

1 **Finding of No Significant Impact**
2 **Tidball Land Conveyance at**
3 **Fort Hunter Liggett, California**

4 Pursuant to the Council on Environmental Quality (CEQ) Regulations (Title 40 of the *Code of Federal*
5 *Regulations* [CFR] Parts 1500–1508) for implementing the procedural provisions of the National
6 Environmental Policy Act (Title 42 of the *United States Code* 4321 *et seq.*) and 32 CFR Part 651
7 (Environmental Analysis of Army Actions), Fort Hunter Liggett conducted an environmental assessment
8 (EA) of the potential environmental and socioeconomic effects associated with conveying a 2.5-acre
9 parcel at Fort Hunter Liggett to a State or local governmental entity.

10 **Proposed Action**

11 The Army proposes to convey 2.5 acres of land under and adjacent to the Tidball Store to a State or local
12 governmental entity, permanently resolving the encroachment. The parcel to be conveyed abuts Jolon
13 Road (Monterey County Road G14). The road provides access to the land and to the Tidball Store without
14 requiring an easement onto Fort Hunter Liggett. Monterey County, owner of the historic Tidball Store,
15 has shown interest in uniting the land and building and would be an appropriate receiver of the land. The
16 Army would retain underground mineral and water rights, and would provide controlled access to a
17 nearby Fort Hunter Liggett water line.

18 Under the federal disposal process, the Department of Defense and other federal entities are given priority
19 over non-federal entities to acquire federal real property should a need for such real property exist.
20 Determination of the method of conveyance would include screening for interest in the following order:
21 (i) by another Department of Defense component, (ii) screening for interest by the Department of
22 Agriculture in accordance with Public Law 108-324, (iii) screening for interest by other federal agencies,
23 and (iv) McKinney-Vento Homeless Assistance Act screening. After screening, the Army would consider
24 conveyance to a non-federal public entity, such as a State or local government.

25 If a federal entity chose to acquire the land, an EA would not be completed because the land would
26 remain in federal ownership. The land is not likely to be attractive for McKinney-Vento Homeless
27 Assistance Act uses because there are no federally-owned structures on the land and the site is 20 miles
28 from the nearest town. Therefore, this EA limits the range of alternatives to conveyance of the property to
29 a State or local governmental entity.

30 If the property is conveyed out of federal ownership, the Army would consult with the State Historic
31 Preservation Office and United States Fish and Wildlife Service to avoid or minimize adverse impacts to
32 the historic resources and federally-listed species on the land. Appropriate covenants would be included
33 in the deed to ensure that future use of the property would not result in an adverse impact to the Fort
34 Hunter Liggett mission or training requirements.

35 **Purpose and Need**

36 The purpose of the proposed action is to permanently resolve the encroachment of the Tidball Store on
37 Army property at Fort Hunter Liggett. The proposed action is needed to relieve Fort Hunter Liggett of
38 responsibilities related to property that it cannot use for military training and support activities because
39 the store is there. It is the Army’s policy to remove from its inventory land that it cannot use for mission-
40 related purposes.

41 **Alternatives Considered**

42 Four alternatives to the proposed action were considered but eliminated from detailed analysis. The Army
43 considered removing the encroachment. Removing the encroachment would involve requiring the County
44 to remove the building from the property. This action would be an adverse effect on a historic property

1 listed in the National Register of Historic Places (Tidball Store) and would require consultation and
2 mitigation by the Army under Section 106 of the National Historic Preservation Act (NHPA). For these
3 reasons the Army determined that removing the encroachment is not a feasible alternative, and it is not
4 evaluated in detail in the EA.

5 The Army considered leasing the 2.5-acre parcel to Monterey County or another entity. The Army
6 determined that this option is not a feasible alternative because it would not permanently resolve the
7 encroachment, and therefore, that it would not satisfy the purpose and need.

