

FINDING OF NO SIGNIFICANT IMPACT

FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension  
Caledonia County, Vermont

Rural Development - Rural Utility Services  
U.S. Department of Agriculture  
Cooperating Agency: Northern Borders Regional Commission

Town of St. Johnsbury, Vermont

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## **A. INTRODUCTION**

The Town of St. Johnsbury plans to submit a financing request to the U.S. Department of Agriculture, Vermont Rural Development - Rural Utility Service (USDA RD) and the Northern Borders Regional Commission (NBRC) to construct the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension in Caledonia, County Vermont. USDA RD and NBRC are considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), USDA RD & NBRC are required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and USDA RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by the Town of St. Johnsbury and its consultant, USDA RD and NBRC concurred with its scope and content. In accordance with 7 CFR § 1970.102, USDA RD and NBRC adopted the report and issued it as the Agency(s) Environmental Assessment (EA) for the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension. USDA RD and NBRC find that the EA is consistent with federal regulations and meets the standards for an adequate assessment. The Town of St. Johnsbury published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, USDA RD & NBRC consider the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## **B. FY 22 CDS LAMOILLE VALLEY RAIL TRAIL RIVERFRONT EXTENSION DESCRIPTION AND PURPOSE/NEED**

The overall purpose of the FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension is to construct an eight-foot wide paved shared use path from the Lamoille Valley Rail Trail (LVRT) trailhead south of Main Street and continuing across Main Street to Bay Street (connected by a crosswalk) and then adjacent to Bay Street to Bay Street Extension. On Bay Street, the path would cross the railroad tracks, where a rail crossing upgrade may be required by the Washington County Railroad ("WACR"). A crosswalk would take the path across Bay Street to parallel Bay Street Extension where it becomes a 10' wide paved shared use path. Where the path veers east and overland away from Bay Street Extension, the path would become a 10' wide aggregate shared use path, continuing north generally parallel to the Passumpsic River to join an existing shared use path (Phase 1 of the Three Rivers Path) just south of the Green Mountain Power substation.

This construction activity is Phase 2 of the project known up to this time as the Three Rivers Path. The FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension project would complete a multiuse recreational path connection from the end point of the LVRT trail to downtown St. Johnsbury. Portions of the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension are located in the floodplain of the Passumpsic River. There are no new structures as part of the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension and any impact to the flood plain would be mitigated by a balanced cut and fill of the path. Vermont Rural Development has determined

there are no adverse effects expected due to the planned construction activities. USDA RD and NBRC has reviewed the purpose and need for the FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension and determined that the proposal will meet the present and future needs of the Town of St. Johnsbury, Vermont.

### **C. ALTERNATIVES EVALUATED**

#### 1. No Action

Under the No Action Alternative, USDA RD and NBRC would not provide financial assistance to The Town of St. Johnsbury, and/or the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension would not be constructed. This alternative would not assist The Town of St. Johnsbury in providing planned construction improvements to the Lamoille Valley Rail Trail Riverfront Extension project.

#### 2. Action Alternative (Preferred Alternative)

Under the Action Alternative, USDA RD and NBRC would consider financing the proposed project, and The Town of St. Johnsbury would construct the FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension. The proposed project would involve construction activities for a distance of 3,516 feet +/- and proposes an eight-foot wide paved, shared use path from the Lamoille Valley Rail Trail (LVRT) trailhead south of Main Street and continuing across Main Street to Bay Street (connected by a crosswalk) and then adjacent to Bay Street to Bay Street Extension. On Bay Street, the path would cross the WACR and then proceed east via a crosswalk to run parallel to the Bay Street Extension as a 10' wide paved shared used path. Where the path veers east and overland away from Bay Street Extension, the path would become a 10' wide aggregate shared use path, continuing north generally parallel to the Passumpsic River to join Phase 1 of the Three Rivers Path.

#### 3. Alternatives Eliminated from Further Consideration

In addition to the No Action Alternative and Action Alternative, The Town of St. Johnsbury considered other siting alternatives, which are documented in the Alternatives section of the EA.

### **D. SUMMARY OF ENVIRONMENTAL EFFECTS**

The analyses in the EA documented that the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension would have no adverse effects Land Use, Important Farmland, Floodplains and Water Resources, Municipal Parks, Federally and State Listed Species, Socio-Economic Issues, Economic Justice, Air Quality, Transportation, Noise, Solid Waste Management, Hazardous and Contaminated Materials, Wild and Scenic Rivers or Visual Aesthetics. A summary of anticipated impacts on the human environment is provided below, including any mitigation measures deemed necessary to avoid or minimize impacts. The Town of St. Johnsbury is responsible for implementing these measures.

#### **Cultural Resources and Historic Properties:**

A Section 106 review was conducted for the proposed project and the Vermont Division of Historic Preservation has concurred with the USDA RD

determination of No Adverse Effect (above ground and archeological resources).

#### **E. PUBLIC AND AGENCY INVOLVEMENT**

A local newspaper advertisement, announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was published on October 25 and November 2, 2023, in the Caledonian Record, distributed across Caledonia County, Vermont. A copy of the EA was available for public review at Town of St. Johnsbury website at <https://www.stjvt.com/town-of-st-johnsbury-vt-announcements> The 14-day comment period ended on November 9, 2023. USDA RD and NBRC received no comments or questions.

#### **F. FINDING OF NO SIGNIFICANT IMPACT**

Based on the EA, USDA RD and NBRC has concluded that the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension would have no significant effects to Land Use, Important Farmland, Wetland and Water Resources, Municipal Parks, Federally and State Listed Species, Socio-Economic Issues, Economic Justice, Air Quality, Transportation, Noise, Solid Waste Management, Hazardous and Contaminated Materials, or Visual Aesthetics. The proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension will be fully compliant with the Vermont Department of Environmental Conservation (DEC) Waste Management Division requirements and will implement best management practices and mitigation measures as needed in coordination with DEC to protect human and environmental health during project construction and implementation. The proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension will have no effects on historic properties listed or eligible for listing on the National Register of Historic Places and no effects to federally listed species or designated critical habitat.

The proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500-1508), and RD's Environmental Policies and Procedures (7 CFR Part 1970), USDA RD and NBRC has determined that the environmental impacts of the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension. Any final action by USDA RD and NBRC related to the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because USDA RD and NBRC's action will not result in significant impacts to the quality of the human environment, USDA RD and NBRC will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed FY 22 CDS Lamoille Valley Rail Trail Riverfront Extension.

#### **G. USDA RD and NBRC LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW**

This Finding of No Significant Impact (FONSI) is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes USDA RD and NBRC's

environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance is also subject to the availability of loan funds for the designated purpose in USDA RD and NBRC's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

**H. APPROVAL**

This Finding of No Significant Impact is effective upon signature.

**USDA RD**


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Signature

Misty Sinsigalli  
Name

Acting Community Programs Director  
Title

11/17/23  
Date

**NERC**



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Signature

Andrea K. Smith  
Name

Program Director  
Title

November 16, 2023  
Date