


**APPENDIX E**



Environmental Assessment  
Proposed Office Building Construction  
for the Federal Bureau of Investigation  
Denver Division Office  
Denver, Colorado

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Scoping Document

**Prepared for:**



**Prepared by:**



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### Attachment 1: Proposed Table of Contents for Environmental Assessment

**SCOPING DOCUMENT:  
ENVIRONMENTAL ASSESSMENT FOR PROPOSED OFFICE BUILDING CONSTRUCTION  
FOR THE FEDERAL BUREAU OF INVESTIGATION DENVER DIVISION OFFICE  
DENVER, COLORADO**

Waterstone Environmental Hydrology and Engineering, Inc. (Waterstone) is pleased to submit the following *Scoping Document* to meet the requirements of Scoping (TOLIN 0002) of Contract No. GS-08P-07-JF-0008

## **1.0 INTRODUCTION**

The National Environmental Policy Act (NEPA) of 1969, as amended requires that Federal agencies consider the environmental impacts of their actions and decisions, and to use all practicable means and measures to protect environmental values. To ensure the public's interests are protected, proposed actions involving Federal resources may not take place until all NEPA and agency requirements for environmental analysis are met. To meet the requirements of NEPA, the U.S. General Service Administration (GSA) is preparing an Environmental Assessment (EA) on for Proposed New Office Building Construction for the Federal Bureau of Investigation (FBI) Denver Division Office, located in Denver, Colorado. The EA will provide sufficient information on potential environmental effects of the proposed action and its alternatives to enable GSA to make an informed decision leading either to a Finding of No Significant Impact (FONSI) or a determination that an Environmental Impact Statement (EIS) is required.

### **1.1 Project Description**

GSA is proposing to construct a new office building in Denver, Colorado to house the FBI Denver Division Office through a lease construction agreement. The FBI's mission has grown since September 11, 2001. The bureau has been developing and instituting new programs, acquiring a large amount of new computer equipment and file storage space, and hiring additional staff. The FBI's growth requires a new and larger facility in Denver that consolidates bureau functions in one location. In addition, new security requirements for FBI facilities have been instituted, including a 100-foot setback from adjacent streets.

The proposed new building will meet the FBI's current and long-term needs for additional space and new security-related design, while increasing the efficiency and effectiveness of agency work by consolidating all functions in one location. The facility will provide a modern, efficient,

technically up-to-date, and secure facility to adequately accommodate the FBI's expanded security, space, and operational needs. The proposed building is also consistent with the national policy to build new free-standing FBI facilities in most major cities.

Currently, the FBI is located in three different sites in the Denver metropolitan area. Two sites are located in downtown Denver, and the third is located at the Denver Federal Center. In the downtown Federal Courthouse, the FBI occupies five floors that are not contiguous. This distribution of functions in different locations throughout the metro area hinders the ability of the FBI to operate efficiently. None of the buildings currently housing the FBI can provide the additional space the bureau requires. Nor can the downtown Denver buildings be reconfigured to provide the 100-foot set-back security requirement.

The proposed site is located in the Stapleton Redevelopment Area, formerly part of Stapleton International Airport. The Redevelopment Area is a Brownfield redevelopment of national prominence, being the largest urban infill and the first urban airport redevelopment in the United States. Extensive plans were developed and are being implemented for redevelopment of this area. The plans call for the redevelopment to be a model sustainable 'green' community, integrated with the surrounding neighborhoods and providing a source of employment, housing, and open space for the metropolitan area. Development of the proposed FBI site will occur within this over-arching framework and will comply with all its design requirements. Currently, the site is vacant and zoned for re-development for all uses, except residential.

The proposed 175,155-square-foot facility will be on 10 acres bounded by the Quebec Square Regional Retail Center on the west, Ulster Street on the east, 36th Avenue to the north and 35th Avenue to the south. It will consist of 175,155 square feet, including 175 inside parking spaces in an attached parking garage and 45 outside parking spaces, office space, computer and information technology facilities, secure file and evidence storage, temporary holding cells and other facility support spaces.

