the LPOE and private property, including storage tanks containing, or that previously contained, fuel such as diesel and propane. This would result in **direct, short-term, moderate, localized,** and **adverse** effects. If evidence of a spill or leak is identified, the contamination would be remediated, and all associated hazardous waste would be disposed of according to federal, state, and local regulations. The removal and disposal of the UST and ASTs would be conducted using licensed contractors, and all proper closure procedures would be followed.

Demolition of existing structures in the Project area and site preparation activities (excavation, cut and fill operations) would result in substantial quantities of demolition and excavation debris, fill, soils, and other solid waste, which would be stockpiled within staging areas. Standing waste may contribute to potential effects on soil and water from residual contaminant runoff. To minimize contaminant runoff, waste generated during demolition and construction activities would be removed frequently and disposed of locally. Additionally, BMPs described in Section 3.3 Geology, Topography, and Soils would be implemented. As such, the **adverse** effects to solid and hazardous waste management from demolition and construction under the Proposed Action would be **direct, short-term, moderate,** and **localized**.

Demolition and construction activities would require the onsite use and storage of hazardous materials, such as diesel fuel, paint, adhesives, thinners, and solvents, all of which would inherently increase the risk of an accidental spill. However, any hazardous materials associated with construction would be stored and used in accordance with federal, state, and local regulations. Additionally, construction vehicles and heavy machinery operating onsite during construction activities may occasionally contribute to small oil and fuel leaks; effects would be minimized by following BMPs, such as regular vehicle inspections and maintenance and implementing an SPCC plan. Any spills or releases of hazardous materials, pollutants, contaminants, or petroleum products could affect soil or water resources. With BMPs and regulatory controls in place, demolition and construction activities would result in **direct**, **short-term**, **negligible**, **site-specific**, and **adverse** effects from solid and hazardous waste and materials.

Once fully operational, the new LPOE is expected to experience a 30 percent increase in vehicle traffic over time (EYP, 2019). Per the VAOT traffic effects study, POV traffic at the LPOE could increase by 28 percent and commercial truck traffic could increase by 40 percent during the peak month of October (VAOT, 2016). The increase in commercial trucks traveling through the new LPOE may also lead to increased quantities of hazardous materials being transported through the LPOE and inspected at the new HAZMAT canopy, increasing the chances of leaks or spills. Any spills or releases of hazardous materials, pollutants, contaminants, or petroleum products could result in adverse effects to soil or water resources. However, the risk of contamination due to the release of hazardous material would have a low probability of occurrence because CBP would utilize the same inspection and safety procedures that are currently used. In addition, because most of the LPOE would be covered by impermeable surfaces (e.g., concrete and asphalt), any spills that do occur could be easily cleaned up in accordance with applicable laws and regulations. BMPs would be in place to minimize the chance of spill events, and any potential spill or leak would be addressed as soon as a release is noticed. However, over time, small spills of hazardous materials (e.g., oil, gasoline, or lubricant drips) could seep through cracks in the concrete or asphalt and contaminate the soil beneath resulting in **direct, long-term, negligible, site-specific,** and **adverse** effects.

During operation of the new LPOE, solid waste would be generated and disposed of through the same methods and contractors used at the current facility. Due to the anticipated increase in the number of vehicles and travelers through the LPOE after expansion of A-35, the new LPOE may generate greater quantities of solid waste and use greater quantities of hazardous materials (e.g., cleaning and maintenance chemicals) relative to the existing facility operations, though this increase is not expected to

be substantial enough to change the magnitude of effects. While the increase in impervious surfaces at the new LPOE would have the potential to result in greater pollutant and/or contaminant runoff from maintenance activities and the increase in traffic volumes, the design of the stormwater infrastructure and implementation of the aforementioned BMPs would only result in minimal adverse effects from the spills, leaks, and releases of hazardous materials and other waste.

Additionally, the new, expanded LPOE would also operate a firearms range, resulting in the generation and disposal of ammunition waste. All brass and lead wastes shall be kept separate and stored in dedicated sealable buckets which would only be utilized for wastes from the firearms range. All suitable recovered brass casings and recovered lead slugs and lead impregnated wastes would be collected and sent to an approved licensed recycling facility. 'Lead only' wastes not sent for recycling would be properly characterized in accordance with RCRA, and managed in compliance with all applicable hazardous waste storage, labeling, and disposal requirements (GSA, 2012). Overall, LPOE operations would result in **direct, long-term, minor, localized,** and **adverse** effects to solid and hazardous materials and waste management.

3.7.2.2 No Action Alternative

Under the No Action Alternative, no demolition of existing facilities, construction of newer, larger facilities, and expansion of LPOE operations would occur. There would be no additional acquisition of new land. Maintenance, repairs, and alterations would occur as needed, and the operation of the existing LPOE would continue. Handling of solid and hazardous waste and hazardous materials would be consistent with the existing storage, use, and disposal practices and would follow all applicable statutes and regulations. Due to the projected 30 percent increase in traffic at the LPOE after expansion of A-35, larger quantities of solid and hazardous waste would be generated at the LPOE, resulting in **direct, long-term, minor, localized,** and **adverse** effects to solid and hazardous waste and materials management.

3.8 TRAFFIC AND TRANSPORTATION

3.8.1 Affected Environment

This section describes the affected environment in terms of the local traffic and transportation, specifically with regard to how vehicles utilize the LPOE when crossing the border between the U.S. and Canada.

3.8.1.1 Traffic Infrastructure at Highgate Springs LPOE

The Highgate Springs LPOE processes commuter, tourist, and commercial traffic traveling from Canada into the U.S. The LPOE is located on I-89, which consists of a two-lane, north-south freeway that begins at the border between Canada and the U.S. and serves as a continuation of Canada A-35. The LPOE is located on the interstate several hundred feet from the border, and it is one of the three busiest LPOEs in New England (GSA, 2023a).

Heading southbound from the U.S.-Canada border, I-89 connects to the LPOE approach lanes that direct traffic to the port facility buildings and the inspection lanes. Inspection lanes consist of five POV lanes and two commercial lanes as seen in **Figure 1.1-4**. The lanes only provide a few hundred feet of queue space, and all lanes require a sharp, short curve as vehicles approach the inspection booths. Bus lanes flow east of the Main Port Building, POV lanes flow west of the Main Port Building, and commercial lanes flow west of both the Main Port Building and the Commercial Inspection Facility. After vehicles have passed through the inspection points, the POV lanes combine into a single, wide lane and merge with the commercial lanes after several hundred feet. This intersection branches off into two directions. One direction heads southbound and merges with I-89 to allow vehicles to enter the U.S. The other direction directs the flow

of traffic back northbound and is intended for trucks or other vehicles that were rejected from entering the U.S. In addition, parking areas are located across from the Main Building, in front of the APHIS Inspection Facility, and in front of the FDA Building. There are 60 employee parking spaces available at the LPOE, and there is insufficient space for snowplows, making snow plowing and removal difficult during busy queuing times.

3.8.1.2 Local Traffic and Transportation

In 2019, the year before the COVID-19 pandemic, the Highgate Springs LPOE processed 479,298 POVs, 3,497 buses, and 98,226 trucks. In 2023, the LPOE processed 426,597 POVs, 1,504 buses, and 94,644 trucks (BTS, 2024).

In 2015, GSA conducted a study to assess the effects of expansion of A-35 on the traffic crossing the Highgate Springs LPOE. Results from this study are briefly discussed in this section. In 2015, approximately 1,236 cars and 266 trucks passed through the LPOE per day heading southbound into the U.S. as shown in **Table 3.8-1**. The annual average peak hour for overall southbound traffic traveling through the port was 12:00 PM, with an estimated 200 vehicles traveling through the LPOE during this time. For southbound passenger vehicles, travel peaks at 12:00 PM with approximately 156 vehicles traveling through. For southbound trucks, traffic peaks at about 2:00 PM with about 44 trucks, although truck numbers were also high at 10:00 AM and 12:00 PM, with 40 and 39 trucks, respectively. For cars traveling southbound, the peak months for traveling through the port were October and November, with approximately 63,000 and 62,000 cars, respectively. For trucks heading southbound, traffic tended to be more consistent year-round. The peak month for trucks passing through the port was January, with an estimated 8,400 trucks (VAOT, 2016).

Table 3.8-1. Southbound Average Daily Highgate Springs LPOE Traffic Volumes

Year	Southbound		
	Cars	Trucks	Total
2015	1,236	266	1,502
Projected*	1,581	372	1,953
Difference	345	106	451
% Difference	+28%	+40%	+30%

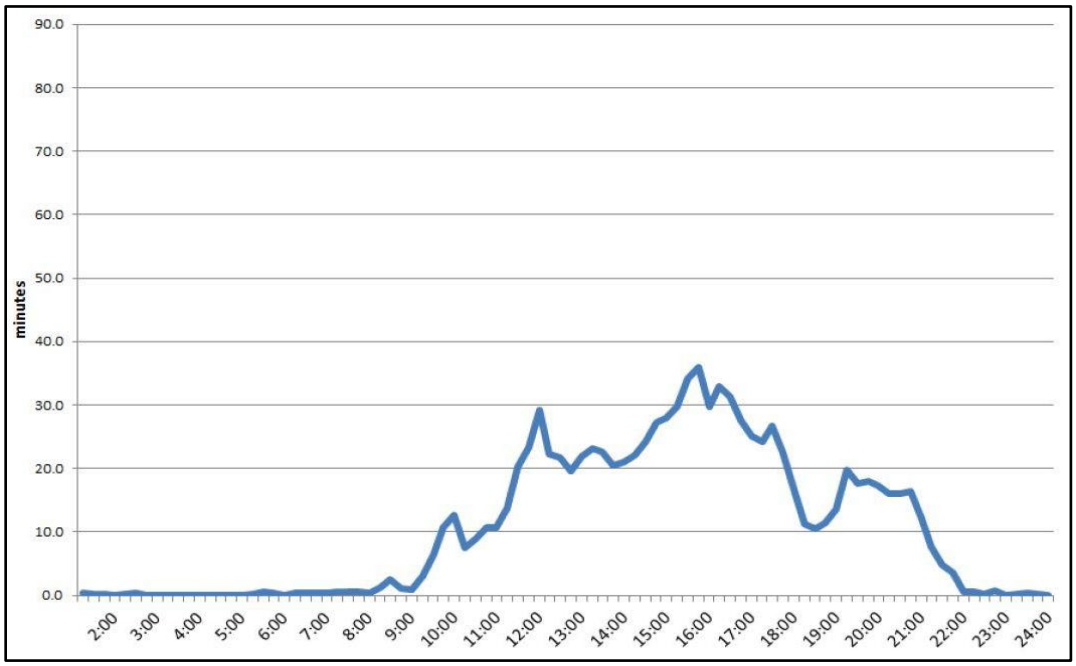
Source: VAOT, 2016

*Projected statistics reflect the southbound traffic volumes that would likely occur after the A-35 improvements have been completed.

The current configuration results in substantial processing delays at the LPOE. The sharp, short curves restrict visibility and delay vehicles as they approach the inspection booths. The bus and commercial inspection lanes are not long enough and can block passenger vehicle queue lanes, which causes delays in processing times. Furthermore, there are not enough vehicle inspection lanes to handle the number of vehicles that pass through the LPOE, especially during peak hours and seasons. Processing times can vary depending on the time of day. Based on a site visit of the LPOE conducted in October 2014, processing times for passenger vehicles varied from about a minute to almost 40 minutes during peak hours, as seen in **Figure 3.8-1**. Processing times for commercial vehicles varied from about a minute to almost 70 minutes during peak hours, as seen in **Figure 3.8-2** (GSA, 2017).

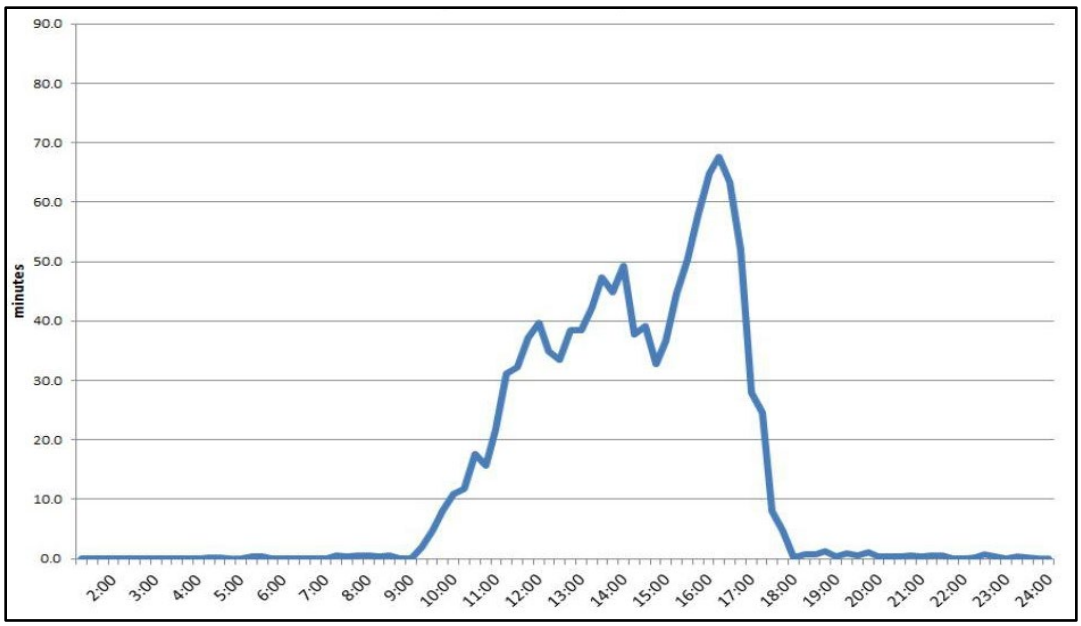
3.8.1.3 Local Traffic and Transportation After Autoroute 35 Completion

Upon expansion of A-35, traffic in the southbound direction of the LPOE is projected to increase by 451 vehicles per day as shown in **Table 3.8-1**. In the southbound direction, approximately 345 more cars and 106 more trucks are projected to travel through the LPOE, which is a 30 percent increase in traffic flow. Peak flows for traffic traveling southbound are also projected to increase. Southbound traffic traveling during the peak hour at 12:00 PM would potentially increase by over 50 vehicles (+25 percent), which would exacerbate vehicle wait times that already occur during this period. Traffic flow during peak months for cars and trucks traveling southbound is also projected to increase. The number of southbound vehicles traveling in the peak months of October and November is projected to increase by approximately 17,500 cars (+28 percent) and 2,600 trucks (+31 percent) [VAOT, 2016].



Source: GSA, 2017

Figure 3.8-1. Average Southbound Passenger Vehicle Wait Times (October 2014)



Source: GSA, 2017

Figure 3.8-2. Average Southbound Commercial Vehicle Wait Times (October 2014)

3.8.2 Environmental Consequences

3.8.2.1 Proposed Action

Under the Proposed Action, all existing LPOE facilities would be demolished, new land would be developed to the west (private property) and acquired to the south (VAOT property), and new facilities would be constructed to support operations and the expected increases in traffic flow.

To handle the anticipated increases in traffic, seven POV lanes, two commercial lanes, and two bus lanes would be constructed to improve the processing efficiency of the LPOE. The lanes would consist of straighter approaches to the inspection area to enhance visibility, reduce delays, and improve the flow of traffic. POV lanes would flow east of the Main Building, while the bus lanes would flow west of the Main Building. The commercial lanes would flow west of the Commercial Building. The length of the vehicle inspection lanes from the primary inspection area to the border would increase to allow adequate space for vehicle queuing and to reduce traffic congestion. There would also be an employee parking lot with a capacity for approximately 200 vehicles located south of the Main Building, and a second area located south of the Commercial Building for other parking and facilities support, such as secondary truck inspection, impound lot, and snow storage and removal.

The demolition and construction phase would affect the traffic and transportation due to the presence of construction vehicles and equipment. Construction vehicles would likely use roadways to access demolition and construction locations, which could disrupt traffic patterns and cause delays. However, demolition of the old facilities and construction of the new facilities would be completed in four phases to minimize the disruption to the LPOE as it would remain fully operational during the demolition and construction phases. This would ensure that effects to the flow of traffic and the functionality of the LPOE during construction would be minimized to the extent possible. Overall, the Proposed Action would result in **direct, short-term, minor, localized**, and **adverse** effects to traffic and transportation due to the demolition and construction activities which would disrupt traffic patterns and cause delays.

Following construction, the LPOE would provide the additional capacity needed to accommodate the anticipated increase in traffic after A-35 expansion. Two additional POV lanes, two lanes dedicated to commercial inspection, and two lanes dedicated to bus inspection would allow a higher volume of traffic to be processed at the port at any given time. The reconfiguration of the lanes around the Main and Commercial Buildings, in addition to the lanes becoming straighter and longer, would improve traffic efficiency and reduce congestion by providing more time and space for vehicles to queue in the correct lane. Improved areas for parking and facilities support would also grant more space for vehicle parking and decrease congestion. The Proposed Action would result in **direct, long-term, moderate, localized,** and **beneficial** effects to traffic and transportation due to the expansion and reconfiguration of the LPOE which would improve vehicle processing and traffic efficiency and reduce congestion.

3.8.2.2 No Action Alternative

Under the No Action Alternative, there would be no construction, demolition, expansion of transportation infrastructure, or acquisition of additional new land. Current traffic and transportation conditions at the LPOE would continue to persist. As a result, once A-35 has been expanded, the LPOE would not be able to handle the projected traffic increases in the southbound lanes. Substantial traffic congestion would likely be expected to occur, and there would be an increase in the average vehicle processing time at the LPOE. The No Action Alternative would result in **direct, long-term, moderate, localized,** and **adverse** effects to traffic and transportation.

3.9 NOISE

3.9.1 Affected Environment

This section characterizes sound and noise in the environment, noise metrics, regulations that apply to the Project area, and the ambient noise that exists in the Project area.

3.9.1.1 Sound and Noise in the Environment

Sound can be characterized by the level and duration at which it is emitted into the environment. The level of sound refers to the amplitude of the pressure changes in the medium (i.e., air or water) it traverses, which is measured in decibels (dB), a logarithmic unit. The A-weighted decibel (dBA) is an adjusted metric used to approximate typical human hearing sensitivity by filtering out lower frequency sounds. For reference, the sound level of a normal conversation is about 60 dBA and the threshold of pain is about 140 dBA (OSHA, 2013). Sound can also be characterized by its duration or how the sound is distributed over time, such as continuous, intermittent, or impulsive (EPA, 1981).

Noise is typically defined as sound that is unwanted by both human and wildlife receivers or receptors. Unwanted sounds are those that interfere with common activities such as sleeping, communication, and concentration, or those that could cause physiological harm (Suter, 1991; EPA, 1981). Human and wildlife responses to noise vary based on the characteristics of the sound source, along with the distance and sensitivity of the receptors, which can vary based on age, general health, time of day, and activity. Depending on the sound source and sensitivity of the receptor (e.g., humans or wildlife), noise can result in noise-induced hearing loss, interference with communication, adverse effects on sleep, adverse effects on performance and behavior, non-auditory health effects, and annoyance (Suter, 1991). Wildlife use sounds to carry out basic biological functions including communication, navigation, and finding food and mates; noise can interfere with an animal's ability to conduct these functions. Sounds commonly occurring at construction sites, their average sound level, and a human's typical response are listed in **Table 3.9-1**.

Table 3.9-1. Sound Levels and Common Human Responses

Common Sounds and Noises	Average Sound Level (dBA)	Typical Response (after routine or repeated exposure)
Normal conversation/speech	60	Sounds at this level are typically considered intrusive
Heavy/city traffic	80-85	Sounds at this level are typically considered very annoying
Motorcycle	95	Damage to hearing possible after about 50 minutes of exposure (without protection)
Bulldozer, excavator, other construction equipment/activity	100	Hearing loss possible after 15 minutes

Source: CDC, 2019; Berger et al., 2018

3.9.1.2 Noise Metrics and Regulations

Noise regulations are intended to either protect human health by regulating occupational noise hazards or to protect human health from environmental noise pollution. The Occupational Safety and Health Act of 1970 established the framework for regulating occupationally associated noise levels. OSHA is responsible for regulating noise hazards associated with occupational hearing loss, such as from the use of construction equipment. Permissible noise exposures from construction noise are set under 29 CFR 1926.52 and are presented below in **Table 3.9-2**. If sounds exceed these standards, an effective hearing conservation program is required.

Table 3.9-2. Permissible Noise Exposures

Duration per day (hours)	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
< 0.25	115

Source: eCFR, 2021 (29 CFR 1926.52)

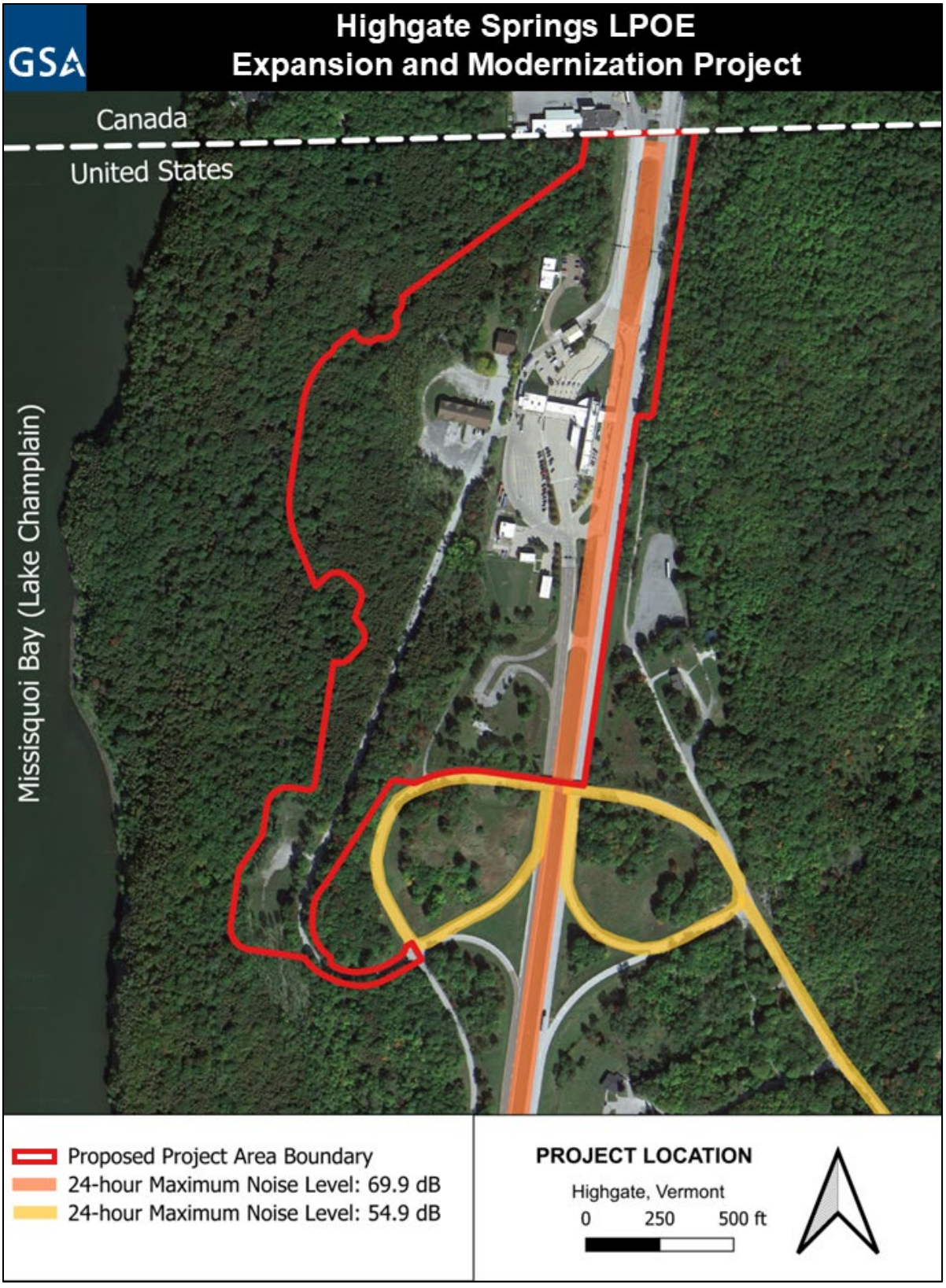
At the federal level, EPA retains the authority to study noise pollution and its adverse effects under the Noise Control Act of 1972 and the Quiet Communities Act of 1978 (EPA, 2020). In the State of Vermont, noise is regulated by 13 V.S.A. § 1022 as a nighttime disturbance. The statute prohibits a person from disturbing or breaking the public peace through unnecessary and offensive noise, such as firing guns or blowing horns, between sunset and sunrise. This statute does not apply to sound produced by any person who has been granted permission by select government officials (VGA, No Date).

3.9.1.3 Ambient Noise in the Project Area

The main source of noise in the Project area is the traffic traveling through the LPOE and along I-89 (GSA, 2023a). The buildings and facilities located onsite likely generate some noise at minimal and inconsequential levels. Helicopter activity in the Project area yields higher noise levels than road traffic;

however, such operations occur very infrequently. The area around the LPOE mostly consists of forest cover and agricultural land, with a very limited number of rural homes located southbound along I-89. There are also no sensitive noise receptors in the immediate vicinity of the Project area (e.g., schools, day care centers, hospitals, assisted living facilities, or areas of worship).

Figure 3.9-1 below presents the average sound level of the I-89 traffic sources in the vicinity of the Project area over 24-hours. The map was created using data collected for the national multimodal transportation noise mapping initiative from the Federal Highway Administration, the Federal Railroad Administration, and the Federal Aviation Administration to create maps of noise levels from road, rail, and aviation noise sources. **Figure 3.9-1** shows how ambient noise in the vicinity of the LPOE is limited to the sounds generated by traffic flow along the highway. The ambient sound level over the 24-hour period within the vicinity of the Project area ranges from 45.0 to 59.9 dBA (BTS, 2018).



Source: BTS, 2018

Figure 3.9-1. Map of Local Noise from Road Sources

3.9.2 Environmental Consequences

3.9.2.1 Proposed Action

Under the Proposed Action, all existing LPOE facilities would be demolished, land would be developed to the west and acquired to the south, and new facilities would be constructed to support LPOE operations and the expected increases in traffic flow.

Demolition and construction activities would generate noise caused by the operation of heavy equipment, such as bulldozers, excavators, and dump trucks. Construction vehicles and equipment typically generate noise levels of 77 to 130 dBA directly at the source of the sound (Berger et al., 2018). Construction noise levels are highest within distances of 400 to 800 ft from the site of major equipment operations. The Saint-Armand/Philipsburg LPOE and a few Canadian residences are the closest structures to the Highgate Springs LPOE and within 800 ft of the Project area. As demolition and construction activities would be expected to occur frequently throughout the day, it is likely that noise levels may get relatively high during daytime periods at locations within several hundred feet of the work sites.

However, demolition and construction activities would be temporary and only last for the duration of the 3-year construction phase. Work would likely be limited to daytime hours to reduce disturbance to the surrounding areas, and disturbances would be limited to employees, visitors, and travelers to the Highgate Springs LPOE and Saint-Armand/Philipsburg LPOE, as well as the nearby Canadian residences. Construction personnel would wear hearing protection to reduce noise exposure. Noise from demolition and construction would also affect resident wildlife for the duration of such activities; see Section 3.5 Biological Resources, for more information. The Proposed Action would result in **direct, short-term, minor** to **moderate, localized,** and **adverse** effects to noise due to demolition and construction activities which would result in increased noise in and around the Project area.

Ambient noise at the LPOE would experience an increase due to the projected 30 percent increase in traffic flow after A-35 expansion; however, it is not expected to exceed the noise levels for heavy traffic as noted in **Table 3.9-1** (80-85 dBA). The higher volume of vehicles passing through the LPOE and driving along I-89 would increase ambient noise levels in the area. The expansion and modernization of the LPOE would also include noise-generating facilities, such as a firearms range and a helicopter landing pad. However, the firearms range facility would include soundproof insulation to contain noise and limit disturbance, and the LPOE officials undergoing training at the range would wear hearing protection to limit noise exposure. Noise generated from the helicopter pad would be strictly limited to the frequency of the helicopter's operation and helicopter activity would not change relative to existing conditions. In addition, the LPOE's rural setting would limit disturbances to employees of and visitors to the port or commuters along I-89. Under the Proposed Action, there would be **direct, long-term, minor, localized,** and **adverse** effects to ambient noise levels due to the anticipated increase in traffic following expansion of A-35. It should be noted that the increased traffic at the LPOE would result from the expansion of A-35 and would occur even in the absence of the Proposed Action.

3.9.2.2 No Action Alternative

Under the No Action Alternative, there would be no construction, demolition, expansion of transportation infrastructure at the LPOE, or acquisition of additional new land. Once A-35 has been expanded, an estimated 30 percent more vehicles would be expected to pass through the LPOE and along I-89 in both the southbound and northbound directions. The increased flow of traffic would result in greater levels of noise in the area. As there would be no upgrades or expansions to the LPOE, the port would likely struggle to process incoming and outgoing vehicles, causing traffic delays and increases in noise from traffic horns

and vehicle idling. Noise from helicopter activities would continue to occur at the existing frequency. However, the port resides in a rural area, and any noise generated would only be perceptible to employees of and visitors to the LPOE or those traveling along I-89. Noise would be expected to dissipate as traffic congestion clears and vehicles move towards the interstate. The No Action Alternative would result in **direct, long-term, minor, localized,** and **adverse** effects to noise.

3.10 CULTURAL RESOURCES

Cultural resources are associated with the human use of an area and may include archaeological sites, locations of ethnographic interest, or historic properties associated with the past and present use of an area. A cultural resource can represent past cultures or present, modern-day cultures and can be composed of physical remains, intangible traditional use areas, or an entire landscape. Physical remains of cultural resources are usually referred to as archeological sites, while buildings or structures are usually referred to as historic properties. Archaeological sites can be split into pre-contact and post-contact sites (PAL, 2023). Pre-contact archaeology focuses on the remains of indigenous American societies as they existed before substantial contact with Europeans and post-contact archaeology focuses on sites and structures dating from time periods since significant contact between Native Americans and Europeans. Historic properties refer to properties built from the 17th century up to approximately 50 years ago (PAL, 2024).

The NHPA, as amended, sets forth national policy and procedures regarding historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for the NRHP. Section 106 of the NHPA requires federal agencies to consider the effects of their activities on such properties. Implementing regulations for Section 106 are at 36 CFR 800 (Protection of Historic Properties), which requires the responsible federal agency, in consultation with the SHPO or Tribal Historic Preservation Officer (THPO), to determine the level of effort to identify historically significant cultural resources in the area of potential effects (APE) of the undertaking. The APE is "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist" (36 CFR 800.16[d]). The Section 106 process helps ensure that the presence of historic properties, and possible effects to these properties, are considered as early as possible in the federal project planning process.

3.10.1 Affected Environment

The Public Archaeology Laboratory, Inc. (PAL), on behalf of GSA, conducted a Phase 1A archaeological reconnaissance investigation in December 2022 and a Phase 1A historic architectural properties survey in January 2023. The study area included the entirety of the LPOE, private property, and VAOT property. For the purposes of the Phase 1A investigation, the APE for archaeological resources consists of the area where direct ground disturbances would occur for the new LPOE facility (i.e., the Project area). The Project's APE for historic properties is the portions of the study area that are developed and contain standing or former buildings (namely the entire LPOE and VAOT property, and a portion of the private property extending to the tree line), and any locations immediately adjacent to the study area that are within the viewshed of the new LPOE.

3.10.1.1 History of the Study Area

Highgate Springs LPOE

The original Highgate Springs border station site at the former U.S. Route 7 was built in 1935 and comprised 2.25 acres. Two wood-frame cottages, used as housing for the resident Customs and

Immigration inspectors, were southwest of the main station. The site around the buildings was mostly grass lawn (PAL, 2023).

By the 1960s, a livestock inspection barn and concrete block warehouse had been added to the border station. The Highgate Springs border station was on the west side of I-89. The 1935 station was preserved, but the increased traffic volume on the highway necessitated expansion of the structure and property at the facility. By the 1980s, the two cottages had been removed and relocated to Highgate Springs and Quebec, and a bus inspection station was added to the facility. The Highgate Springs station was determined eligible for listing in the NRHP by the Keeper of the NRHP in 1986 (PAL, 2023).

In 1994, the 3-acre parcel (Tower Parcel) on the north side of the 1935 border station property contained a "derelict farmhouse and barn" close to the Canadian border. The house may have been of 19th century construction, but the concrete-block foundation suggested that the house was moved from its original location, possibly during the construction of I-89.

In the 1990s, GSA constructed a new border station complex at the site that was completed in 1997. This was later expanded in 2004 and 2005. A Section 106 Memorandum of Agreement (MOA) was developed for the demolition of the historic 1935 Highgate Springs border station and required architectural recordation, salvage of architectural elements, architectural monitoring during demolition, and development of a historic preservation plan and maintenance manual for the treatment of remaining border stations in Vermont, including that at Highgate Springs (PAL, 2023).

Private Property

A customs broker company purchased two parcels of land from a private citizen in 1965 and the 57-acre wooded property west of the border station abutting Highgate State Park from the State of Vermont, Department of Forest and Parks in 1986. An office building was built with an access road and parking lot some time in 1975–1985 on the northeast part of the private property immediately west of the LPOE. A warehouse building was built to the south circa 1988. The two buildings are within a paved parking lot at the north end of Welcome Center Road abutting the forest to the west (PAL, 2023).

VAOT Property

The State of Vermont built the VAOT Highgate Welcome Center south of the border station on southbound I-89 in 1969. The facility closed in 2009, and the building was demolished in 2012; only the concrete foundation slab remains (PAL, 2023).

3.10.1.2 Archaeological Reconnaissance Investigation

Known Archaeological Resources

No archaeological sites are recorded within or adjacent to the study area. A review of the state site files indicated 12 recorded pre-contact sites within a 5-mile radius. Ten of these sites are along the Rock River floodplain and adjacent wetlands to the southwest of the study area. The other two sites are south of the study area at or near the confluence of Rock River with the Lake Champlain-Rock River Bay (PAL, 2023).

Archaeological Sensitivity Assessment

PAL's walkover survey of the study area in December 2022 was facilitated by dividing the study area parcels into smaller units and assigning a unique identifier to different land use areas (Roman numerals I–VII):

- Area I – Highgate Springs LPOE developed area (16.73 acres)

- Area II – VAOT Former Welcome Center developed area (3.45 acres)
- Area III – Highgate Springs LPOE Tower Parcel (undeveloped area; 3.37 acres)
- Area IV – VAOT highway interchange (~ 1 acre)
- Area V – Private property developed area (3.1 acres)
- Area VI – Private property former trailer parking lot (~ 1 acre)
- Area VII – Private property undeveloped forest (~ 50 acres)

Two areas within the study area (Areas III and Area VII), totaling approximately 53 acres of mostly undeveloped forest on the private property and the LPOE, were assigned archaeological sensitivity for primarily pre-contact Native American archaeological resources. Pre-contact site types could range from lithic scatters to base camps where food procurement, processing, and other habitation activities occurred. Evidence of ceremonial and sacred land uses could also be present because of the elevated landform setting along Lake Champlain/Missisquoi Bay (PAL, 2023).

Area III also contains the potential for critical post-contact Euro-American archaeological resources associated with the documented residence and outbuilding(s). The areas immediately surrounding these structural ruins contain visible twentieth-century household debris, but there could be buried structures, features, and artifact deposits relating to the 19th century occupations of the farm and possibly to the 18th century occupation(s) [PAL, 2023].

The other five geographic areas assessed (Areas I, II, IV, V, and VI) encompass approximately 26 acres of developed lands associated with the existing LPOE facility, the VAOT property and the I-89 and Route 7 highway interchange, and the private property buildings and former trailer parking lot along Welcome Center Road. Because of severe previous ground disturbances in these areas, no archaeological sensitivity for critical pre-contact and post-contact archaeological resources is assigned to these five areas (PAL, 2023).

Due to the high archaeological sensitivity of Areas III and VII, portions of which occur in the Project area, further archaeological investigations were recommended for those areas. GSA conducted a Phase 1B archaeological survey for 13.5 sensitive acres within the Project area in Fall 2024. A total of 14 pieces of cultural materials were recovered during the Phase 1B testing. The materials consist of one 1-inch diameter gear (likely from a clock), three machine cut nails, two electrical (insulator) parts, five ceramic sherds (from tableware), two brick fragments, and a quartzite projectile. Based on the survey results, no further archaeological investigations are recommended for the Project area and it is not considered to represent a potentially significant archaeological site. GSA will continue consultation with VT SHPO beyond publication of this Final EA to receive concurrence on the Project and would implement any recommendations or mitigation measures recommended by the SHPO over the course of the Project.

3.10.1.3 Historic Architectural Assessment

Historic properties are those aboveground resources built from the 17th century up to approximately 50 years ago. Typically, properties that are less than 50 years old are not eligible for listing in the NRHP unless they possess extraordinary significance. The Phase 1A survey included an assessment of historic properties constructed at least 45 years before GSA's anticipated date of Project construction (2025) [PAL, 2024].

The Project study area was defined as the area extending approximately 400 feet from the Project area where visual or other effects might occur. It is characterized by woods and the highway corridor and contains one non-historic house built in 2004. The recommended historic properties APE for the Project is generally a 50-foot buffer from the Project area, with two exceptions. The recommended historic

properties APE follows the Project area boundary at the border with Canada on the north and it extends across the I-89 cloverleaf ramps between Welcome Center Road and Border View Road on the south and east. The east side of the Project area is defined by I-89. The west side of the APE occurs along a wooded area of dense trees.

Per PAL's Phase 1A historic architectural assessment survey, the LPOE property at 525 and 545 Welcome Center Road contains a complex of seven one- and two-story buildings. Most of the complex was constructed in 1997, but two buildings were added later: the NII/VACIS Building in 2004 and the FDA Building in 2005. The private property at 469 Welcome Center Road west of the LPOE contains three buildings: a one-story office building constructed between 1975–1985; a one-story warehouse building reconstructed circa 1988; and a small storage shed built in the late 20th century. The VAOT property at 189 Welcome Center Road south of the LPOE contains only the concrete foundation slab remains of the former VAOT Highgate Welcome Center built in 1969 and demolished in 2012 (PAL, 2024).

The Phase 1A survey concluded that no historic properties exist within the Project area. No buildings on the LPOE property are historic, and none of the previous buildings remain on the VAOT property. The private property contains two non-historic properties, one of which (the office building) was possibly built before 1980. There are also no historic properties outside the Project area within the APE. As such, no further historic architectural properties survey or evaluation is needed (PAL, 2024).

3.10.1.4 Native American Tribes

Vermont is home to four state-recognized Western Abenaki tribes, of which the St. Francis-Sokoki Band of the Abenaki Nation of Missisquoi has its tribal offices located in Swanton Village, Franklin County, VT (UVM, No Date; Abenaki Nation, No Date). The tribe does not have any reservations in Franklin County.

The Abenaki Nation of Missisquoi comprises a community of extended families who historically inhabited the Missisquoi River and Lake Champlain, and continues to maintain ties with these lands. Members of the community would fish and hunt at and near Missisquoi Bay for their subsistence and cultural needs (Abenaki Nation, No Date). In 2020, the State of Vermont passed a bill recognizing the tribe's fishing and hunting rights in the state and allowing their members to receive free permanent fishing and hunting licenses (VTDigger, 2020). To foster and sustain traditional indigenous knowledge, members of the tribe presently engage in a variety of programs and activities aimed at deepening their understanding of their history and culture, including holding fishing derbies and community days at Missisquoi Bay in collaboration with the Missisquoi Wildlife Refuge (Abenaki Nation, No Date).

3.10.2 Environmental Consequences

3.10.2.1 Proposed Action

The Proposed Action would include the disturbance (e.g., excavation, grading) of previously undisturbed land in Areas III and VII of the Project area, as well as the demolition of all existing structures on the LPOE and the private property for construction of the new LPOE.

Archaeological Resources

As described in Section 3.10.1.2, Areas III and VII are assigned archaeological sensitivity for primarily pre-contact Native American archeological resources. Additionally, Area III also contains the potential for critical post-contact Euro-American archaeological resources associated with the documented ruins of 19th century farmhouse and outbuilding(s). The other five assessment areas (Areas I, II, IV, V, and VI) have no archaeological sensitivity for crucial pre-contact and post-contact archaeological resources due to

severe previous ground disturbances. These areas are not expected to contain belowground cultural deposits in meaningful archaeological contexts.

GSA initiated coordination with the VT SHPO in May 2023. The SHPO approved the results of the Phase 1A archaeological reconnaissance investigation in June 2023 and agreed with the recommendation to conduct a Phase 1B archaeological investigation (including subsurface testing) of the Project APE. GSA, in collaboration with the VT SHPO, developed a methodology for the Phase 1B survey to identify potentially significant archaeological resources in accordance with VT SHPO's Guidelines for Archaeological Investigations. The survey recovered 14 pieces of cultural materials from the Project area and it is not considered to represent a potentially significant archaeological site.

Implementation of the Proposed Action would result in **no effects** to archaeological resources. GSA contractors would be provided with an Inadvertent Discovery Plan for cultural resources and human remains, which would be implemented if such materials are uncovered during construction.

Historic Properties and Viewsheds

There are no historic properties in the Project area or in the recommended APE (see **Figure 3.10-1**). Buildings that were surveyed do not possess extraordinary historic or architectural qualities that would merit eligibility for listing in the NRHP. Views of the Project area are limited to the west by a wooded area of dense trees, and there are no buildings. To the south, views are blocked by I-89 and the U.S. Route 7 overpass bridge, and there are no buildings. The east side of the Project area is defined by I-89, which is in a cut below a wooded area; there are only distant limited views through a clearing to the southeast. A non-historic house is within the viewshed of the LPOE to its southeast, on the east side of I-89. As such, the Proposed Action would have **no effects** on historic properties and viewsheds.

Native American Tribes

There would be short-term, adverse effects to members of the Abenaki Tribe engaged in subsistence and cultural activities in areas close to the Project area. Members of the tribe regularly engage in cultural enrichment programs and outdoor activities in and around Lake Champlain and the Missisquoi National Wildlife Refuge, such as community paddles, nature walks, and fishing programs (Abenaki Nation, No Date). If these activities were to occur close to the Project area, such as at Highgate State Park located adjacent to the private property and the portion of Missisquoi Bay bordering the state park, noise from construction activities and air emissions from the operation of construction equipment and vehicles in the Project area would result in **direct, short-term, minor, localized,** and **adverse** effects to tribal subsistence and cultural activities.

Members of the tribe may need to temporarily avoid fishing, hunting, and other cultural and traditional activities in the immediate vicinity of the Project area to avoid these effects. However, these effects would only occur during the construction phase and would cease upon completion of the Project. In the long term, there may be some adverse effects to tribal activities due to a slight increase in ambient noise levels from the projected 30 percent increase in traffic at the LPOE after A-35 expansion; however, this is not expected to impede the tribe's sustenance and cultural activities in the vicinity of the Project area. In the **long term**, **adverse** effects to the tribe would be **direct, negligible** and **localized**.

3.10.2.2 No Action Alternative

Under the No Action Alternative, no construction or modernization activities would occur at the LPOE other than maintenance, repair, and alterations. No disturbances to archaeological resources are expected. There are no architectural properties on the GSA, private, and VAOT properties. There may be

direct, long-term, negligible, localized, and **adverse** effects to tribal activities due to a slight increase in ambient noise levels from the projected 30 percent increase in traffic at the LPOE after A-35 expansion. This is not expected to impede the tribe's sustenance and cultural activities in the vicinity of the LPOE.

