



**U.S. Fish & Wildlife Service**

**Silvio O. Conte**

**National Fish and Wildlife Refuge**

*Finding of No Significant Impact for the Removal of  
Bri-Mar Stable*



**FINDING OF NO SIGNIFICANT IMPACT  
AND DECISION TO DEMOLISH BRI-MAR STABLE**

**SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE  
FORT RIVER DIVISION, HADLEY, MASSACHUSETTS**

The U.S. Fish and Wildlife Service (FWS, Service) announces the Finding of No Significant Impact (FONSI) for the Environmental Assessment (EA) for the removal of the Bri-Mar Stable (stable). An action was needed because the stable is excess to the operational needs of the Service and the building has deteriorated to a point that it has become a safety and security concern that could adversely impact other refuge structures, equipment, and refuge visitors and staff. The EA evaluated the effects associated with three alternatives; Alternative A-phased closure and delayed demolition (proposed action in EA), Alternative B-no action alternative, and Alternative C-remove stable. The Service has determined that Alternative C best meets the purpose and need. The Service will demolish the structure due to safety concerns resulting from the poor condition of the structure, the building is excess to the refuge's needs, and the Service's compliance with the OMB mandate to reduce the FWS footprint.

The 22,500-square-foot two-story stable (11,250 square feet per floor), located on the Fort River Division of the Silvio O. Conte National Fish and Wildlife Refuge (NFWR, refuge), has deteriorated and therefore become a significant safety and security concern. A catastrophic failure of the stable building could adversely impact other refuge structures or equipment due to structural damage, and/or fire. Refuge visitors and staff, and other refuge operations may also be negatively impacted in the event of a catastrophic failure. The existing barn swallow colony may also be adversely impacted if the failure were to occur during the nesting season when the swallows were present. Notably, the stable is only 5 feet from a ground based transformer that services the refuge's maintenance shop building, equipment storage building for the refuge complex, and the refuge bunkhouse. The building's construction and previous use as a horse stable made re-purposing costly and impractical. After careful evaluation and consideration, the refuge was unable to identify a further use for the structure that would benefit the refuge.

Demolition allows the FWS to comply with a memorandum dated March 25, 2015 in which the OMB instructed the Service to reduce the amount of real property, government-owned buildings. The Service Director instructed agency personnel to freeze FWS structural footprint in a memorandum dated December 15, 2017 and followed with guidance in a subsequent memorandum to decrease the agency footprint by five (5) percent by the end of 2020.

Under Alternative C, the demolition of the stable will eliminate a dangerous and excess structure on the refuge while contributing to the aforementioned structural footprint reduction target for the Service in the North Atlantic-Appalachian Region (formerly Northeast Region). This selected alternative also provides that once the stable is demolished, the Service will restore the site to native habitat.

### **Selected Action:**

**Alternative C - Demolish Stable** – Demolition of the stable after the 2019 barn swallow nesting season, repurpose and/or dispose of construction debris, and restore the site before the next nesting season.

This alternative would allow the Service to address the imminent safety hazard posed by the poor condition of the building. The condition of the building has declined substantially since the release of the EA in March of this year and FWS is concerned that the building may collapse (or partially collapse) at any time. The stable is not in a remote location or isolated from other critical refuge infrastructure, employees, volunteers, or the visiting public. An unexpected building collapse poses a risk to human life and threatens refuge infrastructure, electrical systems, equipment, and operations and could impact the visiting public. It also poses a risk to the barn swallow colony if a catastrophic failure of the stable was to occur during the nesting season when the swallows are using the building.

The Service selected Alternative C in lieu of the other alternatives because: (1) it allows the FWS to quickly address a building safety issue by demolishing and removing the deteriorated structure before the next nesting season; (2) it allows the FWS to comply with the OMB mandate to reduce the structural footprint in the North Atlantic-Appalachian Region by removing a surplus and underutilized building that is excess to operational needs; and (3) the demolition of the stable will be accomplished outside of the nesting season; eliminating the threat of a possible catastrophic failure of the building when the swallows are present. FWS and Mass Audubon predict that the swallows will relocate into the hot walker/boat house building or other suitable nearby locations (Atwood, Brosnan-Smith, & French, 2019). FWS staff have identified barn swallows utilizing at least 10 other structures locally, including a colony with three structures at the UMASS that is comparable to the size of the barn swallow colony using the two buildings (stables and hot walker/boat house buildings) on the Fort River Division. The hot walker/boat house building recently had the roof replaced and will remain available for barn swallow nesting incidental to our operational need for the structure and equipment storage.

