



UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899

March 25, 2024

MEMORANDUM FOR THE RECORD

From: Mark Liao
NEPA Coordinator

Subject: Categorical Exclusion

Project Title: Math and Sciences Building

Location: Marion Military Institute
1101 Washington Street
Marion, Alabama 26756

The National Environmental Policy Act (NEPA) and associated implementing regulations (40 CFR Parts 1500-1508) require that all major actions by federal agencies be reviewed with respect to the environmental consequences on the human environment. The National Institute of Standards and Technology (NIST) is providing a congressionally directed funding grant for a new Math and Sciences Building at the Marion Military Institute. Consequently, NEPA and the associated implementing regulations apply to this project.

This memorandum summarizes the determination that the Math and Sciences Building at the Marion Military Institute has been found to be categorically excluded from further environmental review under NEPA.

Description of the Action

This project entails the construction and operation a new 60,000 square foot building at the Marion Military Institute (MMI). The new building is planned to be located on a 37,500 square foot site on the MMI Campus adjacent to two existing MMI facilities; Lovelace Hall and Rane Hall. The building will be two stories with a basement.

The purpose of this new Math and Science Building is to provide (MMI) with a centralized facility for classrooms and laboratories associated with science, technology, engineering and math. The new building will allow the space needed to add courses not currently offered.

Specific Considerations of this Action and any Extraordinary Circumstances

- Existing Site

The existing site is vacant grassy field with a concrete walkway and stormwater structure. The site was cleared in 1985. Parking lots border the site to the east and west. MMI buildings border the site to the northwest and northeast. South of the site is Murfee Street, a wooded area, and single-family residences.

- Endangered Species and Critical Habitats

According to the U.S. Fish and Wildlife Service, 3 federally listed threatened or endangered species could be found in the area. However, no critical habitats are located on the site and no detrimental effects to threatened or endangered species are expected from the project.

- Building Staffing/Utilities

Staffing and student population may increase due to the construction of the new building, but not significantly. Local roadways have capacity for the temporary increase in traffic during construction and for the ongoing increase in traffic due to increases in staffing and students attending MMI.

The new building's requirements for electricity, natural gas, water and wastewater can be met by the local utility suppliers; Alabama Power and the City of Marion.

- Greenhouse Gas Emissions

This building will be built to meet or exceed the energy codes required by the Alabama Division of Construction Management. The codes adopted including 2020 National Electrical Code (NFPA 70) and ANSI/ASHRAE/IES Standard 90.1-2013 Energy Standard for Buildings Energy efficiency measures will reduce greenhouse gas emissions resulting from the heating and cooling of the building. Energy conserving measures include LED lighting, insulated windows and building envelope, and high efficiency heating ventilation and air conditioning systems.

- Wetlands, Flooding Potential and Resilience

The project site is not located in a coastal zone, there are no known wetlands on the project site, and the site is outside the 500-year floodplain.

- **Hazardous Materials**

Any hazardous materials found at the project site will be handled and disposed in accordance with state and federal regulations.

- **Historic/Cultural Significance**

The Alabama Historical Commission (AHC) concurred that this project will have no effect on historic properties (AHC letter attached).

- **Environmental Justice**

This project is located on the MMI's existing property/campus and is not anticipated to have any disproportional adverse human health or environmental impacts. Environmental impacts are expected to be minor, primarily temporary, and construction related. Positive impacts are expected from the creation of construction-related jobs.

Effects of the Action

No significant adverse impacts on the environment are expected from this action.

Categorical Exclusion

The activities associated with this project fall within the criteria of the following Department of Commerce Categorical Exclusion (CATEX):

A-2, New construction upon or improvement of land where all of the following conditions are met:

- (a) The site is in a developed area and/or a previously disturbed site,
- (b) The structure and proposed use are compatible with applicable Federal, Tribal, State, and local planning and zoning standards and consistent with Federally approved State coastal management programs,
- (c) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area,
- (d) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings, and
- (e) The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, *etc.*). This CE does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines that it does not have an applicable Categorical Exclusion. DOC is not a major land managing agency in the Federal government. Department activities involving new construction or improvements of land typically involve single buildings and supporting

infrastructure in a single locality. Any potential for environmental impacts would be of a small scale and confined to more localized impacts.

The proposed project meets the criteria of CATEX A-2 as follows:

- (a) The proposed site has been disturbed by clearing and by nearby construction of university buildings.
- (b) Located on the campus of the Marion Military Institute, the project is compatible with applicable Federal, Tribal, State, and local planning and zoning standards.
- (c) Increases in the number of motor vehicles at the facility or in the area are not expected to be significant.
- (d) The proposed new building will not result in uses that exceed existing infrastructure capacities. The project does not require review by the NCPC.

The proposed project: construction and operation of the Math and Sciences Building at the Marion Military Institute is categorically excluded from the need for further environmental review under NEPA. Any changes to the above project will require additional NEPA review.

Mark Liao
NIST NEPA Coordinator

Date

R.C. Vaughn
NIST Chief Facilities Management Office

Date

Attachment A
Alabama Historical Commission Letter



ALABAMA HISTORICAL COMMISSION

Lisa D. Jones
Executive Director
State Historic Preservation Officer

468 South Perry Street
Montgomery, Alabama 36130-0900

Tel: 334-242-3184
Fax: 334-242-1083

February 22, 2024

Phillip Neuberg
NIST
100 Bureau Drive Bldg. 301
Gaithersburg, MD 20854

Re: AHC 23-0875
CRA
MMI Math and Science Building
Perry County

Dear Mr. Neuberg:

Upon review of the cultural resource assessment conducted for the above referenced project, we concur with the author's finding that project activities will have no effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the determination of No Effect to Historic Properties.

Consultation with the State Historic Preservation Office does not constitute consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public. If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal, and glass objects. The federal agency or the applicant receiving federal assistance should contact our office immediately. If human remains are encountered, the provisions of the Alabama Burial Act (*Code of Alabama* 1975, §13A-7-23.1, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed. This stipulation shall be placed on the construction plans to ensure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's historic archaeological and architectural resources. Should you have any questions, please contact Amanda McBride at 334.230.2692 or Amanda.McBride@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

A handwritten signature in blue ink that reads "Lee Anne Hewett".

Lee Anne Hewett
Deputy State Historic Preservation Officer

LAH/amh