Source: PAL, 2024

Figure 3.10-1. Recommended Historic Properties APE for the Project

3.11 SOCIOECONOMICS

The analysis of socioeconomic effects identifies those aspects of the social and economic environment that are sensitive to changes and that may be affected by activities associated with the Project. Socioeconomic factors describe the local demographics, income characteristics, and employment of the region of influence (ROI) that could be potentially affected by the Project. The area in the vicinity of the LPOE has very little development; there is one adjacent private business located west of the LPOE and a few scattered residences, commercial properties, and farmlands to the south and east of the LPOE. Socioeconomic effects from the Proposed Action would occur at the existing LPOE, the adjacent private property recently purchased by GSA, and the VAOT property that would be acquired under the Proposed Action. However, potential economic effects to employment and spending with the greatest intensity would likely occur throughout Franklin County and the adjacent Chittenden County, VT due to the presence of population centers such as the City of St. Albans (14 mi to the south of the LPOE in Franklin County) and the City of Burlington (37 mi to the south of the LPOE in Chittenden County). Therefore, Franklin County and Chittenden County are the ROIs for any direct and indirect effects that may be associated with the implementation of the Proposed Action. For purposes of comparison, the State of Vermont is defined as the region of comparison (ROC), or the "general population".

3.11.1 Affected Environment

Demographic data for Franklin and Chittenden Counties are presented and compared to the State of Vermont.

3.11.1.1 Population

A review of U.S. Census Bureau (USCB) data was conducted to compare the socioeconomic characteristics of Franklin and Chittenden Counties with the State of Vermont (USCB, 2010; USCB, 2015; USCB, 2020; USCB, 2021). The population in Franklin and Chittenden Counties increased by 4.6 percent and 8.2 percent, respectively, over the 11-year period from 2010 to 2021. During the same period, the total population in the State of Vermont increased by 2.7 percent (**Table 3.11-1**).

Table 3.11-1. Population Growth in Franklin and Chittenden Counties and the State of Vermont from 2010 to 2021

Population					
Location	2010	2015	2020	2021	Population Percent Change (2010 – 2021)
Franklin County	47,547	48,418	49,275	49,752	4.6%
Chittenden County	154,729	159,711	163,414	167,523	8.2%
Vermont	624,258	626,604	624,340	641,637	2.7%

Source: USCB, 2010; USCB, 2015; USCB, 2020; USCB, 2021

3.11.1.2 Labor

Labor in the ROI is discussed in this section by subtopic: civilian labor force, unemployment, and earnings (by per capita personal income and by industry compensation).

Civilian Labor Force

The size of a county's civilian labor force is measured as the sum of those currently employed and unemployed. People are classified as unemployed if they do not have a job, have actively looked for work in the prior four weeks, and are currently available for work. As shown in **Table 3.11-2**, from 2000 to 2021, Franklin and Chittenden Counties' labor force increased by 9.5 percent each. Nearly half of Franklin County's labor force commutes south every day to work in Chittenden County, resulting in a deficit in Franklin County's available workforce and a wage imbalance between the two counties (Saint Albans Messenger, 2022). In contrast, the labor force in the State of Vermont shrunk by 1.7 percent during the same time period in part due to the state's aging population, low growth rate, and effects of the COVID-19 pandemic; these factors in combination have led to a shift in Vermont's overall workforce (VT Futures Project, 2022).

Table 3.11-2. Civilian Labor Force 2000 – 2021

Location	2000	2005	2010	2015	2020	2021	Percent Change in Labor Force (2010-2021)
Franklin County	24,406	25,844	27,704	27,438	27,373	26,722	9.5%
Chittenden County	84,777	86,931	94,608	95,366	96,193	92,865	9.5%
Vermont	334,033	349,520	359,696	346,515	341,138	328,214	-1.7%

Source: BLS, 2000; BLS, 2005; BLS, 2010; BLS, 2015; BLS, 2020; BLS, 2021

Unemployment

The unemployment rate is calculated based on the number of unemployed persons divided by the labor force, where the labor force is the number of unemployed persons plus the number of employed persons. **Table 3.11-3** shows the annual unemployment rates in Franklin and Chittenden Counties, and the State of Vermont overall for the years 2000, 2005, 2010, 2015, 2020, and 2021. Unemployment rates in Franklin County were higher than the State of Vermont for years 2000, 2005, and 2021, same for the year 2015, and lower for years 2010 and 2020. Unemployment rates in Chittenden County were consistently lower than the State of Vermont from 2000 through 2021. The sharp increase in unemployment rates between 2005 and 2010 can be attributed to the 2008 economic crisis, which was part of the global financial downturn. Unemployment rates steadily decreased from 2010 onwards, before sharply increasing in 2020 due to the COVID-19 pandemic (BLS, 2000; BLS,2005; BLS 2010; BLS, 2015; BLS, 2020; BLS, 2021).

Table 3.11-3. Unemployment Rate (%) 2000 – 2021

Location	2000	2005	2010	2015	2020	2021
Franklin County	3.0	3.8	5.9	3.5	5.1	3.5
Chittenden County	2.3	3.1	5.0	2.7	4.7	2.8
Vermont	2.8	3.5	6.3	3.5	5.9	3.4

Source: BLS, 2000; BLS, 2005; BLS, 2010; BLS, 2015; BLS, 2020; BLS, 2021

Per Capita Personal Income

Several measures are used to describe earnings, including per capita personal income (PCPI), total industry income, and compensation by industry. PCPI is the total personal income for county residents divided by the county's total population. Personal income is the income received by a person from all sources, including earnings from work, interest and dividends received, as well as government transfer payments, such as social security checks. Personal income is measured before the deduction of income taxes and other personal taxes and is reported in current dollars. Personal income data are measured and reported for the county of residence.

Table 3.11-4 shows PCPI data for Franklin and Chittenden Counties, and the State of Vermont. All dollar estimates are in current dollars (not adjusted for inflation). In 2021, the PCPI values in Franklin and Chittenden Counties were $54,756 and $67,921 respectively, representing a percent average annual increase of 3.87 percent and 3.40 percent, respectively, since 2000; the state's PCPI increased 3.69 percent per year from 2000 to 2021. As such, the PCPI of Franklin County was lower than that of Vermont, whereas the PCPI of Chittenden County was higher than the state's during the 21-year interval. Overall, the average state PCPI grew roughly at the same rate as the average PCPI of the ROI.

Table 3.11-4. Per Capita Personal Income 2000 – 2021

Location	2000	2005	2010	2015	2020	2021	Average Annual Growth Rate (2000 – 2021)
Franklin County	$24,891	$29,936	$35,869	$42,280	$52,392	$54,756	3.87
Chittenden County	$33,845	$39,754	$46,515	$55,263	$65,123	$67,921	3.40
Vermont	$29,014	$34,878	$41,733	$48,876	$59,296	$61,882	3.69

Source: BEA, 2022a; BEA, 2022b

Industry Compensation

The term "Total Industry Compensation," often used in economic data, is somewhat of a misnomer in that a portion of the "industry earnings" stems from government-related activity. For example, government and government enterprises account for 28.6 percent and 18.8 percent of the total compensation to employees in Franklin and Chittenden Counties, respectively. Nevertheless, total industry compensation provides a good picture of the relative sizes of market-related economic activity or business activity performed in a county (**Table 3.11-5**).

Income is generated by economic activity in the ROI through a variety of sectors, including various types of business, as well as the government. This income is not always received by a person living in the county; for example, a person from a neighboring county may cross county lines when commuting to work. The employee compensation by industry, however, is a measure of economic activity generated in the county, regardless of where the employee resides.

The sources of economic activity in the ROI are shown in **Table 3.11-5**. Compensation data for certain industries in the ROI were not available due to their confidential nature. The government and government enterprises, manufacturing, wholesale and retail trade, professional, scientific, and technical services, and

Table 3.11-5. Compensation of Employees by Industry in Franklin and Chittenden Counties, VT (2021)

Industry Description	Compensation ($000)	
	Franklin County (% of total)	Chittenden County (% of total)
Farm	12,529 (1.1)	6,984 (0.1)
Forestry, fishing, and related activities	4,139 (0.3)	3,158 (0.0)
Mining, quarrying, and oil and gas extraction	2,291 (0.2)	3,462 (0.0)
Utilities	4,901 (0.4)	46,684 (0.6)
Construction	37,940 (3.2)	407,545 (5.0)
Manufacturing	228,943 (19.3)	837,615 (10.2)
Wholesale trade	51,610 (4.4)	361,419 (4.4)
Retail trade	101,356 (8.5)	550,023 (6.7)
Transportation and warehousing	41,226 (3.5)	162,632 (2.0)
Information	6,825 (0.6)	(D)
Finance and insurance	24,041 (2.0)	442,389 (5.4)
Real estate and rental and leasing	4,160 (0.4)	78,445 (1.0)
Professional, scientific, and technical services	44,069 (3.7)	1,102,327 (13.5)
Management of companies and enterprises	468 (0.0)	101,828 (1.2)
Administrative and support and waste management	50,868 (4.3)	344,211 (4.2)
Educational services	2,367 (0.2)	174,120 (2.1)
Health care and social assistance	166,169 (14.0)	1,326,428 (16.2)
Arts, entertainment, and recreation	1,703 (0.1)	56,111 (0.7)
Accommodation and food services	34,268 (2.9)	254,295 (3.1)
Other services (except government and government enterprises)	26,710 (2.3)	(D)
Government and government enterprises	338,884 (28.6)	1,543,879 (18.8)
Total Compensation of Employees	**1,185,467**	**8,192,751**

Source: BEA, 2022c; (D) denotes data not shown to avoid disclosure of confidential information.

Health care and social assistance accounted for the majority of the total compensation to employees in the ROI in 2021.

3.11.1.3 Cross Border Trade

Goods and services worth billions of dollars cross America's borders every day. The LPOEs in Vermont support the trade of more than $2.2 billion worth of goods and services between Vermont and Quebec each year (GSA, 2023b). Around 68 percent of the commodities flowing southbound through the Highgate Springs LPOE include petroleum or coal products, lumber or wood products, food or kindred products, pulp paper or allied products, and farm products. Primary commodities traveling northbound via the LPOE include waste or scrap materials, electrical equipment, lumber or wood products, pulp or paper products, and rubber or miscellaneous plastics (VAOT, 2016). Traffic flowing from Canada to the U.S. directly impacts the economy in Vermont through commerce, trade, tourism, and community development.

3.11.1.4 Tax Rates and Property Values

The State of Vermont and the Town of Highgate receive income to provide services and amenities through levying local property taxes. Reductions of local tax incomes could lead to local budget cuts or higher local taxes on remaining taxable properties. The local budget of the Town of Highgate funds items such as road repair, infrastructure, and other municipal services, while property taxes levied by the State of Vermont fund public schools and education. In Highgate for the fiscal year of 2024, the local property tax rate is 0.4967 percent for non-homestead properties and the state property tax rate for non-homestead properties is 1.7646 percent (Town of Highgate, 2024; VT AA, No Date-a). To calculate the total estimated property tax, the assessed property value was multiplied by the combined tax rate of 2.2613 percent. **Table 3.11-6** presents the total assessed property value and the total estimated yearly tax revenue (or Payment in Lieu of Taxes [PILOT] grant) for the parcels that GSA has acquired or that are under consideration for acquisition under the Proposed Action.

The VAOT property is owned by the State of Vermont and the potential yearly revenue is instead based on the estimated annual value the property provides to the Town of Highgate under the State of Vermont's PILOT program. The state's PILOT program provides annual payments to local municipalities to compensate for municipal taxes they are unable to collect on state-owned buildings (VT AA, No Date-b). The VT Department of Taxes keeps an inventory of state-owned buildings for the annual calculation of PILOT payments. The VAOT property does not contain any buildings or structures and is thus not listed within the inventory (VT AA, 2024). Therefore, the Town of Highgate's total estimated yearly tax revenue (or PILOT payment) for the VAOT property is $0.

Table 3.11-6. Tax Values and Property Values for Properties Acquired by GSA or Under Consideration for Acquisition

Address	Parcel Use	Parcel Number	Parcel Value	State and Local Tax Rate	Estimated Yearly Tax Revenue
429 Welcome Center Road	Commercial	2039020	$532,700	2.2613%	$12,045.95
469 Welcome Center Road	Commercial	2039006	$341,800	2.2613%	$7,729.12
VAOT Property	State	N/A	N/A	N/A	N/A
Total	N/A	N/A	**$874,500**	**2.2613%**	**$19,775.07**

Source: VCGI, 2023; Town of Highgate, 2024; VT AA, No Date-a

3.11.2 Environmental Consequences

3.11.2.1 Proposed Action

As discussed in Section 2.1, the Proposed Action would involve the development of the privately-owned A.N. Deringer, Inc and acquisition of a portion of the VAOT property south of the existing LPOE; the demolition of all existing buildings at the LPOE and private property; and construction of new buildings and supporting areas and facilities.

The implementation of the Proposed Action would increase construction expenditures within the ROI for the duration of the 3-year construction phase. Construction expenditures associated with this alternative are expected to total $169M. These revenues would result in the creation of employment opportunities for architecture/engineering (A/E) firms and construction companies. It is anticipated that up to 80 construction personnel would be hired for the Project, though this number would vary depending on the phase of the construction. Construction materials such as dirt and concrete would be sourced from local suppliers to the extent possible. The procurement of local materials and the hiring of local A/E firms and construction companies could contribute to the indirect creation of jobs within the ROI by increasing revenues at local retail stores and restaurants during the construction period, resulting in induced (i.e., third-order) economic benefits. These benefits would primarily be experienced by businesses and populations located in larger population centers in the vicinity of the Project area, such as St. Albans and Burlington. Increased employment opportunities would also result in improved health benefits to individuals directly and indirectly impacted by the Project. Jobs and income are strongly associated with beneficial health outcomes such as an increase in life expectancy, improved child health status, improved mental health, and reduced rates of chronic and acute disease morbidity and mortality (I, 2004; Cox et al., 2004). The Proposed Action is expected to create additional full-time positions at the LPOE for operations, maintenance, and janitorial services, including one federal GSA position and as many as ten additional contract employees. Data for the additional full-time positions created for GSA's tenant agencies were unavailable due to their confidential nature. No populations are expected to migrate into the ROI to meet any increased demand for jobs that would occur in the short or long term.

In the short-term, businesses in Vermont may experience adverse effects due to the increased vehicle processing time during construction and subsequent delays in delivery of shipments. However, construction would be phased to ensure minimal disruptions to port functionality. After expansion of A-35, traffic at the site is anticipated to increase by approximately 30 percent, which would result in an increase in the amount and value of goods and commodities passing through the LPOE. This increased flow of goods and commodities from Canada, one of U.S.'s largest trading partners, could highlight Vermont's role in the supply chain, which may result in investments from Canadian firms and the strengthening of Vermont's economy and bilateral trade partnership with Quebec. Increased port capacity could potentially increase visitation from Canada and benefit the tourism industry within the City of Burlington. Increased tourism from Canada to Vermont could also support the development of the U.S.-Canada Aerospace Corridor, which links Vermont's $2 billion aerospace and aviation cluster with the $28 billion Canadian aerospace industry (ACCD, 2021).

The Proposed Action would require the development of private property owned by A.N. Deringer, Inc[14]. The private property is zoned for industrial-commercial development. As mentioned in Section 3.2 Land

[14] As mentioned in Chapter 1, GSA purchased the A.N. Deringer, Inc. property on November 1, 2024, following the publication of the Draft EA and prior to the publication of the Final EA. GSA provided relocation assistance to the property owner in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies for

Use, adverse effects would occur through the replacement of private property with federal property due to the loss in expected commercial and real estate tax revenue. The VAOT property is not currently taxed by the Town of Highgate or the State of Vermont, and it does not appear that any grant funds are provided for this property (VT AA, 2024). However, the local and state property tax revenues on the private property, which is split between two parcels, represents nearly $20,000 of annual revenue to the Town of Highgate and the State of Vermont. Based on local and state tax rates, the private property provides an estimated $4,343.64 of annual property tax revenue for the Town of Highgate and an estimated $15,431.43 of annual property tax revenue for the State of Vermont (Town of Highgate, 2024). For context, the Town of Highgate collected approximately $1.9 million in general property taxes in Fiscal Year 2023 and the State of Vermont projected receiving $727.1 million in non-homestead property taxes in Fiscal Year 2023 (Town of Highgate, 2023; VT Office of the Governor, 2023). Thus, the replacement of state and private property with federal land represents an approximately 0.23 percent decrease in the Town of Highgate's tax base, and a 0.0021 percent decrease in the State of Vermont's tax base.

Overall, construction of the new LPOE under the Proposed Action would cause **direct, indirect,** and **induced, short-term, minor, regional,** and **beneficial** economic effects within the ROI due to the creation of A/E and construction jobs during the construction phase of the Project. These effects would be regional as personnel from one or both counties encompassing the ROI, or counties adjacent to the ROI may be hired to work on the construction site. There would be an increase in traffic congestion at the LPOE during construction, resulting in **short-term, negligible, regional,** and **adverse** effects to businesses in Vermont due to potential delays in shipment delivery. There would be **long-term, minor, localized,** and **adverse** effects due to the displacement of a local business, A.N. Deringer, Inc., and its replacement with federal property. There would be **long-term**, **minor**, **localized** and **regional**, and **adverse** effects to socioeconomics due to the loss in expected commercial and real estate tax revenue from replacement of private property with federal property. Effects to cross border trade between the U.S. and Canada would be **long-term**, **minor, regional,** and **beneficial**. There would be **long-term**, **negligible**, **regional**, and **beneficial** effects due to the creation of new jobs at the LPOE.

3.11.2.2 No Action Alternative

No construction or additional land acquisition would occur at the LPOE and adjacent properties under the No Action Alternative. Maintenance, repairs, and alterations would occur as needed, and operation of the existing facilities would continue. There are **long-term, minor, localized,** and **adverse** effects due to the displacement of a local business, A.N. Deringer, Inc., and its replacement with federal property. The No Action Alternative contributes **long-term**, **minor**, **localized** and **regional**, and **adverse** effects to socioeconomics due to the loss in expected commercial and real estate tax revenue from replacement of private property with federal property.

Upon expansion of the Canadian A-35 highway, traffic at the Highgate Springs LPOE would increase by approximately 30 percent. If operation of the LPOE continues under existing conditions, the port would not have the capacity to accommodate this increase in traffic, resulting in adverse effects to businesses in Vermont due to delays in shipment deliveries. However, this increase in traffic would also lead to an increase in the amount and value of goods and commodities entering the U.S. from Canada, resulting in

Federal and Federally Assisted Programs Act (the Uniform Act). The agency determined the amount of just compensation to be offered for the private property; which was no less than the fair market value established by an approved appraisal. Additionally, GSA offered relocation assistance services, payments, and other eligible benefits to any displaced persons in accordance with the policies and provisions in the Uniform Act.

beneficial effects to the industries in Vermont and cross-border trade between the two countries. As such, the No Action Alternative would result in **long-term**, **negligible** and **minor**, **regional,** and **beneficial** and **adverse** effects to socioeconomics.

3.12 DISMISSED RESOURCES

Table 3.12-1 identifies those resources that were dismissed from further analysis and the rationale for dismissal. In conducting this analysis, a qualified subject matter expert reviewed the potential direct and indirect effects of the Project relative to each environmental resource and indicated those resources which would not be measurably affected by the Proposed Action.

Table 3.12-1. Dismissed Resources and Reasons for Dismissal

Resource Dismissed	Rationale for Dismissal
Air Quality	While some fugitive dust emissions may occur during demolition and construction activities, particularly during excavation and vegetation removal, and the operation of construction equipment may release air pollutants, emissions are not expected to exceed the National Ambient Air Quality Standards (NAAQS) [Franklin County complies with all NAAQS and is classified as an attainment area]. These emissions would be short-term in duration, occurring only during the construction period, and are not expected to affect surrounding air quality in the long term. Reasonable precautions would be implemented during construction to minimize any adverse effects to air quality, such as the use of water for dust control, covering open equipment when conveying or transporting material likely to create objectionable air pollution when airborne, and turning off vehicles and equipment when not in use. The LPOE is expected to experience an approximately 30 percent increase in traffic upon completion of A-35. An increased number of vehicles traveling through the LPOE would lead to greater vehicular emissions compared to existing conditions. The Project would increase processing capacity and improve traffic flow at the LPOE, which would minimize vehicle idling time and the subsequent vehicular emissions. Additionally, the new LPOE would produce fewer emissions during facility operations than the amount currently produced by the LPOE as the new buildings would adhere to all the latest building standards and codes. Thus, the Project would result in negligible adverse effects to air quality over the long term, and the NAAQS are not expected to be exceeded. Therefore, this resource was dismissed from further discussion.

Resource Dismissed	Rationale for Dismissal
Recreation	Potential recreation resources located near the Project area include Missisquoi Bay and Highgate State Park. These areas support various recreation activities, such as boating and fishing, although these activities are not commonly, if ever, accessed through the Project area (Major League Fishing, 2016). The Project would not affect recreational activities on or impair access to Missisquoi Bay. Thus, recreational experiences such as boating or swimming on the lake would be unaffected. Highgate State Park lies adjacent to the private property and is located along the shoreline of Missisquoi Bay. However, this park does not contain trails, boat ramps, lake access, designated camping sites, or any other designated recreational opportunities (VT ANR, No Date-d). The park could potentially be used for independent recreational activities, such as backwoods hiking. The clearing of vegetation and construction activities could potentially cause short-term effects to the recreational nature of this park, such as through increased construction noise. Therefore, adverse effects to recreational resources in the short term during construction would be negligible. No effects to recreation are expected to occur in the long term from the operation of the new, expanded LPOE. Thus, this resource was dismissed from further discussion.
Human Health and Safety	Demolition and construction activities could potentially result in workplace injuries to construction workers, such as accidental slips/fall and exposure to high noise levels and pollutants from operating heavy construction machinery, or to contaminated soil from accidental fuel and/or chemical spills. OSHA requirements, such as the use of protective equipment and clothing, engineering controls, and maximum exposure limits with respect to workplace stressors such as air, noise, and spilled pollutants, in addition to other relevant federal and state regulations and industry safety standards would be observed to minimize the potential for any adverse effects to the health and safety of construction personnel. Thus, this resource was dismissed from further discussion.
Visual Resources	The presence of construction vehicles and equipment, along with their activities, would alter the viewshed in the area during construction. These objects are not part of the characteristic viewshed and could detract from the views of the LPOE and the surrounding forest. However, these effects would only last the duration of the Project and would cease upon conclusion of these activities. The new facilities and roadways would be reconfigured on the existing property and expanded into areas that were previously forested. This conversion of natural lands into developed areas would shift part of the characteristic landscape towards a more urbanized setting; however, the characteristic landscape already includes urbanized features. The expanded facilities and roadways would likely resemble those urbanized features already occurring and blend with them in the viewshed; the new facilities may even enhance the urbanized features in the viewshed given the proposed modernized look of the new buildings, depending on the perspective of the observer. Thus, this resource was dismissed from further discussion.

4.0 LIST OF PREPARERS

The following people contributed to the preparation and review of this Final EA:

Table 4.0-1. List of Preparers

Organization	Name	Project Role
GSA	John Maurer	Project Executive, New England Region
	Cristina Clow	Project Manager, New England Region
	Missy Mertz	Environmental Protection Specialist, Mid-Atlantic Region
	Marshall Popkin	National NEPA Project Liaison, GSA Central Office
	Sara Massarello	Realty Specialist, New England Region
	Elizabeth Mees	Architect, Regional Historic Preservation Officer & Regional Fine Arts Officer
	Carol Chirico	Senior Assistant Regional Counsel, New England Region
	Kelly Morrison	Community Engagement Coordinator, New England Region
CBP	Melissa Wiedenfeld	Historic Preservation Specialist
	Rachel Schneider	Environmental Protection Specialist
Solv	Oshin Paranjape	Project Manager and Environmental Analyst
	Leon Kolankiewicz	Program Manager
	Eveline Martin	Quality and Technical Editor
	Nathalie Jacque	Technical Reviewer
	Ben Henderson	Technical Reviewer
	Emily Cohen	Technical Reviewer
	Wendy Grome	Technical Reviewer
	Rupal Patel	Technical Reviewer
	Robbie Baldwin	Environmental Analyst
	Nick Iraola	Environmental Analyst
	Kevin Ebert	GIS Specialist and Environmental Analyst
	Charlie Henning	Environmental Analyst
	Amelia Waring	GIS Specialist and Environmental Analyst
	Emily Thompson	Environmental Analyst
	Pam Sarlouis	Document Manager

5.0 REFERENCES

(Abenaki Nation, No Date). Abenaki Nation of Missisquoi Swanton, VT. No Date. Missisquoi History. Accessed September 2024 at: https://abenakination.com/missisquoi-history.

(ACCD, 2021). Vermont Agency of Commerce and Community Development. January 2021. Vermont and Quebec Aerospace Trade Corridor Endures the Pandemic. Accessed March 2023 at: https://accd.vermont.gov/press-releases/vermont-and-qu%C3%A9bec-aerospace-trade-corridor-endures-pandemic-%C2%A0%C2%A0.

(Alares, 2021). Alares. 2021. Environmental Evaluation of Highgate Springs LPOE and Adjacent Properties. Technical Report.

(Alares, 2022). Alares LLC. August 2022. Preferred Alternative Feasibility Study Water Service/Supply Highgate Springs Land Port of Entry.

(BEA, 2022a). Department of Commerce, Bureau of Economic Analysis. 2022. Table CAINC1. County and MSA Personal Income Summary: Personal Income, Population, Per Capita Personal Income. Franklin County, VT; Chittenden County, VT; State of Vermont. Accessed March 2023 at: https://apps.bea.gov/iTable/?reqid=70&step=1&acrdn=8.

(BEA, 2022b). Department of Commerce, Bureau of Economic Analysis. 2022. Table CAINC1. County and MSA Personal Income Summary: Personal Income, Population, Per Capita Personal Income. *Percent Change from Preceding Period*. Franklin County, VT; Chittenden County, VT; State of Vermont. Accessed March 2023 at: https://apps.bea.gov/iTable/?reqid=70&step=1&acrdn=8.

(BEA, 2022c). Department of Commerce, Bureau of Economic Analysis. 2022. Table CAINC6N. Compensation of Employees by NAICS Industry. Franklin County, VT; Chittenden County, VT. Accessed March 2023 at: https://apps.bea.gov/iTable/?reqid=70&step=1&acrdn=8.

(Berger et al., 2018). Berger, E.H., R. Neitzel, and C.A. Kladden. 2018. Noise Navigator™ Sound Level Database. University of Michigan, Department of Environmental Health Science. Available online at: http://multimedia.3m.com/mws/media/1262312O/3m-noise-navigator.xlsx.

(BLS, 2000). Bureau of Labor Statistics. 2000. Labor Force Data by County, 2000 Annual Averages. Available online at: https://www.bls.gov/lau/laucnty00.txt.

(BLS, 2005). Bureau of Labor Statistics. 2005. Labor Force Data by County, 2005 Annual Averages. Available online at: https://www.bls.gov/lau/laucnty05.txt.

(BLS, 2010). Bureau of Labor Statistics. 2010. Labor Force Data by County, 2010 Annual Averages. Available online at: https://www.bls.gov/lau/laucnty10.txt.

(BLS, 2015). Bureau of Labor Statistics. 2015. Labor Force Data by County, 2015 Annual Averages. Available online at: https://www.bls.gov/lau/laucnty15.txt.

(BLS, 2020). Bureau of Labor Statistics. 2020. Labor Force Data by County, 2020 Annual Averages. Available online at: https://www.bls.gov/lau/laucnty20.txt.

(BLS, 2021). Bureau of Labor Statistics. 2021. Labor Force Data by County, 2020 Annual Averages. Available online at: https://www.bls.gov/lau/laucnty21.txt.

(BTS, 2018). Bureau of Transportation Statistics, Office of Spatial Analysis and Visualization. 2018. National Transportation Noise Map. Accessed March 2023 at: https://maps.dot.gov/BTS/NationalTransportationNoiseMap/.

(BTS, 2024). Bureau of Transportation Statistics, U.S. Department of Transportation. 2024. Border Crossing Entry Data. Accessed September 2024 at: https://explore.dot.gov/views/BorderCrossingData/Annual?%3Aembed=y&%3AisGuestRedirectFromVizportal=y.

(CBP, 2022). U.S. Customs and Border Protection. 2022. NEXUS. Accessed February 2023 at: https://www.cbp.gov/travel/trusted-traveler-programs/nexus.

(CDC, 2019). Centers for Disease Control and Prevention. 2022. Loud Noise Can Cause Hearing Loss. Accessed March 2023 at: https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html.

(City of St. Albans, 2021). City of St. Albans Water Department. 2021. Water Quality Report. Available online at: https://www.stalbansvt.com/vertical/sites/%7B6057F00C-4FBC-4942-B5A5-C142459B1038%7D/uploads/2021_CCR_Pamphlet.pdf.

(Cox et al., 2004). Cox, T., S. Leka, I. Ivanov, and E. Kortum. 2004. Work, employment, and mental health in Europe. Work & Stress. 18(2): 179 – 185. Accessed March 2023 at: https://www.researchgate.net/publication/247511093_Work_employment_and_mental_health_in_Europe.

(Crippen, 2010). Crippen, R.E. 2010. Global topographical exploration and analysis with the SRTM and ASTER elevation models. Geological Society, London, Special Publications, 345(1), 5-15. Accessed October 2023 at: https://doi.org/10.1144/SP345.2.

(DBB, 2023a). Davis Brody Bond & Spacesmith. 2023. Prepared for the U.S. General Services Administration. Land Port of Entry Highgate Springs Peer Review.

(DBB, 2023b). Davis Brody Bond & Spacesmith. 2023. Prepared for the U.S. General Services Administration. Highgate Springs New Land Port of Entry Pre-Design Report.

(DBB, 2024). Davis Brody Bond & Spacesmith. 2024. Prepared for the U.S. General Services Administration. Highgate Springs New Land Port of Entry, VT Wetland Impact Concept Study.

(Earthquake Track, 2024a). Earthquake Track. 2024. Biggest Earthquakes Near Burlington, VT. Accessed June 2024 at: https://earthquaketrack.com/us-vt-burlington/biggest.

(Earthquake Track, 2024b). Earthquake Track. 2024. Recent Earthquakes Near Burlington, VT. Accessed June 2024 at: https://earthquaketrack.com/us-vt-burlington/recent.

(eCFR, 2021). Electronic Code of Federal Regulations. 2021. 29 CFR §1926.52 Occupational noise exposure. Accessed July 2024 at: https://www.ecfr.gov/cgi-bin/text-idx?node=se29.8.1926_152&rgn=div8.

(EPA, 1981). U.S. Environmental Protection Agency, Office of Noise Abatement and Control. 1981. Noise Effects Handbook: A Desk Reference to Health and Welfare Effects of Noise. Available online at: https://www.nonoise.org/library/handbook/handbook.htm.

(EPA, 2005). U.S. Environmental Protection Agency. 2005. Polychlorinated Biphenyl (PCB) Site Revitalization Guidance under the Toxic Substances Control Act (TSCA). Available online at: https://www.epa.gov/sites/default/files/2015-08/documents/pcb-guid3-06.pdf.

(EPA, 2009). U.S. Environmental Protection Agency. 2009. Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under Section 438 of the Energy Independence and Security Act. Available online at: https://www.epa.gov/sites/default/files/2015-08/documents/epa_swm_guidance.pdf.

(EPA, 2020). U.S. Environmental Protection Agency. 2020. Clean Air Act Title IV - Noise Pollution. Accessed March 2023 at: https://www.epa.gov/clean-air-act-overview/clean-air-act-title-iv-noise-pollution#:~:text=What%20is%20Noise%20Pollution%3F,diminishes%20one's%20quality%20of%20life.

(EPA, 2022a). U.S. Environmental Protection Agency. 2022. Ecoregions. Accessed February 2023 at: https://www.epa.gov/eco-research/ecoregions.

(EPA, 2022b). U.S. Environmental Protection Agency. 2022. EPA Actions to Protect the Public from Exposure to Asbestos. Accessed February 2023 at: https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos.

(EPA, 2022c). U.S. Environmental Protection Agency. 2022. Lead-Based Paint and Demolition. Accessed February 2023 at: https://www.epa.gov/large-scale-residential-demolition/lead-based-paint-and-demolition.

(EPA, 2023). U.S. Environmental Protection Agency. 2023. Definition of Lead-Based Paint Joint Virtual Workshop; Notice of Public Meeting and Request for Comments. Accessed June 2024 at: https://www.federalregister.gov/documents/2023/07/12/2023-14682/definition-of-lead-based-paint-joint-virtual-workshop-notice-of-public-meeting-and-request-for#:~:text=EPA%20and%20HUD%20define%20LBP,source%20of%20childhood%20lead%20exposure.

(EPA, 2024). U.S. Environmental Protection Agency. 2024. Statute and Regulations Addressing Impaired Waters and TMDLs. Accessed July 2024 at: https://www.epa.gov/tmdl/statute-and-regulations-addressing-impaired-waters-and-tmdls.

(EPA, No Date). U.S. Environmental Protection Agency. No Date. RCRAInfo Facility Information. Accessed February 2023 at: https://enviro.epa.gov/envirofacts/rcrainfo/search/results?registry_id=110038863110.

(EYP, 2019). EYP. 2019. Highgate Springs Land Port of Entry Final Feasibility Study Report.

(Fairbridge, 1954). Fairbridge, R. W. 1954. Stratigraphic correlation by micro-facies. American Journal of Science, 252 (11), 683–694. Accessed July 2024 at: https://link.springer.com/referenceworkentry/10.1007/0-387-30844-X_46.

(FEMA, 1983). Federal Emergency Management Agency. 1983. Flood Insurance Rate Map for the Town of Highgate, Vermont. Community Panel Number 5000550005B.

(FEMA, 2020). U.S. Department of Homeland Security, Federal Emergency Management Agency. 2020. Eastern United States Earthquake Hazard Map. Available online at:

https://www.fema.gov/sites/default/files/2020-07/fema_hazard_maps_eastern-map_graphic.jpg.

(Google Earth, 2023). Google Earth. 2023. Google Earth Topographic Imagery. Web tool. Accessed February 2023 at: https://earth.google.com/web/.

(Google Maps, 2022). Google Maps. 2022. Google Earth Terrain Imagery, Street View. Accessed August 2024 at: https://www.google.com/maps/@45.0085102,-73.0881573,3a,64.3y,233.41h,84.81t/data=!3m6!1e1!3m4!1s2N0T-TUhpXLcjV2aKY7BhQ!2e0!7i16384!8i8192?coh=205409&entry=ttu.

(GSA, 1994). U.S. General Services Administration. 1994. New U.S. Border Station Highgate Springs, Vermont Environmental Assessment.

(GSA, 1999). U.S. General Services Administration, Public Buildings Service. 1999. NEPA Desk Guide. Available online at: https://www.gsa.gov/system/files/PBS_NEPA_Deskguide.pdf.

(GSA, 2012). U.S. General Services Administration, Public Buildings Service. 2012. Indoor Firing Range Design, Operations & Maintenance Criteria.

(GSA, 2017). U.S. General Services Administration. 2017. BorderWizard Analysis Technical Review Summary. Sizing and Capacity Analysis for Port of Entry Facilities in Highgate Springs, VT.

(GSA, 2023a). General Services Administration. 2023. Highgate Springs, VT Land Port of Entry. Accessed March 2023 at: https://www.gsa.gov/about-us/regions/region-1new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

(GSA, 2023b). U.S. General Services Administration. 2023. Bipartisan Infrastructure Law Construction Projects. Vermont. Accessed March 2023 at: https://www.gsa.gov/real-estate/gsa-properties/land-ports-of-entry-and-the-bil/bipartisan-infrastructure-law-construction-project/vermont.

(GSA, 2024). U.S. General Services Administration. 2024. Universal Waste. Accessed online June 2024 at: https://www.epa.gov/hw/universal-waste.

(HDA, 2004). National Health Service, Health Development Agency. 2004. The evidence about work and health.

(IJC, 2020). International Joint Commission. 2020. Nutrient Loading and Impacts in Lake Champlain – Missisquoi Bay and Lake Memphremagog. Technical Report. Available online at: https://dec.vermont.gov/sites/dec/files/wsm/lakes/docs/Government_Package_English_Revised.pdf

(Langan, 2023). Langan Engineering, Surveying, Landscape Architecture and Geology, D.P.C. 2023. Wetland Delineation Report.

(Lu, 2015). Lu, J. 2015. Introduction to Environmental Forensics (Third Edition), Chapter 6 - Identification of Forensic Information from Existing Conventional Site-Investigation Data Pages 149-164. ISBN 9780124046962. Accessed October 2023 at: https://doi.org/10.1016/B978-0-12-404696-2.00006-0.

(Maine DOT, 2021). Maine Department of Transportation. 2021. NEPA Migratory Bird Guidance. Available online at: https://www.maine.gov/mdot/env/NEPA/_assets/docs/2021/Migratory%20Birds_11.9.21.pdf.

(Major League Fishing, 2016). Major League Fishing. Jody White and Jesse Schultz. 2016. Where to Catch Bass on Lake Champlain. Accessed July 2024 at: https://majorleaguefishing.com/pro-circuit/2016-06-22-where-to-catch-bass-on-lake-champlain/.

(NorthWoods, No Date). NorthWoods Stewardship Center. No Date. VT Small Mammal Atlas. Accessed June 2024 at: https://www.northwoodscenter.org/wordpress/conservation/forest-stewardship-institute-fsi/small-mammal-atlas/.

(NRCS, 1978). Natural Resources Conservation Service. 1978. Prime and Unique Farmlands. 7 CFR Part 657. Accessed February 2023 at: https://www.ecfr.gov/current/title-7/subtitle-B/chapter-VI/subchapter-F/part-657.

(NRCS, 2007). Natural Resources Conservation Service, U.S. Department of Agriculture. 2023. Official Soil Series Description. Farmington Series. Accessed February 2023 at: https://soilseries.sc.egov.usda.gov/OSD_Docs/F/FARMINGTON.html.

(NRCS, 2016). Natural Resources Conservation Service. 2016. Vermont Federally Threatened and Endangered Species List by Town and County. Available online at: https://efotg.sc.egov.usda.gov/references/public/VT/Species_By_County-Town_VT_2-2-2016.pdf.

(NRCS, 2023). Natural Resources Conservation Service, U.S. Department of Agriculture. 2023. Web Soil Survey Custom Soil Report. Accessed February 2023 at: https://websoilsurvey.nrcs.usda.gov/app/.

(NRPC, 2015). Northwest Regional Planning Commission. 2015. Highgate Town Plan. Planning Report. Accessed online February 2023. Available online at: https://www.nrpcvt.com/wp-content/uploads/2022/08/HighgateTownPlan2015-1.pdf.

(OSHA, 2013). Occupational Safety and Health Administration. 2013. Technical Manual (OTM) Section III: Chapter 5: Noise. Available online at: https://www.osha.gov/dts/osta/otm/new_noise/index.html#background.

(PAL, 2023). Public Archaeology Lab, Inc. 2023. Technical Report. Phase 1A Archaeological Reconnaissance Investigation Highgate Springs Land Port of Entry Development Project.

(PAL, 2024). Public Archaeology Lab, Inc. 2024. Technical Report. Phase 1A Historic Architectural Resources Assessment Survey Highgate Springs Land Port of Entry Development Project.

(Saint Albans Messenger, 2022). Ellerbrock, J. 2022. Saint Albans Messenger. Burlington's influence is everywhere in Franklin County – Part 1: Workforce. Accessed March 2023 at: https://www.samessenger.com/news/burlingtons-influence-is-everywhere-in-franklin-county-part-1-workforce/article_5255a808-1da5-11ed-b61c-53dce226812c.html.

(Solv, 2023a). Solv, LLC. 2023. Photographs of the Project Area Captured During January 2023 Site Visit.

(Solv, 2023b). Solv, LLC. 2023. 11-22-23 Meeting GSA Comments on the Preliminary Draft EA and Solv Responses.

(Solv, 2024). Solv, LLC. 2023. Meeting Notes – GSA Highgate Springs EA Meeting 1-31-24.

(Stewart, 1974). Stewart, D.P. 1974. Geology For Environmental Planning in the Milton-St. Albans Region. Available online at: https://dec.vermont.gov/sites/dec/files/geo/envgeo/Stewart1974Milton.pdf

(Suter, 1991). Suter, A.H. 1991. Administrative Conference of the United States. Noise and Its Effects. November 1991. Available online at: https://www.nonoise.org/library/suter/suter.htm.

(Town of Highgate, 2022). Town of Highgate, Highgate Planning Commission. 2022. Zoning Map. Accessed online February 2023. Available online at: https://www.nrpcvt.com/wp-content/uploads/2022/08/Map_HighgateZoning.pdf.

(Town of Highgate, 2023). Town of Highgate. 2023. 2023 Highgate Vermont Town Reports. Available online at: https://www.highgatevt.org/vertical/sites/%7B27DD8364-9602-460E-9A11-4C6436D74153%7D/uploads/PDF_2023_town_report(7).pdf.

(Town of Highgate, 2024). Town of Highgate. 2024. 2024-2025 Tax Rates. Available online at: https://www.highgatevt.org/vertical/sites/%7B27DD8364-9602-460E-9A11-4C6436D74153%7D/uploads/2024-2025_TAX_RATES_-_approved(7).pdf.

(USACE, 2024). U.S. Army Corps of Engineers. 2024. Approved Jurisdictional Determination.

(USCB, 2010). U.S. Census Bureau, American Community Survey 5-Year Estimates Data Profiles. 2010. Franklin County. Chittenden County. State of Vermont. Table ID: DP05. Accessed March 2023 at: https://data.census.gov/table?t=Populations+and+People&g=0400000US50_0500000US50007,50011&tid=ACSDP5Y2010.DP05.

(USCB, 2015). U.S. Census Bureau, American Community Survey 5-Year Estimates Data Profiles. 2015. Franklin County. Chittenden County. State of Vermont. Table ID: DP05. Accessed March 2023 at: https://data.census.gov/table?t=Populations+and+People&g=0400000US50_0500000US50007,50011&tid=ACSDP5Y2015.DP05.

(USCB, 2020). U.S. Census Bureau, American Community Survey 5-Year Estimates Data Profiles. 2020. Franklin County. Chittenden County. State of Vermont. Table ID: DP05. Accessed March 2023 at: https://data.census.gov/table?t=Populations+and+People&g=0400000US50_0500000US50007,50011&tid=ACSDP5Y2020.DP05.

(USCB, 2021). U.S. Census Bureau, American Community Survey 5-Year Estimates Data Profiles. 2021. Franklin County. Chittenden County. State of Vermont. Table ID: DP05. Accessed March 2023 at: https://data.census.gov/table?t=Populations+and+People&g=0400000US50_0500000US50007,50011&tid=ACSDP5Y2021.DP05.

(USFWS, 2022a). U.S. Fish and Wildlife Service Environmental Conservation Online System. 2022. Jesup's milk-vetch (Astragalus robbinsii var. jesupii) Current Range. Accessed August 2024 at: https://ecos.fws.gov/ecp/species/388.

(USFWS, 2022b). U.S. Fish and Wildlife Service Environmental Conservation Online System. 2022. Northeastern bulrush (Scirpus ancistrochaetus) Current Range. Accessed August 2024 at: https://ecos.fws.gov/ecp/species/6715.

(USFWS, 2023a). U.S. Fish and Wildlife Service. 2023. IPaC Resource List. Accessed January 2023 at: https://ipac.ecosphere.fws.gov/project/67J3MPQKZZFNVG37GLKP2ZNM5Y.