The selected alternative would remove a structure where approximately 40 pairs of barn swallows nested in 2019. Barn swallows are the most widely distributed and abundant swallow species worldwide with a global population of approximately 190 million (Partners in Flight Populations Estimates Database). In the United States, barn swallows are protected under the Migratory Bird Treaty Act. Barn swallows currently do not receive other special protection or recognition by the Service at the Federal level. Specifically they are not listed as an endangered or threatened species under the Endangered Species Act and they are not included in the Service's list of Birds of Conservation Concern (USFWS 2008). Massachusetts does not list barn swallows as threatened or endangered, and they are not one of over 550 species listed as a "species of greatest conservation need" in the 2015 Wildlife Action Plan.

### **Other Alternatives Considered and Analyzed:**

**Alternative A – Phased Closure of Stable and Delayed Demolition** – The phased closure of the stable and delayed demolition involved closing off the western third of the stable prior to the

2019 nesting season making it inaccessible to barn swallows for nesting. Prior to the 2020 nesting season, FWS would have closed off the middle third of the building to barn swallows, leaving only the eastern third of the building open to barn swallows. Following the conclusion of the 2020 nesting season, the entire building would have been demolished and removed. Employing a phased approach would have allowed barn swallows two nesting seasons to relocate to alternate sites. This alternative would have also allowed the Service to comply with OMB's directive to reduce the amount of real property by removing buildings that are not needed for operations. The phased closure and eventual demolition of the stable would not have occurred during the nesting season and would not have directly impacted nesting barn swallows given the availability of other suitable nesting locations.

The Service did not select this alternative because it failed to address the imminent safety hazard posed by the poor condition of the building. The condition of the building has declined substantially since the release of the EA in March of this year and as such, there is concern with the uncertainty of when the building may collapse. A small portion of the second floor has already collapsed under its own weight, and floor joists and primary support beams supporting the second floor appear to be close to failure due to the prolonged exposure to water and related ongoing decay. The stable is not in a remote location or isolated from other critical refuge infrastructure, employees, volunteers, or the visiting public. An unexpected building collapse poses a risk to human life and threatens refuge infrastructure, electrical system, equipment, and operations and could impact the visiting public. It also poses a risk to the barn swallow colony if a catastrophic failure of the stable was to occur during the nesting season when the swallows are using the building.

**Alternative B – Allow Stable to Deteriorate (No Action)** – Allow the stable to remain seasonably available to barn swallows for nesting. The structure will continue to deteriorate, collapse in place, and ultimately be demolished. Restore the footprint of the structure to native habitat after demolition.

The Service did not select this alternative because it failed to address the imminent safety hazard posed by the poor condition of the western portion of the building. There is concern that part of the building will collapse, creating an uncertainty of the building's stability and when the remaining part might collapse. The stable is not in a remote location or isolated from other critical refuge infrastructure. An unexpected building collapse poses a risk to human life and threatens refuge infrastructure, electrical system, equipment, and operations. It also poses a risk to the barn swallow colony if a catastrophic failure of the stable was to occur during the nesting season when the swallows are using the building. Additionally, Alternative B also would not comply with the OMB directive to reduce the structural footprint of real property.

**Summary of Effects of Selected Action:** An EA was prepared in compliance with the National Environmental Policy Act (NEPA) to provide a decision-making framework that: (1) explored a reasonable range of alternatives to meet project objectives, (2) evaluated potential issues and impacts to the refuge, resources and values, and (3) identified mitigation measures to lessen the degree or extent of these impacts. The EA evaluated the effects associated with the three alternatives. This effects analysis is incorporated as part of this finding of no significant impacts.

The table below summarizes effects from implementing the Service’s decision in comparison to the no-action alternative.