8 The Army considered transferring out of federal ownership a 1-acre parcel that was historically leased to
9 Monterey County. This was not considered a feasible option because it would create a landlocked, non-
10 federally owned parcel within Fort Hunter Liggett. Access from Jolon Road to the parcel and Monterey
11 County's Tidball Store would require an easement on a Fort Hunter Liggett road used for military training
12 activities. Creating a landlocked parcel is not a suitable alternative.

13 The Army considered purchasing the Tidball Store, but determined that this option is not feasible because
14 Monterey County has not shown interest in selling the store, it is not economically feasible for the Army
15 to use the store in its current condition, and it is not the Army's mission to acquire historic structures.

16 As prescribed by the CEQ regulations, the EA also evaluates the No Action Alternative, which would
17 consist of the Army's not transferring the land and not resolving the encroachment.

18 **Factors Considered in Determining that No Environmental Impact Statement is Required**

19 The attached EA, incorporated by reference into this Finding of No Significant Impact (FNSI), examines
20 the potential effects of the proposed action and the No Action Alternative on resource areas and areas of
21 environmental and socioeconomic concern: land use, aesthetics and visual resources, air quality, noise,
22 geology and soils, water resources, biological resources, cultural resources, socioeconomics (including
23 environmental justice and protection of children), transportation, utilities, and hazardous and toxic
24 substances. As part of the proposed action, Fort Hunter Liggett would implement the mitigation measures
25 identified in the EA and would comply with all applicable laws, ordinances, and regulations.

26 In addition to Monterey County's Tidball Store, the land proposed to be transferred includes a portion of
27 archaeological site CA-MNT-794H associated with the historic town of Jolon. Implementing the
28 proposed action could have an adverse impact on cultural resources if the project site were transferred to a
29 State or local governmental entity because that entity would not be subject to the historical resource
30 protections of Section 106 of the NHPA. This impact would be reduced to minor adverse by developing
31 adequate and legally-enforceable restrictions or conditions in consultation with the State Historic
32 Preservation Office to ensure long-term preservation of the land and Tidball Store (collectively referred to
33 as the "resource"). Implementing the No Action Alternative would have no effect on cultural resources.

34 Implementing the proposed action would have a minor adverse on biological resources. Transferring the
35 project site to a State or local governmental entity would eliminate federal natural resource protections.
36 Section 9 of the Endangered Species Act, prohibiting "take" of listed species, would still be applicable,
37 and the State or local governmental entity could consult with the United States Fish and Wildlife Service
38 under Section 10 of the Endangered Species Act if an action is likely to take a listed species, so the
39 impact would be minor adverse. Implementing the No Action Alternative would have no effect on
40 biological resources.

41 Implementing the proposed action or the No Action Alternative would have minor adverse or no effect on
42 the remaining resources: land use, aesthetics and visual resources, air quality, noise, geology and soils,
43 water resources, socioeconomics, transportation, utilities, and hazardous and toxic substances.

44 **Public Review**

45 The EA and draft FNSI are available for review and comment for 30 days, beginning upon publication of
46 the notice of availability. Copies of the EA and draft FNSI are available for review and comment at the

1 following local libraries: Monterey County Free Libraries (King City and Buena Vista Branches), San
2 Antonio School Library, and Fort Hunter Liggett Library. Comments on the EA and draft FNSI should be
3 directed to: Directorate of Public Works Environmental Division (ATTN: Clark), 233 California Avenue,
4 Fort Hunter Liggett, CA 93928-7090, or by electronic mail to liz.r.clark@us.mail.mil. An electronic copy
5 of the EA and FNSI is available at <http://www.liggett.army.mil/sites/dpw/environmental.asp>.

6 **Conclusions**

7 On the basis of the analysis in the EA, it has been determined that implementing the proposed action
8 would have no significant adverse effects on the quality of human life or the natural environment.
9 Preparation of an environmental impact statement is not required before implementing the proposed
10 action.

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14 _____
15 Donna R. Williams, Colonel, US Army
16 Commanding
US Army Garrison, Fort Hunter Liggett

_____ Date