(USFWS, 2023b). U.S. Fish and Wildlife Service Environmental Conservation Online System. 2023. Small whorled pogonia (Isotria medeoloides) Current Range. Accessed August 2024 at: https://ecos.fws.gov/ecp/species/1890?wpmobileexternal=true.

(USFWS, 2024a). U.S. Fish and Wildlife Service. 2023. Email Communication Between USFWS and GSA. Re: Request for Informal Consultation for the Highgate Springs LPOE Project.

(USFWS, 2024b). U.S. Fish and Wildlife Service. 2024. Nationwide Avoidance & Minimization Measures for Birds. Accessed August 2024 at: https://www.fws.gov/sites/default/files/documents/2024-07/nationwide_avoidance_minimization_measures_birds_0.pdf.

(USFWS, No Date-a). U.S. Fish and Wildlife Service. No Date. Northern Long-eared Bat Habitat. Accessed August 2024 at: https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis.

(USFWS, No Date-b). U.S. Fish and Wildlife Service. No Date. Tricolored Bat Habitat. Accessed August 2024 at: https://www.fws.gov/species/tricolored-bat-perimyotis-subflavus.

(USGS, 2010). U.S. Geological Survey. 2010. Ecoregions of New York. Available online at: http://ecologicalregions.info/data/ny/NY_front.pdf.

(USGS, 2024). U.S. Geological Survey. 2024. U.S. Quaternary Faults. Accessed June 2024 at: https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.

(USGS, No Date-a). U.S. Geological Survey. No Date. What is a "Quaternary" fault? Accessed August 2024 at: https://www.usgs.gov/faqs/what-quaternary-fault#:~:text=A%20Quaternary%20fault%20is%20one,the%20last%202.6%20million%20years.

(USGS, No Date-b). U.S. Geological Survey. No Date. topoBuilder Application v: 1.5.6. Accessed August 2024 at: https://topobuilder.nationalmap.gov/.

(UVM, No Date). University of Vermont. No Date. Place-Based Landscape Analysis and Community Engagement. Greensboro Bend. Abenaki People. Accessed March 2023 at: https://www.uvm.edu/place/towns/greensborobend/abenaki.php.

(VAOT, 2016). Vermont Agency of Transportation. 2016. Phase II Technical Memorandum. Traffic Impacts of the Autoroute 35 Extension to the Vermont Border.

(VCGI, 2023). Vermont Center for Geographic Information. 2023. Vermont Parcel Viewer version 4.0.1. Accessed September 2024 at: https://experience.arcgis.com/experience/b5a5cc7663c84761a305f70b913e1a60#widget_23=active_datasource_id:dataSource_1,center:-8135803.169357575%2C5623207.571498829%2C102100,scale:9027.977411000003.

(VGA, No Date). Vermont General Assembly. No Date. 13 V.S.A. § 1022 Noise in the nighttime. Accessed March 2023 at: https://legislature.vermont.gov/statutes/section/13/019/01022.

(VT AA, No Date-a). Vermont Agency of Administration Department of Taxes. No Date. FY2025 Education Property Tax Rate Table. Accessed September 2024 at: https://tax.vermont.gov/property/education-property-tax-rates.

(VT AA, No Date-b). Vermont Agency of Administration Department of Taxes. No Date. General Payment in Lieu of Taxes (PILOT). Accessed September 2024 at: https://tax.vermont.gov/municipal-officials/reports/pilot.

(VT AA, 2023). Vermont Agency of Administration Department of Taxes. 2023. 2023 (FY 2024) PILOT by Town. Available online at: https://fpr.vermont.gov/sites/fpr/files/documents/Mailing%20for%20Towns%20PILOT%20FY2024.pdf.

(VT AA, 2024). Vermont Agency of Administration Department of Taxes. 2024. Accessed September 2024 at: https://tax.vermont.gov/document/fy25-building-pilot.

(VT ANR, 2006). Vermont Agency of Natural Resources – Fish and Wildlife Department. 2006. Limestone Bluff Cedar-Pine Forests of Vermont: A Statewide Inventory. Available online at: https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Library/REPORTS%20AND%20DOCUMENTS/NONGAME%20AND%20NATURAL%20HERITAGE/NATURAL%20COMMUNITIES/Limestone%20Bluff%20Cedar-Pine%20Forests%20of%20VT%20-%20Statewide%20Inventrory.pdf.

(VT ANR, 2020). Vermont Agency of Natural Resources. 2020. Natural Resource Atlas. Accessed February 2023 at: https://anrmaps.vermont.gov/websites/anra5/.

(VT ANR, 2022). Vermont Agency of Natural Resources. 2022. Hazardous Waste Management Regulations. Available online at: https://dec.vermont.gov/sites/dec/files/wmp/HazWaste/Documents/VHWMR%20Effective%20Feb%2001%2C%202022%20Complete%20Document.pdf.

(VT ANR, 2023a). Vermont Agency of Natural Resources. 2023. Vermont Wetland Rules. Available online at: https://dec.vermont.gov/sites/dec/files/documents/wsmd_VermontWetlandRules.pdf.

(VT ANR, 2023b). Vermont Agency of Natural Resources Bio Finder. 2023. Habitat Blocks Summary. Available online at: https://anr.vermont.gov/sites/anr/files/documents/Habitat%20Blocks%20Summary.pdf.

(VT ANR, 2024a). Vermont Department of Environmental Conservation, Agency of Natural Resources. 2024. Geology and Hazards. Accessed June 2024 at: https://dec.vermont.gov/geological-survey/hazards.

(VT ANR, 2024b). Vermont Agency of Natural Resources. 2024. Communication with VT ANR.

(VT ANR, 2024c). Vermont Agency of Natural Resources. 2024. GIS – Open Data: Habitat Blocks. Accessed June 2024 at: https://anrgeodata.vermont.gov/datasets/bdcd6f1bb14948c88c955fa847642d41_1/explore.

(VT ANR, 2024d). Vermont Agency of Natural Resources. 2024. GIS – Open Data: VT Significant Natural Communities. Accessed June 2024 at: https://anrgeodata.vermont.gov/datasets/837e09c281204f15a54478f7e469a955_0/explore.

(VT ANR, No Date-a). Vermont Agency of Natural Resources Department of Fish and Wildlife. No Date. Natural Community Inventory. Accessed June 2024 at: https://vtfishandwildlife.com/conserve/conservation-planning/natural-community-inventory.

(VT ANR, No Date-b). Vermont Agency of Natural Resources Department of Fish and Wildlife. No Date. Limestone Bluff Cedar-Pine Forest. Accessed August 2024 at: https://vtfishandwildlife.com/conserve/conservation-planning/natural-community-fact-sheets/limestone-bluff-cedar-pine-forest.

(VT ANR, No Date-c). Vermont Agency of Natural Resources Department of Fish and Wildlife. No Date. Vermont Conservation Design. Accessed June 2024 at: https://vtfishandwildlife.com/conserve/vermont-conservation-design.

(VT ANR, No Date-d). Vermont Agency of Natural Resources Department of Forests. No Date. Vermont Natural Areas. Accessed February 2023 at: https://fpr.vermont.gov/vermont-natural-areas.

(VT F&W, 2014). Vermont Agency of Natural Resources Department of Fish and Wildlife. 2014. Vermont Habitat Blocks and Habitat Connectivity: An Analysis using Geographic Information Systems. Available online at: https://fpr.vermont.gov/sites/fpr/files/Forest_and_Forestry/Vermont_Forests/Library/VFWD%20Habitat%20Block%20Report-April%202014.pdf.

(VT F&W, 2022a). Vermont Fish and Wildlife Department Natural Heritage Inventory. 2022. Endangered and Threatened Animals of Vermont. Available online at: https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Library/REPORTS%20AND%20DOCUMENTS/NONGAME%20AND%20NATURAL%20HERITAGE/ENDANGERED%2C%20THREATENED%20AND%20RARE%20SPECIES%20LISTS/Endangered%20and%20Threatened%20Animals%20of%20Vermont.pdf.

(VT F&W, 2022b). Vermont Fish and Wildlife Department Natural Heritage Inventory. 2022. Endangered and Threatened Plants of Vermont. Available online at: https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Library/REPORTS%20AND%20DOCUMENTS/NONGAME%20AND%20NATURAL%20HERITAGE/ENDANGERED%2C%20THREATENED%20AND%20RARE%20SPECIES%20LISTS/Endangered%20and%20Threatened%20Plants%20of%20Vermont.pdf.

(VT Futures Project, 2022). Chu, Kevin. Vermont Futures Project. 2022. Part 2 – Labor Force Participation. Accessed March 2023 at: https://vtfuturesproject.org/part-2-labor-force-participation/.

(VTDEC, 2021). Vermont Agency of Natural Resources, Department of Environmental Conservation, Water Investment Division. 2021. Missisquoi Bay Watershed Basin 6 Tactical Basin Plan. Available online at: https://dec.vermont.gov/sites/dec/files/WID/WPP/2021%20DRAFT%20Missisquoi%20Bay%20Tactical%20Basin%20Plan%20signed.pdf.

(VTDEC, No Date-a). Vermont Agency of Natural Resources, Department of Environmental Conservation. No Date. Jurisdictional Wetlands. Accessed June 2024 at: https://dec.vermont.gov/watershed/wetlands/jurisdictional.

(VTDEC, No Date-b). Vermont Agency of Natural Resources, Department of Environmental Conservation. No Date. Seeps and Vernal Pools. Available online at: https://dec.vermont.gov/sites/dec/files/wsm/wetlands/docs/5._Seeps_and_Vernal_Pools.pdf.

(VTDEC, No Date-c). Vermont Agency of Natural Resources, Department of Environmental Conservation. No Date. Public Community and NTNC Water Systems. Accessed June 2024 at: https://dec.vermont.gov/water/drinking-water/public-drinking-water-systems/ntncws.

(VTDigger, 2020). Trombly, Justin. VTDigger. 2020. Scott signs bill recognizing Abenaki fishing, hunting, right. Accessed September 2024 at: https://vtdigger.org/2020/07/19/scott-signs-bill-recognizing-abenaki-fishing-hunting-rights/.

(VT Geological Survey, 2023). Vermont Geological Survey. 2023. Bedrock Geologic Map of Vermont – Units. Webtool. Accessed February 2023 at: https://geodata.vermont.gov/datasets/VTANR::bedrock-geologic-map-of-vermont-units/explore?location=44.996152%2C-73.058746%2C13.67.

(VT Office of the Governor, 2023). Vermont Office of the Governor. 2023. FY 2024 Executive Budget Summary. Available online at: https://spotlight.vermont.gov/sites/spotlight/files/documents/FY2024%20Executive%20Budget%20Summary.pdf.

(WSP, 2022). WSP USA Environment and Infrastructure, Inc. 2022. Phase I Environmental Site Assessment Highgate Springs Land Port of Entry, Interstate-89 and US-Canada International Border. Technical Report.

APPENDIX A: SCOPING REPORT

SCOPING REPORT FOR THE
HIGHGATE SPRINGS LAND PORT OF ENTRY
DRAFT ENVIRONMENTAL ASSESSMENT

PREPARED FOR:

GENERAL SERVICES ADMINISTRATION

SUBMITTED BY:

Solv LLC
8201 Greensboro Drive, Suite 700
McLean, VA 22102

CONTENTS

1.0 INTRODUCTION 1
2.0 PROJECT DESCRIPTION 1
2.1 Project Location 3
2.2 Existing Facilities 4
2.3 Purpose and Need 4
2.4 Proposed Alternatives 4
3.0 NOTIFICATION OF SCOPING MEETING 5
3.1 Newspapers Advertisements 5
3.2 Public Service Announcement 5
3.3 Letter to Interested Parties 6
3.4 Press Release and Social Media Posts 7
4.0 PUBLIC SCOPING MEETING 7
5.0 PUBLIC SCOPING COMMENTS 8
5.1 Collecting Comments 8
5.2 Summary of Comments 8
5.3 Issues Identified During Scoping 8
5.4 Summary of Comments by Subject 9
5.4.1 Alternatives 9
5.4.2 Cultural Resources 9
5.4.3 Permits 9
5.4.4 Requests for Information 10
5.4.5 Socioeconomics 10
5.4.6 Traffic and Transportation 10
5.4.7 Water Resources 11

TABLES:

Table 2-1. Comparison of Alternative 1, Alternative 2, and No Action Alternative 5
Table 3-1. List of Radio Stations 6
Table 5-1. Commenters and Comments by Subject 9

FIGURES:

Figure 2-1. Regional Location of the Highgate Springs LPOE 2
Figure 2-2. Highgate Springs LPOE Vicinity and Project Area 3
Figure 4-1. Participants Attending the Public Scoping Meeting 7

ACRONYMS AND ABBREVIATIONS

A-35	Autoroute-35
APHIS	Animal and Plant Health Inspection Service
CBP	U.S. Customs and Border Protection
EA	Environmental Assessment
FDA	U.S. Food and Drug Administration
ft	Feet
GP	General Permit
GSA	U.S. General Services Administration
HAZMAT	Hazardous Material
I-89	Interstate Highway 89
IP	Individual Permit
LPOE	Land Port of Entry
NEPA	National Environmental Policy Act
POV	Privately-owned Vehicle
PSA	Public Service Announcement
U.S.	United States of America
USACE	U.S. Army Corps of Engineers
VT	Vermont
VAOT	Vermont Department of Transportation

1.0 INTRODUCTION

The United States (U.S.) General Services Administration (GSA) is preparing a Draft Environmental Assessment (EA) to analyze the potential impacts from the proposed expansion and modernization of the Land Port of Entry (LPOE) at Highgate Springs, Vermont (VT) [the Project]. GSA is the lead agency for the EA, acting on behalf of its federal agency tenants – U.S. Department of Homeland Security's Customs and Border Protection (CBP), Food and Drug Administration (FDA), and U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS).

GSA conducted public scoping and held a scoping meeting as part of the National Environmental Policy Act (NEPA) process associated with the development of the Draft EA. This scoping report outlines the Project, GSA's scoping process, and summarizes the key issues identified by members of the public and other interested parties during the scoping period held from January 3 to February 17, 2023. This document also includes the following appendices:

- Appendix A: Newspaper Affidavits and Tear Sheets
- Appendix B: Public Service Announcement
- Appendix C: Letter to Interested Parties
- Appendix D: Press Release and Social Media Posts
- Appendix E: Scoping Meeting Poster Display
- Appendix F: Scoping Meeting Handout
- Appendix G: Scoping Meeting Comment Form
- Appendix H: Scoping Meeting Sign-In Sheet
- Appendix I: Scoping Meeting Presentation Transcript
- Appendix J: Comments Submitted During Scoping Period
- Appendix K: Index of Comments

Note that this report was prepared to capture the information shared by GSA with the public during the scoping period and the public's response to the Project proposed at that time. During the scoping period, GSA was considering two action alternatives to the Project. Between April, 2023 and May, 2024, GSA and CBP conducted several studies that proposed changes to the original designs and layouts of the new, expanded LPOE that were presented to the public at the scoping meeting. The original Project alternatives have since been eliminated from consideration and have been replaced by one action alternative, the Proposed Action, which is analyzed in detail in the Draft EA. However, this report provides an overview of the Project as it stood at the time of the scoping period.

2.0 PROJECT DESCRIPTION

The Highgate Springs LPOE, located approximately 40 miles north of Burlington, VT, is one of the three busiest LPOEs in New England (see **Figure 2-1**). CBP currently inspects private and commercial vehicles and truck traffic crossing into the U.S. The existing LPOE does not have the capacity to accommodate the projected increase in traffic along the U.S. Interstate Highway 89 (I-89) at the U.S.-Canada border. The Canadian government is constructing the final segment of its Autoroute-35 (A-35) between Montreal and Saint-Armand/Philipsburg, Quebec. When completed, traffic at the LPOE is projected to increase by approximately 30 percent. Additionally, current facilities and configurations at the LPOE do not meet the needs of GSA's tenant agencies and do not allow for efficient and safe inspections of the traveling public. GSA is proposing to expand and modernize LPOE operations at Highgate Springs.

Figure 2-1. Regional Location of the Highgate Springs LPOE

2.1 PROJECT LOCATION

The Highgate Springs LPOE is located in Franklin County, VT and is bounded by the U.S.-Canada border to the north; I-89 to the east; Vermont Agency of Transportation (VAOT) property to the south; and private property to the west. The LPOE lies approximately 1,340 feet (ft) to the east of Lake Champlain and is predominantly surrounded by woodlands. **Figure 2-2** below shows a map of the Project area and its vicinity. The Project area includes property owned by GSA which encompasses the existing LPOE (approximately 16 acres) and undeveloped, forested area (approximately 4.1 acres), the 57-acre private property to the west which includes 3 acres of developed land and 54 acres of undeveloped, forested land, and the 4-acre VAOT property to the south consisting entirely of developed land.

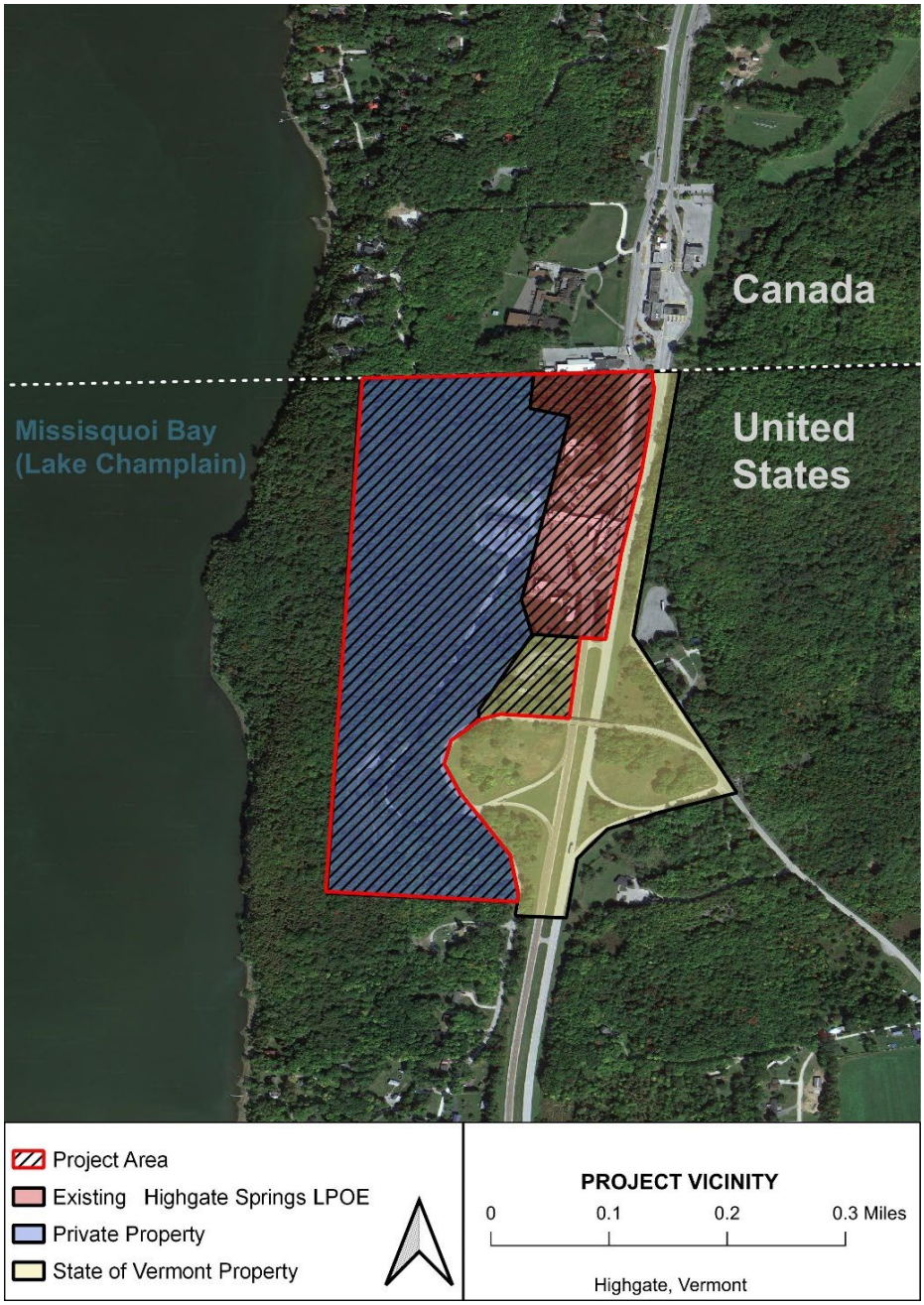


Figure 2-2. Highgate Springs LPOE Vicinity and Project Area

2.2 EXISTING FACILITIES

Existing facilities at the LPOE include the Main Port Building; Commercial Inspection Building; APHIS Inspection Facility; Wastewater Treatment Building; Hazardous Materials (HAZMAT) Inspection Canopy; Non-Intrusive Inspection/Vehicle and Cargo Inspection System Building; and FDA Building. The facility was constructed in 1997 and later expanded in 2004 and 2005. The existing LPOE has four general inspection lanes for privately-owned vehicles (POV), one NEXUS primary lane, one commercial primary lane, and one bus inspection lane. There are 60 employee parking areas located across from the Main Port Building, in front of the APHIS Inspection Facility, and in front of the FDA Building. Additionally, there are six POV secondary parking spaces and ten commercial secondary parking spaces.

2.3 PURPOSE AND NEED

The purpose of the Project is to improve and enhance the performance, safety, security, and efficiency of operations for cross-border travelers and federal agencies at the LPOE.

The Project's need is twofold. First is the need to increase the LPOE's capacity to accommodate the projected increase in traffic along I-89 due to the construction of the final segment of A-35 by the Canadian government between Montreal and Saint-Armand/Philipsburg, Quebec. Second is the need to facilitate and accommodate the changing operations of GSA's tenant agencies by ensuring that adequate facility and infrastructure resources are available to fulfill their functions and operations.

2.4 PROPOSED ALTERNATIVES

The Draft EA considers two "action" alternatives and one "no action" alternative. The two "action" alternatives (Alternatives 1 and 2) would meet the stated purpose and need of the Project and are analyzed in detail in the Draft EA. Key components of the action alternatives include:

- Acquisition of parcels to the west (private property) and south (VAOT property) of the LPOE;
- Demolition of all existing buildings at the LPOE;
- Construction of new LPOE facilities;
- Construction of a firing range for CBP, a helicopter landing pad, and sufficient area for parking and facilities support (e.g., snow storage and removal); and
- Construction of additional POV primary inspection lanes and commercial primary inspection lanes, including multiple separate lanes for commercial vehicles and buses.

The "no action" alternative assumes that demolition of existing facilities, construction of newer, larger facilities, and expansion of the LPOE would not occur. GSA would not acquire additional land under this alternative. Operation of the existing LPOE would continue as it currently does.

Key differences between the Project elements of the proposed alternatives are presented in **Table 2-1** below.

Table 2-1. Comparison of Alternative 1, Alternative 2, and No Action Alternative

Project Elements	Alternative 1	Alternative 2	No Action Alternative
Number of lanes at the border	3 lanes	3 lanes	2 lanes
Number of POV lanes	7 lanes	6 lanes	5 lanes
Number of commercial inspection lanes	2 lanes	2 lanes	1 lane
Number of bus inspection lanes	2 lanes	2 lanes	1 lane
Number of hours all POV lanes stay open	7 hours	7 hours	4 hours
Length of POV lanes from Primary Inspection Area to the border	1,250 ft	1,280 ft	1,000 ft
Length of commercial lanes from Inspection Area to the border	1,275 ft	1,270 ft	1,075 ft
Allows for future expansion?	Yes	No	No
Meets GSA's Purpose and Need?	Yes	Yes	No

3.0 NOTIFICATION OF SCOPING MEETING

Notification of the scoping meeting was accomplished using multiple channels of communication, including legal notices in a local newspaper, public service announcements (PSAs) on radio stations, letters to interested parties, press release, and social media posts.

3.1 NEWSPAPERS ADVERTISEMENTS

Two advertisements were printed in a local newspaper in the week preceding the public scoping meeting. The advertisements indicated GSA's intent to prepare an EA and conduct a public scoping meeting, provided a brief description of the Project, identified the meeting time and location, and included instructions for submitting comments. The advertisement was published in the *St Albans Messenger* on January 3 and 6, 2023. Tear sheets and an affidavit of the legal notices are included in Appendix A.

3.2 PUBLIC SERVICE ANNOUNCEMENT

Eleven radio broadcasting stations were contacted to air a PSA about the public scoping meeting. Vox Media, which owns seven radio stations, indicated that they could air PSAs on their network, but could not offer guarantees or confirmations that the PSAs were aired. A 30-second PSA was supplied to their PSA department and could have been aired on multiple local radio stations. See **Table 3-1** for a list of local radio stations owned by Vox Media that may have aired the PSA. The text of the PSA is included in Appendix B.

Table 3-1. List of Radio Stations

Radio Station	Website
Star 92.9	https://www.star929.com/contact-us/
The Game	https://www.thegamefm.com/
92.1 WVTK	https://www.921wvtk.com/
96.3 WVMT	https://www.wvmtradio.com/
96.7 MeTV	https://metv.com/wheretowatch/affiliate?marketid=220
101.3 The Wolf	https://radiostationusa.fm/online/1013-the-wolf
95.5 FM Triple X	https://www.95triplex.com/

3.3 LETTER TO INTERESTED PARTIES

GSA sent a letter to federal agencies, state and local agencies, elected officials, and other interested parties on December 23, 2023, via email and regular mail. The letter provided background on the Project, a brief description of the proposed alternatives, scoping meeting details, and instructions on submitting comments. GSA sent a second mailing on January 10, 2023, that served as a reminder about the scoping meeting. A copy of the letter sent to interested parties is included in Appendix C. The list of agencies, organizations, and individuals identified as interested parties for the Project included the following:

1) Federal Agencies

- Environmental Protection Agency – Region 1
- Federal Highway Administration
- Food and Drug Administration
- U.S. Army Corps of Engineers – New England District
- U.S. Customs and Border Protection
- U.S. Department of Agriculture's Animal and Plant Health Inspection Service
- U.S. Department of Transportation
- U.S. Fish and Wildlife Service

2) State Government and Agencies

- Office of Senator Bernie Sanders
- Office of Senator Peter Welch
- Vermont State Government officials (Governor, Lieutenant Governor, State Attorney General, and State Treasurer)
- Vermont Agency of Commerce and Community Development
    - Division of Historic Preservation
- Vermont Agency of Natural Resources
    - Department of Environmental Conservation
    - Department of Fish and Wildlife
    - Department of Forests, Parks, and Recreation
    - Vermont State Parks
- Vermont Agency of Transportation
    - State Highway Safety Office
- New York Department of Transportation – Region 7

3) Local Government

- Town of Highgate Government

4) Public and Private Organizations

- Champlain Valley Office of Economic Opportunity – Franklin and Grand Isle Community Action
- Franklin County Regional Chamber of Commerce
- Vermont Truck and Bus Association

5) International Authorities

- Canada Border Service Agency
- International Boundary Commission
- Ministère des Transports et de la Mobilité durable Quebec

6) Adjacent Landowners and Private Citizens

3.4 PRESS RELEASE AND SOCIAL MEDIA POSTS

GSA posted a press release on its New England Region (Region 1) website on January 10, 2023, that briefly summarized the purpose of the scoping meeting and detailed the time, date, and location of the meeting. Additionally, GSA posted a social media notice on its New England Region Facebook page on January 10, 2023. The Facebook post summarized the purpose of the meeting and provided a link to the press release. GSA also posted a similar notice on its New England Region Twitter account on January 10, 2023. Screenshots of the press release, Facebook post, and Twitter post can be found in Appendix D.

4.0 PUBLIC SCOPING MEETING

GSA held a public scoping meeting on Thursday, January 12, 2023, from 5:30 to 7:30 PM at the St. Albans City Hall Auditorium located at 100 North Main Street, St. Albans City, VT, 05478. Seventeen people, not including GSA, CBP, and other support staff, attended the meeting.

Figure 4-1. Participants Attending the Public Scoping Meeting

GSA used an open house format to encourage discussion and information sharing and to ensure that the public had opportunities to speak with GSA representatives. The GSA team gave a 30-minute presentation providing background on the Project and an explanation of the NEPA process. GSA then provided an opportunity to interested attendees to submit verbal comments about the Project, which were recorded by a stenographer. An American Sign Language interpreter was available virtually to provide interpretive services.

Informational posters about the Project background, NEPA process, purpose and need, Project alternatives, areas of study, and comment submission process were provided at the meeting. Additional materials available at the scoping meeting included:

- Handouts;
- Comment forms; and
- Sign-in sheet.

The posters, handout, comment form, and sign-in sheet from the scoping meeting are included in Appendices E, F, G, and H, respectively. A copy of the meeting transcript is included in Appendix I. Video recording of the public scoping meeting and copy of the presentation slides are available on the GSA website:
https://www.gsa.gov/about-us/gsa-regions/region-1-new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

5.0 PUBLIC SCOPING COMMENTS

GSA invited comments to obtain input from the public, agencies, and other interested parties on the proposed expansion and modernization of the LPOE at Highgate Springs.

5.1 COLLECTING COMMENTS

GSA offered multiple ways to submit comments, including comment forms, letters, emails, and spoken comments recorded at the public meeting. GSA set up a project specific email address to receive public input: highgatesprings.lpoe@gsa.gov.

5.2 SUMMARY OF COMMENTS

Comments were indexed based on the source or commenter and the subject. Commenters included federal, state, or local agencies and members of the public. Each comment was cataloged based on the source of the comment and the order in which it was received. Eight commenters provided input at the public scoping meeting and eight commenters provided comments during the scoping period. A total of 48 unique comments were received. Appendix J includes all comments received during the scoping period and Appendix K includes an index of comments, including commenter type, date received, method of submission, and the nature of comment.

5.3 ISSUES IDENTIFIED DURING SCOPING

Each concern or question associated with a commenter was categorized by subject. **Table 5-1** shows the number of comments received by subject and commenter type. It should be noted that some commenters provided multiple comments on the same subject; hence, the total number of commenters may not equal the total number of comments on those subjects.

Table 5-1. Commenters and Comments by Subject

Category	No. of Agency Commenters	No. of Public Commenters	Total Commenters	No. of Agency Comments	Number of Public Comments	Total Comments
Alternatives	4	0	**4**	10	0	**10**
Cultural Resources	0	1	**1**	0	1	**1**
Outside the Scope of the EA	0	3	**3**	0	6	**6**
Permits	1	0	**1**	4	0	**4**
Requests for Information	0	9	**9**	0	11	**11**
Socioeconomics	4	0	**4**	12	0	**12**
Traffic and Transportation	1	0	**1**	2	0	**2**
Water Resources	1	0	**1**	2	0	**2**

5.4 SUMMARY OF COMMENTS BY SUBJECT

5.4.1 Alternatives

Four commenters submitted ten comments regarding Project alternatives. Four comments indicated general support for the Project. Four comments specified their strong support for Alternative 1. Two comments recommended that GSA explore and evaluate all reasonable alternatives that would not only allow for upgraded facilities, but substantial expansion of travel lanes as well. One comment also encouraged GSA to evaluate its tenant agencies' future development and expansion needs in the EA.

5.4.2 Cultural Resources

One commenter provided one comment on cultural resources. The comment recommended that GSA perform an archaeological study, including any excavations as needed, prior to the implementation of the Project. The comment also recommended entities that should/should not be engaged to perform the study.

5.4.3 Permits

One commenter submitted four comments regarding permits and authorizations that may be needed prior to the implementation of the Project. The comment noted that a permit is required under Section 10 of the Rivers and Harbors Act for all work seaward of mean high water in navigable waters of the U.S. The commenter provided the definition of navigable waters of the U.S. subject to the requirements of Section 10 in New England, including Lake Champlain. The commenter further suggested that a permit may also be required under Section 404 of the Clean Water Act for discharges of dredged or fill materials into all waters of the U.S., including navigable waters, inland rivers, lakes, streams, and wetlands, as well as excavation/grading within these wetlands.

The commenter provided an attachment of the U.S. Army Corps of Engineers (USACE) general permits (GPs) for the State of Vermont. They noted that the New England District Corps of Engineers issues GPs for the State of Vermont to expedite reviews of minimal impact work in waters under USACE's jurisdiction.

Such activities are eligible for Self-Verification, or may require Pre-Construction Notification, as specified by the terms and conditions of the GPs. The commenter further noted that project impacts determined to be more than minimal require individual permits (IPs) and a Water Quality Certification from the Vermont Department of Environmental Conservation, and indicated the materials to be submitted to the USACE for review and approval of an IP.

5.4.4 Requests for Information

Nine commenters provided eleven requests for additional information regarding various aspects of the Project. The topics covered are summarized below:

- Number of NEXUS lanes proposed for the new LPOE;
- Number of NEXUS lanes at the current LPOE;
- Process of submitting comments to GSA;
- Area of land to be acquired for the Project;
- Area of Abenaki-owned land that would be acquired for the Project and the consideration of impacts to resources of importance to the Abenaki Nation of Missisquoi;
- Options considered by GSA to make crossing into Canada more efficient, such as the construction of a tunnel, etc.
- Consideration of technology or automation upgrades to the new LPOE;
- Current numbers for the daily, monthly, and annual traffic crossing the LPOE;
- Concern regarding merging of the traffic from seven open lanes onto a two-lane interstate system;
- Concern regarding the projected increase in traffic at the new LPOE following the completion of A-35; and
- Concern regarding bus crossing lanes from the Duty Free store in Canada and suggestion for relocating it to the other side of the road.

5.4.5 Socioeconomics

Four commenters submitted 12 comments concerning socioeconomics. The comments noted that traffic flowing from Canada to the U.S. directly impacts the Vermont economy through commerce, trade, tourism, community development, and related economic activities. Construction of a new, expanded LPOE would mitigate current vehicle crossing wait times, especially during peak traffic periods. Three comments emphasized the importance of Canada as one of U.S.'s biggest trading partners, and the need to enhance the cross-border flow of goods and people between the two countries to restore the bilateral trade to pre-pandemic levels. Per one of the comments, the U.S.-Canada bilateral trade and investment relationship is currently valued at U.S. $1.7 trillion. The comment suggested that the Project would help transform Vermont into a supply chain hub, support the Vermont-Quebec Aerospace Trade Corridor, thereby attracting more Canadian flying passengers that travel to the Burlington International Airport to fly to other destinations, and recruit new Canadian-based foreign-direct investments to Vermont, thus strengthening economic ties with Quebec. All four commenters expressed support for the Project.

5.4.6 Traffic and Transportation

One commenter submitted two comments regarding projected traffic conditions at the LPOE. The commenter suggested that failure to expand and modernize the current Highgate Springs LPOE would

result in significant traffic delays. This could potentially lead to commuters choosing to travel through other neighboring LPOEs, or in case of non-essential travel, deciding to delay or cancel the trip.

5.4.7 Water Resources

One commenter submitted two comments regarding consideration of impacts to water resources. The commenter noted that the Project may involve work in waters under the USACE jurisdiction and may require prior authorization from the USACE. The commenter recommended that GSA conduct the delineation of any waters of the U.S. under USACE jurisdiction that are located in the Project area before implementing the Project. If necessary, GSA should hire qualified consultants to delineate wetlands in the project area in accordance with the appropriate methodology. GSA should submit data sheets supporting the wetland delineation to the USACE for review and approval. Project drawings submitted for review should include information such as the dimensions and precise locations of areas where GSA intends to place any fill material, excavate, or perform mechanized land clearing in any wetlands or waterways.

Appendix A: Newspaper Affidavits and Tear Sheets

SAINT ALBANS
MESSENGER

Public Meeting for the Highgate Springs Land Port of Entry Environmental Assessment

AFFIDAVIT OF PUBLICATION

NOW COMES Brandon Coburn, an employee of Otoutte media group deposes and says that the attached LEGAL NOTICE was published in the St Albans Messenger, a newspaper of general circulation in St. Albans, Vermont on January 3, & 6 2023.

By: Brandon S Coburn

Dated: January 6, 2023

Subscribed and sworn to before me under pains of perjury this 6 day of January, 2023.

TERRY ROONEY NOTARY PUBLIC COMMISSION NO. 157.0013589 STATE OF VERMONT

Notary Public

Printed Name: Terry Rooney
My Commission Expires: 1/31/23

Classifieds

Contact us to get a free quote or place an ad!
802.524.9771 x 2
classifieds@samessenger.com
www.samessenger.com
281 North Main Street, St. Albans VT 05478

FREE Listing $100 or Less

SOMETIMES ERRORS OCCUR. After placing an ad, it is *your responsibility to check your ad on the first day of publication for any errors.* Refunds are not issued for classified ads, but if notification is given to our department after the first day of publication, we will run your corrected ad for one extra day. We will not be responsible for more than one incorrect publication of each ad. Paid advertisement will take priority over free listings.

NEED SOME HELP WRITING YOUR CLASSIFIED?
CALL US AND WE WILL HELP WRITE YOUR AD & DESIGN IT FOR FREE

DEADLINES
Tuesday paper ..... Noon Monday
Friday paper ..... Noon Thursday
For display ads or ads requiring a proof please allow us extra time.

Employment & legals

EMPLOYMENT

Town of St. Albans, VT.
Employment Opportunity
Department of Public Works
Road Foreman

The Town of St. Albans is accepting applications for the position of Road Foreman. This position involves skilled, technical work in the maintenance, repair, and construction of town highways, facilities, and equipment. The Road Foreman works under the direct supervision of the Director of Public Works. A full job description and application may be downloaded from the Town's website at www.stalbanstown.com. Salary is commensurate with education and/or experience and will be in the $27 to $31 per hour range. Applicants must be willing to submit to pre-employment drug screening and background check if offered a position. Please send applications to Jennifer Gray Executive Assistant, Town of St. Albans, P.O. Box 37, St. Albans Bay, VT. 05481, by hand to the Town Hall offices at 579 Lake Road, St. Albans, or by email at j.gray@stalbanstown.com. Vacancy is open until filled.

LEGALS

Franklin West Supervisory Union is seeking bids for student transportation services for two of our three school districts for July 1, 2023 through June 30, 2026. A detailed RFP can be found on FWSU.org. Please contact Randy Morton, business manager with any questions by calling 802-370-3113 or emailing **rmorton@fwsu.org.**

Public Meeting for the Highgate Springs Land Port of Entry Environmental Assessment

The U.S. General Services Administration (GSA) will prepare an Environmental Assessment (EA) to analyze the potential impacts from the proposed construction of a replacement Land Port of Entry (LPOE) facility at Highgate Springs, Vermont.

The existing facility cannot accommodate the projected 30 percent traffic increase due to Canada's Autoroute-35 completion. Therefore, GSA is proposing to build a new facility to expand the LPOE's operations. The EA will consider two project alternatives that include acquiring land, demolishing existing facilities, and constructing new facilities, and a third alternative, wherein the current LPOE facility continues to operate under existing conditions.

The public is encouraged to attend the public meeting on Thursday January 12, 2023* from 5:30 to 7:30 PM at:
St. Albans City Hall Auditorium
100 N Main St.,
St. Albans, VT

***In the event of inclement weather, the alternate date will be Thursday January 19, 2023. The meeting time and venue will remain unchanged. If the meeting is rescheduled, a notice will be issued at the Project website (below) by Tuesday, January 10, 2023.**

The views and comments of the public are necessary to help determine the scope and content of the EA. Written comments must be received by February 9, 2023, using one of the following methods:

• In-Person:
At the meeting
• Email:
highgatesprings.lpoe@gsa.gov with subject line: **"Highgate Springs LPOE EA"**
• Mail:
General Services Administration
Attention: John Maurer
T.P. O'Neill Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

Project information, including a video recording of this public meeting, will be available at: **https://www.gsa.gov/highgatespringslpoe.**

For more information, please contact John Maurer, GSA Project Manager: 617-893-0345.

PUBLIC NOTICE
TOWN OF HIGHGATE
LIBRARY TRUSTEES MEETING
Monday, January 23, 2023 @ 3:00pm
• VIRTUAL TRAINING SESSION

RESOLUTION

RESOLVED, at a meeting of the Board of School Directors of the Fairfax Town School District held on December 5, 2022, it was determined that the public interest and necessity demand that certain school building improvements be made, namely, those Bellows Free Academy Fairfax Elementary, Middle and High School renovations, additions, replacements and upgrades identified on Exhibit A attached hereto, the aggregate estimated cost thereof being $36,415,580; and

BE IT FURTHER RESOLVED, that the cost of constructing such improvements, after application of available private, state and federal grants-in-aid, the application of reserves, and donations will be too great to be paid out of the annual revenue of the District; and

BE IT FURTHER RESOLVED, that proposals for the issuance of general obligation bonds or notes of the District in the aggregate amount not to exceed Thirty-six Million Four Hundred Fifteen Thousand Five Hundred Eighty Dollars ($36,415,580) to pay for its cost of the same, subject to reduction through the receipt of any state or federal grants-in-aid, the application of reserves, and other financial assistance, should be submitted to the legal voters of the District at a special meeting thereof to be duly called and held for that purpose on January 10, 2023; and

BE IT FURTHER RESOLVED, that all acts relating to the proposition of incurring bonded indebtedness and the issuance of general obligation bonds or notes of the Fairfax Town School District for the purpose of making said improvements within the corporate limits of the District be in accordance with the provisions of Chapters 9 and 11 of Title 16, and Chapter 53 of Title 24, Vermont Statutes Annotated; and

BE IT FURTHER RESOLVED, that the attached Warning and form of Ballot be adopted for use in connection with consideration of the above-stated proposition of making said public improvements and incurring bonded indebtedness therefor.

Dated: December 5, 2022
ATTEST:
District Clerk

WARNING

The legal voters of the Fairfax Town School District, Vermont, are hereby notified and warned to meet at the Middle School Gymnasium in the Town of Fairfax on Tuesday, January 10, 2023, between the hours of seven o'clock (7:00) in the forenoon (a.m.), at which time the polls will open, and seven o'clock (7:00) in the afternoon (p.m.), at which time the polls will close, to vote by Australian ballot upon the All or a Majority of the Board of School Directors

The Vermont Agency of Transportation (VTrans) invites you to attend the rescheduled Construction Public Meeting for the Exit 16 Diverging Diamond Interchange (DDI) Project.
Thursday, January 12, 2023 6:30 PM

This meeting will be held in person at the Colchester Meeting House, 830 Main Street, Colchester, VT and virtually via Zoom Webinar:
https://us02web.zoom.us/j/89281717112
To dial in by phone, please call +1-646-558-8656
Type in the Webinar ID: 892 8171 7112
When joining by phone, please press *9 to raise your hand to be called on and *6 when asked to unmute.

The Exit 16 DDI project includes improvements to the US Routes 2/7 corridor, in the vicinity of I-89 Exit 16, to enhance mobility and safety in Colchester, Vermont. The core of the project is to reconfigure the existing tight diamond interchange to a Diverging Diamond Interchange (DDI) at I-89 Exit 16. Construction for the initial contract, awarded to S.D. Ireland Brothers Corp., may begin as early as the end of January 2023. The Public Meeting presentation will include a project overview, construction schedule and sequencing, and the anticipated impacts. Following the presentation, there will be an opportunity to ask questions of the project team, the contractor, S.D. Ireland Brothers Corp., and the blasting subcontractor, Maine Drilling & Blasting.

FAMILY PRESERVATION SPECIALIST

The Compass Family Preservation Specialist will work as part of a team providing emergency crisis response, assessment and case planning, case management, family preservation services, and access to healthcare for at-risk youth 12-23 and their families within the St Albans DCF district. This is a full time exempt position with an annual salary of $50,000.00 and is eligible for an excellent benefits package. This position is in St. Albans, VT.

