



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

January 30, 2024

## MEMORANDUM FOR THE RECORD

From: Mark Liao  
NEPA Coordinator  
National Institute of Standards and Technology

Subject: Finding of No Significant Impact

Project: Frederick P. Whiddon College of Medicine Building  
Location: University of South Alabama  
55 University Blvd. Mobile, Alabama

The National Environmental Policy Act (NEPA) and associated implementing regulations (40 CFR Parts 1500-1508) require that all major federal actions be reviewed with respect to their environmental consequences. The National Institute of Standards and Technology (NIST) is providing a congressionally directed funding grant (FY 2022 Consolidated Appropriations Act, P.L. 117-103) for the Frederick P. Whiddon College of Medicine Building. Consequently, NEPA and the associated implementing regulations apply to this project.

An Environmental Assessment (EA) was prepared by the grant recipient for this project and provided for public review. The EA is incorporated by reference. This memorandum summarizes the impacts identified and the mitigation proposed in the EA, and documents a finding of no significant environmental impact (FONSI) for the Frederick P. Whiddon College of Medicine Building project.

### **Description of the Action**

This project includes the construction and operation of the Frederick P. Whiddon College of Medicine Building on the campus of the University of South Alabama (USA).

The proposed site is 3.7-acres on the USA Campus where the Alpha Hall East and Alpha Hall South buildings are located. This site was selected due to its location within the vicinity of the existing Medical College buildings. The Alpha Hall East and Alpha Hall South buildings will be removed for the new medical school building. Two of the Alpha Hall Complex buildings, Alpha Hall North and Alpha Hall West, will remain.

The overall goal of this project is to provide a contemporary academic building to house the College of Medicine's research and education programs. Specifically, objectives of the new construction are to:

- Bring research and education together in one building, where collision spaces are designed to encourage collaboration between students, faculty, and researchers.
- Provide state-of-the-art laboratory and laboratory support spaces that provide flexibility and efficiency for research today and in the future, expand research capacity and improve recruitment and retention for researchers.
- Expand capacity for students and provide state-of-the-art education spaces for medical and doctoral education, improving student recruitment and retention.
- Provide a multi-purpose contemporary conference space and forum to serve the entire USA community as a premier space on campus for large gatherings.

After a review of alternatives that would enable the school to meet growing accreditation demands and to accommodate future growth in the educational and research activities of the school, USA proposed to construct a new medical education building in the footprint of the aging Alpha Hall Complex. A new medical education building would provide MD trainees with a contemporary learning environment suited to support not only didactic learning, but small group and clinical skills learning as well. The new building will improve the University's ability to recruit and retain basic science faculty who will help grow the College's extramural funding portfolio. This project will also allow expansion of the University's research faculty and will support additional research training for doctoral students, medical students, and research fellows.

### **Summary of Impacts and Mitigation**

This FONSI is predicated on the implementation of mitigation measures summarized below:

#### **Aesthetics and Visual Resources**

The new building will be constructed in a manner which ties into to the aesthetic of the remaining historic Alpha Hall North and Alpha Hall West buildings.

## **Historic/Cultural Resources**

The construction the new Frederick P. Whiddon College of Medicine building may have an adverse effect on portions of the academic campus which are potentially eligible for listing in the National Register of Historic Places. These impacts will be mitigated by the following stipulations set forth in an MOA between the Alabama Historic Preservation Officer, NIST, and USA, pursuant to 36 CFR Part 800 implementing Section 106 of the NHPA (16 U.S.C. Part 470t) (attached):

- Prior to the completion of the demolition, USA will make arrangements for archival photographic documentation of the Alpha Hall Complex with emphasis upon the visual recordation of the Alpha East and Alpha South buildings on the USA campus.
- USA will make arrangements for the research and writing of a historic narrative regarding the early period of architectural and campus development on the grounds of the USA.
- USA will create a historic interpretive weather resistant sign panel that is to be located within the context of the demolition area and near the remaining Alpha Hall West and Alpha Hall North buildings.
- If human remains are discovered at any time during the implementation of this Project, the university shall follow the provisions of the Native American Graves Protection and Repatriation Act (25 USC Section 3001) and Alabama Burial Laws (Alabama Code 34-13-111). Construction shall be stopped and the Alabama Historical Commission and Consulting Tribes shall be notified.