<b>Affected Environment</b>	<b>No Action Alternative:</b>	<b>Selected Alternative:</b>
<i>Wetlands and water resources</i>	No adverse impacts.	No adverse impacts.
<i>Other Wildlife Species</i>	Negligible adverse impact. If catastrophic failure of the building when the swallows or other wildlife are present would be minor adverse impact.	Minor adverse impact; the barn swallows will be displaced to other suitable nesting sites nearby and the site restored to native habitat. The demolition would occur outside of the nesting season.
<i>Threatened and Endangered Species or Federally designated critical habitat</i>	No adverse impacts. If catastrophic failure of the building resulted in damage to nearby equipment used in species and habitat management then could result in negligible adverse impacts.	No adverse impacts.
<i>Vegetation</i>	Negligible adverse impact. If catastrophic failure of the building then minor beneficial impact due to the restoration of the quarter acre footprint (11,250 square foot) to native habitat.	Minor beneficial impact due to the planned restoration of the quarter acre footprint (11,250 square foot) to native habitat.
<i>Air Quality</i>	No adverse impacts. If catastrophic failure of the building then negligible, short-term adverse impacts during demolition work.	Negligible, short-term adverse impacts during demolition work.
<i>Soil</i>	No adverse impacts. If catastrophic failure of the building then minor beneficial impact, as quarter-acre building footprint would no longer be impermeable to water once site is restored.	Minor beneficial impact, the quarter-acre building footprint would no longer be impermeable to water once site is restored.
<i>Cultural Resources</i>	No adverse impacts.	No adverse impacts.
<i>Visitor Use and Experience</i>	No adverse impacts. If catastrophic failure of the building then minor adverse, short-term localized impacts to	Minor adverse, short-term localized impacts to priority public uses.

	priority public uses. If catastrophic failure occurs when visitors are present in the area then major adverse impacts on public safety.	
<i>Socioeconomics</i>	No adverse impacts.	No adverse impacts.
<i>Refuge Management and Operations</i>	No adverse impacts. If catastrophic failure of the building then could be major adverse impacts to facilities and equipment nearby.	No adverse impacts. Refuge facilities and equipment will be better protected.
<i>Environmental Justice</i>	No adverse impacts.	No adverse impacts.

**Public review:** The proposal has been thoroughly coordinated with all interested and/or affected parties. The EA was available for a 56-day public review and comment from March 15, 2019 through May 10, 2019.

**Coordination:** Discussions related to the proposed Federal action were held with representatives from the agencies and organizations listed below. This reporting is not an indication of their position in any way. If they chose to do so, they provided input during the 30-day public review and comment period for this EA.

Dr. Andrew Vitz, State Ornithologist, Massachusetts Division of Fisheries and Wildlife  
 Dr. David King, Research Wildlife Biologist, U.S. Forest Service Northern Research Station  
 Dr. Randy Dettmers, Senior Migratory Bird Biologist, U.S. Fish and Wildlife Service  
 Dr. Jonathan L. Atwood, Director of Bird Conservation, Massachusetts Audubon  
 Joan Walsh, Gerard Bertrand Chair of Field Ornithology and Natural History, Massachusetts Audubon  
 Patrick Comins, Executive Director, Connecticut Audubon  
 District Staff for Senator Warren, Senator Markey, Congressman McGovern

**Public outreach:** On August 16, 2018 a public informational meeting was hosted by the refuge in the Northeast Regional Office, Hadley, MA from 6:00 PM to 7:30 PM, which served as a forum to share information, discuss ideas, answer questions, and continue the dialogue concerning a path forward that is structurally, financially, and biologically resilient. In an effort to generate discussion, some potential ideas for possible alternatives were initially proposed and shared at the August 16th meeting, and they were also posted on the Conte Refuge's website.

A small meeting, with several individuals opposed to the removal of the Stable, was hosted by Jon Niedzielski, Regional Manager for Congressman McGovern, in the Northampton Office on September 7, 2018, to facilitate dialogue and share information about the Stable in an effort to bring the offices of the Massachusetts Congressman and both Senators up to date.

The EA was available for a 56-day public review and comment from March 15, 2019 through May 10, 2019.

An informational meeting was held during the public comment period in the Northeast Regional Office on April 9, 2019 from 6:00 PM to 8:00 PM to answer questions.

**Comments:** The public comment period for the EA was open for 56 days, extending from March 15, 2019 through May 10, 2019. The Service received 751 comments via the Northeast Planning website or sent directly to FWS personnel. The content was very similar for approximately 86 percent (646) of the comments, often utilizing a standardized reply or form letter. Commenters wanted the Service to retain the Stable for nesting barn swallows because they did not feel that alternate structures were a viable alternative. The comments received on the EA are broadly categorized by topic below.