SPECTRUM
YOUTH & FAMILY SERVICES

For a complete job description and to apply, visit:
https://bit.ly/3GnwrUn

Bus Operators
WE ARE HIRING!
- **Free CDL training provided**
- **Start at $21.75 hourly rate**
- **5+ weeks of vacation**
- **100% paid health, dental & vision insurance**
- **Uniforms provided**

NO EXPERIENCE REQUIRED!

Apply online today at RideGMT.com/careers or pick-up an application at our offices in Burlington & Saint Albans

GMT Green Mountain Transit
802.864.2282
Jobs@RideGMT.com

Employment, Legals, and Merchandise

EMPLOYMENT

Caregiving Help Needed
Attention Seniors and Retirees
We are looking for someone to help with elderly caregiving 6 to 9 hours per week. The pay is $25/hour. If you have patience, kindness, and thoughtfulness to assist a family member with memory care issues, please call (802) 370-6964 for more information.

Town of St. Albans, VT.
Employment Opportunity
Department of Public Works
Road Foreman
The Town of St. Albans is accepting applications for the position of Road Foreman. This position involves skilled, technical work in the maintenance, repair, and construction of town highways, facilities, and equipment. The Road Foreman works under the direct supervision of the Director of Public Works. A full job description and application may be downloaded from the Town's website at www.stalbanstown.com. Salary is commensurate with education and/or experience and will be in the $27 to $31 per hour range. Applicants must be willing to submit to pre-employment drug screening and background check if offered a position. Please send applications to Jennifer Gray Executive Assistant, Town of St. Albans, P.O. Box 37, St. Albans Bay, VT. 05481, by hand to the Town Hall offices at 579 Lake Road, St. Albans, or by email at j.gray@stalbantown.com. Vacancy is open until filled.

Franklin West Supervisory Union is currently seeking transportation bids for two of its three member school districts, the Fletcher and the Georgia Town School Districts. Contract period would run July 1, 2023 through July 1, 2026. All bids must be received by Randall Morton, FWSU Business Manager, at 4497 Highbridge Road, Fairfax, VT 05454 before 12:00 pm on January 16, 2023. Bids will be open at the Franklin West Supervisory Union at that time. More information is available at fwsu.org/page/transportation.

Public Meeting for the Highgate Springs Land Port of Entry Environmental Assessment

The U.S. General Services Administration (GSA) will prepare an Environmental Assessment (EA) to analyze the potential impacts from the proposed construction of a replacement Land Port of Entry (LPOE) facility at Highgate Springs, Vermont.

The existing facility cannot accommodate the projected 30 percent traffic increase due to Canada's Autoroute-35 completion. Therefore, GSA is proposing to build a new facility to expand the LPOE's operations. The EA will consider two project alternatives that include acquiring land, demolishing existing facilities, and constructing new facilities, and a third alternative, wherein the current LPOE facility continues to operate under existing conditions.

The public is encouraged to attend the public meeting on Thursday January 12, 2023* from 5:30 to 7:30 PM at:

St. Albans City Hall
Auditorium
100 N Main St.,
St. Albans, VT

***In the event of inclement weather, the alternate date will be Thursday January 19, 2023. The meeting time and venue will remain unchanged. If the meeting is rescheduled, a notice will be issued at the Project website (below) by Tuesday, January 10, 2023.**

The views and comments of the public are necessary to help determine the scope and content of the EA. Written comments must be received by February 9, 2023, using one of the following methods:

- **In-Person:**
At the meeting
- **Email:**
highgatesprings.lpoe@gsa.gov with subject line: **"Highgate Springs LPOE EA"**
- **Mail:**
General Services Administration
Attention: John Maurer
T.P. O'Neill Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

Project information, including a video recording of this public meeting, will be available at: **https://www.gsa.gov/highgatespringslpoe.** For more information, please contact John Maurer, GSA Project Manager: 617-893-0345.

The Town Clerk's Office in Highgate will have adjusted hours Tuesday, January 10 from Noon – 4pm. Thank you.

Town of Highgate
Public Notice
Attention Highgate Residents:
A list of positions to be voted on by Australian ballot on Town Meeting Day 3/7/23 is available.
Please visit our website at www.highgatevt.org or our FaceBook or Instagram pages to see the list. Consent of Candidate forms and nominating positions are due by 5pm on Jan. 30, 2023
for your name to appear on the Town Meeting Day ballot. Contact our office at 802-868-5002
or wdusablon@highgatevt.org for more info, or visit any of the pages listed above. Thank you.

WARNED
Enosburg Falls Country Club
Annual Stockholders Meeting.
Date:
02/26/2023
3:00 p.m. at
EFCC Club House.

MERCHANDISE

Firearms,Bows, Etc

Rifle Ammunition, Reload dies for different caliber rifles, Rifles, Scopes, Ext! Call 802-309-5211 for more info!

Personals

I am a 63 year old,Looking for a single female. Honesty and age do matter! Call 802-829-5522

PETS

Pets

Purebred Yorkie Puppies 14 weeks & ready to go. Vet checked. Parents on site (8 & 12lbs). Our facebook page "3 Black Puppies" (email) csfeeley@comcast.net (cell) 802 309 5613 (landline) 802 466 7984

Wanted to Buy

BUYING ANTIQUES
Estate Merchandise, Collections. +45 Years Buying!
Call Ed Lambert
802-528-5651 or
802-782-1223
St. Albans
Fair Prices Paid

FOR RENT

Apartments Unfurnished

St. Albans-EP Management Corp is accepting applications for one-bedroom and two-bedroom units at Brookside I Apartments. Secure, Non-Smoking, professionally managed building. On-site coin-operated laundry. Covered parking. 24-Hour emergency maintenance. Close to town schools, interstate, and sports arena. Income limits apply. Section 8 Vouchers welcome. One-Bedroom Units $1150/mo. Two-Bedroom Units $1200/mo. Rent includes heat, hot water, trash removal & recycling. Tenant pays electricity, phone, internet & cable. For application call 802-775-1100 ext 2 or e-mail amanda@epmanagement.com. Equal Housing Opportunity.

FAMILY PRESERVATION SPECIALIST

The Compass Family Preservation Specialist will work as part of a team providing emergency crisis response, assessment and case planning, case management, family preservation services, and access to healthcare for at-risk youth 12-23 and their families within the St Albans DCF district. This is a full time exempt position with an annual salary of $50,000.00 and is eligible for an excellent benefits package. This position is in St. Albans, VT.

SPECTRUM
YOUTH & FAMILY SERVICES

For a complete job description and to apply, visit:
https://bit.ly/3GnwrUn

Important Annual Notice Regarding Herbicide Use in the Maintenance of Electric Utility Rights-of-Way

The Vermont Public Utility Commission has set forth rules under PUC Rule 3.600 pertaining to the use of herbicides in the maintenance of electric utility rights-of-way (ROW). Each spring, herbicide applications may begin on or after April 1st. These rules afford you important rights and duties. Vermont electric utilities maintain electric line rights-of-way with several methods, including the selective use of herbicides on trees and brush. They also encourage low-growing shrubs and trees which will crowd tall-growing species and, thus, minimize the use of herbicides. Methods of herbicide applications may include stump, stem injection, basal, soil, and foliar. **Only electric utility rights-of-way that have tall-growing tree species with the potential of threatening the electric utility system are treated.**

If you reside on or own property in Vermont within 1000' of an electric utility right-of-way:

1. **Sign up to receive written notification** from your local electric utility of plans to apply herbicide on any ROW within 1000' of your property or the property where you reside. Check nearby poles for tags identifying the utility and/or pole number, complete the form below and submit it to your local electric utility by mail before February 15th, 2023 to be added to the notification list. If determined to be qualified, you will receive notification from the utility at least 30 days prior to scheduled herbicide application.
2. **You are responsible to make your local electric utility aware** of the location of any potentially affected water supply, and of any other environmentally sensitive area where herbicide application ought to be avoided.
3. **Watch and listen for public service announcements** in newspapers and radio ads noting upcoming herbicide applications.
4. **Check with your local electric utility** regarding the vegetation management cycle near your particular line.
5. **You have the right** to request, in writing, that the utility refrain from applying herbicides in the process of clearing the right-of-way, and the utility may offer alternatives such as herbicide stump treatment or herbicide stem injections.
6. **You have the right** to refuse, in writing, the use of herbicides whatsoever at no cost to you if the type of lines in the right-of-way are **distribution lines**, bringing electric service directly to individual customers.
7. **You have the right** to refuse, in writing, the use of herbicides whatsoever by paying a $30 administration fee if the type of lines in the right-of-way are **transmission lines** or **sub-transmission lines**, bringing electricity to or between substations.

For more details, or to ask additional questions, please contact your local electric utility, or one of the following:

Vermont Electric Power Company (VELCO) **366 Pinnacle Ridge Rd. Rutland, VT 05701** **Attn: Scott Carlson (802) 353-3584**	**Agency of Agriculture** **Public Health & Ag. Resource Mgmt** **116 State St., Montpelier, VT 05602** **1-802-828-2431**	**Department of Public Service** **Consumer Affairs & Public Information** **112 State St., Montpelier, VT 05620** **1-800-622-4496**

Based on the information above, if you believe you qualify to be notified in advance of pending herbicide applications in the rights-of-way, mail the request below to your local electric company before February 15th, 2023.

Resident/Property Owner Request to be Added to Herbicide Treatment Notification Mailing List	
Name	Town/City of Affected Property
Street Address	Home Phone Number
Town	Work Phone Number
State Zip Code	O.K. to use work number? Yes No (circle one)
Electric Utility Account Number	Best time to contact you
Affected Property: Year-Round Residence Summer Residence Commercial Property Water Supply Organic Farm Land Other (Circle all that apply)	
Line/Pole Identification: Utility Initials	Pole Numbers
Please fill out this request completely to help us determine if you qualify for herbicide treatment notification. **MAIL THIS REQUEST TO YOUR LOCAL ELECTRIC UTILITY AT THE ADDRESS LISTED ABOVE BEFORE FEBRUARY 15TH, 2023**	

Bus Operators

WE ARE HIRING!

- **Free CDL training provided**
- **Start at $21.75 hourly rate**
- **5+ weeks of vacation**
- **100% paid health, dental & vision insurance**
- **Uniforms provided**

NO EXPERIENCE REQUIRED!

Apply online today at RideGMT.com/careers or pick-up an application at our offices in Burlington & Saint Albans

GMT Green Mountain Transit
802.864.2282
Jobs@RideGMT.com

Appendix B: Public Service Announcement

PSA for Public Scoping Meeting for the Highgate Springs LPOE Environmental Assessment

The U.S. General Services Administration, or GSA, will be preparing an Environmental Assessment to evaluate the potential impacts from the proposed construction of a new replacement Land Port of Entry facility at Highgate Springs, Vermont.

A public meeting will be held on Thursday, January 12th, from 5:30 to 7:30 PM at the St. Albans City Hall Auditorium located at 100 North Main Street. In case of inclement weather, the meeting will be rescheduled to Thursday, January 19th. If the meeting is rescheduled, a notice will be issued at www.gsa.gov/highgatespringslpoe by Tuesday, January 10th.

The public is encouraged to attend the meeting and provide written comments. For more information, please contact Mr. John Maurer, GSA Project Manager, at (617) 893-0345.

Appendix C: Letter to Interested Parties

GSA New England Region

December 23, 2022

Dear Interested Reader,

In compliance with the National Environmental Policy Act (NEPA), the U.S. General Services Administration (GSA) will prepare an Environmental Assessment (EA) to analyze the potential impacts from the proposed construction of a new replacement Land Port of Entry (LPOE) facility at Highgate Springs, Vermont (VT). You are receiving this letter because you have been identified as an interested party and/or stakeholder for this project. We encourage you to review the project and provide comments you may have.

GSA is the lead agency for the EA, acting on behalf of its Federal agency tenants: U.S. Customs and Border Protection, Food and Drug Administration, and U.S. Department of Agriculture's Animal and Plant Health Inspection Service.

The Highgate Springs LPOE sits at the northern end of Interstate 89 (I-89) across the international border from the Canadian port of entry at St. Armand, Quebec. The LPOE, already one of the busiest ports in New England, is expected to see a 30 percent increase in traffic with the completion of Canada Autoroute-35 (A-35) connecting to I-89 at the international border. The existing LPOE facility does not have the capacity to accommodate this projected traffic increase.

GSA is proposing to acquire additional land and construct larger facilities to provide for the long-term and efficient flow of current and projected traffic volumes, including the movement of goods and people, between Highgate Springs, VT, and St. Armand, Quebec.

The EA will consider three project alternatives. Two alternatives will consider options that include the acquisition of additional land, demolition of the existing LPOE facilities, and construction of newer, larger facilities to expand the LPOE's operations. The third alternative is a "no-action" alternative where the current LPOE facility would continue to operate under existing conditions.

You are encouraged to attend and participate in the public meeting on:

WHEN*: January 12, 2023, from 5:30 p.m. – 7:30 p.m.

WHERE: St. Albans City Hall Auditorium
100 N Main St.
St. Albans City, VT 05478

***In the event of inclement weather, the alternate date of the public meeting will be January 19, 2023. The meeting time and venue will remain unchanged. If the meeting is rescheduled, a notice will be issued at the Project website (below) by Tuesday, January 10, 2023.**

The meeting will be conducted in an open house format, where project information will be presented and distributed to the attendees.

During this meeting, the public will have an opportunity to hear about the project and learn how they can provide input on the issues that are important to the community. This input is a valuable step in the NEPA process and will be used by GSA to determine the scope and content of the EA.

Written comments must be received by Thursday, February 9, 2023, using one of the following methods:

- **In-Person**: Submit written comments at the public meeting via comment forms.
- **Email**: Send an email to **highgatesprings.lpoe@gsa.gov** and reference "Highgate Springs LPOE EA" in the subject line.
- **Mail**: Send written comments to the following address:

  General Services Administration
  Attention: John Maurer, GSA Project Manager
  Thomas P. O'Neill, Jr., Federal Building
  10 Causeway Street, 11th Floor
  Boston, MA 02222-1077

Project Website: Project information, including a video recording of this public meeting, will be available at : https://www.gsa.gov/about-us/regions/welcome-to-the-new-england-region-1/buildings-and-facilities/development-projects/highgate-springs-vt-land-port-of-entry

For more information, please contact Mr. John Maurer, GSA Project Manager, at (617) 893-0345 or john.maurer@gsa.gov.

Sincerely,

JOHN MAURER

Digitally signed by JOHN MAURER
DN: C=US, O=U.S. Government, OU=General Services Administration, CN=JOHN MAURER + OID.0.9.2342.19200300.100.1.1=47001000038430
Reason: I have reviewed this document
Location:
Date: 2022.12.23 14:33:10-05'00'
Foxit PDF Editor Version: 12.0.2

John Maurer
GSA Project Manager
General Services Administration
Public Buildings Service, Region 1

Appendix D: Press Release and Social Media Posts

An official website of the United States government

U.S. General Services Administration to Host Public Meeting for the New Land Port of Entry Facility at Highgate Springs, Vermont

Contacts

Paul Hughes

617-283-6142

- View Contact Details

January 10, 2023

BOSTON – In compliance with the National Environmental Policy Act (NEPA), the U.S. General Services Administration (GSA) will host a public meeting in support of an Environmental Assessment for the proposed construction of a new replacement Land Port of Entry (LPOE) at Highgate Springs, Vermont.

The public is encouraged to attend and participate in the public meeting on:

WHEN*: Thursday, January 12, 2023, at 5:30 p.m.

WHERE: St. Albans City Hall Auditorium, 100 North Main Street, St. Albans City, VT

***In the event of inclement weather, the alternate date will be Thursday, January 19, 2023**

The meeting will be conducted in an open house format. GSA will present project information to the attendees. The public will have an opportunity to hear about the project and learn how they can provide input on the issues that are important to the community. This input is a valuable step in the process and will be used by GSA to determine the scope and content of the Environmental Assessment.

GSA is proposing to acquire additional land and to construct a larger facility that expands and modernizes this port. The new replacement facility will allow federal inspection agencies to operate e iciently and enable the port to handle the anticipated tra ic increase at the border crossing, expediting crossing times for the traveling public and businesses that rely on binational commerce.

The Highgate Springs project will incorporate sustainability features that will reduce greenhouse gas emissions, mitigate environmental impact, and simultaneously increase the mission readiness of the federal government by increasing resilience to climate change.

The new port will meet the U.S. Custom and Border Protection's (CBP) mission requirements, while improving the safety of officers and the traveling public. It will provide for an efficient flow of people and commerce, accommodating the increased traffic volume, and the additional border security measures and technologies.

Written comments must be received by Thursday, February 9, 2023, using one of the following methods:

- **In-Person:** Submit written comments at the public meeting via comment forms to be distributed at the meeting.
- **Email:** Send an email to highgatesprings.lpoe@gsa.gov and reference "Highgate Springs LPOE EA" in the subject line.
- **Mail:** Send written comments to the following address:
    - U.S General Services Administration
      Attention: John Maurer, Project Manager
      Thomas P. O'Neill, Jr., Federal Building
      10 Causeway Street, 11th Floor
      Boston, MA 02222-1077

Project information, including a video recording of this public meeting, will be available at: gsa.gov/highgatespringslpoe.

The Highgate Springs Land Port of Entry – one of the busiest land ports in New England – sits across the U.S.-Canada border from the Canadian port of entry at St. Armand, Quebec. The port is at the end of Interstate 89 (I-89) and Canada Route 133 which connects to Canada Autoroute-35 (A-35).

The new facility, funded by the Bipartisan Infrastructure Law, is critical due to the extension of Canada Autoroute A-35. This extension will connect to I-89 at Highgate Springs, and is expected to increase traffic through the port by approximately 30 percent.

About GSA:
GSA provides centralized procurement for the federal government, managing a nationwide real estate portfolio of nearly 370 million rentable square feet and overseeing approximately $75 billion in annual contracts. GSA's mission is to deliver the best value in real estate, acquisition, and technology services across government, in support of the Biden-Harris administration's priorities. For more information, visit GSA.gov and follow us at @USGSA .

Last Reviewed: 2023-04-25

U.S. General Services Administration New England Region

January 10 ·

News update - On Thursday: U.S. General Services Administration to Host Public Meeting for the New Land Port of Entry Facility at Highgate Springs, Vermont http://ow.ly/XnS850MmEQt

Like Comment

GSA New England @US_GSAR1 · Jan 10

News update - On Thursday: U.S. General Services Administration to Host Public Meeting for the New Land Port of Entry Facility at Highgate Springs, Vermont ow.ly/YsQP50MmEQu

77

Appendix E: Scoping Meeting Poster Display

Project Background

- The Highgate Springs Land Port of Entry (LPOE), located approximately 40 miles north of Burlington, is one of the three busiest LPOEs in New England.
- The existing LPOE does not have the capacity to accommodate projected increases in traffic along I-89 at the U.S.-Canada border. Additionally, some of the buildings and infrastructure at the LPOE have deteriorated over time.
- GSA is proposing to construct a larger facility that expands and modernizes the LPOE.

National Environmental Policy Act (NEPA Process)

NEPA Process

Notice of Intent

We Are Here

Scoping Process

Draft Environmental Assessment (EA)

Public Review Process (30-day comment period)

Final EA

Finding of No Significant Impact/Decision to prepare an Environmental Impact Statement

The views and comments of the public are important to the NEPA process. Your comments are necessary to help determine the area of study for the environmental analysis. The scoping process identifies specific elements of the environment that might be impacted if the project is carried out. Relevant concerns raised during scoping will be analyzed in detail in the EA.

Submitting Comments

1. Mail comments to: General Services Administration
   Attention: John Maurer, Project Manager
   Thomas P. O'Neill, Jr., Federal Building
   10 Causeway Street, 11th Floor
   Boston, MA 02222-1077

2. Fill out a comment form and leave it here with us tonight.

3. Dictate your comment to the court reporter.

4. Email comments to: highgatesprings.lpoe@gsa.gov and include "**Highgate Springs LPOE EA**" in the subject line.

Purpose and Need

Purpose: To enhance the performance, safety, security, and efficiency of operations of GSA and its tenant agencies at the Highgate Springs LPOE along the U.S.-Canada border.

Need: The current Highgate Springs LPOE does not presently have the capacity to accommodate projected increases in traffic or the infrastructure needed to ensure efficient operations.

Project Alternatives

The EA is considering three project alternatives. The "**action**" **alternatives** will look at options to acquire additional land, demolish existing buildings at the LPOE, and construct newer, larger buildings to expand the LPOE's operations. Key components of the action alternatives include:

- **Demolition of existing structures and construction of new, larger buildings;**
- **Parking and facilities support areas; and**
- **Construction of new inspection lanes for privately owned and commercial vehicles and buses.**

The EA will also analyze a "**no action**" **alternative** which assumes that the existing LPOE would continue to operate under current conditions.

Areas of Study

Impacts to the following resource areas will be evaluated during the NEPA process:

- Land Use
- Soils and Geology
- Biological Resources
- Water Resources
- Utilities
- Traffic and Transportation
- Visual Resources
- Noise
- Air Quality and Climate Change
- Cultural Resources
- Socioeconomics
- Environmental Justice
- Solid and Hazardous Waste
- Human Health and Safety

Appendix F: Scoping Meeting Handout

Highgate Springs Land Port of Entry EA
Public Meeting Handout

Summary

The U.S. General Services Administration (GSA) is preparing an Environmental Assessment (EA) to analyze the potential impacts from the proposed construction of a new replacement Land Port of Entry (LPOE) facility at Highgate Springs, Vermont (VT). GSA is the lead agency for the EA, acting on behalf of its Federal agency tenants - U.S. Customs and Border Protection (CBP), Food and Drug Administration (FDA), and U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS).

Project Background

The Highgate Springs LPOE, located approximately 40 miles north of Burlington, is one of the three busiest LPOEs in New England. The existing LPOE does not have the capacity to accommodate the projected increase in traffic along the U.S. Interstate Highway 89 (I-89) at the U.S.-Canada border. The Canadian government is constructing the final segment of its Autoroute-35 (A-35) between Montreal and St. Armand/Philipsburg, Quebec. When completed, traffic at the Highgate Springs LPOE is projected to increase by approximately 30 percent. Additionally, the condition of some of the buildings and infrastructure at the LPOE has deteriorated over time, adversely impacting the operations at the port. GSA is proposing to construct a new replacement facility that expands and modernizes the LPOE operations at Highgate Springs.

Project Alternatives

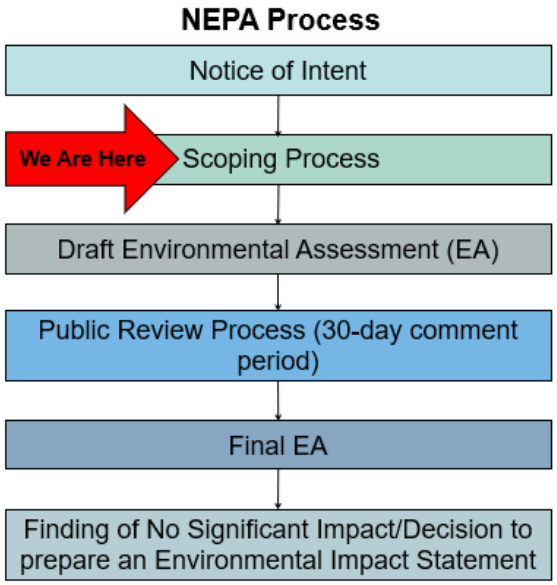
The EA will consider three project alternatives. Two "**action**" **alternatives** will consist of acquiring additional land, demolishing existing LPOE facilities, and constructing newer, larger buildings to expand and modernize the LPOE's operations. The expanded LPOE would include newly constructed buildings for agency-specific operations, supporting facilities, and additional inspection lanes for privately owned and commercial vehicles.

A **"no action" alternative** is always considered. This assumes that land acquisition and the subsequent expansion and modernization of the LPOE would not occur. The Highgate Springs LPOE would continue to operate under current conditions.

Highgate Springs Land Port of Entry EA
Public Meeting Handout

National Environmental Policy Act (NEPA) Process

We are currently in the Public Scoping Process phase of the NEPA Process. The views and comments of the public are an important part of the NEPA process. Your comments are necessary to help determine areas of study for the environmental analysis. Your comments assist in identifying the specific elements of the environment that might be impacted if the project is carried out. Relevant concerns raised during scoping will be analyzed in detail in the EA.



Public Comments

Written comments must be received by Thursday, February 9, 2023, using one of the following methods:

- **In-Person**: Submit written comments at the public meeting via comment forms.
- **Email**: Send an email to **highgatesprings.lpoe@gsa.gov** and reference "Highgate Springs LPOE EA" in the subject line.
- **Mail**: Send written comments to the following address:

General Services Administration
Attention: John Maurer, Project Manager
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

For further information, contact John Maurer, GSA Project Manager, at 617-893-0345.

Appendix G: Scoping Meeting Comment Form

Thank you for your participation!

Please comment by either mailing to the address provided; dictating to the court reporter; or submitting online at:

highgatesprings.lpoe@gsa.gov

Please reference **"Highgate Springs LPOE EA"** in the subject line of the email. Comments **MUST** be received on or before 02/09/2023 to assure full consideration during the scoping process.

Highgate Springs Land Port of Entry EA Comment Form

Public participation is an essential component of the National Environmental Policy Act (NEPA) process, and GSA welcomes comments on the Environmental Assessment (EA) for the new replacement Land Port of Entry (LPOE) facility at Highgate Springs, VT.

Please fill out the following form to ensure that the analysis, and ultimately the decision, considers the affected communities' opinions.

_____
_____
_____
_____

Place Stamp Here

General Services Administration
Attention: John Maurer, Project Manager
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

Tape Here

If you would like to be added to the mailing list and receive information about the project, please provide your email or mailing address.

Name: _____
Affiliation (Optional):_____
Mailing Address:_____
City: _____ State:_____ Zip Code:_____
Email: _____

Please check the box below if you would like to be informed of project updates.

❑ Yes, mail/email to the above address.

Which key issues and topics would you like to see covered in the Environmental Assessment (EA)?

What adverse or beneficial impacts do you think the proposed project, a new replacement Land Port of Entry, might have on the natural and human environment?

Please provide any other comments you may have below. Attach additional sheets as needed.

Appendix H: Scoping Meeting Sign-In Sheet

Highgate Springs Land Port of Entry EA
Scoping Meeting Sign-In Sheet

Name	Mailing Address	E-mail address	Would you like to be informed of project developments?

Appendix I: Scoping Meeting Presentation Transcript

STATE OF VERMONT

PUBLIC SCOPING HEARING

IN THE MATTER OF HIGHGATE SPRINGS

LAND PORT OF ENTRY (LPOE)

ENVIRONMENTAL ASSESSMENT (EA)

Public Scoping Hearing held January 12, 2023

at 6:00 p.m., at St. Albans City Auditorium

Main Street, St. Albans, Vermont

COURT REPORTER: Sarah M. Bentley, RPR, Notary Public

CAPITOL COURT REPORTERS, INC.
P.O. BOX 329
BURLINGTON, VERMONT 05402-0329
(802) 863-6067
EMAIL: info@capitolcourtreporters.com

A P P E A R A N C E S

For U.S. General Services Administration (GSA):

John Maurer
Paul Hughes
Carey Bergeron
Missy Mertz
Kelly Morrison
Carol Chirico
Glenn Rotondo
Alan Bombardier
Jack Darling
Brian Fuller

For SOLV:

Oshin Paranjape
Leon Kolankiewicz

Also Present:

Nancy Bertrand
Robert Richard
Gerald Dexter
Stephen Dexter
Todd Bracks
Babette Liotte
Zulfi Jamil
Pete Kelley
Haley Pero
Zach Scheffler
Michele Boomhower
Thomas Renne
Giller Croinville
Michelle Monroe
Nate Fornelorie
Shawn Coleman
Josh Crandau
Thomas Renner

P R O C E E D I N G S

MR. KOLANKIEWICZ: Everybody, thanks for coming. We were actually going to start the presentation at 6:30, but given that we already have a sizable audience here we're not going to make them wait that long, but we thought we would give folks still on their way a chance to get here so we'll start the presentation at 6:00.

Until then feel free to take a look at the presentations here, and we'll start at 6:00.

Thank you.

(Brief recess was taken.)

MR. HUGHES: Good evening, Everyone. Thank you all for coming. We are all really excited, aren't you? Should I tell a joke first?

All right, so good evening. My name is Paul Hughes. I'm the regional public affairs officer for GSA New England.

I'll be working a lot with the media in your community over the course of the next several years as we try to keep you informed

about all of these upcoming projects.

On the behalf of the U.S. General Services Administration, Welcome. Thank you for coming today.

And I especially would like to thank St. Albans for use of this hall to hold this meeting. We really do appreciate that.

Before we begin I'd also like to introduce members of your congressional delegation. Michele Monroe from Senator Welch's office, Haley Pero from Senator Sanders' office, and Thomas Renner from Congresswoman Ballard's office. Thank you all for coming tonight.

We look forward to the next few years up here in your community because we have a lot of things going on up here.

In addition to Highgate Springs, we also have four other land ports of entry in Vermont that we're going to be working on, and this is our first opportunity to engage with you as a community to let you know what we're doing and how we're going to be progressing through these projects.

In addition to these four ports -- five ports, excuse me, we also have a nearly

18 million dollar project to do renovation and energy upgrade work to the St. Albans federal building right down the street. That's going to put us up here, GSA up here in your community for the next five to seven years.

So if you have questions or if you have things you want to ask us as we progress, please visit our website, follows us on social media.

That's my personal plug because I run all the social media channels and, please, reach out to us. We'd like to answer your questions as we move forward.

Tonight's session is a, more of a we want your comments. We won't be taking a lot of questions but maybe some.

So without any further adieu, I'm going to shut up. Again, thank you all for coming. We look forward to working with you over the next several years.

Oshin? John?

MR. MAURER: Yes.

Thank you, Paul.

Good evening, Everybody, and again thank you for coming out for tonight's meeting. My name is John Maurer. I'm the project manager

with GSA's design construction division in Region 1.

Tonight this presentation will be given by SOLV, who's our consultant who has been hired to do the environmental assessment in conjunction with the land port of entry in Highgate Springs.

Oshin Paranjape is doing the audio/visual tonight. She's also the project manager for the project.

And Leon -- I don't know how to pronounce your name.

MR. KOLANKIEWICZ: Kolankiewicz.

MR. MAURER: Kolankiewicz?

MR. KOLANKIEWICZ: Yeah, something like that.

MR. MAURER: Leon will be up here in a moment as well doing a presentation.

For those of you who aren't familiar with GSA and what we do, GSA provides two main services to the government and to the American taxpayer. It's a federal supply service that provides services in the forms of any company that wants to do business with the government, sell things, provide services, we provide

contracts for those.

We also have a branch that runs our fleets of cars. If you see a car driving down the highway with government plates on it, chances are it comes from the GSA fleet.

We also have a public building service. And, in essence, GSA is the government's landlord and property manager. We operate, maintain, and oversee the design and construction of federal buildings, courthouses, and other facilities across the country.

Here in New England we cover all six states. We have the federal building down the street, as Paul mentioned, and one of the other unique pieces of property we operate and maintain is land ports of entry.

Ports of entry traditionally were located at harbors where ships came into ports, and those have expanded to airports and also land crossings as well.

So just up the road about 40 miles -- not 40 miles -- 40 miles from Burlington is the Highgate Springs land port of entry, and we are planning on replacing that facility with a new port of entry. So tonight we'll discuss some of

the reasons for that.

As Paul mentioned, tonight's meeting will be informational. It's an opportunity for you to learn about this project and the process for it. The environmental assessment being done by SOLV is part of the planning process and gives us an opportunity to solicit input from the public to ensure that we capture concerns and issues that need to be incorporated into the project. And this is the first phase.

We'll got a draft copy of the environmental assessment later on and before culminating in the final assessment and report, and that will be available to the public as well.

And later in the presentation we'll explain how comments can be submitted both tonight and also later on after tonight's meeting.

Leon, would you give us an overview of the NEPA process?

MR. KOLANKIEWICZ: Sure.

MR. MAURER: Thank you.

MR. KOLANKIEWICZ: So thanks, Everyone, for coming out, by the way.

NEPA, the National Environmental Policy Act, is sometimes called the nation's Magna Carta of environmental laws, right?

It requires federal agencies, in essence, to look before they leap, to analyze the potential impacts of a proposed action or project before they actually go ahead and conduct that.

And it's an opportunity for the public to learn about the potential impacts and the alternative ways of getting a job done and to weigh in on or provide their input. And tonight this so-called scoping or outreach meeting is your first opportunity to do that on the land port of entry just to the north of us.

And in order to have the comments during the so-called scoping period considered, they have to be in the form of written comments. Any verbal comment made tonight will be considered, but in order to be formally considered it has to be written and submitted online, as an e-mail. We'll have something here later on showing you how to do that.

So as I mentioned, NEPA requires all federal agencies to analyze the potential

impacts of their projects and to consider alternatives ways of doing things that may reduce some of those impacts, right?

Agency responsibilities under NEPA include the documentation and public disclosure of environmental impacts and the alternatives that are analyzed, as we're going to get into a little bit later. There are going to be at least three alternatives analyzed in this so-called environmental assessment.

So we also solicit public input on project alternatives to be analyzed, what you think the important resource areas are that we should look at and the analysis and documentation, and we coordinate with other agencies such as the U. S. Fish and Wildlife Service, Vermont state agencies, Army Corps of Engineers and so forth.

So NEPA is considered what we call an umbrella law in the sense that other laws for protecting the nation's natural and cultural heritage go along with it to try and reduce unnecessary time, bureaucracy, what have you.

Three key ones that we also do as part of the NEPA process are so-called Section 7 of the

Endangered Species Act that requires federal agencies about to undertake an action to confer or consult with the U. S. Fish and Wildlife Service and analyze and determine whether or not there are going to be effects, potential effects on threatened and endangered species under the Federal Endangered Species Act.

The second one listed up here is the Section 404 of the Clean Water Act, which the U.S. Army Corps of Engineers is the primary agency charged with implementing, and that requires so-called discharge or fill into waters of the United States; navigable, so-called navigable waters and wetlands to receive a 404 permit, Section 404 under the Clean Water Act.

And so GSA will be coordinating with the Army Corps of Engineers' local offices here to see what type of permit will be necessary, or if one will be at all, what the impacts on wetlands and waters will be.

And then, finally, we have Section 106 of the National Historic Preservation Act of 1966, I think it is, over the last half century, that's required all federal agencies about to

undertake a project to look at the potential impacts on historic properties, which can be everything from old buildings to hidden sites, prehistoric/historic properties, historic architecture, traditional cultural properties, or TCPs, that have importance to traditional communities and so forth. So that has to be done as well, and there will be a lot of coordination with the historic preservation offices of the tribes in the State of Vermont.

So this, in broad strokes, is the NEPA process here in five neat stacks or slices of a stack for you. We're at the beginning of this right now, the public outreach or what we call the scoping process because it helps determine what the scope of analysis is. You know, what are the parameters, what resources we're looking at, what are the potential alternatives, and what are the impacts that people are most concerned about.

We're going to perform this analysis after we, you know, as we get into this scoping process and information comes in from the public and from other stakeholders such as agencies, and we'll be conducting the analysis.

And when that is all done it's going to be written up, and we will produce a document called an environmental assessment.

And then we'll have a comment period, 30-day comment period. We're going to be having another meeting, perhaps right here at this very location. At that time, probably sometime in the spring, is it, we're thinking? Early summer. It all depends on how it goes, but it can be as early as that.

So the public review process is that 30-day comment period, and then we will issue a final EA and if there are no significant impacts, right?

And in the NEPA, National Environmental Policy Act process the point of the EA is to determine whether or not there are any significant impacts on any of the resources that I identified.

If there are any significant impacts, that pushes it to something called an EIS, which is the same process but a bit more involved.

Our anticipation is that an EA may be adequate in this case, but it all depends on how the process plays out.

And that decision document -- I think we can go to the next one. The purpose of the outreach process, I think I've already been through all of this. Soliciting comments. Help inform our analysis.

So the draft EA analysis, develop a draft EA, environmental assessment. This includes an analysis of resource areas with the potential to be impacted by the proposed action and alternatives to that action.

The public meeting at the time we release the draft EA. GSA will host another public meeting, as I already mentioned, to solicit comments on the document and on the project itself. We will incorporate those public comments, consider them and incorporate them in revisions to the draft EA, and then we will release a final EA.

After the publication of the final EA, GSA will make a decision based on the analysis in the EA. As I was saying before, if there are any anticipated significant impacts in any resource area, right? GSA will begin the preparation of an EIS; environmental impact statement.

Statement is a bit of a misleading term. Here's a statement, two or three sentences long. Statements are more in-depth analyses, and there's greater scrutiny, more thorough analysis, et cetera.

But if there are no anticipated significant impacts as a result of the analysis we're commencing now, GSA will issue a decision document.

We typically, we call it the record of decision, the decision document stating what our reasoning was for concluding that there were no significant impacts and identifying what the course of action will be.

So major contents of an EA, we start with the purpose and need for a project. We'll be getting into that in a little bit. What are we actually trying -- what's the agency trying to achieve with its proposal, with its proposed action.

What are the alternatives ways -- Step Two; what are the alternatives ways of pursuing that?

Step Three, you look at the affected environment. That doesn't mean encyclopedic

treatment of everything. It means looking at those resources in the geographic area that might potentially be impacted by any of the alternatives under consideration.

And then, four, the environmental consequences. What effects would the alternatives have?

And some -- you know, if we have three alternatives, for example, with regard to some resources, each of the alternatives may have the exact same effects. You can have radically different effects, depending on what the resources are.

Noise versus water quality, historic resources versus recreational opportunities versus socioeconomic effects, et cetera, and what can be done to try to minimize, avoid and minimize those effects, essentially called mitigation measures.

Project purpose and need. Am I doing this, or are you?

MR. MAURER: You're doing that.

MR. KOLANKIEWICZ: Okay.

So the purpose is to enhance the performance, safety, security, and efficiency of

operations of GSA and its tenant agencies at the Highgate Springs LPOE and on the U.S./Canadian border. And the need related to that purpose is that the current LPOE does not currently have the capacity to accommodate projected increases in traffic or the infrastructure needed to ensure efficient operations.

So there are times right now when it can be long waits right there, for example, coming down from Canada, and it's only going to get worse with what is anticipated to be happening up there unless this measure is undertaken.

So affected environment sections that I was alluding to before. These are some of the ones that we often have. A lot of these will be appearing in this document, and as we get into it we'll see if any can be dropped or others need to be added.

We'll have things like land use. What is the land use of the area now? What might be the effects on land use be?

Soils and geology. Is there any concern related to that? Contamination of ground water. The biological resources in the proposed site of the action, which is -- some of which is

adjacent to the existing facilities.

Utilities, water, electricity. What are the supplies there now? What were they proposed, be proposed to be? Would there be any wider impacts putting this new facility on, on existing utilities for the community?

Traffic and transportation. That is a big one for this. It's related to the very purpose and the need itself.

Visual resources. That may or may not be important in this area. In some projects, in national parks, for example, visual resources are a huge part of the impact to look at. Probably not so much here, but it's certainly one that we will consider whether or not we want to include.

Air quality and climate change. In terms of climate change, it would be not so much what the effect of that, you know, proposal are on it but what, you know, in terms of anticipated or projected climate change, what might the effects be on operation of this facility.

Cultural resources. That's related to the historic resources, the National Historic Preservation Act that I mentioned earlier.

Socioeconomics. How many jobs will be created and what will the impact be locally and regionally on the economy during the construction phase of this project? Which could last -- what is it -- two to three years, I believe.

MR. MAURER: I think so.

MR. KOLANKIEWICZ: Along those lines, yeah, at least, so there will be some employment benefits.

In some cases, I don't know that it would be the case here, but in some cases with big huge projects, the production of a dam, you know, where you've got thousands of employees, not all of the benefits are beneficial. There may be a shortage of housing, that kind of thing. So socioeconomics can have pros and cons.

Environmental justice. That's the impact of low income and minority communities.

Solid and hazardous waste. You know, there may be sites there right now that have to be treated with kid gloves, right, because there are hazardous materials or waste deposits there that have got to be handled properly during the

construction process.

Human health and safety, you know, for the public and workers.

And noise. What -- will there be noise in different communities surrounding the project from trucks going through, for example, and is that important to the people who live there? Is there a major issue?

So these are some of the resource areas that we often have in EAs of this magnitude. We're not saying these are ones that would be in this particular one.

So looking at the big picture here, after completing the impact analysis and considering public input, it's GSA's responsibility to finish the NEPA process by issuing the final environmental decision. You see public impact there on the left. Our impact analysis is informed by that, and then GSA will issue its final environmental decision.

So, again, there's that same diagram for some of the major steps in the NEPA process. We are at the first one right at the top; public outreach, what we call scoping; January and February, 2023.

And, again, that will be working on and issuing a draft EA to the public, releasing it to the public. And during that 30-day comment period there will be another opportunity to meet in person like this and to file formal written remarks, right?

In order to be considered and to have an impact on the decision, they really have to be written down. Then we'll issue the final -- GSA will issue at final EA and the final document.

So GSA welcomes all public input and has provided multiple ways to submit comments. And you can see the e-mail address here with the subject line, or it can be mailed the old way, the traditional way to the address that is right there.

I believe, you know, a lot of the documents will be on the website, correct?

MR. MAURER: Yes, and we'll have that slide.

MR. KOLANKIEWICZ: This presentation, I believe, will be there. So there are multiple ways to find out where to send them things and how to submit them.

MR. MAURER: Leon, we'll have that slide

at the end of the presentation.

MR. KOLANKIEWICZ: Yes, we'll be showing this again later.

All right. John?

Thanks, everyone.

MR. MAURER: Okay. That gave you a little bit of background on the project itself. This was a nice aerial view of the Highgate Springs port of entry.

For those of you who haven't been there or through it, let me talk about it. Okay, it's located on Interstate 89. It's about 40 miles north of Burlington, and it handles both commercial and noncommercial traffic. It's a facility that's open 24/7, and it's one of the three busiest land ports of entry in New England.

Not all of the ports of entry are open all of the time. Not all of them can handle all types of cargo coming through, so Highgate is exceptional in that it will handle basically everything at any time. There's a couple exceptions there, but we won't get into that.

It was built -- the current facility was built in 1997. It replaced one that was, I

think, built back in the '30s or '40s. '30s, I think. And it was expanded twice, and it's located on approximately 16 acres of land.

This port here. The land we own goes basically up to the Canadian border and down south to about here. This site here is the site of the former Welcome Center owned by State of Vermont.

This is a closer aerial view. We have seven buildings at this site total. In total there are about 44,000 square feet. There are five POV lanes, or personal vehicles, passenger vehicles, located here. The bus lane is located on the east side of the building, and commercial trucks and vehicles come through on the west side of the building over here.

There's four agencies that have a presence at the port. Customs and Border Protection is our main tenant there. We also have the Food & Drug Administration and APHIS, which is part of the Department of Agriculture. They inspect -- that's the Animal & Plant Health Inspection Service.

And GSA also has a presence there for ourselves and, also, our O-and-M contractors

that operate and maintain the facility for us.

This is a brief discussion of basically why we're doing the port now. Just north of us Canada has begun construction of a highway project along Auto Route A-35. That's a highway that was begun -- they began construction back in the 1960s, and the last segments of it need to be built.

Currently the highway extends all the way down to roughly here. I believe these green portions have already been done, and it's these two portions here, it's about 10 miles long, that need to be built.

They're currently building the first portion, and that is slated to be completed in about 2025, I believe. We haven't received a date for the completion of the final portion.