## **Air Quality**

Air quality impacts will primarily occur during the project construction resulting from heavy equipment operation and fugitive dust emissions. Air emissions resulting from construction are expected to be minor and will be temporary. Emissions will be minimized through the use of best management practices during construction.

Operation of the new building is not expected to be a significant source of criteria air pollutants. The new medical building will be heated and cooled via the campus central chilled water and hot water systems.

## **Greenhouse Gas Emissions**

Greenhouse Gas Emissions are expected to increase due to the heating and cooling demands of the new Frederick P. Whiddon College of Medicine building. These emissions will be offset by the removal of the two aged Alpha East and Alpha South buildings. The new

Medical Building will be a state-of-the-art facility designed with current building and environmental codes, replacing the existing, aged facilities and mechanical operations from the 1960s. Energy saving measures will include innovative HVAC systems with energy recovery wheels, and air economizers, and electrochromic glazing on the south façade of the building.

### **Biological**

During the demolition and construction of the new building it is anticipated that 74 trees will need to be removed, however 64 trees are planned for the new landscaping design.

Seven endangered or threatened species are found in the area of the project, however, no critical habitat for any of these species exists within the project site.

### **Noise**

Noise produced by the proposed project will be solely during the construction period. Construction is expected to last approximately 20 months. During this time, demolition of two buildings will occur, truck traffic will increase, grading and earth moving will be conducted and general construction of the new Medical Building will occur.

Construction noise will be mitigated somewhat by the terrain, trees, and roads and buildings surrounding the project site. To further mitigate the construction noise, these operations shall only be conducted during daylight hours of 7AM to 5PM, primarily on weekdays and possibly a few Saturdays. The University of South Alabama will comply with City of Mobile noise ordinances.

### **Hazardous Materials**

Any existing hazardous materials (i.e., asbestos, lead based paint, PCBs) found in the Alpha East and Alpha South buildings will be abated and properly disposed in accordance with State and Federal regulations prior to demolition.

Hazardous or infectious waste generated by the operation of the new building will be properly disposed off-site by licensed haulers/disposal facilities in accordance with State and Federal regulations.

### **Surface Water and Floodplains**

No surface water or wetlands exist on the project site, and the site is not located within a 100-year or 500-year floodplain.

This project will be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for a regulated land disturbance and associated discharges of stormwater runoff to State waters. The University of South Alabama has been granted a General

NPDES Permit through the Alabama Department of Environmental Management and will implement and maintain effective erosion and sediment controls in accordance with a Construction Best Management Practices Plan.

**Conclusion**

NIST hereby adopts the EA prepared by the award recipient for the Frederick P. Whiddon College of Medicine Building project. After reviewing the EA and the supporting materials, NIST finds that the EA properly documents the project’s environmental impact. NIST has determined, with the mitigation measures described above, that the proposed action will have no significant impact on the quality of the human environment. With this FONSI, an environmental impact statement will not be prepared.

\_\_\_\_\_  
Mark Liao  
NIST NEPA Coordinator

\_\_\_\_\_  
Date

\_\_\_\_\_  
R.C. Vaughn  
Chief Facilities Management Officer

\_\_\_\_\_  
Date

Attachment A

MEMORANDUM OF AGREEMENT BETWEEN  
THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY,  
THE ALABAMA STATE HISTORIC PRESERVATION OFFICER, AND  
THE UNIVERSITY OF SOUTH ALABAMA

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY,  
THE ALABAMA STATE HISTORIC PRESERVATION OFFICER, AND  
THE UNIVERSITY OF SOUTH ALABAMA  
REGARDING THE DEMOLITION OF ALPHA HALLS EAST AND SOUTH  
551 UNIVERSITY BLVD, MOBILE, ALABAMA**

**WHEREAS**, the University of South Alabama, Mobile, AL(USA), as part of an overall initiative to redevelop an existing campus and construct a new medical facility, plans to carry out the demolition of Alpha Hall East and Alpha Hall South(undertaking) pursuant to 36 CFR Part 800 implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 306108); and