## **1.2 General Requirements of an Environmental Assessment**

The general requirements of an EA include:

- Descriptions of the existing physical, biological, man-made, socioeconomic, and cultural environment;

- Descriptions of the potential physical, biological, man-made, socioeconomic, and cultural environmental impacts;
- Categorizations of the potential impacts by geographical area (i.e., on site, immediate vicinity, etc.);
- A discussion, in comparison form, of the affected environment and the environmental impacts of the proposed action and the reasonable alternatives, including the alternative of "no action";
- Definitions and discussions of primary, secondary, cumulative, and long term impacts;
- Descriptions of measures to be implemented by the Government to mitigate any potential adverse environmental impacts resulting from the proposed action;
- Descriptions of any unavoidable adverse impacts, should the proposed action be implemented;
- Descriptions of the relationship between the local short-term uses and the maintenance and enhancement of the long-term productivity of the human environment;
- Analyses of any irreversible or irretrievable commitments of resources required to complete the proposed project; and
- Documentation for all of the above.

## **2.0 SCOPING PROCESS**

Scoping during the EA process means determining the scope and range of analysis needed for a proposed project. The scoping process is an early and open process and invites the participation of affected Federal, State, and local agencies, any affected Indian Tribe, and other interested persons and public entities. As part of the scoping process the following items are identified:

- Public and agency concerns;
- Issues and alternatives to be examined, including the elimination of non-significant issues;
- Related issues which originate from separate legislation, regulation, or Executive Order (e.g., historic preservation or endangered species concerns); and
- State and local agency requirements that must be addressed.

### **2.1 Results of the Scoping Process**

The following sections describe the results of the scoping process and identify key issues that will be addressed in the EA report.

#### **2.1.1 Purpose and Need**

The purpose and need section will describe the current operations at the existing FBI facilities and identify the operational and structural deficiencies.

## **2.1.2 Alternatives**

Two alternatives will be discussed. The following are the selected alternatives for the EA:

- Acquire land and construct a new FBI facility within the Stapleton Redevelopment Area;
- No action.

## **2.1.3 Description of Existing Environment**

The following sections provide the scoping results for the topics included in the EA and include issues or concerns that will be addressed in the EA report.

### **2.1.3.1 Physical Characteristics**

The report will describe the physical setting of the site including the existing geologic conditions, natural hazards, topography, soils, groundwater and surface water resources, floodplains, and wetlands. Historic operations at the Stapleton International Airport degraded and contaminated topsoil, and caused significant changes to natural site grading. Remediation will result in removal of soil contamination to levels below a level of health concern; and redevelopment of the Stapleton area generally will restore natural grades and drainage patterns.

### **2.1.3.2 Biological Characteristics**

The report will describe the biological characteristics of the site. The site has been developed for many years. Thus, any natural habitat and virtually all of the natural vegetation has been eliminated. The little remaining vegetation at the site does not provide habitat, except for common urban wildlife. There are no known federally listed threatened or endangered species located in the immediate vicinity of the site. Redevelopment of the site offers the opportunity for establishing landscaping within parameters established by the over-arching framework governing Stapleton Area redevelopment.

### **2.1.3.3 Urban/Man-made Characteristics**

The report will describe the urban/man-made character of the site including description of the existing urban issues, recreational resources, aesthetics, air quality, noise conditions, utilities/public services availability, water quality/supply, waste water disposal, solid waste disposal, and hazardous materials.

The decommissioned Stapleton International Airport is known to have contamination by hazardous materials typical of former airport sites. Specific contamination issues identified at the site to date are:

- nitrate in groundwater as a by-product of de-icing activities;
- underground fuel storage tanks; and
- asbestos containing material (ACM) in surface and subsurface soil.