The issue with this highway is once it's completed we anticipate the traffic through Highgate will increase by as much as 30 percent. On an average weekday that might not be a problem, but on busy weekends during the summer, many of you have passed through there when traffic has been heavy, that will have a significant impact on wait times for traffic

coming through the port.

It's anticipated that wait times could increase to as much as 100 minutes, basically between an hour and a half and two hours for each vehicle going through the port, so that would have a huge impact on commerce and people's patience going through the port.

Additionally, even though the port is only about 20 years old, we're already beginning to see issues with the conditions of the buildings themselves. These have an impact on CPB's operations at the port, FDA, and APHIS. They've lowered the site's energy performance, and they've increased our costs for operating and maintaining the facility.

There are more repairs that need to be done, which increase the cost for us and our tenants and the taxpayers.

And as I mentioned, people are beginning to experience long wait times even now, so that impacts the quality of service being provided by CBP.

The number of inspection lanes. There's only five for passenger vehicles, one each for buses and trucks. That limits through-put

capacity. And the configuration of the lanes coming into the port from Canada, that kind of snaking or bend effect limits CBP's ability to anticipate traffic as it's coming through the border and what types of vehicles are arriving.

There's even an issue with traffic having to crisscross each other since buses which are arriving from Canada, if they stop at the duty-free facility in Canada, they then need to cross all the lanes of traffic to get to our bus inspection lane, which is on the left side of our building.

Similarly, trucks that come from Canada, which are in the left lane, they now need to cut across traffic to get into the right lane for where the truck inspection facility is. So we're hoping to remedy some of those issues as well with the new port.

The environmental assessment will analyze action and no-action alternatives. Basically what are the consequences if we do something and, well, if we decide not to do anything what are the consequences going to be?

The action alternatives are basically looking at what will happen if we build a new

port with larger facilities for CBP and the other agencies, and then what would the consequences be if we don't do anything?

Well, we already know there will be an impact to traffic coming through the port, but are there any other consequences that need to be considered as well?

This is a list of some of the key components of the action alternatives. It's likely we will need to acquire additional land adjacent to the port, demolish the existing buildings and build newer buildings, larger buildings, construct facilities for our four agencies, and provide the support facilities they need for parking and things like snow storage.

And then construct up to seven new POV lanes and up to four new commercial primary inspection lanes. That would increase the POV lanes by 40 percent, and it would double the number of lanes we have available for both trucks and buses.

So the action alternatives would require additional land. This gives an aerial view of potential directions the expansion would occur

in, south of the existing port and then towards the west. Again, the current site is about 16 acres, so that -- we've determined that that really isn't adequate for what we need to do.

And this is just a comparison of a couple of alternatives in terms of the number of lanes. Not a big difference in the POV lanes or the buses and the commerce lanes, but the big difference for CBP is that one alternative allows for future expansion.

The other alternative is if those lanes -- if lanes were to be located between existing buildings, you're limited by how many lanes that can fit between those buildings.

In other words, in 20 years from now you're faced with those same problems. You can't expand and you need to tear everything down. So if we can come up with a design that allows for future expansion, that would be much more preferable.

That's the end of this portion of our presentation this evening.

Again, here are the opportunities to provide comments tonight or after tonight's meeting. We have comment cards at the back of

the room. Please feel free to hand me your comments on those tonight, or you can e-mail comments as well. And if you'd like put a postage stamp on something, I will get it in the mail.

And a couple of people have mentioned that there is a project website. That information will be posted at -- the one that went out in the letter to people/everybody was quite long. We were able to get it shortened, so this is -- if you can't remember this, at least it's easier to find it and type into your laptop.

So at this time do we want to go to the open house portion, Oshin, or what do we want to do?

Again, tonight's meeting was informational to provide you some information on the project, and we can answer some questions.

Again, the purpose of the meeting is for you to submit comments to us and feedback on anything that may come up as a result of this project. So we realize some things you're not going to think about tonight but it will be a few days from now when you're driving to

someplace and think, oh, I should have asked about such-and-such. So that's why we have additional opportunities to provide questions after tonight's meeting.

But if you have any comments tonight that you want to ask about, we can handle those. We're not answering questions so much about, well, have you considered putting a port here or adding the lanes here or doing this?

So that type of information you can submit on a comment card. We're really on the early stages of design. Actually we've just hired an architect to design the port for us, so we're really not in a position to answer design questions yet.

But if you have a comment about something that might be worth considering, please submit it.

MR. KOLANKIEWICZ: John, when can those comments be submitted until?

MR. MAURER: I think there's a date in February. February 9th, yes.

UNIDENTIFIED SPEAKER: Just for clarification, you're showing some of the alternatives. Looking at the number of POV

lanes --

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: So just looking for clarification. A number of the ports of entry, such as Champlain, New York, have NEXUS lanes, and there's been conversations about having a dedicated NEXUS lane for Highgate.

So I'm trying to understand, would that be one of those seven or one of those six, or was that not necessarily listed?

MR. MAURER: At this point that is subject to being corrected. My understanding is I think that would be part of the -- the NEXUS lane is included in that seven. It wouldn't be seven plus a NEXUS lane. I believe it's included in that but, again, that may be corrected.

UNIDENTIFIED SPEAKER: Thank you.

UNIDENTIFIED SPEAKER: They have a NEXUS lane now?

MR. MAURER: Yes.

MR. KOLANKIEWICZ: That's one thing that I probably neglected to say. I'm not sure we had a slide about it.

All of the documents have to include what

we call a no-action alternative. That is, where nothing changes, you continue to do things the way we are right now, so the NEXUS lane would be part of that.

For example, as well as everything else, just carried on into the future and what are the impacts of doing that.

UNIDENTIFIED SPEAKER: Simple question. The slide that has the UR; this is a question for me, GSA. Highgate Springs.LPOE. Is there a dot? Because if you put a dot it does make a difference. It could be no dot.

UNIDENTIFIED SPEAKER: I'm new to the north. I'll be putting the dot. I'm not going to the website.

MR. KOLANKIEWICZ: No dot at the end of the website.

UNIDENTIFIED SPEAKER: I have a question.

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: Is it too early to ask how much land, if there was a potential acquisition of land, how much land -- do you know how much land you might need, maximum amount?

MR. MAURER: It may not be too early to

ask, but it may be too early to answer.

Yes, and right now there's a number of things in flux that we -- so that won't be determined until we get a little bit further into design to see how things will be configured.

One other thing I can share is that about a year ago Vermont's Agency of Transportation began holding meetings, stakeholder meetings not only for this project but for a number of projects along the northern border in this area, into western -- to the west into New York State and to the east further into Vermont, and I don't know if we've gone as far as New Hampshire but looking along that entire border.

Paul Hughes mentioned that Highgate is one of five port-of-entry projects that will be done in this region. The other four ports are much smaller, but there's a significant impact economically.

But, also, if all those ports are being worked on at the same time, what does that do to people's options to get across at certain -- at certain times?

The State has a number of highway paving

projects, I forget the one -- the one that's south of here.

UNIDENTIFIED SPEAKER: Route 78.

MR. MAURER: Thank you. And so we're trying to coordinate those to avoid -- to try to minimize disruption. Highway projects and things like this always cause disruption, but you hate to see everything torn up at the same time just to make things difficult.

Also, there's competition for workers and materials if everybody is doing everything at the same time.

So one of the projects E-TRANS has come to us about is potential for including a truck inspection facility someplace adjacent to this port of entry. It would simplify things. Trucks coming through the port can immediately go through the State truck inspection facility to save them coming through there, getting back on the highway -- I got to get off again -- so we're working with them to find a location that suits their needs but also suits the needs at the port as well.

UNIDENTIFIED SPEAKER: Regarding land acquisition; land that will have to be required

to the right of that is Abenaki-owned land.

MR. MAURER: To the right?

Can you bring back that slide? Where would that be? Down here or --

UNIDENTIFIED SPEAKER: Tell him, Nancy.

UNIDENTIFIED SPEAKER: Well, I can tell better on -- it is this one right here. You can see it.

MR. MAURER: This area here?

UNIDENTIFIED SPEAKER: Yeah, up further.

MR. MAURER: This is the international boundary right here, and actually at this time we do not have any plans to -- we don't have a need to acquire land east of the interstate.

UNIDENTIFIED SPEAKER: Sweet.

MR. MAURER: So we should have the letters to interested parties before this meeting, and there was some people in this area that received them. Some people were concerned that we had designs on our property and were going to -- I got got a call this afternoon from someone who owns property on the east side of the United States, and I said at this time we don't have any plans. There's no need to.

We're looking more to the south of the

existing port than west of that.

UNIDENTIFIED SPEAKER: But even if you go to the other direction, no matter who owns that land it's still Abenaki property one way or the other, so I mean everything has to be treated as that way.

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: For investigation into the land for bone-shakers and, you know, whatnot, to see what is there. There may be skeletons, could be artifacts.

MR. MAURER: If our project doesn't have any plans to disturb that area, we don't need to study those areas.

UNIDENTIFIED SPEAKER: Right. Any place that those get disturbed.

MR. KOLANKIEWICZ: And we are doing that.

MR. MAURER: That's part of the study that SOLV is doing for us. That's part of the environmental assessment.

UNIDENTIFIED SPEAKER: Going north on the east side of the highway, where you go to Canada, the Canadian border, there's always a traffic problem because it's a narrow highway, and you've got six entrances to the Canadian

border and you've got a truck lane that -- you get a lot of cars and trucks. It's quite a problem.

I go by there pretty often, and I was wondering if there was anything in the future, like a tunnel in New York. It would make it less hazardous get to the border.

MR. MAURER: Yes, that's a good comment. Please include that, and it's something that we can consider.

One of the other projects that's part of this stakeholder meeting that we've had with Vermont's Agency of Transportation, CBSA -- Canada's counterpart to CBP -- is planning on upgrading their port as well north of the border. So they're looking -- they're looking at what they need to do to improve through-put at their location as well.

They're interested -- they will be working with us because they're interested to see what we will be doing so that they can coordinate their port renovation as well.

They're more constrained where they're located. They don't have as much land to work with as we do, but they're concerned about those

things as well.

UNIDENTIFIED SPEAKER: If they removed a lot of that ledge, it would give them more land.

MR. MAURER: Yes. Yes. That's one of the issues, the ledge to the east of their existing port. Anybody that has worked with that before, it's expensive to work with. Yes.

Yes. Another question?

UNIDENTIFIED SPEAKER: Yes. I don't know if you would have it now or maybe it's later, but just looking for any information you might have in regards to technology upgrades or automation upgrades that would occur.

I just raise that for like on the automation side where they currently offer lower wait times, and my understanding is that happens manually now and so it's not necessarily accurate or as accurate as folks would certainly like.

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: And just wondering if there's an opportunity to add automation in what's actually occurring on the ground?

And just on the technology side, as you mentioned CBSA, they utilize E-gates, electronic

gates, the NEXUS lane not being open often times coming into the United States at Highgate Springs, but they utilize E-gates, electric gates at St. Armand, Philipsburg, heading in, and also on the Ambassador Bridge.

So just trying to get a better understanding, is that something that might be incorporated or at least planned for, for future use?

MR. MAURER: Yes, the gentleman who was behind you here.

UNIDENTIFIED SPEAKER: I just moved to Vermont two weeks ago, and I'm very familiar with exactly what you're talking about.

Right now we're talking about the environmental assessment, and this exactly -- when we start tapping the requirements, that's where I come in, and we will definitely have these technology upgrades because we're talking about opening this port in about four years or more. It's already going to be old by the time we get it done, so this is where I come in and we bring in advanced technology and make through-put easier and safer for everyone.

And, yes, there will be some kind of --

you know, you go to the website, and there's a seven-minute wait time.

Because the southern border, we already have it, and we'll be capturing the requirements to include stuff like that.

And, also, you know electric car charging stations, you know, so we are going to put all this technology into the new site. That's for the requirements side.

Definitely, excellent question. And, yes, we are addressing that through-put and safety and just making it easier for tourists in both directions, correct.

UNIDENTIFIED SPEAKER: Thank you.

MR. KOLANKIEWICZ: One last one?

UNIDENTIFIED SPEAKER: On the entries, what's the current numbers that they are showing for vehicles passing, let's say daily, monthly, yearly?

MR. MAURER: We don't have those numbers here for you tonight. We'll see if we can get some. Those would -- would those be included in the EA?

MR. KOLANKIEWICZ: They probably would be, if they're available.

MR. MAURER: We have to get those numbers from CBP, and we just couldn't get them for tonight.

I think we did include like total numbers for commerce vehicles and POVs. I know we have it someplace, but we didn't have average daily figures.

Well, if there are no other comments or questions, we'll wrap things up tonight.

You're welcome to hang around and look at the posters again, and we will be here for a while if you have any other comments you want to ask us here.

So, again, thank you very much for coming tonight.

MR. KOLANKIEWICZ: Thanks, folks.

(End of proceedings and end of scoping hearing at 6:48 p.m.)

C E R T I F I C A T E

I, Sarah M. Bentley, RPR, do hereby certify that I reported by stenographic means the scoping hearing held on January 12, 2023.

I further certify that the foregoing testimony was taken by me stenographically and thereafter reduced to typewriting, and the foregoing 41 pages are a transcript of the stenographic notes taken by me of the hearing to the best of my ability.

I further certify that I am not related to any of the parties thereto or their counsel, and I am in no way interested in the outcome of said cause.

Dated at Berkshire, Vermont, this 16th day of January, 2023.

/s/ Sarah M. Bentley

Sarah M. Bentley, RPR

Appendix J: Comments Submitted During Scoping Period

VERMONT

Agency of Commerce and Community Development
National Life Building – Davis Building, 6th Floor
One National Life Drive
Montpelier, VT 05620-0501
accd.vermont.gov

[phone] 802-828-3211
[fax] 802-828-3383

February 8, 2023

Attn: John Maurer, Project Manager
General Services Administration

Dear Mr. Maurer,

The Vermont Agency of Commerce and Community Development (ACCD) is writing to state its strong support for the upgrade and expansion of the Highgate Springs, VT Land Port of Entry. Traffic that flows south from Canada directly impacts the Vermont economy through commerce, trade, tourism, community development, and related economic activities. Expanding this border crossing will help mitigate current crossing wait times, especially during peak periods, at one of the busiest crossings in New England.

As environmental impact work continues under the National Environmental Policy Act and the initial environmental assessments are developed, ACCD hopes GSA will explore all possible options that would allow for not only upgraded facilities, but significant expansion of travel lanes as well. As noted by the GSA at the EA Public Meeting held on January 12th in Saint Albans, the border crossing is underperforming due to a variety of reasons including poor alignment and visibility, as well as inadequate space for processing commercial and bus traffic.

For this reason, ACCD is strongly advocates for the Action Alternative 1 option. Expanding to 7 POV lanes (1 of which would be dedicated for NEXUS), 2 bus lanes, and 2 commercial lanes would allow for better flow at the border, especially if constructed in a way that allows for expansion in the future. Prepping the site for future development opportunities is also strongly encouraged from our view.

As Vermont seeks to grow economic ties with Canada, ACCD will continue its work to attract new businesses, increase tourism activity, and bring more Canadian travelers to the Burlington International Airport. Having an efficient and streamlined border crossing as the Autoroute-35 expansion reaches the Vermont border will be critical to our efforts. In addition to Vermont, the crossing also has significant impacts throughout New England, as the crossing is essential in the Boston and Montreal corridor. In fact, Canadian exports to the six New England states are larger than Canadian exports to China, Japan, Mexico, and France combined.

We appreciate the effort that GSA has already put into advocating for an expansion of this LPOE. We realize much work lies ahead, before any shovel goes in the ground. ACCD will continue to work alongside the Vermont Agency of Transportation to be helpful to the GSA and will support all communications needs and efforts around this project to Vermonters and the Vermont business community. Please to not hesitate to be in touch with any questions or further support you may need during this process.

Sincerely,
Tayt Brooks
Deputy Secretary ACCD

STATE OF VERMONT
HOUSE OF REPRESENTATIVES
115 STATE STREET
MONTPELIER, VT
05633-5201

February 9, 2023

General Services Administration
Attention: John Maurer, Project Manager
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

Mr. Maurer,

The Franklin County Vermont legislative delegation would like to express our support for the Highgate Springs LPOE expansion project. More specifically we are in support of "Alternative 1" as listed on slide 29. The ability to further expand under this option is an essential component of long term planning. As a legislative delegation we recognize the negative impacts our communities will feel as a result of inaction. Conversely, we understand the positive impacts that this expansion will have for our region and state.

The impending completion of Canadian Autoroute-35 has the potential to increase traffic by approximately 30 percent. These additional vehicles represent significant potential economic benefits for northwest Vermont. Failure to complete the Highgate Springs LPOE expansion would result in significant traffic delays which could lead traffic to choose other ports of entry or in the case of non-essential travel it could result in a decision to not make the trip. These options hold negative economic consequences for our communities.

In closing, we believe the economic impact due to tourism, trade and other activities is significant for our region and are in full support of the much-needed expansion at the Highgate Springs LPOE.

Sincerely,

Eileen Lynn Dickenson

Rep. Eileen "Lynn" Dickinson- Delegation Chair
Senator Randy Brock
Rep. Michael McCarthy
Rep. Lisa Hango
Rep. Wayne Laroche.
Rep. Ashley Bartley.
Rep. Allen Demar

Rep. James Gregoire- Delegation Vice Chair
Senator Robert Norris
Rep. Casey Toof
Rep. Matthew Walker
Rep. Carolyn Branagan
Rep. Thomas Oliver

VERMONT CHAMBER of Commerce

February 13th, 2023

Attn: John Maurer, Project Manager
General Services Administration

Dear Mr. Maurer,

The statewide Vermont Chamber of Commerce strongly endorses the upgrade and expansion of the Highgate Springs, VT Land Port of Entry (LPOE). Not only is Canada Vermont's most important trading partner, the United States and Canada have the world's largest bilateral trade and investment relationship valued at U.S. $1.7 trillion. Upgrading and expanding one of the three busiest LPOEs in New England will help Vermont and the Montreal to Boston I-89 Corridor recover from the COVID-19 pandemic by enhancing cross-border security and facilitating trade, including the flow of goods and people for commerce and tourism, which is vital to Vermont's manufacturing, hospitality, recreation, and retail industries.

Modernizing the Highgate Springs LPOE when Canada completes construction of the Autoroute A-35 is essential to handle an expected 30% increase in traffic and is vital to our efforts to transform Vermont into a supply chain hub. Additionally, this project will support the Vermont - Québec Aerospace Trade Corridor, attract more Canadian flying passengers that travel to the Burlington International Airport to fly to other destinations, recruit new Canadian-based foreign direct investments to the State, and strengthen our ties with Québec.

For these reasons, the Vermont Chamber strongly supports the **Action Alternative 1 option,** including (**7**) POV Lanes, (**2**) Business Lanes, (**2**) Commercial Lanes, and **future expansion**.

The Vermont Chamber applauds the General Services Administration's efforts in support of this critically important economic development project. Along with the Vermont Agency of Commerce and Community Development and the Vermont Agency of Transportation, the Vermont Chamber will support and advocate for this project in partnership with business and government stakeholders.

For questions or additional support, please do not hesitate to contact me directly.

Sincerely,

Christopher M. Carrigan

Christopher M. Carrigan
Vice President
(802) 223-0904

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

11 Lincoln Street, Room 210
Essex Junction, Vermont 05452
February 17, 2023

Regulatory Division
File No. NAE-2023-00338

General Services Administration
Attention: John Maurer, GSA Project Manager
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

Dear Mr. Maurer:

We understand you intend to construct a new replacement Land Port of Entry (LPOE) on Interstate 89 in Highgate, Vermont. Your project may involve work in waters under the U.S. Army Corps of Engineers (USACE) jurisdiction and may require prior authorization from USACE. The following is an explanation of USACE jurisdiction as defined by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

A permit is required under Section 10 for all work seaward of mean high water in navigable waters of the United States. In New England, for purposes of Section 10, navigable waters of the United States are those subject to the ebb and flow of the tide and a few of the major waterways used to transport interstate or foreign commerce, such as Lake Champlain.

Permits are also required under Section 404 for discharges of dredged or fill material into all waters of the United States, including navigable waters, inland rivers, lakes, streams, and wetlands, as well as the excavation/grading within these waters/wetlands. In interior waters, our jurisdiction extends landward to the ordinary high water mark or to the landward limit of most wetlands, whichever is more extensive.

The term "wetlands" is defined by Federal regulations as "...those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions..." (Federal Register, November 13, 1986 33 CFR Part 328.3(b)). Wetlands generally include swamps, marshes, and bogs; however, forests and meadows that lack surface waters can also be wetlands. In addition, wetland delineations as determined for Federal, state, and local agencies might not be interchangeable.

Before doing any work on project site, please insure that you have clearly delineated, both in the field and on your drawings, the precise limits of any waters of the United States under USACE jurisdiction which are located within the project area. If necessary, a qualified wetland consultant familiar with the methodology in the 1987 "Corps of Engineers Wetlands Delineation Manual" and the Northcentral and Northeast Regional Supplement should delineate any and all wetlands on the subject property. Data sheets supporting the wetland delineation should be submitted for review. On project drawings you should clearly indicate, with dimensions, the precise location of where you intend to place any fill material (whether temporary or permanent), excavate, or perform mechanized landclearing in any such wetlands or waterway. If the project will involve work within our jurisdiction you should forward the preliminary plan/design to me so that I may then be able to make an initial determination.

The New England District Corps of Engineers issued general permits (GPs) that expedites review of minimal impact work as defined by USACE in navigable and inland waters and wetlands within the State of Vermont. Activities with no more than minimal individual and cumulative adverse environmental effects, as specified by the terms and conditions of these GPs are either eligible for Self-Verification (SV), or require Pre-Construction Notification (PCN).

If the impacts of a project are determined to be more than minimal an individual permit (IP) will be required for the project. For IPs you must submit information that thoroughly and clearly documents the need for the fill, alternatives, and mitigation possibilities. Without this information, we could not issue a permit to place the fill. Additionally, in accordance with our regulations, no permit can be issued unless it complies with the Environmental Protection Agency's 404(b)(1) guidelines. Moreover, a permit cannot be issued until you receive Water Quality Certification from the Vermont Department of Environmental Conservation.

Please reference your existing file number NAE-2023-00338 in future correspondences. If you have any questions, please contact me at your earliest convenience at (978) 318-8485.

Sincerely,

Michael S. Adams
Senior Project Manager
Regulatory Division

Enclosure

Lake Champlain Chamber

60 Main Street, Suite 100
Burlington, Vermont 05401

802-863-3489
lccvermont.org

February 17, 2023

Attn: John Maurer
Project Manager
General Services Administration

Dear Mr. Maurer,

On behalf of the members of the Lake Champlain Chamber, I am writing to state our strong support for the upgrade and expansion of the Highgate Springs, Vermont Land Port of Entry.

As an organization, our mission is to create economic opportunities for all Vermonters. I am writing to you because the Vermont economy is affected by traffic from Canada through commerce, trade, tourism, and community development. Our members know that expanding the Highgate Springs Port of Entry will help mitigate current crossing wait times, especially during peak periods, at one of the busiest crossings in New England. As you move forward with planning, I ask that you prioritize not only upgraded facilities, but significant expansion of travel lanes as well. Action Alternative 1 option is the best scenario. Expanding to seven POV lanes (1 of which would be dedicated for NEXUS), 2 bus lanes, and 2 commercial lanes would allow for better flow at the border, especially if constructed in a way that allows for expansion in the future. I also suggest that ease of future development and expansion needs are planned as a part of this project.

Vermont already has strong economic ties with Canada and our member businesses foresee many opportunities to grow our economic activity in conjunction with the border. Vermont is already a location of choice for many Canadian companies seeking a US location, and we know we can increase the number of businesses with locations here. We also seek to both restore to pre-pandemic levels, and increase, tourism from Canada into Vermont. Canadian traffic into Vermont will also benefit Burlington International Airport which in turn benefits the many companies located in Vermont who utilize the airport to get to their customers. As the expansion of Autoroute-35 reaches the Vermont border, having an expanded and efficient border crossing will aid in both our efforts, as well as the rest of New England.

Our members appreciate the effort that GSA has already put into advocating for an expansion of the Highgate Springs Land Port of Entry. Please consider us a partner as you move forward with this process.

Sincerely,

Catherine Z. Davis, President – Lake Champlain Chamber

Highgate Springs LPOE <highgatesprings.lpoe@gsa.gov>

Highgate Springs LPOE EA

To: highgatesprings.lpoe@gsa.gov Mon, Feb 13, 2023 at 8:52 AM

Highgate Springs Land Port of Entry Comments

Re: The Proposal to Expand to Seven Lanes

First and foremost, only two lanes are open most of the me at the five lane crossing. After talking with some re red border patrol agents, I learned there isn't enough staff to open five lanes, let alone seven. If all seven lanes are open and full, how is that traffic going to merge onto a two lane interstate system? How can you honestly say that traffic will increase 30% when 10 more miles of Auto Route 35 are completed?

Re: The Concern about Buses Crossing Lanes from the Duty Free Store in Canada

This could be solved by moving the store to the other side of the road and would be a much less expensive op on.

Re: Providing EV Fueling Sta ons at the Border Crossing

Federal or state tax funds should not be used to support the cost of EV sta ons. Tax funds are not provided to border towns without gas sta ons. Franklin, Vermont has two border crossings and no gas sta on. Are the feds going to open a gas sta on there? I don't think so.

Re: The Need for an Archeological Study

If this project does go forward with this being said, any excava ons will need an archeological study performed, but **not by UVM.** UVM has a history of engaging in archeological digs and not returning Indigenous remains or items. You will also need to pay someone from the Abenaki Na on of Missisquoi to be present at any digs.

[Personal information removed]

Highgate Springs LPOE <highgatesprings.lpoe@gsa.gov>

Highgate Springs VT LPOE -A-E solicitation

To: "highgatesprings.lpoe@gsa.gov" <highgatesprings.lpoe@gsa.gov> Mon, Feb 20, 2023 at 1:59 PM

Good afternoon John,

I was inquiring as to the A-E solicitation for the Highgate Springs LPOE. I saw the schedule below. Are you aware if there will be a public solicitation for A-E services for the project?

Also, wondering if A-E solicitations will be in the future, or if already procured/in procurement, for Beebe Plain, Richford, and Norton VT projects?

I wasn't certain if all four of these projects would be procured openly through sam.gov or if would be awarded to GSA IDIQ A-E contract holders?

SCHEDULED COMPLETION – Highgate Springs, VT

- GSA submits spend plan to Congress – February 2022
- National Environmental Policy Act (NEPA) Award- September 2022
- Architect/Engineer (A/E) Design Award – December 2022
- Site Acquisition - (2023 - 2024)
- Construction Manager-as-Contractor (CMc) Award – (July 2023)
- Construction Start – (May 2024)
- Substantial Completion – (October 2027)
- Project Closeout – (November 2027)

Thanks,

[Personal information removed]

Highgate Springs LPOE <highgatesprings.lpoe@gsa.gov>

Highgate Springs LPOE EA

4 messages

[Personal information removed] Tue, Jan 24, 2023 at 1:00 PM
To: "highgatesprings.lpoe@gsa.gov" <highgatesprings.lpoe@gsa.gov>

Good afternoon,

I attended the very informative presentation in Saint Albans on January 12th. [Redacted] was the CMc on the successful Derby Line LPOE project; we are very interested in the Highgate project as well as the other LPOE projects in Vermont.

WE are monitoring SAM.gov. Can you provide any insight on the timing of the CMc solicitations? I want to be ready and have the resources allocated to respond.

If there is a point person (John Maurer?) for direct communication, kindly redirect me.

Thank you.

[Personal information removed]

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: So just looking for clarification. A number of the ports of entry, such as Champlain, New York, have NEXUS lanes, and there's been conversations about having a dedicated NEXUS lane for Highgate.

So I'm trying to understand, would that be one of those seven or one of those six, or was that not necessarily listed?

MR. MAURER: At this point that is subject to being corrected. My understanding is I think that would be part of the -- the NEXUS lane is included in that seven. It wouldn't be seven plus a NEXUS lane. I believe it's included in that but, again, that may be corrected.

UNIDENTIFIED SPEAKER: Thank you.

UNIDENTIFIED SPEAKER: They have a NEXUS lane now?

MR. MAURER: Yes.

MR. KOLANKIEWICZ: That's one thing that I probably neglected to say. I'm not sure we had a slide about it.

All of the documents have to include what

we call a no-action alternative. That is, where nothing changes, you continue to do things the way we are right now, so the NEXUS lane would be part of that.

For example, as well as everything else, just carried on into the future and what are the impacts of doing that.

UNIDENTIFIED SPEAKER: Simple question. The slide that has the UR; this is a question for me, GSA. Highgate Springs.LPOE. Is there a dot? Because if you put a dot it does make a difference. It could be no dot.

UNIDENTIFIED SPEAKER: I'm new to the north. I'll be putting the dot. I'm not going to the website.

MR. KOLANKIEWICZ: No dot at the end of the website.

UNIDENTIFIED SPEAKER: I have a question.

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: Is it too early to ask how much land, if there was a potential acquisition of land, how much land -- do you know how much land you might need, maximum amount?

MR. MAURER: It may not be too early to

ask, but it may be too early to answer.

Yes, and right now there's a number of things in flux that we -- so that won't be determined until we get a little bit further into design to see how things will be configured.

One other thing I can share is that about a year ago Vermont's Agency of Transportation began holding meetings, stakeholder meetings not only for this project but for a number of projects along the northern border in this area, into western -- to the west into New York State and to the east further into Vermont, and I don't know if we've gone as far as New Hampshire but looking along that entire border.

Paul Hughes mentioned that Highgate is one of five port-of-entry projects that will be done in this region. The other four ports are much smaller, but there's a significant impact economically.

But, also, if all those ports are being worked on at the same time, what does that do to people's options to get across at certain -- at certain times?

The State has a number of highway paving

projects, I forget the one -- the one that's south of here.

UNIDENTIFIED SPEAKER: Route 78.

MR. MAURER: Thank you. And so we're trying to coordinate those to avoid -- to try to minimize disruption. Highway projects and things like this always cause disruption, but you hate to see everything torn up at the same time just to make things difficult.

Also, there's competition for workers and materials if everybody is doing everything at the same time.

So one of the projects E-TRANS has come to us about is potential for including a truck inspection facility someplace adjacent to this port of entry. It would simplify things. Trucks coming through the port can immediately go through the State truck inspection facility to save them coming through there, getting back on the highway -- I got to get off again -- so we're working with them to find a location that suits their needs but also suits the needs at the port as well.

UNIDENTIFIED SPEAKER: Regarding land acquisition; land that will have to be required

to the right of that is Abenaki-owned land.

MR. MAURER: To the right?

Can you bring back that slide? Where would that be? Down here or --

UNIDENTIFIED SPEAKER: Tell him, Nancy.

UNIDENTIFIED SPEAKER: Well, I can tell better on -- it is this one right here. You can see it.

MR. MAURER: This area here?

UNIDENTIFIED SPEAKER: Yeah, up further.

MR. MAURER: This is the international boundary right here, and actually at this time we do not have any plans to -- we don't have a need to acquire land east of the interstate.

UNIDENTIFIED SPEAKER: Sweet.

MR. MAURER: So we should have the letters to interested parties before this meeting, and there was some people in this area that received them. Some people were concerned that we had designs on our property and were going to -- I got got a call this afternoon from someone who owns property on the east side of the United States, and I said at this time we don't have any plans. There's no need to.

We're looking more to the south of the

existing port than west of that.

UNIDENTIFIED SPEAKER: But even if you go to the other direction, no matter who owns that land it's still Abenaki property one way or the other, so I mean everything has to be treated as that way.

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: For investigation into the land for bone-shakers and, you know, whatnot, to see what is there. There may be skeletons, could be artifacts.

MR. MAURER: If our project doesn't have any plans to disturb that area, we don't need to study those areas.

UNIDENTIFIED SPEAKER: Right. Any place that those get disturbed.

MR. KOLANKIEWICZ: And we are doing that.

MR. MAURER: That's part of the study that SOLV is doing for us. That's part of the environmental assessment.

UNIDENTIFIED SPEAKER: Going north on the east side of the highway, where you go to Canada, the Canadian border, there's always a traffic problem because it's a narrow highway, and you've got six entrances to the Canadian

border and you've got a truck lane that -- you get a lot of cars and trucks. It's quite a problem.

I go by there pretty often, and I was wondering if there was anything in the future, like a tunnel in New York. It would make it less hazardous get to the border.

MR. MAURER: Yes, that's a good comment. Please include that, and it's something that we can consider.

One of the other projects that's part of this stakeholder meeting that we've had with Vermont's Agency of Transportation, CBSA -- Canada's counterpart to CBP -- is planning on upgrading their port as well north of the border. So they're looking -- they're looking at what they need to do to improve through-put at their location as well.

They're interested -- they will be working with us because they're interested to see what we will be doing so that they can coordinate their port renovation as well.

They're more constrained where they're located. They don't have as much land to work with as we do, but they're concerned about those

things as well.

UNIDENTIFIED SPEAKER: If they removed a lot of that ledge, it would give them more land.

MR. MAURER: Yes. Yes. That's one of the issues, the ledge to the east of their existing port. Anybody that has worked with that before, it's expensive to work with. Yes.

Yes. Another question?

UNIDENTIFIED SPEAKER: Yes. I don't know if you would have it now or maybe it's later, but just looking for any information you might have in regards to technology upgrades or automation upgrades that would occur.

I just raise that for like on the automation side where they currently offer lower wait times, and my understanding is that happens manually now and so it's not necessarily accurate or as accurate as folks would certainly like.

MR. MAURER: Yes.

UNIDENTIFIED SPEAKER: And just wondering if there's an opportunity to add automation in what's actually occurring on the ground?

And just on the technology side, as you mentioned CBSA, they utilize E-gates, electronic

gates, the NEXUS lane not being open often times coming into the United States at Highgate Springs, but they utilize E-gates, electric gates at St. Armand, Philipsburg, heading in, and also on the Ambassador Bridge.

So just trying to get a better understanding, is that something that might be incorporated or at least planned for, for future use?

MR. MAURER: Yes, the gentleman who was behind you here.

UNIDENTIFIED SPEAKER: I just moved to Vermont two weeks ago, and I'm very familiar with exactly what you're talking about.

Right now we're talking about the environmental assessment, and this exactly -- when we start tapping the requirements, that's where I come in, and we will definitely have these technology upgrades because we're talking about opening this port in about four years or more. It's already going to be old by the time we get it done, so this is where I come in and we bring in advanced technology and make through-put easier and safer for everyone.

And, yes, there will be some kind of --

you know, you go to the website, and there's a seven-minute wait time.

Because the southern border, we already have it, and we'll be capturing the requirements to include stuff like that.

And, also, you know electric car charging stations, you know, so we are going to put all this technology into the new site. That's for the requirements side.

Definitely, excellent question. And, yes, we are addressing that through-put and safety and just making it easier for tourists in both directions, correct.

UNIDENTIFIED SPEAKER: Thank you.

MR. KOLANKIEWICZ: One last one?

UNIDENTIFIED SPEAKER: On the entries, what's the current numbers that they are showing for vehicles passing, let's say daily, monthly, yearly?

MR. MAURER: We don't have those numbers here for you tonight. We'll see if we can get some. Those would -- would those be included in the EA?

MR. KOLANKIEWICZ: They probably would be, if they're available.

Appendix K: Index of Comments

Date	Commenter	Comment Method	Nature of Comments
Agency			
2/8/2023	Agency 1	Email	Alternatives; socioeconomics; request for information; traffic and transportation;
2/9/2023	Agency 2	Email	Alternatives; socioeconomics; traffic and transportation;
2/13/2023	Agency 3	Email	Alternatives; request for information; socioeconomics;
2/17/2023	Agency 4	Email	Permit; water resources
2/17/2023	Agency 5	Email	Alternatives; socioeconomics
Public			
1/12/2023	Speaker 1	Verbal comment at public meeting	Request for information
1/12/2023	Speaker 2	Verbal comment at public meeting	Request for information
1/12/2023	Speaker 3	Verbal comment at public meeting	Request for information
1/12/2023	Speaker 4	Verbal comment at public meeting	Request for information
1/12/2023	Speaker 5	Verbal comment at public meeting	Cultural resources; request for information
1/12/2023	Speaker 6	Verbal comment at public meeting	Request for information
1/12/2023	Speaker 7	Verbal comment at public meeting	Request for information
1/12/2023	Speaker 8	Verbal comment at public meeting	Request for information
2/13/2023	Commenter 1	Email	Cultural resources; outside of scope; request for information
2/20/2023	Commenter 2	Email	Outside of scope
2/24/2023	Commenter 3	Email	Outside of scope

APPENDIX B: AGENCY CONSULTATION

CONSULTATION WITH THE U.S. FISH AND WILDLIFE SERVICE

GSA New England Region

July 12, 2024

Wendi Weber, Regional Director
U.S. Fish and Wildlife Service – Northeast Region
300 Westgate Center Drive
Hadley, MA 01035

Dear Ms. Weber,

The U.S. General Services Administration (GSA) New England Region (Region 1) is preparing an Environmental Assessment (EA) for the construction of the new replacement Highgate Springs Land Port of Entry (LPOE) in compliance with the National Environmental Policy Act (NEPA). The Highgate Springs LPOE is located approximately 40 miles north of Burlington, VT, across the border from the Canadian port of entry at St-Armand/Philipsburg, Quebec.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service (USFWS) with information about the proposed project, and species listed under the Endangered Species Act (ESA) and any designated critical habitat that may be affected by the project. With this letter, GSA requests USFWS' technical assistance in concurring with the effect determinations for the identified ESA species.

Project Background

The purpose of the proposed project is to modernize and expand the Highgate Springs LPOE. The existing LPOE does not meet the current operational and security needs of our tenants. Additionally, the Canadian government is constructing the final segment of its Autoroute 35 (A-35) highway between Montreal and St-Armand/Philipsburg. When completed, traffic at the Highgate Springs LPOE is projected to increase by approximately 30 percent. The proposed project would demolish all existing buildings at the LPOE, modernize and expand the LPOE through new construction, and construct new vehicle inspection lanes for incoming traffic.

Project Area

The existing LPOE encompasses approximately 16 acres of land, and GSA is considering acquiring portions of two adjacent properties to accommodate the expanded LPOE. Figure 1 (see below) shows the proposed project study area and the possible area of permanent disturbance. The project area encompasses portions of the GSA land parcel, private property to the west, and State of Vermont property to the south.

Species Effects Analysis

The USFWS's Information, Planning, and Consultation (IPaC) tool determined that three ESA-listed species have the potential to occur in the project area, the endangered northern long-

eared bat (*Myotis septentrionalis*), the proposed endangered tricolored bat (*Perimyotis subflavus)*, and a candidate species, the monarch butterfly (*Danaus plexippus)*. The IPaC tool did not identify any designated critical habitat for these species within the project area. Therefore, GSA has made the following preliminary effect determinations for the identified species based on existing site conditions:

Table 1. Listed Species Potentially Occurring in or Near the Project Area

Common Name	Scientific Name	Listing Status	Preliminary Effect Determination
Northern Long-eared Bat	*Myotis septentrionalis*	Endangered	**No Effect.** GSA evaluated the latest version of the northern long-eared bat Rangewide Determination Key, which stated that the proposed action does not intersect an area where the northern long-eared bat is likely to occur, based on the information available to USFWS. GSA would like to request confirmation that northern long-eared bats, bat roosts, or hibernacula are not known to occur in or near the project area.
Tricolored Bat	*Perimyotis subflavus*	Proposed Endangered	**No Effect.** There are no documented cases of tricolored bat occurring in the project area, and there is no designated tricolored bat critical habitat in or near the project area. GSA would like to request confirmation that tricolored bats, bat roosts, or hibernacula are not known to occur in or near the project area.
Monarch Butterfly	*Danaus plexippus*	Candidate	**No Effect**. The majority of the project area consists of paved surfaces, disturbed habitat such as mowed grass lawns, and forests. It is not considered likely that project activities would destroy monarch butterfly habitat or remove a substantial amount of nectar resources. GSA would like to request confirmation that milkweed habitat suitable for monarch butterfly are not known to occur in or near the project area.

Technical Assistance Request

We would greatly appreciate your technical assistance in identifying any additional resources that could be affected by the proposed project and your concurrence on our preliminary effect determinations. Thank you for your consideration; I look forward to receiving your response regarding this project. Please note that GSA is also undergoing consultation with the Vermont Agency of Natural Resources for details on state-listed species. If you have any questions or concerns or would like additional information, please contact me via email at john.maurer@gsa.gov.

Sincerely,

JOHN MAURER Digitally signed by JOHN MAURER
Date: 2024.07.12 12:01:08 -04'00'

John K. Maurer, GSA Project Executive
Vermont BIL Land Ports of Entry (1PCTB)
U.S. General Services Administration
Public Buildings Service
Design & Construction Division
Thomas P. O'Neill, Jr., Federal Building
10 Causeway St., Room 1100
Boston, MA 02222-1077

Cell: (617) 893-0345
Email: john.maurer@gsa.gov

Attachments:
Attachment 1: Official USFWS IPaC Report
Attachment 2: Northern Long-eared Bat Determination Key Consistency Letter

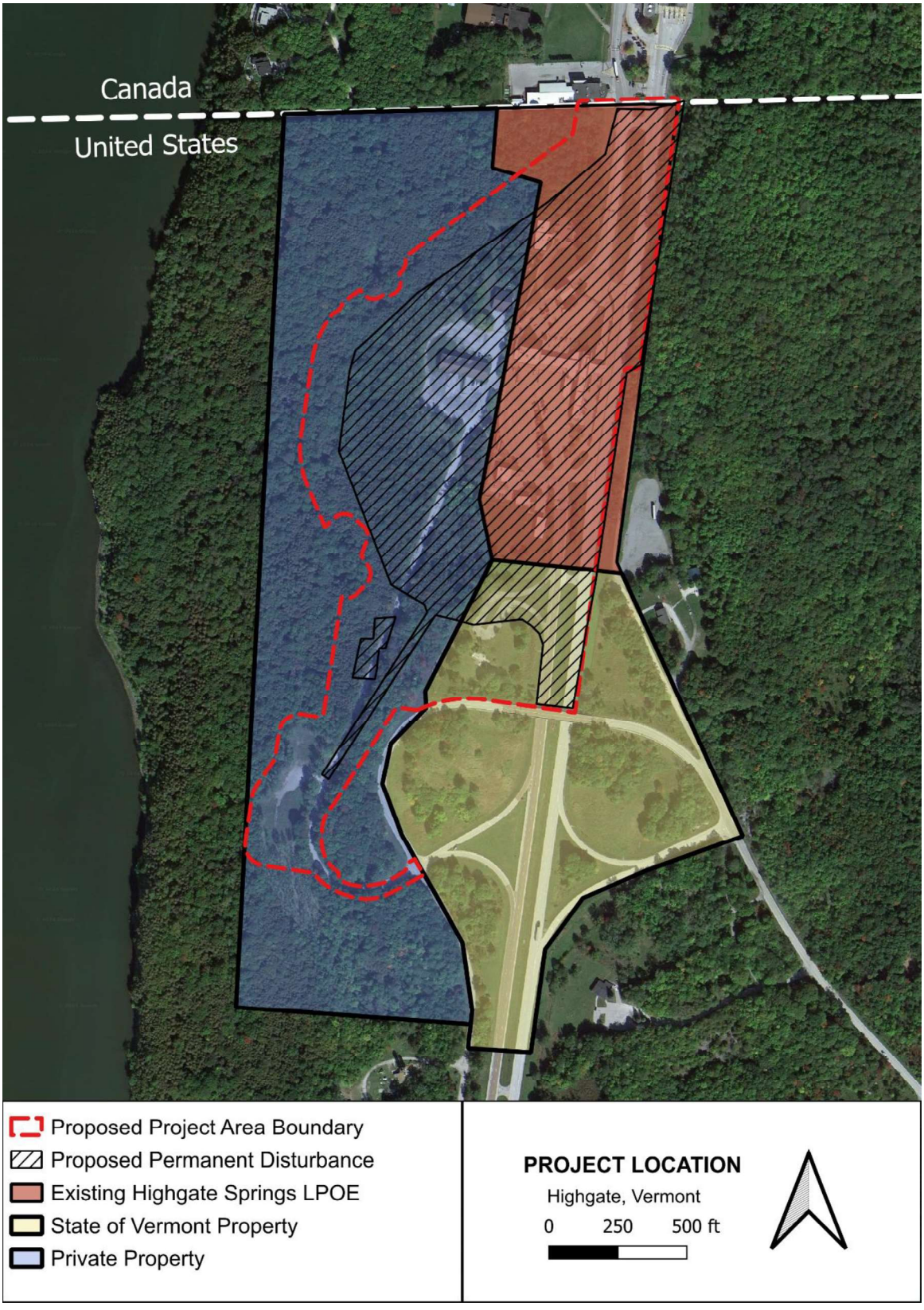


Figure 1. Highgate Springs LPOE Project Area

Attachment 1: Official USFWS IPaC Report

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To: 05/22/2024 13:41:17 UTC
Project Code: 2024-0093961
Project Name: Highgate Springs Land Port of Entry Environmental Assessment

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 **-** *Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.*

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the "**New England Field Office Endangered Species Project Review and Consultation**" website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (**Updated 4/12/2023**) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act
Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/service/section-7-consultations

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

https://www.fws.gov/program/migratory-bird-permit

https://www.fws.gov/library/collections/bald-and-golden-eagle-management

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
(603) 223-2541

PROJECT SUMMARY

Project Code: 2024-0093961

Project Name: Highgate Springs Land Port of Entry Environmental Assessment

Project Type: New Constr - Above Ground

Project Description: The Highgate Springs LPOE is located approximately 40 miles north of Burlington, VT, across the border from the Canadian port of entry at St. Armand/Philipsburg, Quebec (QC). The LPOE encompasses approximately 16 acres of land and serves as a crossing for both commercial and non-commercial traffic. It is one of the three busiest LPOEs in New England. The main facility was constructed in 1997 and office buildings were added for FDA and CBP operations in 2004.