**WHEREAS**, the undertaking consists of demolishing two three-story masonry combination classrooms and residential buildings and related site improvements using funds allocated by the National Institute of Standards and Technology (NIST) in preparation for constructing a new academic medical facility; and

**WHEREAS**, the new construction will be carried out using funds from (NIST); and

**WHEREAS**, the design of the proposed new academic medical facility was undertaken with consideration for the surrounding nearby historic portions of the campus. The design is intentionally sympathetic to the tone, character, feel, massing, and materials exhibited within the surrounding structures. The choice of location away from other buildings, use of brick and verticality within the windows, massing, and scale create a design that is noticeably new, while also blending into the character of the campus and not detracting or negatively impacting the surrounding structures and campus design. Drawings for the proposed new construction are included within this submission (Appendix B); and

**WHEREAS**, NIST has defined the undertaking's area of potential effect (APE) as the existing Alpha Hall Complex consisting of four similar Buildings referred to as Alpha Halls, East, West, South and North and its setting; and

**WHEREAS**, NIST has determined that the undertaking may have an adverse effect on portions of the Alpha Complex (Halls East and South) that has been determined eligible for listing in the National Register of Historic Places and has consulted with the Alabama State Historic Preservation Officer (SHPO) pursuant to 36 C.F.R. 800, of the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 306108); and

**NOW, THEREFORE**, NIST, USA and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to consider the effect of the undertaking on historic properties.

## STIPULATIONS

In order to mitigate the adverse effects on historic properties, USA shall ensure that the following measures are carried out by a professional who meets the Secretary of the Interior's *Professional Qualifications Standards*:

### I. ARCHIVAL PHOTOGRAPHIC DOCUMENTATION

- A. Prior to demolition, USA will complete State-level HABS documentation of the Alpha Hall Complex with emphasis upon the visual recordation of the Alpha East and Alpha South on the campus of the University of South Alabama, Mobile, AL. Photographs shall be made of the representative buildings within the complex including views of the exterior and interior, the overall complex, its setting, and the landscape.
- B. The photographer shall comply with the minimum level standards necessary for document retention at SHPO pursuant to the State agreed format. A draft copy of the photographic record will be provided to SHPO for review and acceptance. Upon approval, final copies will be provided to SHPO and the local archives at the University of South Alabama and will be available for public view.

### II. HISTORIC NARRATIVE

USA will make arrangements for the research and writing of a historic narrative regarding the early period of architectural and campus development on the grounds of the University of South Alabama.

- A. The history shall be written from written documents, primary sources, oral histories, and archival photographs. The overall purpose of the document is to record the developmental history of the first period of the construction and expansion of the University of South Alabama.
- B. A draft copy of the developmental history report will be submitted to SHPO for review and approval. Upon approval of the draft copy by SHPO, a final copy of the report will be submitted to SHPO in hard copy and digital format. One additional copy will be submitted to the local archives at the University of South Alabama and will be available for public view.

### III. HISTORIC SIGNAGE

- A. USA will create a historic interpretive weather resistant sign panel that is to be located



within the context of the demolition area and near the remaining Alpha Hall West and Alpha Hall North.

- B. The sign will include historical information about the early period of campus construction, architectural explanations of the common style on campus, images of Alpha Hall East and Alpha Hall South, as well as the original and changing functions of the buildings. The overall purpose of the sign is to educate the public on the early planning and architectural development of the campus and to note the previous location and information as related to the architecture of Alpha Hall East and Alpha Hall South.
- C. A draft copy of the sign layout, text, and images will be submitted to SHPO for review and approval. Upon approval of the draft copy by SHPO, a final version will be installed within the context of the remaining Alpha Hall buildings and readily in view for the public.

#### **IV. ARCHAEOLOGICAL ASSESSMENT**

USA's Center for Archaeological Studies completed a Phase I Cultural Resources Survey of the potential area of impact surrounding Alpha Hall East and Alpha Hall South on April 5, 2023. Their archeological efforts included the excavation of a total of 11 shovel tests within the project tract in addition to a pedestrian survey.

- A. At the conclusion of the Phase I Cultural Resources Survey, it was determined that the efforts did not identify any significant archaeological recoveries or intact middens or features from the project tract. Therefore, no further archaeological investigation or mitigation is recommended.
- B. The Phase I Cultural Resources Survey in its entirety will be filed within the archives of the University of South Alabama and will be available for public view.

