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

January 17, 2024

MEMORANDUM FOR THE RECORD

From: Mark Liau
NEPA Coordinator

Subject: Categorical Exclusion

Project Title: Innovation Center
Location: 1 Camino Santa Maria
St. Mary's University
San Antonio, TX 78228

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) has selected the project: Innovation Center at St. Mary's University, San Antonio, TX for a federal funding grant. Consequently, NEPA and the associated implementing regulations apply to this project.

This memorandum summarizes the determination that the Innovation Center at St. Mary's University, San Antonio, TX 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 Innovation Center Building at St. Mary's University. The building is proposed to be located on the university's campus adjacent to the existing Richter Math-Engineering Center. The Innovation Center will be a three-story 27,000 square foot building. Each of the three floors will have approximately 9,000 square feet of space.

The Innovation Center will house laboratories related to advanced manufacturing including Robotics and Smart Manufacturing; Measurement and Instrumentation; Human Factors; Additive Manufacturing; Reverse Engineering; Data Science and Machine Learning; Innovation;

Entrepreneurship; and Supply Chain. The center will also house an Engineering Design Studio, a large student Collaborative Learning Space, faculty offices, and a Nursing Program.

Some of these spaces currently exist in very cramped older facilities that severely limit the quality and extent of work possible, and some of the spaces will be new to the university.

This project will be accomplished in accordance with all applicable state and federal environmental and safety regulations. All applicable regulatory permitting will be obtained.

Specific Considerations of this Action and any Extraordinary Circumstances

- **Existing Site**

The proposed site is approximately 0.23 acres and is located immediately south of the Richter Math-Engineering Center. The site is vacant and consists primarily of maintained turf grasses. The proposed site is owned by St. Mary's University and has been disturbed during previous construction.

- **Endangered Species and Critical Habitats**

According to the U.S. Fish and Wildlife Service, 19 federally listed threatened and endangered species that could be found within the proposed site, and according to the Texas Parks and Wildlife Department, there are 13 listed rare species that could be found within the proposed site. The proposed project site does not meet the critical habitat requirements for any of the listed species; therefore, no impacts to threatened or endangered species are anticipated.

- **Building Staffing/Utilities**

Staffing and student population are expected to increase due to the construction of the new building, but not significantly. Over the next ten years, an increase of 250 students and 10 faculty is anticipated. 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 St. Mary's University.

The San Antonio Water Systems have the capacity for the proposed water consumption and wastewater production at the new building. Planned electricity use and natural gas use for the new building can be supplied by the local utilities (CPS Energy).

- **Greenhouse Gas Emissions**

This building will be built to meet 2018 International Electric Code Energy Efficiency requirements. 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**

According to the United States Fish and Wildlife Service National Wetlands Inventory Map and the United States Geological Service topographic map, there are no known wetlands on the proposed site. The site is mapped entirely as Zone X, outside the 100- and 500-year flood zone (FEMA 2010).

- **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**

On 9/29/2023, NIST determined that the undertaking does not have the potential to cause effects on historic properties as defined by 36 CFR 800.3 (a) (1). On 10/24/2023, Texas State Historic Preservation Officer provided written concurrence with NIST's determination that no historic properties are affected.

- **Environmental Justice**

St. Mary's University is located within an area where most residents identify as a person of color. Within a 0.5-mile radius around the university, 93% of the residents identify as a person of color, and 53% are considered to be low-income. The university is located within an area identified as an environmental justice community (EPA 2023a).

St. Mary's University is a founding member of the Hispanic Association of College and Universities. Enrollment at St. Mary's University emphasizes its identity as a Hispanic-Serving Institution and commitment to providing opportunities for first-generation students. In the fall 2022, over 60% of undergraduates (N= 2093) identified as Hispanic or Latino, of which more than half also identified as female.

St Mary's University serves under-represented communities, creating a beneficial impact to that community. No significant adverse environmental impacts have been identified to local communities.

The proposed project has been announced to the public by the following:

- Local news articles including the San Antonio Report, on January 5, 2023, SATX Today on October 10, 2022, Business Journal San Antonio on October 17, 2022,
- Internal sources within the university starting August 2021, and
- Televised news on KSAT NewsChannel 12 on January 19, 2023.

No public controversy with the proposed project has been noted.

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:
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> (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 during previous nearby construction of university buildings.

(b) Located on the campus of St. Mary's University, 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 Innovation Center at St. Mary's University, San Antonio, TX is categorically excluded from the need for further environmental review under NEPA. Any changes to the above project will require additional NEPA review.

MARK LIAU

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Mark Liau
NIST NEPA Coordinator

Date

ROBERT VAUGHN

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R.C. Vaughn
NIST Chief Facilities Management Office

Date