ACM-contaminated soils are being removed from the site by the City and County of Denver (CCOD). Existing data indicates that minimal soil samples and no groundwater samples have been collected within the proposed site boundaries. The results of a Phase I Environmental Site Assessment (ESA) that Waterstone is completing should clarify the status of potential hazardous materials issues. The results of the Phase I ESA will be included in the EA. Results of additional soil and groundwater sampling will be considered as they become available.

Transportation concerns and concerns regarding the building design and security requirements have been voiced by participants in meetings with GSA. These concerns will be addressed as appropriate in the EA. Other potential effects of the proposed FBI development on urban/man-made characteristics are judged generally as positive or neutral because the facility will be developed to meet the existing design and zoning requirement established by the extensive framework governing Stapleton redevelopment.

#### 2.1.3.4 Socioeconomic Characteristics

The report will describe the socioeconomic characteristics of the site. Development of the FBI site is likely to have a small, but positive effect on socioeconomic characteristics. One of the major goals of the Stapleton redevelopment is to create a regional employment center. The Stapleton Development Plan suggests an employment base of 30,000 to 35,000 jobs when the area is developed fully, 49% of which are planned to be located in District II where the FBI site is located. The new FBI facility is proposed to accommodate 374 personnel. This is an insignificant portion of the total employment base planned for Stapleton and District II, specifically. The impact, although small, is judged to be positive in that construction of the FBI facility will provide jobs, and its location in the Stapleton will contribute to the realization of the redevelopment master plan for the area.



### 2.1.3.5 Cultural Characteristics

The report will describe the cultural characteristics of the site. The proposed building site falls within site 5DV771 (Stapleton Airport), but this site was recommended as not eligible to the National Register of Historic Places. Given the demolition of airport facilities and subsequent remediation activities, no historic or archeological features are present at the site. Any potential historic structures have been demolished and removed. The land has been so heavily impacted by past development that the proposed building will not affect any cultural properties. A cultural resource clearance for the project will be recommended.

## **2.2 Strategies for Resolution of Key Issues**

The following sections describe the strategies for resolution of the identified concerns.

Four key issues have been identified for the proposed project:

- Traffic and Transportation
  - Accessibility to alternative transportation, including RTD and bike paths
  - Accessibility to nearby community features and retail development
- Socioeconomic
  - Economic Impact
  - Employment
- Urban Design
  - Community Compatibility
  - Future Building Design
  - 100-foot buffer zone
  - Future perimeter fence

### **2.2.1 Stakeholders' Concerns**

The public participation activities of the Scoping process, to date, have primarily indicated stakeholder concerns regarding alternative transportation opportunities to the site by employees and visitors, and aesthetic questions and concerns regarding the building design and security requirements. In addition, members of the public have raised concerns regarding whether the building could be the target of demonstrations and/or terrorist attacks. Local citizens also questioned whether the presence of the FBI would act as a crime deterrent. These and any additional concerns identified prior to publication of the final EA will be addressed in the EA.

## **2.2.2 Contamination by Hazardous Materials**

Removal of soils contaminated with ACM from the site and remediation is ongoing. A Phase I Environmental Site Assessment (ESA) for the proposed FBI site is completed. Results of this Phase I ESA recommended a Phase II ESA to support resolution of the uncertainty regarding potential hazardous material contamination. Results of the Phase II will be incorporated into the final EA.

## **3.0 TABLE OF CONTENTS OF ENVIRONMENTAL ASSESSMENT**

The EA will be prepared according to NEPA, the *Council on Environmental Quality Regulations*, GSA Order PBS P 1095.4B, and the *General Services Administration Public Building Service NEPA Desk Guide*, Final Guidance, October 1999. The following sections are required in a NEPA EA:

- 1) Purpose and Need for the Action
- 2) Description of the Proposed Action and Alternatives, Including No Action
- 3) Description of the Existing and Affected Environment
- 4) Environmental Consequences
- 5) Conclusions and Cumulative Impacts
- 6) List of Preparers
- 7) References

A proposed Table of Contents for the EA is included as Attachment 1.