#### **V. INADVERTENT DISCOVERY**

- A. Treatment of Human Remains and Funerary Objects - If human remains are discovered at any time during the implementation of this Project, the university shall follow the provisions of the Native American Graves Protection and Repatriation Act (25 USC Section 3001) and Alabama Burial Laws (Alabama Code 34-13-111). If any human remains are encountered during the course of the investigation, the construction contractor shall cease all construction activities within a 30-foot area around the remains and notify the coroner or medical examiner, local law enforcement, NIST, USA, and the Alabama Historical Commission. NIST shall also

- notify the Consulting Tribes and the AHC prior to resuming any ground disturbing activities in the area. Any exposed remains will be covered with cotton fabric and a thin layer of soil until an agreed upon course of action is approved. After consultation, the AHC may grant a state permit to relocate the human remains, as outlined in state code (Code of Alabama 1975 13-A-7-23.1, as amended).
- B. Post Review Discovery - Pursuant to 36 CFR 800.13(b), NIST, in consultation with the Alabama Historical Commission (ALSHPO), shall make a reasonable and good faith effort to avoid or minimize any adverse effects to NRHP eligible archaeological sites that may be discovered after the completion of data recovery excavations. In the unlikely event that adverse effects to previously undiscovered NRHP-eligible archaeological sites cannot be avoided or minimized, NIST shall consult with ALSHPO to resolve these adverse effects through execution of an amendment to this agreement document.
- C. In the event that previously unidentified archaeological resources are discovered during the project construction, the construction contractor shall cease all construction activities immediately within a 30-foot area around the resource. USA shall notify NIST and the ALSHPO within 24 hours of the discovery and shall take appropriate steps to immediately secure and protect the site.

## **VI. DURATION**

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, NIST may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VI below.

## **VII. MONITORING AND REPORTING**

Six months following the execution of this MOA and every six months thereafter for a duration of 36 months, until it expires or is terminated, NIST shall provide all parties to this MOA a report summarizing work undertaken pursuant to its terms, based upon field and progress reports provided by USA. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in NIST's efforts on behalf of the USA to carry out the terms of this MOA.

## **VIII. DISPUTE RESOLUTION**

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, NIST

shall consult with such party to resolve the objection. If NIST determines that such objection cannot be resolved, NIST will:

- A. Forward all documentation relevant to the dispute, including the NIST proposed resolution, to the Advisory Council on Historic Preservation (ACHP). The ACHP shall provide USA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, NIST shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. NIST will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) daytime period, NIST may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, NIST shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA and provide them and the ACHP with a copy of such written response.
- C. NIST's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

## **IX. ADMENDMENTS**

This MOA may be amended by any of its signatories when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ALSHPO.

## **X. TERMINATION**

- A. If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VI, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.
- B. Once the MOA is terminated, and prior to work continuing on the undertaking, NIST must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, consider, and respond to the comments of the AL SHPO under 36 CFR § 800.7. NIST shall notify the signatories as to the course of action it will pursue.
- C. Execution of this MOA by NIST, USA, and SHPO and implementation of its

terms evidence that NIST has considered the effects of this undertaking on historic properties and afforded the AL SHPO an opportunity to comment.

## **XI. ELECTRONIC SIGNATURE**

Each party agrees a person may execute this document by electronic symbol or process attached to or logically associated with the document, with an intent to sign the document and by a method that must include a feature to verify the identity of the signer and the authenticity of the document, commonly referred to as verified electronic signature. Each party further agrees to accept in-person signature with ink for such party who agrees but does not wish to or have access to adequate technology to sign electronically.