The Canadian government is constructing the final segment of its Autoroute A-35 highway between Montreal and St. Armand/Philipsburg. When completed in 2025, traffic at the Highgate Springs LPOE is projected to increase by approximately 30 percent; which the LPOE currently does not have the capacity to accommodate. Additionally, the condition of some of the buildings and infrastructure at the LPOE has deteriorated over time, which has adversely impacted the operations of GSA's tenant facilities at the port, lowered the site's energy performance, and increased GSA's costs for operating and maintaining the facility. As a result, GSA is proposing to construct a larger facility that expands and modernizes the LPOE to ensure that the tenant agencies are able to operate efficiently and effectively and to enable the port's ability to handle the anticipated traffic increase at the border crossing.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@45.011553649999996,-73.08717089647664,14z

Counties: Franklin County, Vermont

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Solv, LLC
Name: Amelia Waring
Address: 8201 Greensboro Dr
Address Line 2: #700
City: McLean
State: VA
Zip: 22102
Email amelia.waring@solvllc.com
Phone: 5409586197

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

Attachment 2: Northern Long-eared Bat Determination Key Consistency Letter

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To: 06/14/2024 16:25:12 UTC
Project code: 2024-0093961
Project Name: Highgate Springs Land Port of Entry Environmental Assessment

Federal Nexus: yes
Federal Action Agency (if applicable): General Services Administration

Subject: Record of project representative's no effect determination for 'Highgate Springs Land Port of Entry Environmental Assessment'

Dear Amelia Waring:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on June 14, 2024, for 'Highgate Springs Land Port of Entry Environmental Assessment' (here forward, Project). This project has been assigned Project Code 2024-0093961 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed

action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of “No Effect” on the northern long-eared bat. If there are no updates on listed species, no further consultation/ coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the New England Ecological Services Field Office and reference Project Code 2024-0093961 associated with this Project.

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Highgate Springs Land Port of Entry Environmental Assessment

2. Description

The following description was provided for the project 'Highgate Springs Land Port of Entry Environmental Assessment':

> The Highgate Springs LPOE is located approximately 40 miles north of Burlington, VT, across the border from the Canadian port of entry at St. Armand/ Philipsburg, Quebec (QC). The LPOE encompasses approximately 16 acres of land and serves as a crossing for both commercial and non-commercial traffic. It is one of the three busiest LPOEs in New England. The main facility was constructed in 1997 and office buildings were added for FDA and CBP operations in 2004.
>
> The Canadian government is constructing the final segment of its Autoroute A-35 highway between Montreal and St. Armand/Philipsburg. When completed in 2025, traffic at the Highgate Springs LPOE is projected to increase by approximately 30 percent; which the LPOE currently does not have the capacity to accommodate. Additionally, the condition of some of the buildings and infrastructure at the LPOE has deteriorated over time, which has adversely impacted the operations of GSA’s tenant facilities at the port, lowered the site’s energy performance, and increased GSA’s costs for operating and maintaining the facility. As a result, GSA is proposing to construct a larger facility that expands and modernizes the LPOE to ensure that the tenant agencies are able to operate efficiently and effectively and to enable the port’s ability to handle the anticipated traffic increase at the border crossing.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@45.011414200000004,-73.08714175643483,14z

133
Welcome Ctr Rd
Club Rd

DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (Myotis septentrionalis). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

   Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

   No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

   Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

   No

3. Does any component of the action involve construction or operation of wind turbines?

   Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

   No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

   Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

   No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

   Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

   No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

   No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

   No

9. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the effects of any activities that would not occur but for the proposed action.

   If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

   Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of Effects of the Action can be found here: https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions

   Yes

PROJECT QUESTIONNAIRE

Will all project activities by completed by November 30, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Solv, LLC
Name: Amelia Waring
Address: 8201 Greensboro Dr
Address Line 2: #700
City: McLean
State: VA
Zip: 22102
Email amelia.waring@solvllc.com
Phone: 5409586197

LEAD AGENCY CONTACT INFORMATION

Lead Agency: General Services Administration

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

From:	Cristina Clow - 1PCTB
To:	Oshin Paranjape
Cc:	Marshall Popkin - PTA; John Maurer - 1PCTB
Subject:	Fwd: [EXTERNAL] General Services Administration - Request for Informal Consultation for the Highgate Springs LPOE Project
Date:	Monday, August 26, 2024 12:07:31 PM

Hi Oshin,

Please see the below questions from USFWS regarding the Highgate consultation. GSA plans to respond to these questions from USFWS in the near future and will include SOLV in that correspondence.

Thank you,
Cristina

---------- Forwarded message ---------
From: **Dykstra, Eliese A** <eliese_dykstra@fws.gov>
Date: Fri, Aug 2, 2024 at 1:07 PM
Subject: Re: [EXTERNAL] General Services Administration - Request for Informal Consultation for the Highgate Springs LPOE Project
To: john.maurer@gsa.gov <john.maurer@gsa.gov>

Hi John,

Thank you for submitting your project (2024-0093961) for review, I'll be your point of contact going forward for this project. After my initial review, I have a few follow-up questions and comments:

Tricolored Bat

- What is the maximum acreage of tree removal that may occur?
- Tricolored bats may roost in any suitable habitat within their current range including in trees, clumps of leaves, beard lichens hanging from trees, or in human-made structures including buildings. We are not aware of any tricolored bat observations or survey efforts in the immediate vicinity of the project area, however, this does not confirm absence. There have been many acoustic detections within less than 3 miles of the project location and we expect that tricolored bats could utilize any available suitable habitat within the project area. Because potential roosting habitat will be impacted by the project, a no effect determination is not appropriate. However, if adverse impacts to bats that may utilize roosting habitat on site can be avoided and minimized, a **may affect, not likely to adversely affect** determination would be well supported.
    - We would recommend not conducting any activities that could impact roosting tricolored bats, including tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts, during the pup season from **June 1 - August 15** (see Summer Bat Survey

Guidelines Appendix L for bat season dates in each state). Pups cannot fly and forage independently during this time period and therefore are vulnerable to any impacts to roosts they may occupy. Is it possible to implement this time of year restriction as a conservation measure? If so, please send me a revised project review request letter (replying to this email is preferred, no need to re-send to our general mailbox) that asks for USFWS concurrence with a may affect, not likely to adversely affect determination and includes the time of year restriction as a conservation measure.
    - If a time of year restriction is not possible, let me know and we can coordinate further on possible alternatives such as surveys.

Monarch Butterfly

- Unfortunately, I don't have enough information to confirm that milkweed habitat or other suitable nectar plants are not present in the action area, although based on your description it sounds as though there is likely only minimal habitat available, if any. Because the monarch butterfly is a candidate species, no consultation under section 7 is necessary at this time. Proactive voluntary conservation measures are always encouraged, such as creating pollinator habitat or avoiding impacts to existing patches of pollinator habitat as the design is finalized.

Thanks, let me know if you have any questions,
Eliese

Eliese Dykstra (*she/her*)
Fish and Wildlife Biologist
Endangered Species Program
U.S. Fish and Wildlife Service
New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301
New Phone Number: 603-568-4652 (mobile)
Email: eliese_dykstra@fws.gov

From: Oshin Paranjape <Oshin.Paranjape@solvllc.com>
Sent: Friday, July 12, 2024 3:37 PM
To: Weber, Wendi <wendi_weber@fws.gov>; New England FO, FW5 <newengland@fws.gov>
Cc: John Maurer - 1PCTB <john.maurer@gsa.gov>; Cristina Clow - 1PCTB <cristina.clow@gsa.gov>; Missy Mertz - 3PTN <melissa.mertz@gsa.gov>
Subject: [EXTERNAL] General Services Administration - Request for Informal Consultation for the

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good Afternoon,

On behalf of the **U.S. General Services Administration (GSA)**, we would like to request your technical assistance in reviewing and concurring with the preliminary effect determination for the threatened, endangered, and/or candidate species with the potential to be impacted by GSA's proposed undertaking, per Section 7 of the Endangered Species Act. GSA is proposing to expand and modernize the Land Port of Entry (LPOE) at Highgate Springs, Vermont. The attached letter details the project background and includes the following:

1. Map of the project area;
2. Official USFWS IPaC Report; and
3. Northern Long-Eared Bat Determination Key Consistency Letter.

GSA is in the process of drafting an Environmental Assessment to analyze the social, economic, and environmental effects of the project and would appreciate your input in identifying any additional resources that may warrant consideration.

For any questions or concerns, please contact John Maurer, Project Executive, GSA at john.maurer@gsa.gov.

Sincerely,

Oshin Paranjape

solv™
Oshin Paranjape
Solv | 703 760 4801 x136
environment | energy | engineering | planning

U.S. General Services Administration

Cristina Clow, AIA
Project Manager
Design & Construction Division (1PCTB)
Public Buildings Service
Thomas P. O'Neill, Jr., Federal Building

10 Causeway Street, 11th Floor
Boston, MA 02222-1077
Cell: 857-276-9495
E-mail: cristina.clow@gsa.gov

GSA New England Region

September 18, 2024

Eliese Dykstra, Fish and Wildlife Biologist
U.S. Fish and Wildlife Service – New England Field Office
70 Commercial Street, Suite 300
Concord, New Hampshire 03301

Dear Ms. Dykstra,

The purpose of this letter is to provide the U.S. Fish and Wildlife Service (USFWS) with information on the proposed project, the expansion and modernization of the Highgate Springs Land Port of Entry (LPOE) [#2024-0093961], undertaken by the U.S. General Services Administration (GSA) in Franklin County, VT. In response to the USFWS correspondence dated August 2, 2024, this attachment provides revised effect determinations for threatened and endangered species under Section 7 of the Endangered Species Act (ESA) that may occur in or near the proposed project area. With this letter, GSA requests concurrence from USFWS on the revised effect determinations for the identified ESA species and additional technical assistance.

Project Area

The Highgate Springs LPOE is located on 16 acres within the 20.1-acre property owned by GSA (GSA property). GSA would acquire additional land to the west and south of the LPOE. The property to the west consists of approximately 57 acres of private land which GSA would acquire in its entirety. The property to the south is owned by the Vermont Agency of Transportation (VAOT). GSA may acquire up to 4 acres from VAOT. The project area includes the following: the existing GSA property, a portion of the private property to the west, and a portion of the VAOT property to the south. The project area consists of approximately 50 acres of which approximately 34 acres would be permanently disturbed from the new LPOE and nearly 16 acres would be temporarily disturbed from staging of construction materials and equipment. Approximately 11 acres of vegetation would be permanently removed under the proposed project. The attached **Figure 1** shows the proposed project area boundary and the area of permanent disturbance.

Project Background

GSA is proposing to expand and modernize the Highgate Springs LPOE. The purpose of the project is to improve and enhance the performance, safety, security, and efficiency of operations for cross-border travelers and federal agencies at the LPOE. Additionally, the Canadian government is constructing the final segment of its Autoroute 35 (A-35) highway between Montreal and St-Armand/Philipsburg. When completed, traffic at the Highgate Springs LPOE is projected to increase by approximately 30 percent. Under the proposed project, GSA would acquire properties to the west and south of the LPOE, demolish all existing buildings at the LPOE and acquired properties, and construct new buildings and supporting infrastructure. Substantial earthwork would occur in the project area, including tree clearing, excavation, grading, and cut and fill operations. Three new structures would be constructed: Main Building, Commercial Building, and Training Building. The expanded LPOE would accommodate seven inspection lanes for private vehicles, two inspection lanes for buses, two inspection lanes for commercial vehicles, and one bypass lane for larger vehicles (such as snowplows). Supporting facilities would be

constructed, including employee and visitor pedestrian paths, snow storage locations, helipad, return routes, up to 200 employee parking spaces, and utility connections.

Species Effects Analysis

In addition to National Environmental Policy Act, the project must comply with ESA Section 7. The USFWS Information, Planning, and Consultation (IPaC) tool determined that three listed species have the potential to occur in the project area: the endangered northern long-eared bat (NLEB) (*Myotis septentrionalis*), the proposed endangered tricolored bat (*Perimyotis subflavus*), and a candidate species, the monarch butterfly (*Danaus plexippus*). The IPaC tool did not identify any critical habitat for these species within the project area. GSA has made the following preliminary effect determinations for the identified species based on existing site conditions and the USFWS correspondence email dated August 2, 2024.

Table 1. Listed Species Potentially Occurring in or Near the Project Area

Common Name	Scientific Name	Listing Status	Preliminary Effect Determination
Northern Long-eared Bat	*Myotis septentrionalis*	Endangered	***May Affect, Not Likely to Adversely Affect*.** GSA evaluated the latest version of the NLEB Rangewide Determination Key, which stated that the proposed action does not intersect an area where NLEB is likely to occur, based on the information available to USFWS. However, given the potential acoustic detection of tricolored bat in the project area vicinity, GSA conservatively assumes that NLEB may occur in the vicinity as well. Therefore, the clearing of approximately 11 acres of trees under the proposed project could affect NLEB. Under the proposed project, GSA would conduct project activities (including tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts) outside of the bat active season (i.e., outside of June 1 – August 15) to avoid or reduce the likelihood of potential effects to NLEB. **GSA would like to request confirmation that NLEB roosts or hibernacula are not known to occur in or near the project area.**
Tricolored Bat	*Perimyotis subflavus*	Proposed Endangered	***May Affect, Not Likely to Adversely Affect*.** There are no documented cases of tricolored bat occurring in the project area and there is no designated tricolored bat critical habitat in or near the project area. USFWS confirmed that tricolored bat roosts and hibernacula are not known to occur in or near the project area. However, USFWS informed GSA that tricolored bats have been acoustically detected within three (3) miles of the project area. Therefore, the clearing of approximately 11 acres of trees could affect tricolored bats. Under the Proposed Action, GSA would conduct project activities (including tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts) outside of the bat active season (i.e., outside of June 1 – August 15), as recommended by USFWS, to avoid or reduce the likelihood of potential effects to the tricolored bat.

Common Name	Scientific Name	Listing Status	Preliminary Effect Determination
Monarch Butterfly	*Danaus plexippus*	Candidate	***No Effect***. Most of the project area consists of paved surfaces, disturbed habitat such as mowed grass lawns, and forests. It is not considered likely that project activities would destroy monarch butterfly habitat or remove a substantial amount of nectar resources, if such resources occur onsite. USFWS could not confirm whether suitable nectar resources occur in the project area but concurred based on the project area description and map that the project area likely contains minimal to no suitable habitat. Furthermore, the monarch butterfly is a candidate species, so no consultation under ESA Section 7 is required.

GSA Response to USFWS August 2, 2024, Correspondence Regarding Tricolored Bat

- What is the maximum acreage of tree removal that may occur?

  The maximum acreage of tree removal that may occur under the proposed project is 11 acres. Most of this acreage is forested with some landscaped areas (Figure 1).

  - Tricolored bats may roost in any suitable habitat within their current range including in trees, clumps of leaves, beard lichens hanging from trees, or in human-made structures including buildings. USFWS is not aware of any tricolored bat observations or survey efforts in the immediate vicinity of the project area, however, this does not confirm absence. There have been many acoustic detections within less than 3 miles of the project location and it is expected that tricolored bats could utilize any available suitable habitat within the project area. Because potential roosting habitat may be impacted by the project, a *no effect* determination is not appropriate. However, if adverse impacts to bats that may utilize roosting habitat on site can be avoided and minimized, a *may affect, not likely to adversely affect* determination would be well supported.

    GSA concurs with USFWS and has determined that the project ***may affect, but is not likely to adversely affect*** tricolored bat, as shown in Table 1. GSA conservatively made this determination for NLEB, as well.

  - USFWS recommends not conducting any activities that could impact roosting tricolored bats, including tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts, during the pup season from June 1 – August 15. Pups cannot fly and forage independently during this time period and therefore are vulnerable to any impacts to roosts they may occupy.

    Given the presence of suitable habitat within the project area that would be partially cleared under the proposed project and the acoustic detection of tricolored bats in the project area vicinity, GSA concurs with USFWS recommended determination of ***may affect, but not likely to adversely affect*** for tricolored bat and conservatively made the same determination for NLEB. GSA would complete the above stated project activities (tree removal, tree trimming, and demolition of structures that could have gaps/spaces/holes that may be used as roosts) outside the bat active season from June 1 to August 15 to avoid and/or minimize potential adverse effects to tricolored bats and NLEB.

Request for Technical Assistance Regarding NLEB

We would greatly appreciate your technical assistance in identifying any additional resources that could be affected by the proposed project and your input on our revised effect determinations for tricolored bat and NLEB. Additionally, GSA would like to request confirmation that NLEB roosts or hibernacula are not known to occur in or near the project area, as well as information on acoustic (or other) NLEB detections in the project area vicinity.

Thank you for your consideration and assistance; I look forward to receiving your response regarding this project. If you have any questions or concerns or would like additional information, please contact me via email at john.maurer@gsa.gov.

Sincerely,

JOHN MAURER Digitally signed by JOHN MAURER
Date: 2024.09.18 17:34:10 -04'00'

John K. Maurer, GSA Project Executive
Vermont BIL Land Ports of Entry (1PCTB)
U.S. General Services Administration
Public Buildings Service, New England Region
Design & Construction Division
Thomas P. O'Neill, Jr., Federal Building
10 Causeway St., Room 1100
Boston, MA 02222-1077

Cell: (617) 893-0345
Email: john.maurer@gsa.gov

Attachments:
Figure 1. Highgate Springs LPOE Project Area

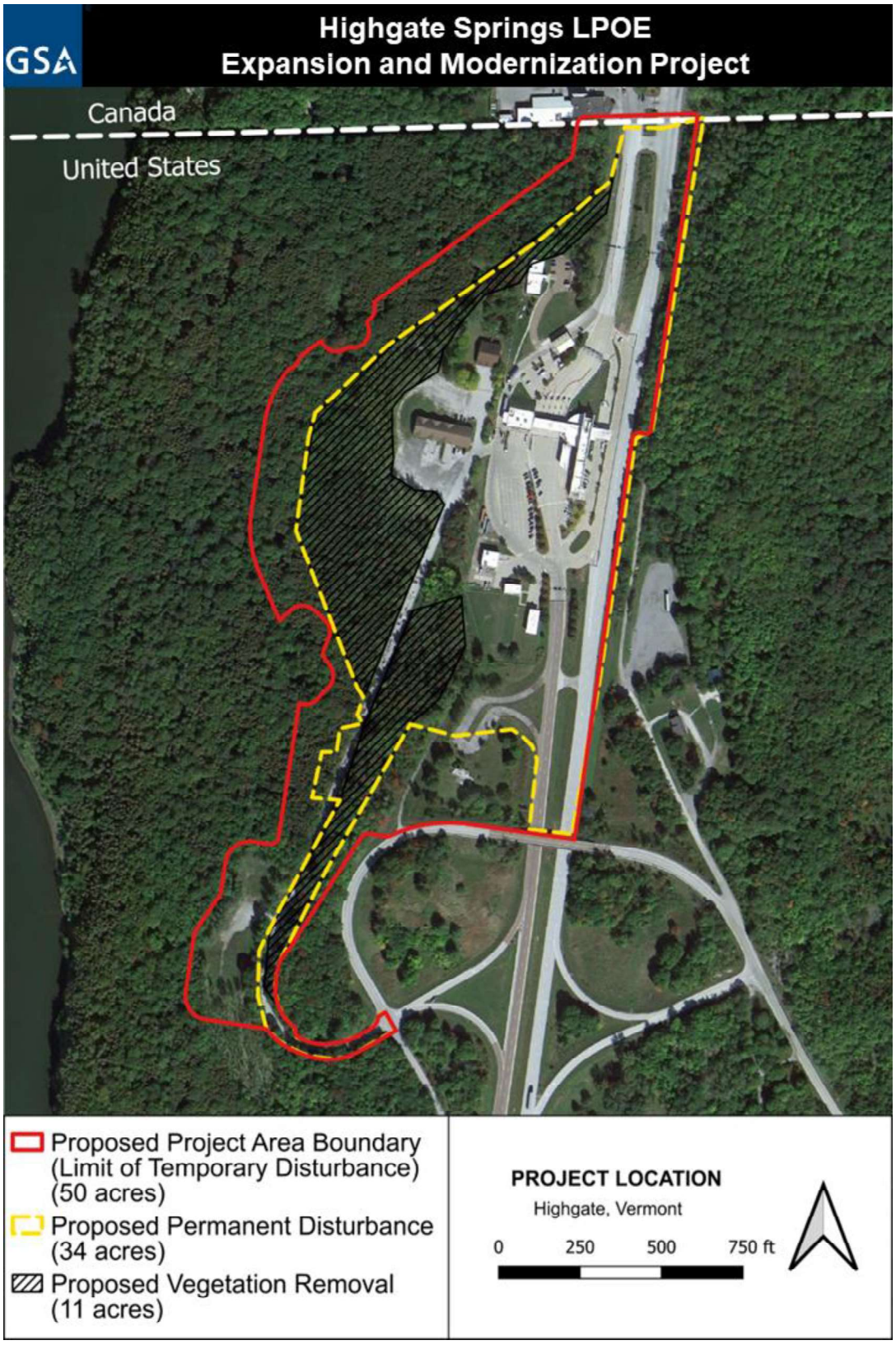


Figure 1. Highgate Springs LPOE Project Area

United States Department of the Interior

FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
https://www.fws.gov/office/new-england-ecological-services

October 17, 2024

John K. Maurer
U.S. General Services Administration
Public Buildings Service, New England Region
Design & Construction Division
Thomas P. O'Neill, Jr., Federal Building
10 Causeway St., Room 1100
Boston, MA 02222-1077

RE: Highgate Springs Land Port of Entry Expansion, Franklin County, VT (In reply refer to Project Code 2024-0093961)

Dear John Maurer:

This responds to your request, dated July 12, 2024, revised on September 20, 2024, and received in our office on the same dates, for our concurrence with your determination that the U.S. General Services Administration's (GSA) proposed expansion and modernization of the Highgate Springs Land Port of Entry in Franklin County, VT (Project) may affect, but is not likely to adversely affect, the federally endangered northern long-eared bat (*Myotis septentrionalis*) and proposed endangered tricolored bat (*Perimyotis subflavus*). Your request and our response are made pursuant to section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884, as amended; 16 U.S.C 1531, et seq.) (ESA).

Based on our knowledge, expertise, and review of the information and analysis included with your consultation request, we concur with your determination because any effects from the proposed action on the subject species would be insignificant and/or discountable.

GSA has made a no effect determination for the candidate monarch butterfly (*Danaus plexippus*).

Further consultation under section 7 of the ESA is not required at this time. If any of the criteria at 50 CFR 402.16(a) are met, reinitiation of consultation is required, and the GSA should contact us immediately and suspend activities that may affect those species until the appropriate level of consultation is completed with our office. Thank you for your cooperation, and please contact

Eliese Dykstra of this office at 603-568-4652 or Eliese_Dykstra@fws.gov if you have questions or need further assistance.

Sincerely yours,

Audrey Mayer
Supervisor
New England Field Office

cc: john.maurer@gsa.gov
cristina.clow@gsa.gov
marshall.popkin@gsa.gov
oshin.paranjape@solvllc.com
carol.chirico@gsa.gov

U.S. ARMY CORPS OF ENGINEERS
APPROVED JURISDICTIONAL DETERMINATION

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

July 18, 2024

CENAE-RDNH/VT-63
Regulatory Division
File Number: NAE-2023-00338

Mr. John Maurer
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, Massachusetts 02222-1077
Sent by email: john.maurer@gsa.gov

Dear Mr. Maurer:

This letter responds to a request submitted to the U.S. Army Corps of Engineers (USACE) for a jurisdictional determination (JD) on the presence or absence of waters of the United States (U.S.), including wetlands, located at the Highgate Springs Land Port of Entry at 480 Welcome Center Road, Highgate, Franklin County, Vermont.

Angela C. Repella of this office conducted a field inspection of the site on April 16, 2024. During the inspection, areas only within the area labeled "AJD REVIEW AREA" on the enclosed plan were reviewed for potential federal jurisdiction. We have determined that Wetland A, Wetland A12, Wetland B, Wetland C, Ditch D, Ditch E, Wetland F, Wetland G, Wetland H, Wetland I, Wetland J, Wetland K, Wetland L, Wetland M, and Wetland N are not waters of the U.S. and therefore not within the jurisdiction of USACE under Section 404 of the Clean Water Act.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under USACE regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at andrew.c.dangler@usace.army.mil or the following address. Mr. Dangler's phone number is (518) 487-0215.

Andrew Dangler
Regulatory Appeals Review Officer
North Atlantic Division – Fort Hamilton
301 John Warren Avenue – First Floor
Brooklyn, NY 11252-6700

Direct questions regarding the USACE appeals process to Angela C. Repella at Angela.C.Repella@usace.army.mil or 978-318-8639.

In order for an RFA to be accepted by USACE, USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by September 16, 2024. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This approved jurisdictional determination is valid for a period of five years from the date of the letter, unless new information warrants revision of the determination before the expiration date or the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

Enclosed is an “Memorandum for Record” dated “14 June 2024” and supporting documentation explaining the basis for our jurisdictional determination.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at https://regulatory.ops.usace.army.mil/customer-service-survey.

If you have any questions, please contact Angela C. Repella, of my staff, at (978) 318-8639 or Angela.C.Repella@usace.army.mil.

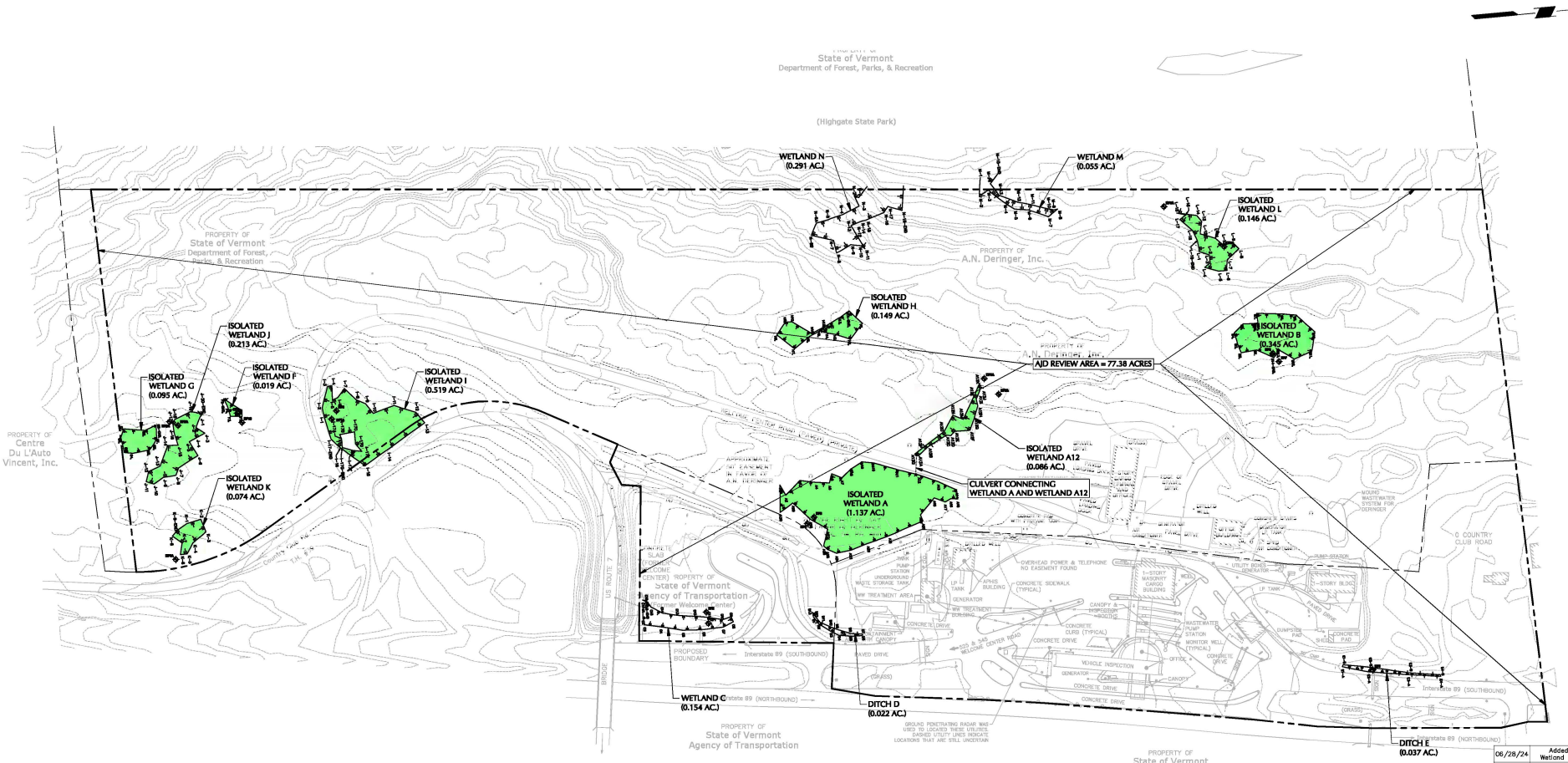
Sincerely,

Tammy R. Turley

Tammy R. Turley
Chief, Regulatory Division

Enclosures

cc:
Erica Sachs, U.S. EPA, sachs.erica@epa.gov
Erin Flannery Keith, U.S. EPA, flannery-keith.erin@epa.gov
Krystal Sewell, VTDEC Wetlands Program, Krystal.sewell@vermont.gov
Missy Mertz, GSA, Melissa.mertz@gsa.gov
Mike Nevins, Langan, mnevins@langan.com



EXISTING SITE CONDITIONS

SCALE: 1" = 100'

1. BACKGROUND INFORMATION SHOWN FROM SURVEY PROVIDED BY CROSS CONSULTING ENGINEERS PER PLAN TITLED "ALTA/NSPS LAND TITLE SURVEY" DATED DECEMBER 8, 2020.
2. LOCATION OF CULVERT BETWEEN WETLAND A AND WETLAND A12 EXTRAPOLATED FROM FIELD OBSERVATION OF INLET AND OUTLET LOCATIONS, WHOSE POSITIONS WERE COLLECTED WITH A MAPPING-GRADE GPS UNIT. THE EXACT LOCATION OF THIS UNDERGROUND CULVERT HAS NOT BEEN VERIFIED.
3. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET. HORIZONTAL DATUM - NAD 83 (2011).
4. WETLAND DELINEATION INFORMATION PROVIDED BY LANGAN ENGINEERING, ENVIRONMENTAL, SURVEYING, LANDSCAPE ARCHITECTURE, AND GEOLOGY, D.P.C. PER FIELD INVESTIGATION PERFORMED ON AUGUST 9 AND AUGUST 10, 2023, AND APRIL 16 AND APRIL 17, 2024.

LEGEND

- APPROVED JURISDICTIONAL DETERMINATION (AJD) REVIEW AREA (77.38 ACRES)
- INTERIOR LOT LINE
- WETLAND DELINEATION BOUNDARY
- WETLAND FLAG NUMBER X##
- WETLAND DATA POINT LOCATION
- ISOLATED - NONTRIBUTARY WETLANDS

100 0 50 100
SCALE IN FEET

Date	Description	No.
06/28/24	Added culvert between Wetland A and Wetland A12	2
06/14/24	Added Ditch D and Ditch E per Army Corps	1

Revisions

LANGAN
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001
T: 212.479.5400 F: 212.479.5444 www.langan.com

Project

HIGHGATE LPOE

SWANTON
FRANKLIN COUNTY VERMONT

Drawing Title

EXISTING SITE CONDITIONS

Project No.	170754901
Date	04/22/2024
Drawn By	AD
Checked By	MN

WL-01

Sheet 1 of 1

© 2023 Langan

Date: 6/28/2024 Time: 15:59 User: sparks Style Table: Langan.stb Layout: WL-01 EXISTING CONDITIONS PLAN Document Code: 170754901-SHEET-WL01-01

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: General Services Administration	File Number: NAE-2023-00338	Date: 7/18/2024
Attached is:		See Section below

	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL WITHOUT PREJUDICE	C
	PERMIT DENIAL WITH PREJUDICE	D
X	APPROVED JURISDICTIONAL DETERMINATION	E
	PRELIMINARY JURISDICTIONAL DETERMINATION	F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/ or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable
You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the permit denial
You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

- RECONSIDERATION: You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable
You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:

Mr. Ryan Malterud
Acting Deputy Chief, Regulatory Division
U.S. Army Corps of Engineers, New England District
696 Virginia Road
Concord, MA 01742-2751
Phone: (978) 318-8390
Email: ryan.m.malterud@usace.army.mil

If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:

Mr. Andrew Dangler, Regulatory Appeals Review Officer
U.S. Army Corps of Engineers
North Atlantic Division – Fort Hamilton
301 John Warren Avenue – First Floor
Brooklyn, NY 11252-6700
Mobile: (518) 487-0215
Email: andrew.c.dangler@usace.army.mil

SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

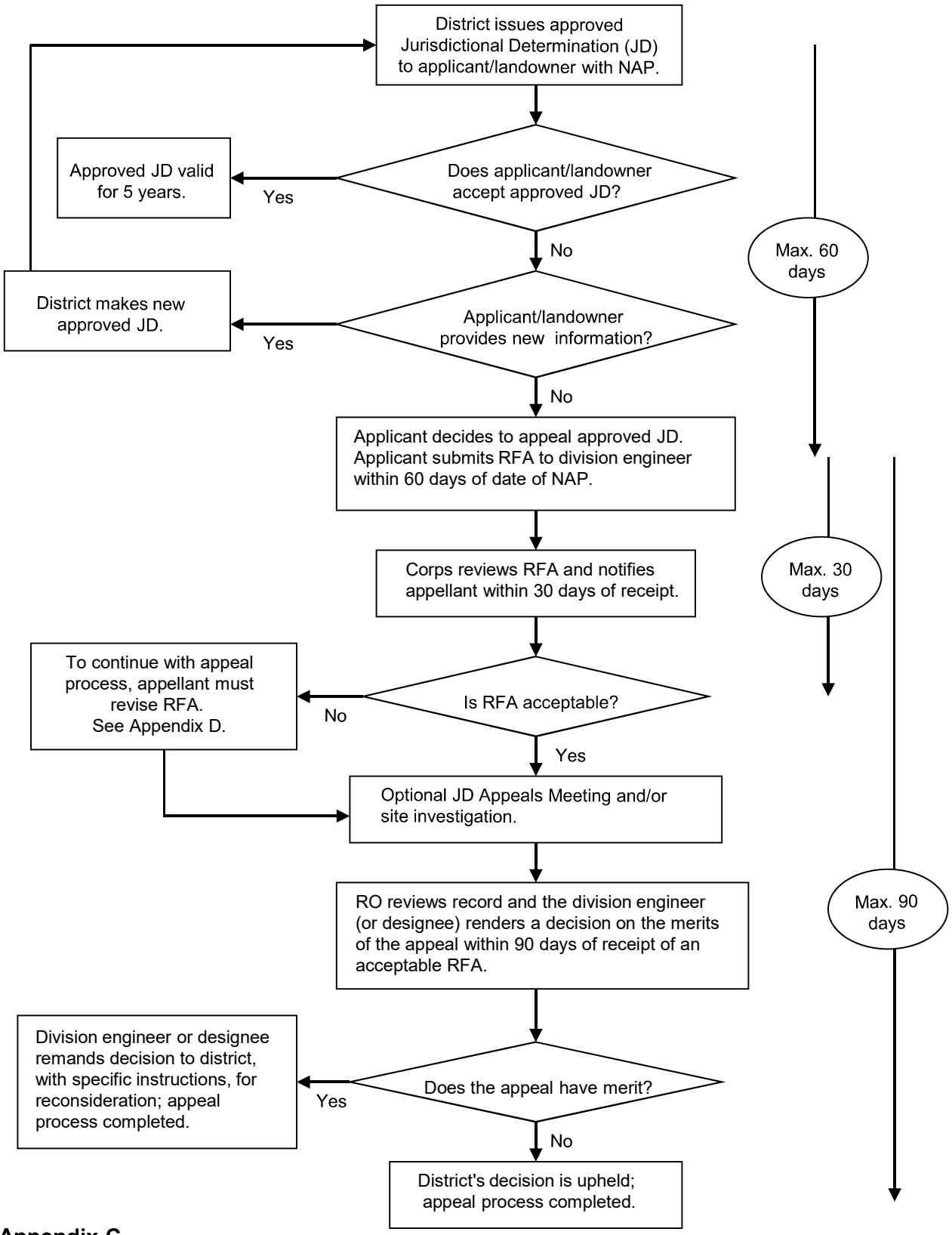
REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

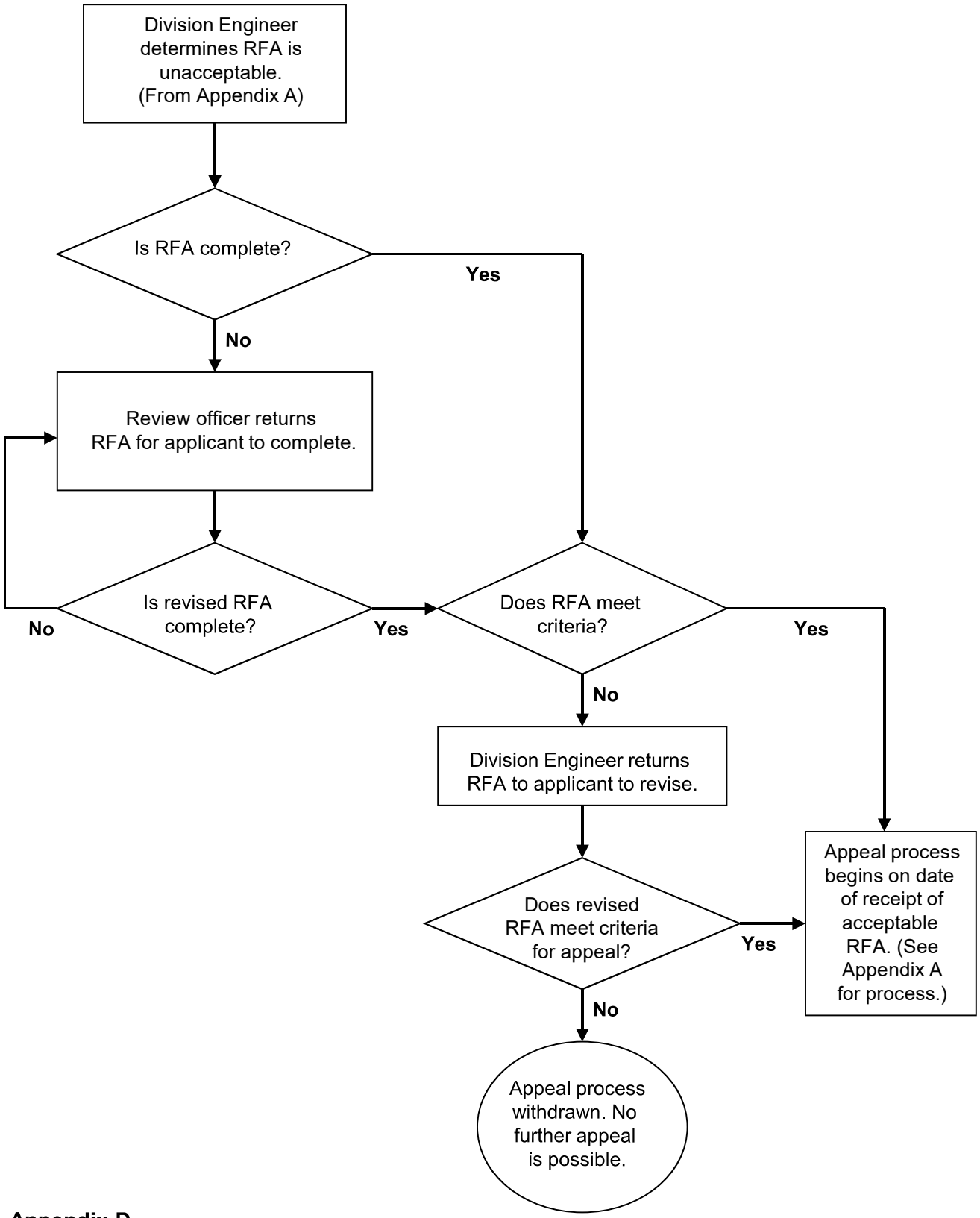
_____ Signature of appellant or agent.	Date:
Email address of appellant and/or agent:	Telephone number:

Administrative Appeal Process for Approved Jurisdictional Determinations



Appendix C

Process for Unacceptable Request for Appeal



Appendix D

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

CENAE-RD 14 June 2024

MEMORANDUM FOR RECORD

SUBJECT: U.S. Army Corps of Engineers (USACE) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; (88 FR 3004 (18 Jan 23) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" (8 Sep 23)[1] NAE-2023-00338

1. BACKGROUND: An Approved Jurisdictional Determination (AJD) is a USACE document stating the presence or absence of waters of the United States (U.S.) on a parcel or a written statement and map identifying the limits of waters of the U.S. on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.[2] AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a district engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.[3]

On 18 Jan 23, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (18 Jan 23) ("2023 Rule"). On 8 Sep 23, the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a USACE AJD as defined in 33 CFR §331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),[4] the 2023 Rule as amended, as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

[1] While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.
[2] 33 CFR 331.2.
[3] Regulatory Guidance Letter 05-02.
[4] USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

2. SUMMARY OF CONCLUSIONS

a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

(1) Wetland A (1.137 acre) – Wetland A is a mix of forested, scrub shrub, and emergent wetland that drains northwesterly into Wetland A12 via a culvert beneath Welcome Center Road. Wetland A is hydrologically connected to Wetland A12 via the culvert. Wetland A12 is a linear wetland feature with no defined outlet. Wetland A and A12 do not connect to any surface tributaries. Wetland A is not adjacent to an (a)(1) water and is not adjacent to a relatively permanent, standing, or continuously flowing body of water identified in paragraph (a)(2) or (a)(3) of the rule. Wetland A does not have a continuous surface connection to such waters. Due to this lack of surface connection to waters of the U.S., Wetland A is not jurisdictional.