## **4.0 WORK PROGRAM FOR EACH TOPIC AREA**

The below listed categories were included for the collection and analysis of data for the EA and for determining potential impacts that may result from the proposed action and the reasonable alternatives, including the “no action” alternative.

A description of the natural and man-made environments existing within and immediately surrounding the proposed project site will be included. The focus of the discussion will be areas anticipated to be of concern based upon an initial site visit, a review of previous environmental documentation for the area, and some preliminary scoping. This description will provide baseline information necessary to assess potential environmental impacts of the proposal. The level of detail discussed for each feature will be consistent with its degree of significance, recognizing the developed nature of the proposed project site and its environs.

Data on the proposed project area will be gathered from published reports, maps, and field surveys. Available existing data pertinent to the proposed project, available from Federal,

State, and local government agencies or private entities will be used whenever possible, in order to avoid duplication of previous research, assuming the data are widely considered as accurate and extant. The validity of any previously generated data will be thoroughly reviewed and assessed, and a complete detailed description of the methodology used in this review and assessment will be described.

#### **4.1 Physical Characteristics**

Available data and previous investigations regarding the physical characteristics at the proposed project site and immediate vicinity will be collected and reviewed. Based upon this review, a written description of the existing geologic conditions, natural hazards, topography, soils, groundwater and surface water resources, floodplains, and wetlands will be prepared.

#### **4.2 Biological Characteristics**

Available data and previous investigations regarding the biological characteristics at the proposed project site and immediate vicinity will be collected and reviewed. Based upon this review, a written description of the existing ecology, vegetation, and wildlife communities as well as any threatened and/or endangered plant and animal species will be prepared.

#### **4.3 Urban/Man-made Characteristics**

Available data and previous investigations regarding the urban and man-made characteristics at the proposed project site and immediate vicinity will be collected and reviewed. Based upon this review and site observations, a written description of the existing urban issues, recreational resources, aesthetics, air quality, noise conditions, utilities/public services availability, water quality/supply, waste water disposal, solid waste disposal, and hazardous materials will be prepared.

#### **4.4 Socioeconomic Characteristics**

Available data and previous investigations regarding the socioeconomic characteristics at the proposed project site and immediate vicinity will be collected and reviewed. Based upon this review and field observations, a written description of the existing demographic information pertinent to the appropriate study area, economy, employment and commercial conditions and activity, local real estate market activity, land use patterns, regulations, plans, and zoning restrictions will be prepared.

#### **4.5 Cultural Characteristics**

All documents prepared will enable GSA to comply with all applicable provisions of Section 106 of the *National Historic Preservation Act of 1966*, as amended. Available data and previous works for historic, archeological, and architectural resources will be collected and reviewed. Based upon this review and field observations, a written description will be prepared as outlined below.

- a) Establish the area of potential effect (APE) of the proposed action and reasonable alternatives, as defined at 36 CFR 800.2(c).
- b) Provide an assessment of information needs in accordance with 36 CFR 800.4(a) on behalf of GSA, coordinating with GSA during consultation with the SHPO and others.
- c) Identify historic properties subject to possible effect by the proposed action and reasonable alternatives, based on the assessment of information needs and in coordination with GSA, and evaluate their eligibility for the National Register of Historic Places, in accordance with 36 CFR 800.4(b) and (c).
- d) Prepare a detailed study of present and past land uses, history and prehistory of the APE, and a thorough analysis of the potential effects of the proposed action and reasonable alternatives, including the “no action” alternative, on historic properties within the APE, taking into account the “Criteria of Effect and Adverse Effect” at 36 CFR 800.9.
- e) Public comment on the affect on historic properties will be considered. The EA will include a determination whether the proposed action will have an affect on historic properties and whether these effects will be adverse. The results of the effect determination and any necessary consultation under 36 CFR 800.5 will be included.

The discussion of cultural resources will include a definition of the area studied and an explanation of the methodology employed. The cultural resources section will include textual analysis of the material and will incorporate graphic materials (figures, maps, photographs, etc.) as appropriate.

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