*Final rev: 01\_11\_2024*

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THE UNIVERSITY OF SOUTH ALABAMA REGARDING  
THE DEMOLITION OF ALPHA HALLS EAST AND SOUTH  
551 UNIVERSITY BLVD N AND 555 UNIVERSITY BLVD N, MOBILE, ALABAMA

Signed:

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (NIST)

*Phillip W. Neuberg*

01/24/2024

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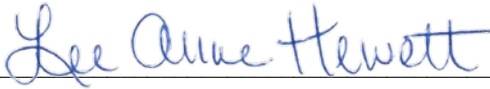
By: Phillip W. Neuberg, FAIA  
NIST Federal Preservation Officer

Date:

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THE UNIVERSITY OF SOUTH ALABAMA REGARDING  
THE DEMOLITION OF ALPHA HALLS EAST AND SOUTH  
551 UNIVERSITY BLVD N AND 555 UNIVERSITY BLVD N, MOBILE, ALABAMA

Signed:

ALABAMA STATE HISTORIC PRESERVATION OFFICER



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By: Lee Anne Hewett, Deputy SHPO  
Alabama Historical Commission

January 12, 2024

Date:

MEMORANDUM OF AGREEMENT  
BETWEEN THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY,  
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551 UNIVERSITY BLVD N AND 555 UNIVERSITY BLVD N, MOBILE, ALABAMA

Signed:

UNIVERSITY OF SOUTH ALABAMA



12/20/2023

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By: Trae Catrett, Contract Officer

Date:

1/11/2024

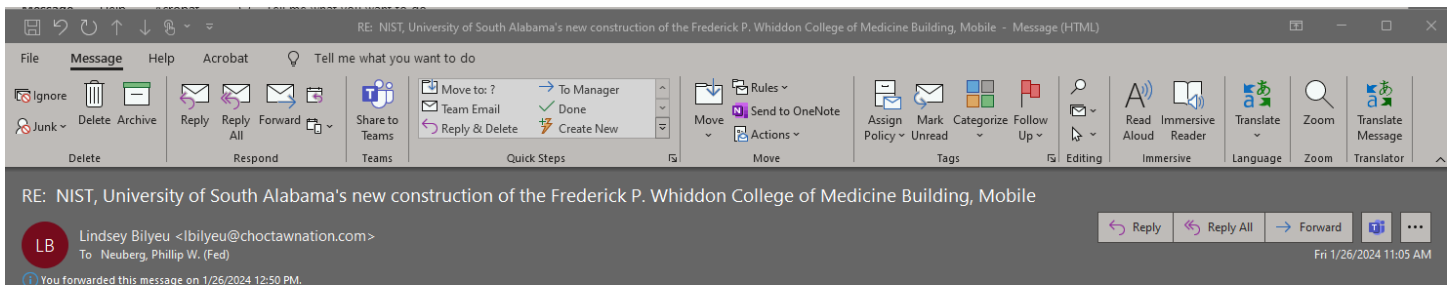
**ADDENDUM**  
January 26, 2024

**MEMORANDUM OF AGREEMENT**  
**BETWEEN THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY,**  
**THE ALABAMA STATE HISTORIC PRESERVATION OFFICER, AND**  
**THE UNIVERSITY OF SOUTH ALABAMA REGARDING**  
**THE DEMOLITION OF ALPHA HALLS EAST AND SOUTH**  
**551 UNIVERSITY BLVD N AND 555 UNIVERSITY BLVD N, MOBILE, ALABAMA**

Subsequent to the MOA public review held at the December 18, 2023 Consulting Parties Meeting and then subsequent to execution of MOA, The Choctaw Nation on contacted the NIST Federal Preservation Officer on January 8, 2024.

NIST hosted a call with the Choctaw Nation on January 25, 2024 to provide an overall orientation to the Consultation conducted to dated. The Choctaw Nation THPO indicated that while they did not wish to participate as a signatory to the executed MOA, they would like to be directly notified in the event that any unidentified remains are found within the APE

Please see copy of email below.



Mr. Neuberg,

The Choctaw Nation of Oklahoma thanks the NIST for the correspondence regarding the above referenced project. Mobile Co., AL lies in our area of historic interest.

Given that this project, and it's MOA, will be for effects to historic structures rather than archaeological sites, our office declines the offer to be a signatory to the MOA. We do ask, however, that we are added to the list of Tribes to be contacted in the event of unanticipated discoveries.

In the event of unanticipated discoveries, we ask that Tribes, including Choctaw Nation, be consulted in addition to the SHPO.

If you have any questions, please contact me.

Yakoke (Thank you),

Lindsey D. Bilyeu, MS  
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NHPA Compliance Review  
Historic Preservation  
Choctaw Nation of Oklahoma  
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