(2) Wetland A12 (0.086 acre) – Wetland A12 is a linear palustrine forested wetland feature and does not have a defined outlet. The wetland dissipates into upland forest. Wetland A12 is not adjacent to an (a)(1) water and is not adjacent to a relatively permanent, standing, or continuously flowing body of water identified in paragraph (a)(2) or (a)(3) of the rule. Wetland A12 does not have a continuous surface connection to such waters. Due to this lack of surface connection to waters of the U.S., Wetland A12 is not jurisdictional.

(3) Wetland B (0.345 acre) – Wetland B is a vernal pool with no defined outlet. The feature is surrounded by upland forest and does not have a continuous surface connection to a water of the U.S. Wetland B is not jurisdictional.

(4) Wetland C (0.154 acre) – Wetland C is a palustrine emergent stormwater feature constructed in upland. The wetland is dominated by *Phragmites australis* and is located adjacent to I-89 and the U.S. Route 7 overpass. The wetland drains to a culvert beneath the U.S. Route 7 overpass. This feature is a roadside ditch/swale excavated wholly in and draining only dry land. The wetland treats stormwater from the surrounding upland development and roadways. The feature does not carry a relatively permanent flow of water and meets the definition of an excluded (b)(3) water. Wetland C is not jurisdictional.

(5) Ditch D (0.022 acre) – Ditch D is a stormwater feature constructed in upland. It consists of a vegetated swale and treats stormwater from the surrounding upland development and roadways. The feature does not carry a relatively permanent flow of water and meets the definition of an excluded (b)(3) water. Ditch D is not jurisdictional.

(6) Ditch E (0.037 acre) – Ditch E is a stormwater feature constructed in upland. It consists of a stone-lined ditch and treats/conveys stormwater from the surrounding upland development and roadways. The ditch enters a 30” corrugated metal pipe culvert which continues to additional subsurface stormwater infrastructure. The feature does not carry a relatively permanent flow of water and meets the definition of an excluded (b)(3) water. Ditch E is not jurisdictional.

(7) Wetland F (0.019 acre) – Wetland F is a seasonally ponded palustrine forested wetland. The wetland does not have a defined outlet and is not connected to any other surface waters. Wetland F is not jurisdictional.

(8) Wetland G (0.095 acre) – Wetland G is a palustrine emergent wetland with a palustrine forested and scrub shrub fringe. The feature is a vernal pool with no defined outlet and is not connected to any other surface waters. Wetland G is not jurisdictional.

(9) Wetland H (0.149 acre) – Wetland H is a palustrine forested wetland situated on a rocky landscape and does not have a defined outlet. The feature is not connected to any other surface waters. Wetland H is not jurisdictional.

(10) Wetland I (0.519 acre) – Wetland I is palustrine forested and is situated at the intersection of U.S. Route 7 and Welcome Center Road. The feature is partially ponded and drains to a roadside swale. The roadside swale adjoins to a culvert beneath Welcome Center Road. There is no relatively permanent water at the outlet of the culvert and surface hydrology dissipates into upland on the south side of the road. Wetland I is not adjacent to an (a)(1) water and is not adjacent to a relatively permanent, standing, or continuously flowing body of water identified in paragraph (a)(2) or (a)(3) of the rule. Wetland A does not have a continuous surface connection to such waters. Wetland I is not jurisdictional.

(11) Wetland J (0.213 acre) – Wetland J is a vernal pool and does not have a defined outlet. The feature is not connected to any other surface waters. Wetland J is not jurisdictional.

(12) Wetland K (0.074 acre) – Wetland K is seasonally ponded, does not have a defined outlet and is not connected to any other surface waters. Wetland K is not jurisdictional.

(13) Wetland L (0.146 acre) – Wetland L is a vernal pool and does not have a defined outlet. The feature is not connected to any other surface waters. Wetland L is not jurisdictional.

(14) Wetland M (0.055 acre) – Wetland M is a linear palustrine forested feature and is not connected to any other surface waters. Wetland M is not jurisdictional.

(15) Wetland N (0.0291 acre) – Wetland N is palustrine forested, does not have a defined outlet and is not connected to any other surface waters. Wetland N is not jurisdictional.

3. REFERENCES

a. "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule")

b. "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (September 8, 2023))

c. *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023)

4. REVIEW AREA: The review area is 77.38 acres in size, located at the Highgate Springs Land Port of Entry (LPOE) at Latitude 45.0123105º, Longitude -73.0878177º. The site address is 480 Welcome Center Road, Highgate, Franklin County, Vermont. USACE conducted a site visit on 16 April 2024 to review aquatic resources at the site and was accompanied by staff with the U.S. Customs and Border Protection, Vermont Department of Environmental Conservation Wetlands Program, General Services Administration, and Langen Engineering, Environmental Surveying, Landscape Architecture, and Geology, D.P.C. (see MFR dated 4/16/2024 and accompanying photos).

5. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS CONNECTED: N/A. The aquatic resources are not connected to a TNW, the territorial seas, or interstate waters.[5]

6. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER: N/A. The aquatic resources are not connected to a TNW, the territorial seas, or interstate waters.

7. SECTION 10 JURISDICTIONAL WATERS[6]: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.[7] N/A

8. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended, consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

a. Traditional Navigable Waters (TNWs) (a)(1)(i): N/A

[5] This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

[6] 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

[7] This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

b. The Territorial Seas (a)(1)(ii): N/A

c. Interstate Waters (a)(1)(iii): N/A

d. Impoundments (a)(2): N/A

e. Tributaries (a)(3): N/A

f. Adjacent Wetlands (a)(4): N/A

g. Additional Waters (a)(5): N/A

9. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

a. Describe aquatic resources and other features within the review area identified in the 2023 Rule as amended as not "waters of the United States" even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature within the review area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).[8]

Wetland C is 0.154 acre in size. This wetland is a stormwater feature constructed in upland. The wetland is dominated by *Phragmites australis* and is located adjacent to I-89 and the U.S. Route 7 overpass. The wetland drains to a culvert beneath the U.S. Route 7 overpass. This feature consists of a roadside ditch excavated wholly in and draining only dry land. Wetland C functions to treat stormwater from the surrounding upland development and roadways. The feature does not carry a relatively permanent flow of water and is an excluded (b)(3) water. Wetland C is not jurisdictional.

Ditch D is 0.022 acre in size. This feature is a stormwater swale constructed in upland. See Section 2 above.

Ditch E is 0.037 acre in size. This wetland consists of a stormwater feature constructed in upland. See Section 2 above.

[8] 88 FR 3004 (January 18, 2023)

b. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Wetland A, A12, B, F, G, H, I, J, K, L, M, and N are wetlands and waters that do not have a continuous surface connection to a jurisdictional water. See details in Section 2 above. These wetlands and waters are not jurisdictional.

10. DATA SOURCES: List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

a. 16 April 2024 site visit (see MFR dated 16 April 2024, and accompanying photographs).

b. Report compiled by Langen Engineering, Environmental, Surveying, Landscape Architecture and Geology (Langen) titled “Wetland Delineation Report” and dated “14 November 2023” including the following figures:

a. “USGS Site Location Map” dated “8/30/2023”
b. “Vicinity Map” dated “8/30/2023”
c. “NWI Wetlands Map” dated “9/18/2023”
d. “Vermont Wetlands Map” dated “9/18/2023”
e. “Aerial Photograph 1963,” “Aerial Photograph 1995,” “Aerial Photograph 2008,” “Aerial Photograph 2009,” “Aerial Photograph 2013,” “Aerial Photograph 2016,” “Aerial Photograph 2018,” and “Aerial Photograph 2021” dated “11/14/2023.”

c. USGS Stream Stats Map, accessed 16 April 2024
d. National Regulatory Viewer Map with Lidar (undated)

11. OTHER SUPPORTING INFORMATION: N/A

12. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR’s structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

CORRESPONDENCE WITH THE VERMONT AGENCY OF NATURAL RESOURCES

From: Missy Mertz - 3PTN
To: Mike Nevins; Cristina Clow - 1PCTB; Oshin Paranjape; Sarah Parks
Subject: Fwd: 2023-1002_Highgate Springs LPOE Classifications
Date: Friday, July 26, 2024 11:46:24 AM
Attachments: 2024-04-25 Highgate Springs LPOE Wetlands Delineation_CLASSIFICATIONS.pdf

---

Hello all,

I am guessing most of you have this email but this needs to be made part of the official record. Krystal's email may serve as the official state verification. She indicated she may try to send a letter if she can but that this email can be used for the record. So Oshin please ensure it is incorporated in the the draft EA. Thanks so much everyone.

Missy

---------- Forwarded message ---------
From: **Sewell, Krystal T** <Krystal.T.Sewell@vermont.gov>
Date: Tue, Jun 11, 2024 at 9:34 AM
Subject: 2023-1002_Highgate Springs LPOE Classifications
To: Missy Mertz - 3PTN <melissa.mertz@gsa.gov>
Cc: Repella, Angela C NAE <Angela.C.Repella@usace.army.mil>

Hi Missy,

I apologize for the delay in getting this information over to you. The field season definitely took off running! I attached a mark-up of Mike's findings and summarized below.

- Wetland A. CLASS II- The wetland is contiguous to the VSWI mapped wetland.
- Wetland A12A through A12Q). This is the linear wetland which Wetland A drains into. This wetland appears to be isolated. CLASS II- The wetland is contiguous to the VSWI mapped wetland.
- Wetland B- CLASS II- The wetland is a vernal pool that provides amphibian breeding habitat.
- Wetland C- Exempt stormwater feature constructed in upland (not a wetland).
- Wetland F- CLASS II- The wetland is mapped on the VSWI.
- Wetland G- - CLASS II- The wetland is a vernal pool that provides amphibian breeding habitat.
- Wetland H- Class III
- Wetland I – Flags I1 through I17, located in the southern portion of the site. This wetland appears to be isolated. CLASS II- The wetland is of the same type and threshold size as those mapped on the VSWI maps: i.e.; open water (pond); emergent marsh; shrub swamp; forested swamp; wet meadow; beaver pond or beaver meadow; bog or fen; and is greater than 0.5 acres in size

- Wetland J – Flags J1 through J20, located in the southern portion of the site. This wetland appears to be isolated. CLASS II- The wetland is a vernal pool that provides amphibian breeding habitat.
- Wetland K – Flags K1 through K9, Located in the southern portion of the site. This wetland appears to be isolated. Class III
- Wetland L – Flags L1 through L19. Located in the northwestern portion of the site. This wetland appears to be isolated. CLASS II- The wetland is a vernal pool that provides amphibian breeding habitat.
- Wetland M – Flags M1 through M15. This wetland is located adjacent to the western property line. Class III
- Wetland N – Flags N1 through N18. This wetland is also located adjacent to the western property line CLASS II- The wetland is of the same type and threshold size as those mapped on the VSWI maps: i.e.; open water (pond); emergent marsh; shrub swamp; forested swamp; wet meadow; beaver pond or beaver meadow; bog or fen; and is greater than 0.5 acres in size

Krystal T. Sewell (she/her) | District Wetlands Ecologist

Vermont Department of Environmental Conservation

Watershed Management Division, Wetlands Program

Davis 3, 1 National Life Dr | Montpelier, VT 05620-3901

802-490-6758

https://dec.vermont.gov/watershed/wetlands

For resources related to flood recovery: https://anr.vermont.gov/flood

---

From: Mike Nevins <mnevins@Langan.com>
Sent: Friday, May 3, 2024 5:22 PM
To: Sewell, Krystal T <Krystal.T.Sewell@vermont.gov>; Repella, Angela C CIV USARMY CENAE (USA) <Angela.C.Repella@usace.army.mil>
Cc: Karen Rauscher <krauscher@langan.com>; William Wong <WWong@spacesmith.com>; John Maurer - 1PCTB <john.maurer@gsa.gov>; Missy Mertz - 3PTN <melissa.mertz@gsa.gov>; Cristina Clow - 1PCTB <cristina.clow@gsa.gov>; nokeke@pagethink.com; mwagner@pagethink.com
Subject: Highgate Wetlands

You don't often get email from mnevins@langan.com. Learn why this is important

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon Krystal and Angela, it was nice meeting with you both at the Highgate, Vermont LPOE site on April 16th during your inspection of the wetland delineation. As a result of the inspection, additional wetlands were identified and subsequently delineated and surveyed by Langan. These additional wetlands, as well as the previously delineated wetlands, are shown on the attached "Existing Site Conditions" Plan, Drawing WL-01. The additional wetland areas are as follows:

- Wetland A12A through A12Q). This is the linear wetland which Wetland A drains into. This wetland appears to be isolated.
- Wetland I – Flags I1 through I17, located in the southern portion of the site. This wetland appears to be isolated.
- Wetland J – Flags J1 through J20, located in the southern portion of the site. This wetland appears to be isolated.
- Wetland K – Flags K1 through K9, Located in the southern portion of the site. This wetland appears to be isolated.
- Wetland L – Flags L1 through L19. Located in the northwestern portion of the site. This wetland appears to be isolated.
- Wetland M – Flags M1 through M15. This wetland is located adjacent to the western property line.

Wetland N – Flags N1 through N18. This wetland is also located adjacent to the western property line

As identified above Wetlands A12A through A12 Q, I,J,K and L all appear to be isolated wetlands.

Wetlands M and N also appear to be isolated, however because they drain offsite to the west, onto State lands, we were not able to confirm whether they are isolated.

In addition to these additional wetland areas, we also collected field data at several data points and should have the data sheets for these points competed within the next week or so.

In the mean time, if you have any questions regarding the delineation feel free to contact me.

Angela, you had mentioned during our visit that Vermont Fish and Wildlife experts may be inspecting the site, including the wetlands. Has that inspection occurred yet, and if so, can you share any of their findings with us?

Thank you both, and I look forward to hearing from you.

Best regards,

Michael Nevins
Senior Project Manager

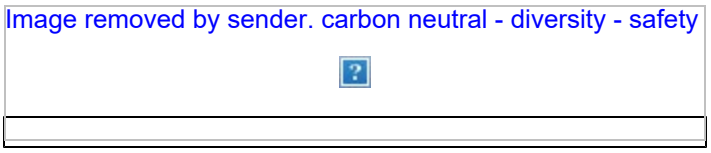
LANGAN

Direct: 973.560.4877
Mobile: 201.618.0015
File Sharing Link

Phone: 973.560.4900 Fax: 973.560.4901
300 Kimball Drive
4th Floor
Parsippany, NJ 07054-2172

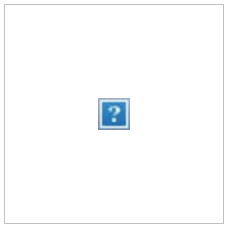
www.langan.com

NEW JERSEY NEW YORK CONNECTICUT MASSACHUSETTS PENNSYLVANIA VIRGINIA WASHINGTON, DC OHIO ILLINOIS NORTH CAROLINA TENNESSEE FLORIDA TEXAS ARIZONA COLORADO UTAH WASHINGTON CALIFORNIA ATHENS CALGARY DUBAI LONDON PANAMA



This message may contain confidential, proprietary, or privileged information. Confidentiality or privilege is not intended to be waived or lost by erroneous transmission of this message. If you receive this message in error, please notify the sender immediately by return email and delete this message from your system. Disclosure, use, distribution, or copying of a message or any of its attachments by anyone other than the intended recipient is strictly prohibited.

--



Missy Mertz

Environmental Protection Specialist

Portfolio Management
100 S Independence Mall West
Philadelphia, PA 19106

Cell: (215) 301-1246
melissa.mertz@gsa.gov

GSA New England Region

October 8, 2024

Kathleen Taft, Regulatory Policy Analyst
Vermont Agency of Natural Resources, Office of Planning
Davis 2, 1 National Life Drive
Montpelier, VT 05620-3901

Dear Ms. Taft,

The purpose of this letter is to provide the Vermont Agency of Natural Resources (VTANR) with updated information on the proposed project, the expansion and modernization of the Highgate Springs Land Port of Entry (LPOE), undertaken by the U.S General Services Administration (GSA) in Franklin County, Vermont. In response to the VTANR correspondence dated November 2, 2023, this letter provides updated project information and requests additional information on state-specific protected species and habitats, and technical assistance regarding encroachment of the project area onto Class II wetlands, vernal pools, and a Vermont Habitat Block.

Project Area

The Highgate Springs LPOE is located on 16 acres within the 20.1-acre property owned by GSA (GSA property). GSA would acquire additional land to the west and south of the LPOE to accommodate the expansion. The property to the west consists of approximately 57 acres of private land which GSA would acquire in its entirety. The property to the south is owned by the Vermont Agency of Transportation (VAOT); GSA may acquire up to 4 acres from VAOT. The project area includes the following: the existing GSA property, a portion of the private property to the west, and a portion of the VAOT property to the south. The project area is approximately 50 acres, of which approximately 34 acres would be permanently disturbed from the new LPOE and nearly 16 acres would be temporarily disturbed from staging construction materials and equipment (see **Figure 1**).

Project Background

GSA is proposing to expand and modernize the Highgate Springs LPOE. The purpose of the project is to improve and enhance the performance, safety, security, and efficiency of operations for cross-border travelers and federal agencies at the LPOE. Additionally, the Canadian government is constructing the final segment of its Autoroute 35 (A-35) highway between Montreal and St-Armand/Philipsburg. When completed, traffic at the Highgate Springs LPOE is projected to increase by approximately 30 percent.

Under the proposed project, GSA would acquire properties to the west and south of the LPOE as described above, demolish all existing buildings at the LPOE and acquired properties, and construct new buildings and supporting infrastructure. Substantial earthwork would occur in the

project area, including tree clearing, excavation, grading, and cut and fill operations. Three new buildings would be constructed: Main Building, Commercial Building, and Training Building. The expanded LPOE would accommodate seven inspection lanes for private vehicles, two inspection lanes for buses, two inspection lanes for commercial vehicles, and one bypass lane for larger vehicles (such as snowplows). Supporting facilities would be constructed, including employee and visitor pedestrian paths, snow storage locations, helipad, return routes, up to 200 employee parking spaces, and utility connections.

Site Survey Results

In August 2023, Langan conducted a field investigation and delineation of wetlands and waters of the U.S. on the GSA property, private property, and the VAOT property based on review of the Vermont Significant Wetlands Inventory and the U.S. Fish and Wildlife's (USFWS) National Wetlands Inventory. Of the 13 wetlands delineated by Langan, the Vermont Department of Environmental Conservation (VTDEC) identified four Class II wetlands (A/A12, F, I, and N), four Class II vernal pools (B, G, J, L), three Class III wetlands (H, K, M), and one water feature that did not qualify as a wetland under the state definition (Wetland C) (see **Figure 2**). Per the site survey and analysis conducted by VTDEC, Wetlands A/A12, B, F, G, I, J, L, and N were determined to provide significant function or value.

Under the Proposed Action, approximately 11 acres of vegetation would be permanently removed under the proposed project, and approximately 1.223 acres of a Vermont Class II wetland, Wetland A/A12, would be filled and permanently altered. There would also be permanent disturbance within portions of the 50-foot buffer of Wetland I, but the wetland itself would remain intact. Additionally, approximately 10 acres of the project area encroaches on a Vermont Habitat Block. A Vermont Significant Natural Community (Limestone Bluff Cedar-Pine Forest) is outside the project area along the Lake Champlain shoreline (see **Figure 3**).

State-listed Species

According to the Vermont ANR Natural Resources Atlas, there are multiple species considered rare or uncommon in Vermont that could occur in the project area or vicinity. Based on information known about the adjacent Highgate State Park parcel, VTANR provided a list of nine rare or uncommon species and three rare or uncommon Significant Natural Communities in response to GSA's October 2023 request. This information was incorporated into the Draft EA upon receipt.

However, the project area boundary has since been updated, and the proposed area of permanent disturbance within the project area boundary would encroach onto a Class II wetland and a Vermont Habitat Block (see attached **Figures 1, 2,** and **3,** respectively). Therefore, GSA is writing to inform VTANR of this project, to request additional information on state-listed species and habitats that may be present in the project area or surrounding vicinity, and to request guidance regarding the wetland and Habitat Block encroachment.

Please note that GSA is continuing to undergo informal consultation with the USFWS to solicit their input under Section 7 of the Endangered Species Act on federally listed species with the

potential to occur in and around the project area, including northern long-eared bat, tricolored bat, and monarch butterfly.

Technical Assistance Request

We would greatly appreciate your technical assistance in identifying any additional resources that could be affected by the proposed project given the updated project area boundary. Thank you for your consideration; I look forward to receiving your response regarding this project. If you have any questions or concerns or would like additional information, please contact me via email at john.maurer@gsa.gov.

Sincerely,

JOHN MAURER Digitally signed by JOHN MAURER
Date: 2024.10.08 18:02:07 -04'00'

John K. Maurer, Project Executive
Vermont BIL Land Ports of Entry (1PCTB)
U.S. General Services Administration
Public Buildings Service, New England Region
Design & Construction Division
Thomas P. O'Neill, Jr., Federal Building
10 Causeway St., Room 1100
Boston, MA 02222-1077

Cell: (617) 893-0345
Email: john.maurer@gsa.gov

Attachments:
Figure 1. Highgate Springs LPOE Project Area
Figure 2. Delineated Wetlands In and Near the Project Area
Figure 3. Habitat Block and Significant Natural Community In and Near the Project Area

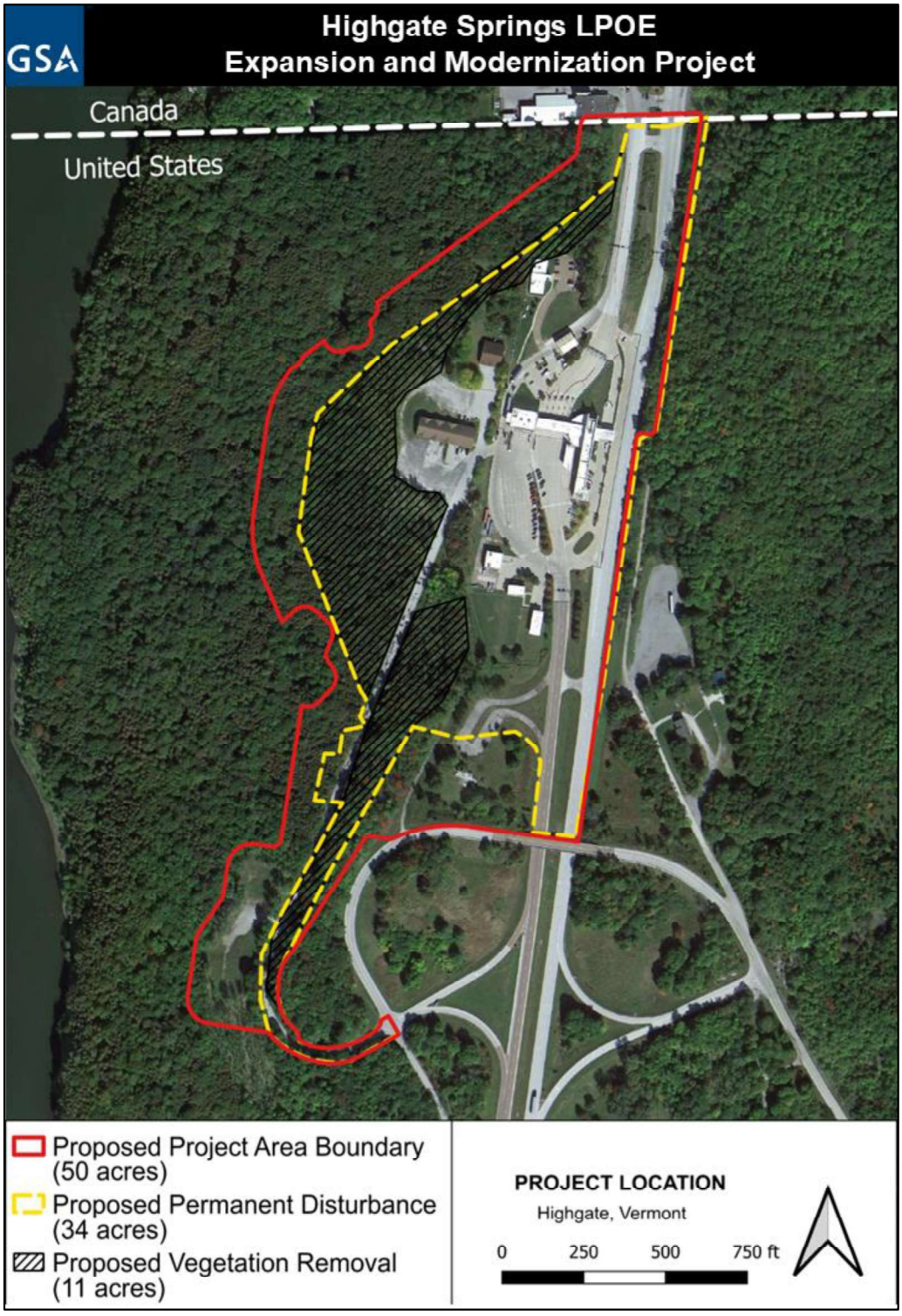


Figure 1. Highgate Springs LPOE Project Area

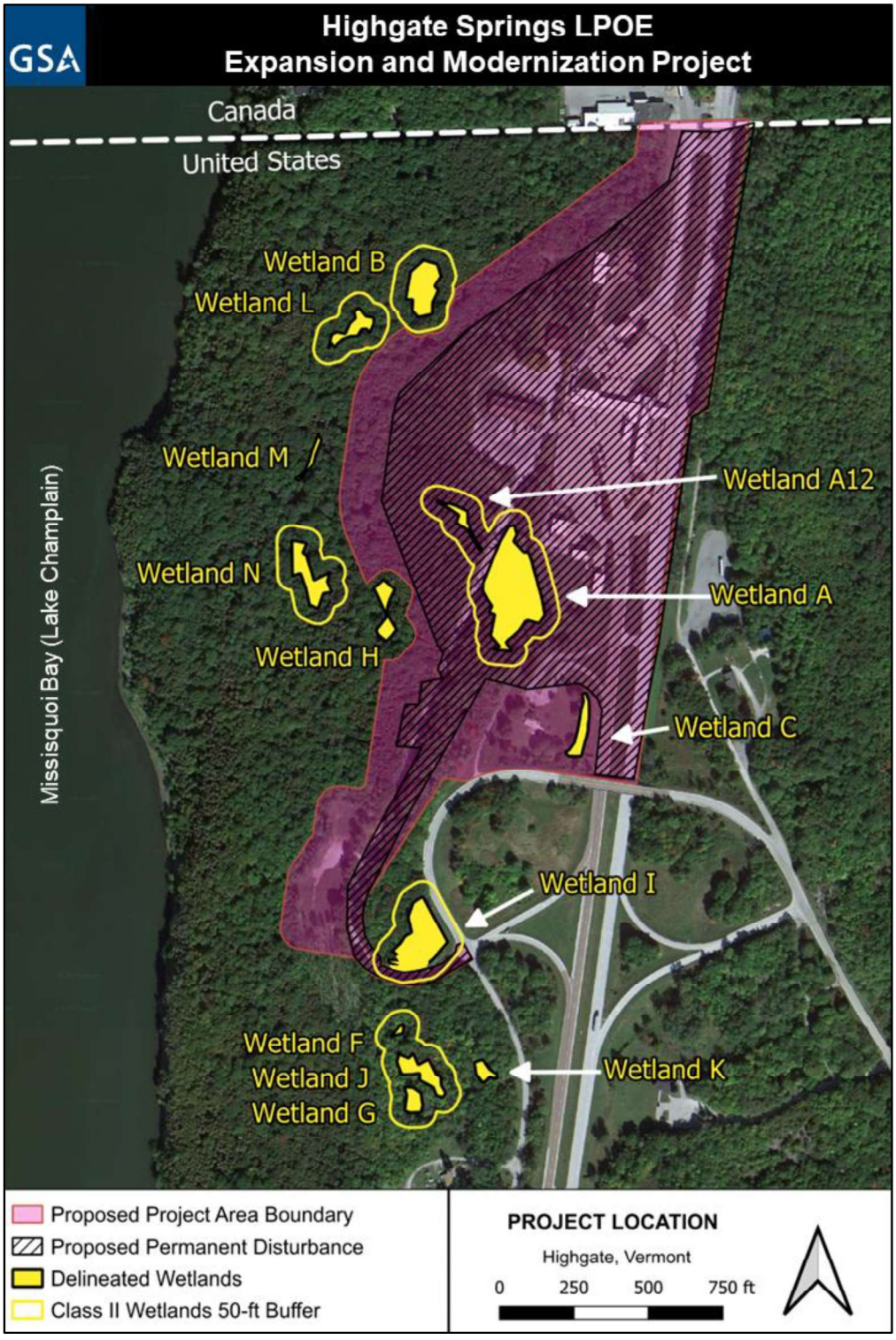


Figure 2. Delineated Wetlands In and Near the Project Area

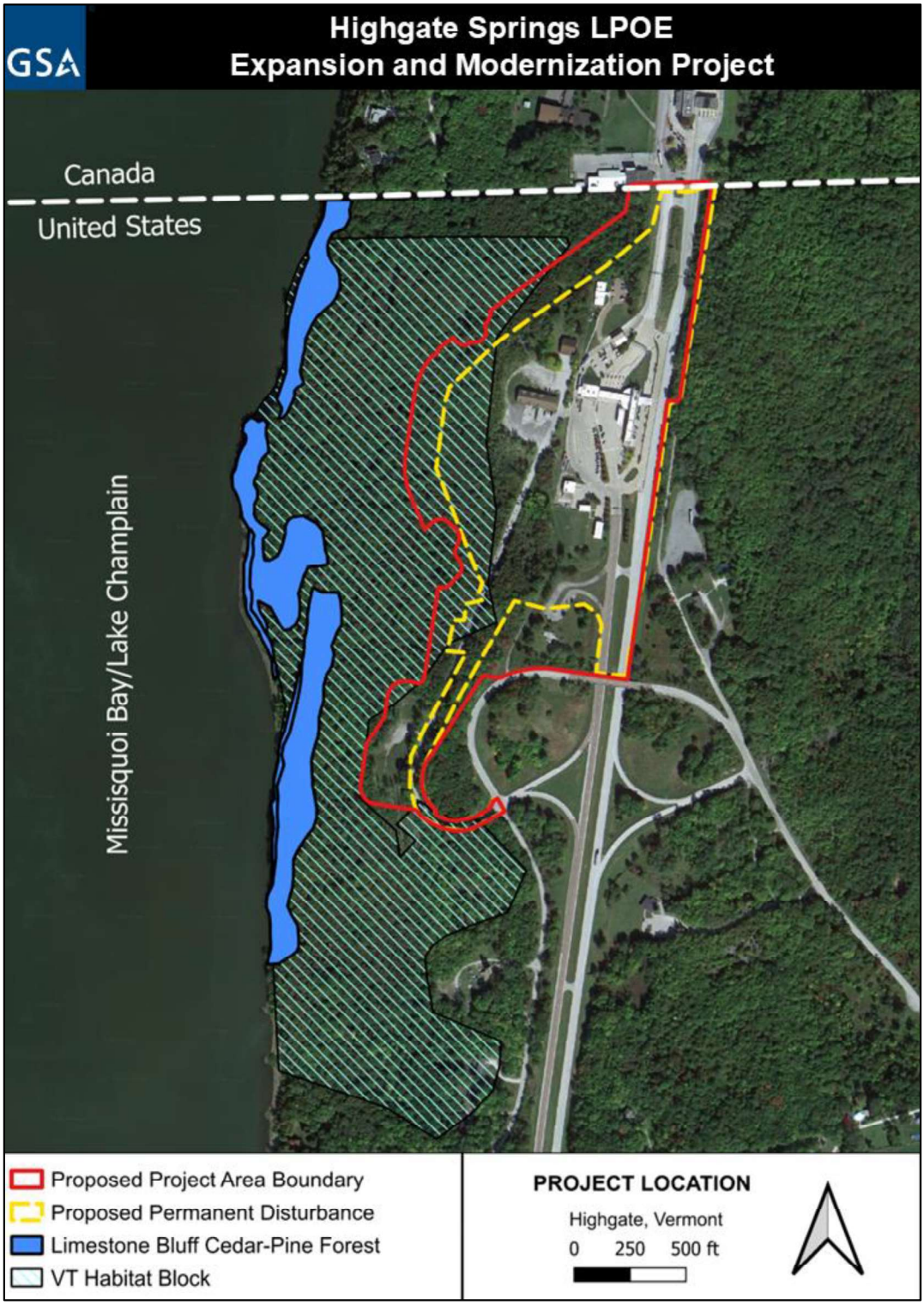


Figure 3. Habitat Block and Significant Natural Community In and Near the Project Area

From: John Maurer - 1PCTB
To: Taft, Kathleen
Cc: Cristina Clow - 1PCTB; Marshall Popkin - PTA; Oshin Paranjape; Carol Chirico
Subject: Re: Highgate Springs LPOE - Updated Project Information
Date: Wednesday, November 6, 2024 1:20:11 PM

Hi, Kathleen,

Please provide any questions or notes by November 19, 2024. That is the end of the Public Comment period. If you have any questions, please feel free to contact me.

v/r

John

U.S. General Services Administration

John K. Maurer
VT BIL LPOE Project Executive
Design & Construction Division (1PCTB)
New England Region
Public Buildings Service
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, Room 1100
Boston, MA 02222-1077
Cell: (617) 893-0345
E-mail: john.maurer@gsa.gov

On Wed, Oct 9, 2024 at 1:36 PM Taft, Kathleen <Kathleen.Taft@vermont.gov> wrote:

> Hi John,
>
> Thank you for the updated information! I will distribute amongst staff and gather feedback. Is there a timeline for when you need any questions or notes?
>
>
> **Kathleen Taft** (s/h) | Regulatory Policy Analyst
> Vermont Agency of Natural Resources | Office of Planning
> Davis 2, 1 National Life Dr | Montpelier, VT 05620-3901
> 802-461-8812 (c) | kathleen.taft@vermont.gov
>
>
> *The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am also available to connect in-person upon request. Written communications to and from state officials regarding state business are considered public records and may be subject to public scrutiny.*
>
> ---
>
> **From:** John Maurer - 1PCTB <john.maurer@gsa.gov>
> **Sent:** Wednesday, October 9, 2024 7:03 AM
> **To:** Taft, Kathleen <Kathleen.Taft@vermont.gov>
> **Cc:** Cristina Clow - 1PCTB <cristina.clow@gsa.gov>; Marshall Popkin - PTA <marshall.popkin@gsa.gov>; Oshin Paranjape <Oshin.Paranjape@solvllc.com>; Carol Chirico <carol.chirico@gsa.gov>

Subject: Highgate Springs LPOE - Updated Project Information

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good Morning, Ms. Taft,

The attached letter provides updated information regarding our project to expand and modernize the Highgate Springs Land Port of Entry (LPOE) in Highgate Springs, VT. Given the updated project area boundary, we would greatly appreciate your technical assistance in identifying any additional resources that could be affected by the proposed project.

Please contact me if you have any questions.

v/r

John Maurer

U.S. General Services Administration

John K. Maurer
VT BIL LPOE Project Executive
Design & Construction Division (1PCTB)
New England Region
Public Buildings Service
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, Room 1100
Boston, MA 02222-1077
Cell: (617) 893-0345
E-mail: john.maurer@gsa.gov

CORRESPONDENCE WITH THE VERMONT STATE HISTORIC PRESERVATION OFFICE

From:	Cristina Clow - 1PCTB
To:	Oshin Paranjape
Cc:	carol.chirico@gsa.gov; John Maurer - 1PCTB; Marshall Popkin - PTA; Liz Mees - 1PCT
Subject:	Fwd: RHPO - BIL-VT-Highgate LPOE - Revised Final Architectural Report with updated APE-thank you!!
Date:	Friday, September 13, 2024 9:44:59 AM

Oshin,

For your records, please see below email correspondence between GSA and the VT SHPO.

Thank you,
Cristina

---------- Forwarded message ---------
From: **Trieschmann, Laura** <Laura.Trieschmann@vermont.gov>
Date: Fri, Sep 13, 2024 at 9:14 AM
Subject: RE: RHPO - BIL-VT-Highgate LPOE - Revised Final Architectural Report with updated APE
To: Liz Mees - 1PCT <elizabeth.mees@gsa.gov>, Socinski, Greg <Greg.Socinski@vermont.gov>
Cc: Basque, Yvonne <Yvonne.Basque@vermont.gov>, Cristina Clow - 1PCTB <cristina.clow@gsa.gov>

Hi Liz

Thanks for sending this. We will be sure its reviewed and filed while Elizabeth is out.

Your new contact should be Greg Socinski for all things GSA. I have added him to this email.

Hope you are doing well. thanks so much! Laura

Laura V. Trieschmann

State Historic Preservation Officer

802-505-3579

From: Liz Mees - 1PCT <elizabeth.mees@gsa.gov>
Sent: Friday, September 13, 2024 8:54 AM
To: Peebles, Elizabeth <Elizabeth.Peebles@vermont.gov>

Cc: Trieschmann, Laura <Laura.Trieschmann@vermont.gov>; Yvonne.Basque@state.vt.us; Cristina Clow - 1PCTB <cristina.clow@gsa.gov>
Subject: RHPO - BIL-VT-Highgate LPOE - Revised Final Architectural Report with updated APE

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Elizabeth:

Hope all is well.

Was reminded that I neglected to send along the attached Revised BIL-VT-Highgate LPOE - Final Architectural Report dated July 2024.

This revised report includes an updated

Figure 4.2 *Highgate Springs LPOE historic resources Project area, study area, and recommended Area of Potential Effects*

on page 25 (page 23 of the prior report) now showing the full project area.

---------- Forwarded message ---------
From: **Peebles, Elizabeth** <Elizabeth.Peebles@vermont.gov>
Date: Mon, Mar 25, 2024 at 11:59 AM
Subject: RE: RHPO - BIL-VT-Highgate LPOE - Final Architectural Report
To: Liz Mees - 1PCT <elizabeth.mees@gsa.gov>

Thanks Liz, I agree that there are no NRHP eligible above-ground historic resources in the study are but figure 4.2 confuses me – why doesn't the APE include the full project area?

Elizabeth Peebles | Historic Resources Specialist - Architecture

Vermont Division for Historic Preservation

Department of Housing and Community Development

1 National Life Drive, Davis Building, 6th Floor | Montpelier, VT 05620

802-505-1147 office | elizabeth.peebles@vermont.gov

accd.vermont.gov/historic-preservation

From: Liz Mees - 1PCT <elizabeth.mees@gsa.gov>
Sent: Thursday, February 29, 2024 1:27 PM
To: Trieschmann, Laura <Laura.Trieschmann@vermont.gov>; Peebles, Elizabeth <Elizabeth.Peebles@vermont.gov>; Yvonne.Basque@state.vt.us
Cc: Carey Bergeron - LD1 <carey.bergeron@gsa.gov>; Missy Mertz - 3PTN <melissa.mertz@gsa.gov>; Jesse Lafreniere - 1PCT <jesse.lafreniere@gsa.gov>
Subject: RHPO - BIL-VT-Highgate LPOE - Final Architectural Report

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Laura, Elizabeth & Yvonne:

Thank you for your prior concurrence with the Final Archaeological report for the BIL-VT-Highgate LPOE project.

Apologies - I thought I had sent along the final Architectural Report as well for the BIl-VT-Highgate LPOE project, but as I cannot find any record of doing so, I am sending for your review.

--

Thank you,
Liz Mees, AIA, IIDA, LEED AP
Architect, RHPO and RFAO

FAC-P/PM Level III
Design and Construction Division 1 PCT
Public Buildings Service
New England Region
US General Services Administration
Thomas P. O'Neill Federal Building
Ten Causeway Street, Room 1100
Boston, MA 02222 - 1077

Mobile: 617-571-0546
Email: elizabeth.mees@gsa.gov

U.S. General Services Administration

Cristina Clow, AIA
Project Manager
Design & Construction Division (1PCTB)
Public Buildings Service
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077
Cell: 857-276-9495
E-mail: cristina.clow@gsa.gov

CORRESPONDENCE WITH THE NATURAL RESOURCES CONSERVATION SERVICE

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*		Date Of Land Evaluation Request 10/07/2024	
Name of Project Highgate Springs LPOE Expansion and M		Federal Agency Involved General Services Administration	
Proposed Land Use Land Port of Entry		County and State Franklin County, Vermont	
PART II *(To be completed by NRCS)*		Date Request Received By NRCS 10/8/2024	Person Completing Form: Chadd Cupit
Does the site contain Prime, Unique, Statewide or Local Important Farmland? *(If no, the FPPA does not apply - do not complete additional parts of this form)*	YES ☑ NO ☐	Acres Irrigated 284	Average Farm Size 260
Major Crop(s) Silage corn, hay	Farmable Land In Govt. Jurisdiction Acres: 217808% 49	Amount of Farmland As Defined in FPPA Acres: 15127% 35	
Name of Land Evaluation System Used Vermont Agricultural Values Group	Name of State or Local Site Assessment System NA	Date Land Evaluation Returned by NRCS 10/8/2024	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	1.9			
B. Total Acres To Be Converted Indirectly	1.9			
C. Total Acres In Site	3.8			
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	0			
B. Total Acres Statewide Important or Local Important Farmland	3.8			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	0.00			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	30			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)	63			

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)*	Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)	15			
2. Perimeter In Non-urban Use	(10)	4			
3. Percent Of Site Being Farmed	(20)	0			
4. Protection Provided By State and Local Government	(20)	20			
5. Distance From Urban Built-up Area	(15)	15			
6. Distance To Urban Support Services	(15)	0			
7. Size Of Present Farm Unit Compared To Average	(10)	0			
8. Creation Of Non-farmable Farmland	(10)	10			
9. Availability Of Farm Support Services	(5)	0			
10. On-Farm Investments	(20)	0			
11. Effects Of Conversion On Farm Support Services	(10)	0			
12. Compatibility With Existing Agricultural Use	(10)	5			
TOTAL SITE ASSESSMENT POINTS	160	69	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	63	0	0	0
Total Site Assessment *(From Part VI above or local site assessment)*	160	69	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	132	0	0	0

Site Selected: Site A	Date Of Selection TBD	Was A Local Site Assessment Used? YES ☐ NO ☑

Reason For Selection:

GSA is only considering one site for the proposed action, Site A. The project is needed to meet the functional and operational needs of its tenant federal agencies at the Highgate Springs land port of entry (LPOE). GSA considered several other build alternatives for the proposed project, but they were

Name of Federal agency representative completing this form: U.S. General Services Administration	Date: 11/24/24

(See Instructions on reverse side)

Form AD-1006 (03-02)

Farmland of Statewide Importance (1.9 Acres Converted Indirectly)

Farmland of Statewide Importance (1.9 Acres Converted Directly)

Farmland of Statewide Importance Occupied by Developed Land (0.6 Acres)

Proposed Project Area Boundary (50 Acres)

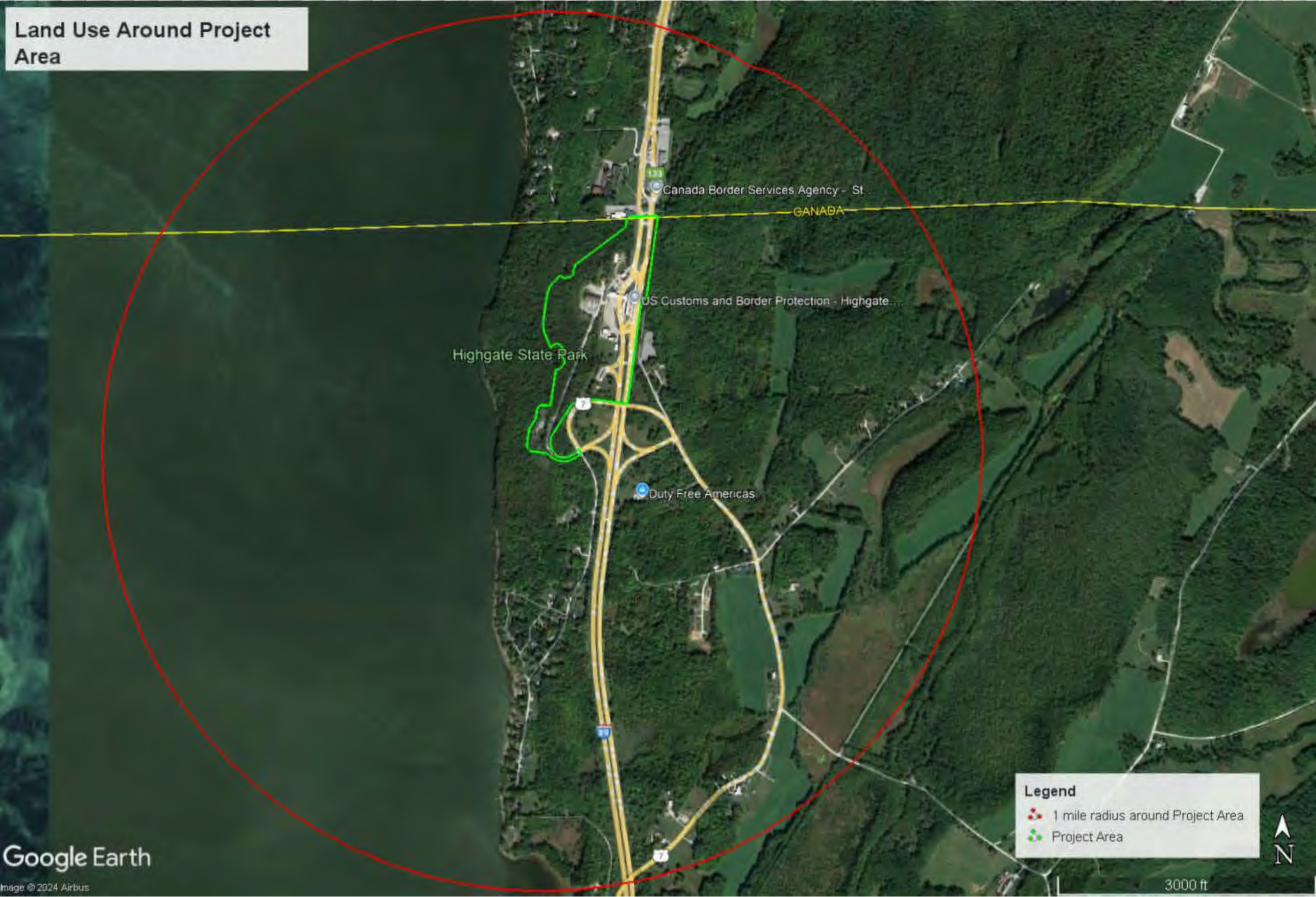
Proposed Permanent Disturbance (34 acres)

PROJECT LOCATION

Highgate, Vermont

0 250 500 ft

Land Use Around Project Area



From:	Cristina Clow - 1PCTB
To:	travis.thomason@usda.gov
Cc:	Oshin Paranjape; Marshall Popkin - PTA; carol.chirico@gsa.gov
Subject:	General Services Administration- Request for Farmland Conversion Consultation for Highgate Springs LPOE Project
Date:	Monday, October 7, 2024 3:33:19 PM
Attachments:	AD-1006 Form and Map for Highgate Springs LPOE Project.pdf

Good Afternoon, Mr. Thomason,

The United States General Services Administration (GSA) is pursuing modernization and expansion of the Highgate Springs Land Port of Entry (LPOE) in Franklin County, Vermont. Because this project has the potential to convert farmland to non-agricultural use, GSA is submitting for review the attached Federal Farmland Protection Policy Act Farmland Conversion Impact Rating form.

The Highgate Springs LPOE is located on Interstate Highway 89 (I-89), and farmland of statewide importance has been identified within the potential project area. GSA requests Natural Resources Conservation Service (NRCS) review of the attached form and, as appropriate, completion of Parts IV and V of the forms; along with a determination if any further coordination is required with the NRCS for this project.

Please contact me at cristina.clow@gsa.gov or (857)276-9495 if you need additional information to complete your review or would like to schedule a site visit. A response within 30 days from the receipt of this communication would be greatly appreciated.

Sincerely,
Cristina Clow

U.S. General Services Administration

Cristina Clow, AIA
Project Manager
Design & Construction Division (1PCTB)
Public Buildings Service
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077
Cell: 857-276-9495
E-mail: cristina.clow@gsa.gov

From:	Thomason, Travis - FPAC-NRCS, VT
To:	Cristina Clow - 1PCTB
Cc:	Oshin Paranjape; Marshall Popkin - PTA; carol.chirico@gsa.gov
Subject:	RE: General Services Administration- Request for Farmland Conversion Consultation for Highgate Springs LPOE Project
Date:	Tuesday, October 8, 2024 8:48:44 AM
Attachments:	image001.png

Hi Cristina –

This email confirms receipt of your request. We'll reach out to you if we need any additional information.

Thank you,
Travis

Travis L. Thomason
State Conservationist
Vermont

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

From:	Cupit, Chadd - FPAC-NRCS, VT
To:	cristina.clow@gsa.gov
Cc:	carol.chirico@gsa.gov; marshall.popkin@gsa.gov; Oshin Paranjape; Hyldburg, Angela - FPAC-NRCS, VT
Subject:	Highgate Springs AD-1006
Date:	Tuesday, October 8, 2024 10:33:13 AM
Attachments:	AD-1006 Form and Map for Highgate Springs LPOE Project.pdf

Hello Cristina,

Please find attached the AD-1006 for your Highgate Springs Land Port of Entry (LPOE) project in Franklin County, Vermont. NRCS-VT would need a copy of this form after Part VI is completed by your agency.

Thank you,

Chadd Cupit
NRCS – Resource Soil Scientist
USDA-NRCS Vermont
356 Mountain View Drive
Colchester, VT 05446
O: (802) 951-
6796

C: (802) 522-8616

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: Cupit, Chadd - FPAC-NRCS, VT
To: Cristina Clow - 1PCTB
Cc: carol.chirico@gsa.gov; marshall.popkin@gsa.gov; Oshin Paranjape; Hyldburg, Angela - FPAC-NRCS, VT
Subject: RE: Highgate Springs AD-1006
Date: Monday, November 25, 2024 2:53:26 PM

Hello Christina,

You are all set now with FPPA compliance. Good luck with your project!

Chadd Cupit
NRCS – Resource Soil Scientist
USDA-NRCS Vermont
356 Mountain View Drive
Colchester, VT 05446
O: (802) 951-6796
C: (802) 522-8616

From: Cristina Clow - 1PCTB <cristina.clow@gsa.gov>
Sent: Monday, November 25, 2024 8:19 AM
To: Cupit, Chadd - FPAC-NRCS, VT <Chadd.Cupit@usda.gov>
Cc: carol.chirico@gsa.gov; marshall.popkin@gsa.gov; oshin.paranjape@solvllc.com; Hyldburg, Angela - FPAC-NRCS, VT <Angela.Hyldburg@usda.gov>
Subject: Re: Highgate Springs AD-1006

Hello Chadd,

Please see the attached AD-1006 form with Part VI completed by GSA.

Thank you,
Cristina

U.S. General Services Administration
Cristina Clow, AIA
Project Manager
Design & Construction Division (1PCTB)
Public Buildings Service
Thomas P. O'Neill, Jr., Federal Building
10 Causeway Street, 11th Floor

Boston, MA 02222-1077

Cell: 857-276-9495

E-mail: cristina.clow@gsa.gov

APPENDIX C: COMMENTS RECEIVED ON THE DRAFT EA AND GSA'S RESPONSES

COMMENTS RECEIVED ON THE DRAFT EA AND GSA'S RESPONSES

INTRODUCTION

The public has a critical role in helping the U.S. General Services Administration (GSA) understand the environmental impacts of the Proposed Action analyzed in the Environmental Assessment (EA) for the Highgate Springs Land Port of Entry (LPOE) Expansion and Modernization Project. Public participation promotes transparency, facilitates better decision-making, and helps federal agencies identify data gaps and sources of potential concern regarding the environmental impacts of a proposed action.

GSA invited the public to review and comment on the Draft EA with newspaper ads, radio announcements, letters to interested parties, press release, and social media posts. Newspaper ads were run in the *St. Albans Messenger* on October 15, 2024 and October 22, 2024, and interested party letters were mailed and emailed on October 16, 2024. The public comment period started on October 16, 2024 and ended on November 19, 2024. GSA hosted a Draft EA public hearing on October 29, 2024 at the St. Albans Town Hall located at 398 Georgia Shore Road, St. Albans City, VT, 05478. Six members of the public attended the meeting.

An open house format was used to encourage discussion and information sharing and to ensure that the public had opportunities to speak with GSA representatives. The GSA team gave a 30-minute presentation providing an overview of the NEPA process, description of the proposed Project, and findings of the Draft EA. GSA then provided an opportunity to interested attendees to submit verbal comments about the Project, which were recorded by a stenographer. An American Sign Language interpreter was available via video call to provide interpretive services.

Informational posters about the proposed alternatives and their anticipated impacts were provided at the meeting. Additional materials at the Draft EA public hearing included a sign-in sheet, comment forms, and handouts. A recording of the public hearing and copy of the presentation slides are available at: https://www.gsa.gov/about-us/gsa-regions/region-1-new-england/buildings-and-facilities/development-projects/highgate-springs-land-port-of-entry-vermont.

GSA offered multiple ways to submit comments, including comment forms, letters, emails, and spoken comments recorded at the public meeting. A total of 5 commenters submitted 16 different comments (many commenters submitted more than one comment) during the Draft EA comment period.

The comments addressed a range of issues presented in **Table 1**.

Table 1 Commenters and Comments by Subject – Draft EA Public Comment Period

Subject	Number of Agency Comments	Number of Public Comments
Biological Resources*	3	0
Cumulative Action	2	0
Land Ownership	3	0
Permits	1	0
Proposed Action	1	1
Recreation*	2	0

Subject	Number of Agency Comments	Number of Public Comments
Schedule	1	0
Traffic and Transportation	0	1
Water Resources*	3	0

[a]One agency commenter submitted a comment that covered multiple subjects (indicated by *). While the total number of unique comments received is 16, total comments by subject sum up to 18. This is because one agency comment covers Biological Resources, Recreation, and Water Resources.

GSA has thoroughly considered all of the input received and has responded to the public comments in this document. Revisions to the Final EA have been made in response to comments where appropriate.

RESPONSE TO PUBLIC COMMENTS

This section is organized alphabetically by the name of the organization or private individual that submitted a comment either verbally at the public hearing or in writing. GSA reviewed all comments and categorized them by subject, which enabled GSA to provide consistent responses to similar comments.

Each subsection below begins with the original comment submission as received by GSA. Following each comment is GSA's response.

FEDERAL HIGHWAY ADMINISTRATION (FHWA), ELIZABETH SHIPLEY

Email Comment, 11/15/2024

Cumulative Action: There is no acknowledgement in the draft EA document of the project including a commercial truck inspection area for VTrans Commercial Vehicle Enforcement Unit. The EA document needs to acknowledge this commitment. This has been discussed since at least 2015 and verbal commitments were made that the new Highgate LPOE would include an area for VTrans to perform safety and weight inspections on commercial vehicles entering Vermont. VTrans has retained and did not redevelop the former rest area property with a truck inspection area based on these commitments and to not cause conflict with the new LPOE configuration.

> **GSA Response**: GSA met with the Vermont Agency of Transportation (VAOT) and FHWA on December 4, 2024, and will continue to meet with VAOT throughout the LPOE project, as needed.

Land Ownership: The Draft EA should acknowledge that the NB I-89 parcel is the property of the State of Vermont. The parcel was originally deeded to GSA with the port reconstruction on the early 1990's when it was determined that plows could not fit through the new port construction. The NB parcel was deeded back to Vermont in 2015 through a reverter agreement. The draft EA should acknowledge Vermont's ownership of the NB parcel.

> **GSA Response**: Thank you for your comment. Clarifying language about the ownership of the northbound lanes of I-89 was added to the Final EA. Section 3.2 (Land Use) was revised to specifically note that the State of Vermont owns a portion of the northbound I-89 lane just south of the international border with Canada. Additionally, all maps showing the boundary of the

Highgate Springs LPOE have been revised to exclude the VAOT-owned portion of the northbound I-89 to the east of the LPOE.

TIM SMITH

Public Hearing Comment, 11/29/2024

Proposed Action: Can you clarify? I think I heard that no existing building would be torn down. I thought that was in the comments.

GSA Response: Under the Proposed Action, all existing buildings within the Project area would be demolished.

Traffic and Transportation: So have you coordinated the traffic flow? And how does that work during that process? And are you expecting delays with traffic; do you know that?

GSA Response: GSA will phase the demolition of the old facilities and construction of the new facilities to minimize the disruption to the LPOE. The LPOE will remain operational during the demolition and construction phases to minimize effects to traffic flows.

TOWN OF HIGHGATE, CARRIE JOHNSON

Public Hearing Comment, 11/29/2024

Schedule: My question actually is more logistical. Many in Highgate and this whole county would like to know if you have an estimate for when A-35 would actually be open. This project is scheduled to not be done until 2028.

GSA Response: Phase 3 of 4 is currently in progress with commissioning scheduled for Fall 2025. Please refer to the project website for updates: https://www.quebec.ca/transports/infrastructures-projets/projets/projets-routiers/monteregie/autoroute-35-saint-jean-sur-richelieu-frontiere-construction.

VERMONT AGENCY OF NATURAL RESOURCES, KATHLEEN TAFT

Email Comment, 11/18/2024

Water Resources: The DEC Wetland Program has confirmed the wetland classifications detailed in Table 3.4-1 of the draft EA. It should be noted that under the Vermont Wetland Rules, due to the dynamic nature of wetlands, wetland assessments, delineations, and classifications are valid for up to five years from the delineation date.

GSA Response: Thank you, your comment has been noted.

Water Resources: The Draft EA states the Proposed Action will fill 1.223 acres of Class II wetland, and will encroach on or indirectly impact the 50 ft buffer of an undetermined acreage of Class II wetland. Based on this information, the Agency confirms this project will require a Vermont Individual State Wetland Permit. Please continue to work with Ms. Sewell to initiate the application process; she may be reached at 802-490-6758 or krystal.t.sewell@vermont.gov.

GSA Response: Thank you for your comment. GSA will continue to coordinate with the VT Agency of Natural Resources to ensure that applicable permits are obtained before the commencement of any project activities.

Biological Resources: The Agency disagrees with the assertion in the draft EA that "all rare or uncommon species near the Project area are associated with the Lake Champlain shoreline at least 100 ft outside the Project area" (section 3.5.1.3, p 44). The list of species provided are not limited to lakeshore bluff habitat, and it is not possible to rule out the presence of additional protected species without field review by a qualified botanist during the growing season, typically mid-June through late September. Further, the project site is underlain by a calcareous bedrock type (dolostone with a secondary type of marble), which extends from the lake shoreline into the proposed project footprint. The Agency considers this bedrock type to be an indicator that threatened and endangered plant species may occur onsite, especially in areas where bedrock exerts a strong influence on soil formation and plant communities. Without a site visit, DFW and the Agency are unable to concur with the findings in the EA regarding impacts to vegetation or provide a determination regarding the impact or lack of impact to state significant plant or animal species. The Agency respectfully requests the project site be made available for a visit by DFW Staff during the active growing season.

> **GSA Response**: GSA is available for a site visit by the Vermont Department of Fish and Wildlife staff during the active growing season. GSA commits to implementing the appropriate mitigation measures prior to the commencement of project activities.

Biological Resources: Additionally, the Draft EA references this site as a "lower value habitat block." It is indeed not identified as a Priority or Highest Priority Forest Block in Vermont Conservation Design; however, this prioritization is based on the block's size and landscape context. It does not consider whether the block may or may not contain, or provide habitat for, plant or animal species of concern, critical habitats, and/or significant natural communities. This metric should not be used to replace site specific review of impact to species of concern.

> **GSA Response**: GSA has provided clarifying language within Section 3.5.1.1 of the Final EA regarding the classification of the Vermont Habitat Block.

Land Ownership: The Department of Forests, Parks and Recreation (FPR) conveyed the 54.69-acre parcel to Deringer on November 25, 1986 via quitclaim deed. The deed includes a provision stating: "As part of the consideration for this conveyance, Grantee, A.N. Deringer, Inc., and their successors and assigns hereby agree that development on the herein conveyed premises shall be limited to business purposes of the Corporation only and that no other development may take place without the approval of the Commissioner of the Vermont Department of Forests, Parks and Recreation." This deed condition was required by Act No. 216 of 1986, which constituted the Vermont State General Assembly authorization for the conveyance. The Draft EA fails to mention the FPR property interest as an interest that would need to be acquired by the GSA in order to proceed with the proposed project. The EA only references acquisition of the Deringer property and the parcel owned by the State of Vermont Agency of Transportation. The Commissioner of the Department of Forests, Parks and Recreation has not approved of any use of the Deringer property, including the proposed use in the Draft EA. The Draft EA should be amended to recognize the FPR property interest and the fact that the Commissioner has not approved of the proposed project and uses in the Draft EA.

> **GSA Response**: GSA is aware of the language in the 1986 quitclaim deed and will contact the Vermont Agency of Natural Resources for further discussion.

Recreation: Highgate State Park is not a developed state park, but it is open and available for dispersed public recreational use. Highgate State Park was designated a State Natural Area in 1990 to protect the vertical dolomite cliffs that drop 80 feet to the shoreline of Lake Champlain and represent one of the finest calcareous cliff communities in the state; one of the finest cobble shores in the state; the existing significant natural communities and rare and uncommon species and any potentially occurring threatened

and endangered species. The existing public recreational use of Highgate State Park is not likely to be increased by the addition of 3-4 parking spaces. In previous years, a small parking area in the southern portion of the Deringer property has been used by visitors to Highgate Cliffs State Park and Natural Area. While there was no formal arrangement for the use of this parking area, its inclusion in the Proposed Project Area Boundary would likely mean that it is no longer available for visitors to access the State Park and Natural Area. The Draft EA should address this impact to public recreation and consider whether a small portion of the Deringer property abutting the State Park on the southern portion could be conveyed to FPR as was proposed by FPR to the GSA during discussions about the FPR property interest (see above).

> **GSA Response**: GSA evaluated the potential impacts of the Project on public recreation, and determined there would be negligible short-term and no long-term effects on recreation, as described in Section 3.12 of the Final EA. The parking area and access to Highgate State Park described in the Vermont Agency of Natural Resources comment letter was an unlawful trespass on the Deringer Property and therefore was not evaluated.

Biological Resources, Water Resources, and Recreation: The majority of the Draft EA ignores the adjacent Highgate State Park and State Natural Area. The EA mentions Highgate State Park only 4 times to state that the Park separates Mississquoi Bay from the Deringer parcel, that FPR conveyed the 54.69 acres to Deringer (without mentioning the FPR property interest) or to summarily state that there are no recreational impacts to Highgate State Park because there are no developed trails, campsite or recreational facilities in the Park (See pages 87-88). There are no maps in the Draft EA that identify the location of Highgate State Park and State Natural Area, even when the map is depicting significant natural communities located within the Park (Figure 3.5.1) and despite the fact that the proposed project area abuts the boundary of the Park and the entire Park parcel boundaries are depicted (Figure 3.11.1). The Draft EA should identify the location of Highgate State Park on a map and conduct an analysis of the potential impacts to the natural resources and recreational uses of Highgate State Park and Natural Area, including at a minimum, the following:

- Impacts to the rare and uncommon species and significant natural communities, as requested by the DFW above, and as relates to the designation of this area as a State Natural Area.

- Impacts to the State Park and Natural Area due to the proposed reduction in the width of the forested buffer between the Project Area and the State Park and Natural Area.

- Impacts to water quality and from stormwater runoff, during and after construction, to Highgate State Park, including the 75-foot strip of land abutting the Deringer parcel to the south. Page 33 of the Draft EA states that water drains to the west into Highgate State Park and Natural Area but does not include an analysis of how that drainage, and any increased stormwater drainage associated with this proposed project, will impact Highgate State Park and Natural Area, including the 75-foot strip to the south.

- Impacts to recreation at Highgate State Park and Natural Area. Information about past and existing recreational use; explanation of how the GSA will delineate the project area boundary and the boundary of the Deringer parcel, e.g. fencing and signage, and how these boundary structures will impact Highgate State Park and public access to the State Park.

> **GSA Response**: Effects to the natural resources of the Highgate State Park are addressed in Sections 3.4 (Water Resources) and 3.5 (Biological Resources) of the Final EA. Highgate State Park has been labeled on maps where appropriate.
>
> Based on available information and as explained above, GSA has determined that the potential impacts of the Project on public recreation would be negligible in the short-term and there would be no long-term impacts (see Section 3.12 of the Final EA). The parking area and access to

Highgate State Park described in the Vermont Agency of Natural Resources comment letter was an unlawful trespass on the Deringer Property and therefore was not evaluated. As such, this resource has been dismissed from detailed analysis and no further changes have been made in the Final EA.

Permits: Parcels proposed for acquisition and development have existing Act 250 jurisdiction. The Act 250 Program is administered by the Natural Resources Board (NRB) which is a separate entity from the Agency of Natural Resources. Projects with Act 250 jurisdiction are subject to additional standards of review from Agency Staff, including but not limited to the DFW Fisheries and Wildlife Programs. When planning this project, it is recommended an Act 250 Jurisdictional Determination be obtained from the NRB to inform the full scope of applicable review. Please contact Josh Donabedian, NRB District 6 Coordinator, at joshua.donabedian@vermont.gov or 802-261-1945 to determine if the project is subject to Act 250 permitting. Please note that as of January 1, 2025, pursuant to new legislation, the Natural Resources Board (NRB) will automatically convert to the Land Use Review Board (LURB).

GSA Response: GSA has constructed many projects on federal land in Vermont and has never come under the jurisdiction of Act 250. The Federal statute at 40 U.S.C. 3312 exempts the federal government from the substantive and procedural requirements of state or local land use and zoning laws. In addition, it appears that several sections of the statute creating Act 250 (10 V.S.A. Chapter 51), and the Rules promulgated to administer it, did not contemplate regulating federal projects.

VERMONT AGENCY OF TRANSPORTATION, MICHELLE BOOMHOWER

Email Comment, 11/15/2024

Proposed Action: Having been involved for many years in regional planning for the completion of Autoroute 35 (A-35) to the border with Vermont, the Agency is keenly aware of the anticipated growth in passenger and commercial traffic. Existing traffic conditions show the reconstruction of this LPOE is well-justified. Wait times for southbound travelers at the current LPOE already far exceed the 2014 data presented in the EA. This pressure will continue to rise with the anticipated growth in traffic associated with the A-35 completion.

GSA Response: Thank you for your comment. GSA agrees that the Proposed Action to modernize and expand the Highgate Springs LPOE would not only improve and enhance the operations of GSA's tenant federal agencies at the port, but would also accommodate the projected 30 percent increase in traffic after completion of the Canadian A-35.

Land Ownership: The Agency has comments on two primary issues regarding the EA. The first is of the ownership of the northbound lanes of I-89 to the border with Canada. The EA does not appear to acknowledge the state of Vermont ownership of a portion of this segment of road just south of the international border. A "Reverter and Easement Agreement" executed March 18, 2015, outlines the conveyance of this acreage and the associated easements. Please let us know if you would like us to provide this documentation.

GSA Response: Language to clarify that VAOT owns the I-89 northbound lanes was added to the Final EA, Section 1.1.1 (Site Location) and Section 3.2 (Land Use). Additionally, all maps showing the boundary of the Highgate Springs LPOE have been revised to exclude the VAOT-owned portion of the northbound I-89 to the east of the LPOE.

the start of your comment. We're recording all of these. Your comments become part of the record, so we need that information.

Be respectful of participants and presenters. Remain quiet while others are speaking. Verbal comments will be held to a three-minute time limit. If time allows, participants may be permitted to speak again after all commenters have had the opportunity to speak. Again, additional comments can also be submitted in writing and -- and that recording will be made available, and your comments will be included in the administrative record. If you signed up to speak --

Do we have a speaker's list?

UNIDENTIFIED SPEAKER: We do. There was a placeholder for Carrie Johnson. She'd like to speak.

MR. HUGHES: All right. So if you've signed up, please come on up, state your full name, and we'll go from there.

MS. JOHNSON: It's very brief.

Carrie Johnson, I'm the current Highgate Town Administrator, so I'm here on behalf of Highgate, which is very excited to see this change. My question actually is more logistical. Many in Highgate and -- and this whole county would like to know if you have an

-- an estimate for when I -- A-35 would actually be open. This project is scheduled to not be done until 2028.

So that was my only question, instead of a comment. And I'm sorry. I didn't follow your -- your directions. Carrie Johnson, C-A-R-R-I-E, Johnson, J-O-H-N-S-O-N.

MS. CLOW: Thank you.

MR. HUGHES: Thank you.

MS. JOHNSON: You're welcome.

MS. CLOW: Thanks, Carrie.

So I would -- for Autoroute 35, since that is a Canadian project, they're the ones who are going to be providing updates on that. I will say that we do have a monthly coordination meeting with CBSA, which is Canadians Custom -- Canadian Custom Group, as well as the Vermont Department of Transportation, where we -- we do discuss coordination issues. However, I personally don't have an update on the A-35 project.

MR. HUGHES: But to Cristina's point, since we have that monthly meeting, we can ask if there's an update on A-35 at the next monthly meeting.

MS. CLOW: That's right.

MS. JOHNSON: Thank you.

MR. HUGHES: Others?

Sir, can you step forward.

MR. SMITH: My name is Tim Smith, T-I-M, S-M-I-T-H. It's more of a clarifying question. I thought at one of the earlier meetings that you had -- are you looking for comments and no questions, or can we ask questions?

MR. HUGHES: You can ask. We may not necessarily be able to answer them at this point, but you can definitely ask.

MR. SMITH: Okay. So I will.

Can you clarify? I think I heard that no existing building would be torn down. I thought that was in the comments.

MS. CLOW: No.

MR. HUGHES: Under the proposed action.

MS. CLOW: Under the proposed action, the -- the existing port buildings will be demolished.

MR. SMITH: It will be? Okay.

MS. CLOW: Yes.

MR. KOLANKIEWICZ: All of them, I think, correct?

MS. CLOW: Correct.

MR. KOLANKIEWICZ: Yes.

MR. SMITH: I'm sorry. What was that?

MR. KOLANKIEWICZ: All -- all of them at the

facility. There are a number of buildings there.

MR. SMITH: So how will -- how will traffic -- have -- have you coordinated the traffic flow? And how does that work when -- during that process?

MS. CLOW: Yeah. So construction will be phased, so the buildings won't be demolished all at the same time. So new buildings will be constructed prior to the old ones being demolished.

MR. SMITH: And are you expecting delays with traffic; do you know that?

MS. CLOW: I don't know at this time.

MR. SMITH: Okay. Thank you.

MS. CLOW: Thank you, sir.

MR. HUGHES: Anybody else?

Wow. Presentation was that clear?

MS. CLOW: Yes.

MR. HUGHES: Well, if there are no further questions, we'll stick around if you want to take a look at the charts, but thank you for coming tonight. Please keep in mind we are not quite at square one of the long and complex process, but we're still relatively early in a long and complex process. So go to that website, gsa.gov/highgatesprings. Do it regularly, and that's where we'll put updates. We'll put out press releases. We'll be on social media.

VERMONT

State of Vermont
Division of Policy, Planning and Intermodal Development
Barre City Place, Suite
219 North Main Street
Barre, VT 05641
vtrans.vermont.gov

Agency of Transportation

[phone] 802-505-3480
[ttd] 800-253-0191

November 15, 2024

General Services Administration
Attention: John Maurer, GSA Project Executive
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077

The Vermont Agency of Transportation (Agency) appreciates the opportunity to provide comments on the Draft Environmental Assessment (EA) for the Highgate Springs Land Port of Entry (LPOE) reconstruction project.

As the primary artery between Vermont and the Province of Quebec, the I-89 corridor and corresponding provincial highways in Quebec are of great importance. This corridor is a crucial link for cross-border travel, supporting the state and regional economy through tourism and commercial freight transportation.

Having been involved for many years in regional planning for the completion of Autoroute 35 (A-35) to the border with Vermont, the Agency is keenly aware of the anticipated growth in passenger and commercial traffic. Existing traffic conditions show the reconstruction of this LPOE is well-justified. Wait times for southbound travelers at the current LPOE already far exceed the 2014 data presented in the EA. This pressure will continue to rise with the anticipated growth in traffic associated with the A-35 completion.

The Agency has comments on two primary issues regarding the EA. The first is of the ownership of the northbound lanes of I-89 to the border with Canada. The EA does not appear to acknowledge the state of Vermont ownership of a portion of this segment of road just south of the international border. A "Reverter and Easement Agreement" executed March 18, 2015, outlines the conveyance of this acreage and the associated easements. Please let us know if you would like us to provide this documentation.

A second item of great concern to the Agency is our continued ability to conduct commercial vehicle inspections. The Agency has participated in several meetings with GSA over the past two years to discuss our needs in support of continued commercial vehicle inspections in the area. We have answered GSA's requests for specific information ranging from equipment and space requirements to technological needs and provided detailed information on how our Commercial Vehicle Enforcement (CVE) team has operated in the area for many years.

The content of the EA leaves us concerned that we will be left without an opportunity to continue our enforcement work in direct cooperation and coordination with the LPOE facility. Our CVE team will find itself subject to the same traffic growth pressures that so well justify the LPOE reconstruction and as a result, AOT seeks assurance that we will have sufficient resources to conduct our work. Consequently, we will request a meeting with GSA in the coming weeks to discuss these matters and better understand how our needs can be met in a collaborative manner consistent with the reconstruction of the LPOE.

Thank you again for the opportunity to submit these comments.

Respectfully,

Michele Boomhower, Director
Policy, Planning, & Intermodal Development Division

Cc:
Rob White, AOT Highway Division Project Delivery Burean Director
Mike Smith, VT Department of Motor Vehicles Commissioner
Wade Cochran, VT Department of Motor Vehicles Director of Enforcement & Safety
Roger Thomspon, FHWA VT Division

From:	cristina.clow@gsa.gov on behalf of Highgate Springs LPOE
To:	Marshall Popkin - PTA; Carol Chirico - LD1; Sara Massarello - 1PZS; Oshin Paranjape; John Maurer - 1PCTB
Cc:	Kelly Morrison - 1P1; Paul Hughes - ZCZ1
Subject:	Fwd: Border Crossing i-89, FHWA comments
Date:	Wednesday, November 20, 2024 9:02:41 AM

All,
Please see the below Highgate LPOE Public Comments on the Draft EA from the Federal Highway Administration.

-Cristina

---------- Forwarded message ---------
From: **Shipley, Elizabeth (FHWA)** <elizabeth.shipley@dot.gov>
Date: Fri, Nov 15, 2024 at 11:43 AM
Subject: Border Crossing i-89, FHWA comments
To: highgatesprings.lpoe@gsa.gov <highgatesprings.lpoe@gsa.gov>

GSA,

The Federal Highway Administration, Vermont Division office has the following comments:

1. There is no acknowledgement in the draft EA document of the project including a commercial truck inspection area for VTrans Commercial Vehicle Enforcement Unit. The EA document needs to acknowledge this commitment. This has been discussed since at least 2015 and verbal commitments were made that the new Highgate LPOE would include an area for VTrans to perform safety and weight inspections on commercial vehicles entering Vermont. VTrans has retained and did not redevelop the former rest area property with a truck inspection area based on these commitments and to not cause conflict with the new LPOE configuration.

2. The Draft EA should acknowledge that the NB I-89 parcel is the property of the State of Vermont. The parcel was originally deeded to GSA with the port reconstruction on the early 1990's when it was determined that plows could not fit through the new port construction. The NB parcel was deeded back to Vermont in 2015 through a reverter agreement. The draft EA should acknowledge Vermont's ownership of the NB parcel.

Thank you,

Liz

Elizabeth Shipley

Environment and ROW Program Manager

Federal Highway Administration, Vermont Division

Elizabeth.Shipley@DOT.gov

802-828-4578

State of Vermont
Office of Planning
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901 Ph: (802) 461-8812

Agency of Natural Resources

November 18, 2024

VIA ELECTRONIC MAIL

General Services Administration
Attention: John Maurer, GSA Project Executive
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street, 11th Floor
Boston, MA 02222-1077
highgatesprings.LPOE@gsa.gov

RE: Draft Environmental Assessment for the Proposed Expansion and Modernization Project at the Highgate Springs Land Port of Entry – Highgate Springs, VT

Dear Mr. Maurer –

Thank you for the opportunity to present comments as part of the NEPA process for the proposed expansion and modernization project at the Highgate Springs Land Port of Entry. The Agency of Natural Resources reviewed the draft Environmental Assessment (EA) and available preliminary information against known site data and offers the following comments intended for use as the project proceeds to regulatory review. For clarity, the Agency of Natural Resources ("Agency") is comprised of three departments – Department of Environmental Conservation (DEC), Department of Forests, Parks and Recreation (FPR), and the Department of Fish and Wildlife (DFW).

Wetlands – The DEC Wetland Program regulates Class I and II wetlands and their respective 100' and 50' buffers through the Vermont Wetland Rules,[1] which state a permit is required for any impacts to jurisdictional wetlands or their buffers. Krystal Sewell, District Wetlands Ecologist with the DEC Wetland Program, conducted a site visit with project staff on April 16, 2024 to confirm wetland presence and determine classification of all mapped wetlands within the proposed project area. The DEC Wetland Program has confirmed the wetland classifications detailed in Table 3.4-1 of the draft EA. It should be noted that under the Vermont Wetland Rules, due to the dynamic nature of wetlands, wetland assessments, delineations, and classifications are valid for up to five years from the delineation date.

The Draft EA states the Proposed Action will fill 1.223 acres of Class II wetland, and will encroach on or indirectly impact the 50 ft buffer of an undetermined acreage of Class II wetland. Based on this information, the Agency confirms this project will require a Vermont Individual State Wetland Permit. Please continue to work with Ms. Sewell to initiate the application process; she may be reached at 802-490-6758 or krystal.t.sewell@vermont.gov.

[1] Available online at https://dec.vermont.gov/content/vermont-wetland-rules

Wildlife – Project staff contacted DFW in October 2023 requesting a list of species that potentially occur within the project area which are considered rare or uncommon by the State of Vermont. The immediately adjacent Highgate State Park and Natural Area hosts several documented occurrences of rare and uncommon species, in addition to mapped state-significant natural communities. DFW staff believe there may be similar habitat within the proposed project area which would support those same species. In response to the October 2023 request the Agency provided a list of species potentially occurring within the project area (Table 3.5-1), while noting this list should not be considered complete or comprehensive and requesting a site visit to determine the presence of any other species of concern. The Agency disagrees with the assertion in the draft EA that "all rare or uncommon species near the Project area are associated with the Lake Champlain shoreline at least 100 ft outside the Project area" (section 3.5.1.3, p 44). The list of species provided are not limited to lakeshore bluff habitat, and it is not possible to rule out the presence of additional protected species without field review by a qualified botanist during the growing season, typically mid-June through late September[2]. Further, the project site is underlain by a calcareous bedrock type (dolostone with a secondary type of marble), which extends from the lake shoreline into the proposed project footprint. The Agency considers this bedrock type to be an indicator that threatened and endangered plant species may occur onsite, especially in areas where bedrock exerts a strong influence on soil formation and plant communities. Without a site visit, DFW and the Agency are unable to concur with the findings in the EA regarding impacts to vegetation or provide a determination regarding the impact or lack of impact to state significant plant or animal species. The Agency respectfully requests the project site be made available for a visit by DFW Staff during the active growing season.

Additionally, the Draft EA references this site as a "lower value habitat block." It is indeed not identified as a Priority or Highest Priority Forest Block in Vermont Conservation Design; however, this prioritization is based on the block's size and landscape context. It does not consider whether the block may or may not contain, or provide habitat for, plant or animal species of concern, critical habitats, and/or significant natural communities. This metric should not be used to replace site specific review of impact to species of concern.

Department of Forests, Parks and Recreation Property Interest in the Deringer Property - The proposed project relies upon the acquisition of the privately owned Deringer parcel that abuts the current Highgate Springs Land Port of Entry facility and the Highgate State Park and Highgate Cliffs Natural Area (hereinafter "Highgate State Park and Natural Area" or "the State Park and Natural Area."). The Department of Forests, Parks and Recreation (FPR) conveyed the 54.69-acre parcel to Deringer on November 25, 1986 via quitclaim deed. The deed includes a provision stating: "As part of the consideration for this conveyance, Grantee, A.N. Deringer, Inc., and their successors and assigns hereby agree that development on the herein conveyed premises shall be limited to business purposes of the Corporation only and that no other development may take place without the approval of the Commissioner of the Vermont Department of Forests, Parks and Recreation." This deed condition was required by Act No. 216 of 1986, which constituted the Vermont State General Assembly authorization for the conveyance. The Draft EA fails to mention the FPR property interest as an interest that would need to be acquired by the GSA in order to proceed with the proposed project. The EA only references acquisition of the Deringer property and the parcel owned by the State of Vermont Agency of Transportation. The Commissioner of the Department of Forests, Parks and Recreation has not approved of any use of the Deringer property, including the proposed use in the Draft EA. The Draft EA

[2] In accordance with the Agency's *Guidance for Conducting Rare, Threatened, and Endangered Plant Inventories*, available online at https://anr.vermont.gov/sites/anr/files/documents/Guidance-for-Conducting-RTE-Plant-Inventories-248-Projects.pdf

should be amended to recognize the FPR property interest and the fact that the Commissioner has not approved of the proposed project and uses in the Draft EA.

FPR met with the GSA to discuss the FPR property interest and attempted to reach a mutually agreeable resolution whereby FPR would convey its property interest to the GSA in exchange for a small portion of the Deringer parcel abutting the southern 75-foot strip of Highgate State Park to allow for 3-4 parking spots for public access. The GSA rejected this proposal saying they could not do anything that would increase public access to the Highgate State Park.

Highgate State Park is not a developed state park, but it is open and available for dispersed public recreational use. Highgate State Park was designated a State Natural Area in 1990 to protect the vertical dolomite cliffs that drop 80 feet to the shoreline of Lake Champlain and represent one of the finest calcareous cliff communities in the state; one of the finest cobble shores in the state; the existing significant natural communities and rare and uncommon species and any potentially occurring threatened and endangered species. The existing public recreational use of Highgate State Park is not likely to be increased by the addition of 3-4 parking spaces. In previous years, a small parking area in the southern portion of the Deringer property has been used by visitors to Highgate Cliffs State Park and Natural Area. While there was no formal arrangement for the use of this parking area, its inclusion in the Proposed Project Area Boundary would likely mean that it is no longer available for visitors to access the State Park and Natural Area. The Draft EA should address this impact to public recreation and consider whether a small portion of the Deringer property abutting the State Park on the southern portion could be conveyed to FPR as was proposed by FPR to the GSA during discussions about the FPR property interest (see above).

Impacts to Highgate State Park and State Natural Area - The majority of the Draft EA ignores the adjacent Highgate State Park and State Natural Area. The EA mentions Highgate State Park only 4 times to state that the Park separates Mississquoi Bay from the Deringer parcel, that FPR conveyed the 54.69 acres to Deringer (without mentioning the FPR property interest) or to summarily state that there are no recreational impacts to Highgate State Park because there are no developed trails, campsite or recreational facilities in the Park (See pages 87-88). There are no maps in the Draft EA that identify the location of Highgate State Park and State Natural Area, even when the map is depicting significant natural communities located within the Park (Figure 3.5.1) and despite the fact that the proposed project area abuts the boundary of the Park and the entire Park parcel boundaries are depicted (Figure 3.11.1). The Draft EA should identify the location of Highgate State Park on a map and conduct an analysis of the potential impacts to the natural resources and recreational uses of Highgate State Park and Natural Area, including at a minimum, the following:

- Impacts to the rare and uncommon species and significant natural communities, as requested by the DFW above, and as relates to the designation of this area as a State Natural Area.
- Impacts to the State Park and Natural Area due to the proposed reduction in the width of the forested buffer between the Project Area and the State Park and Natural Area.
- Impacts to water quality and from stormwater runoff, during and after construction, to Highgate State Park, including the 75-foot strip of land abutting the Deringer parcel to the south. Page 33 of the Draft EA states that water drains to the west into Highgate State Park and Natural Area but does not include an analysis of how that drainage, and any increased stormwater drainage associated with this proposed project, will impact Highgate State Park and Natural Area, including the 75-foot strip to the south.

- Impacts to recreation at Highgate State Park and Natural Area. Information about past and existing recreational use; explanation of how the GSA will delineate the project area boundary and the boundary of the Deringer parcel, e.g. fencing and signage, and how these boundary structures will impact Highgate State Park and public access to the State Park.

Act 250 – Parcels proposed for acquisition and development have existing Act 250 jurisdiction. The Act 250 Program[3] is administered by the Natural Resources Board (NRB) which is a separate entity from the Agency of Natural Resources. Projects with Act 250 jurisdiction are subject to additional standards of review from Agency Staff, including but not limited to the DFW Fisheries and Wildlife Programs. When planning this project, it is recommended an Act 250 Jurisdictional Determination[4] be obtained from the NRB to inform the full scope of applicable review. Please contact Josh Donabedian, NRB District 6 Coordinator, at joshua.donabedian@vermont.gov or 802-261-1945 to determine if the project is subject to Act 250 permitting. Please note that as of January 1, 2025, pursuant to new legislation, the Natural Resources Board (NRB) will automatically convert to the Land Use Review Board (LURB).

Thank you for the opportunity to comment. Please don't hesitate to contact me at Kathleen.taft@vermont.gov or 802-461-8812 if there are additional questions or comments on the above or if you require additional assistance from the Agency as the project moves forward.

Sincerely,

/s/Kathleen Taft

Kathleen Taft
Regulatory Policy Analyst
ANR Office of Planning
802-461-8812

Cc: Krystal Sewell, DEC Wetlands Program, via email
Grace Glynn, DWF State Botanist, via email
Robert Zaino, DWF Natural Community Ecologist, via email
Meghan Purvee, FPR General Counsel, via email
Josh Donabedian, NRB, via email
Billy Coster, ANR Director of Policy and Planning, via email

[3] More information available online at: https://nrb.vermont.gov/act250-program
[4] More information available online at: https://nrb.vermont.gov/act250-permit/need-a-permit