**Status of Barn Swallow Population** – Some members of the public expressed concern over the status of the barn swallow at the population level. The barn swallow, like other aerial insectivores, has experienced population declines in some parts of their range. However, the species is still broadly distributed, is an easily accommodated species in heavily altered landscapes, and maintains a very large population size. Evidence for its adaptability include breeding in a wide global range of climates, over a wide altitudinal range, and in towns, cities, or rural areas. The global population is estimated to be about 190 million birds. In the United States and Canada, the barn swallow population (47,000,000) is more abundant than the Blue Jay (17,000,000), Black-capped chickadee (43,000,000) or American goldfinch (44,000,000) (Partners in Flight, Population Estimate Database). Beyond being a migratory bird, the barn swallow has no special priority status at the Federal or State (Massachusetts) level. The barn swallow is not one of over 550 species listed as a “species of greatest conservation need” in the 2015 Commonwealth of Massachusetts Wildlife Action Plan. The barn swallow, when viewed as a population, is abundant and is broadly distributed throughout the world. In addition, studies generally fail to show that nest site availability controls regional Barn Swallow populations. Instead, decline of low-intensity, traditional farming, use of pesticides associated with industrial agriculture, and climate-related impacts on survival at migratory stopover areas and wintering habitats seem to be the most frequently cited issues (Atwood et al., 2019). With the adoption of Alternative C, FWS is eliminating the threat of a possible catastrophic failure of the building when the swallows are present. Further, when the barn swallows return, it will allow them the opportunity to occupy other suitable and nearby locations.

**Reduce the Footprint by Five (5) Percent** – Some commenters felt the 2015 Office of Management and Budget (OMB) memorandum did not direct the FWS to reduce their structural footprint by five (5) percent.

OMB tasked each agency with developing targets to reduce the footprint (RTF) in support of the 2015 National Strategy for the Efficient Use of Real Property in a memorandum dated March 25, 2015 (Implementation of OMB Memorandum M-12-12 Section 3: Reduce the Footprint). The Deputy Director of Fish and Wildlife Service released a memorandum on December 15, 2017 quantifying our targets. In this document, the Deputy Director established a five (5) percent reduction objective with emphasis on the removal without replacement of office, warehouse and single-family home buildings.

Subsequent clarification was provided from FWS headquarters in Washington, DC stating that all structures with asset codes in the 35000000 series contribute to the RTF targets, which includes the stable building (asset code 35800500).

If the FWS does not remain at or below the established building inventory threshold for the North Atlantic-Appalachian Region, it would impact the Region's ability to retain or construct buildings where they are needed or perhaps the Region's ability to acquire and protect important properties, potentially impacting our ability to acquire new land for wildlife conservation if the proposed new ownership includes a building.

There is concern over the limited funds available to address critical infrastructure needs. By complying with this direction it assists us in focusing the limited funds we have on mission critical assets. As discussed above, this structure is excess to our operational needs and would require significant funding to rehabilitate.

**Public Benefit Conveyance** – Some members of the public asserted in their comments that government owned buildings can be disposed of via public benefit conveyance and can be credited toward the agency footprint reduction target if the Service deems the property as excess. They further asserted the property can then be used for “carrying out the national migratory bird management program” and not need to be demolished to count toward the footprint reduction target.

The stable is located on a national wildlife refuge. Transfer of Certain Real Property for Wildlife Conservation Act (16 U.S.C. 667b) was drafted to enable the Fish and Wildlife Service to acquire migratory bird habitat from other federal agencies for administration by the National Wildlife Refuge System, thereby protecting significant habitats for trust resources in a cost-effective manner. The comment about “carrying out the national migratory bird management program” is not meant to mandate the use of buildings for birds, but for use of the building for offices that support the Migratory Bird program.

**Rehabilitate with private funds** – Some commenters wanted to know why we could not, or would not, accept donations from private sources to restore the stable so it could be retained for use by barn swallows. The Service certainly can accept donations to support the work of the Service. To date, there have been no tangible offers, nor have there been any offers that are close to what it would cost to rehabilitate the stable that would meet federal process requirements and standards. Buildings under Federal ownership must comply with federal engineering standards, and contracting standards including pay rates, which result in a much higher cost than could otherwise be done privately.

**General Service Administration (GSA)** – Some commenters felt the Service had not followed the appropriate process to dispose of the stable. Further, some asserted that GSA was not aware of our intent to dispose of the structure. The Service advertised the building for sale and removal as salvage on the GSAXcess website from May 17, 2011 through June 7, 2011. No bids were received on the building.



When the property was appraised in preparation for 2009 purchase by the Service, the buildings (house, stables, pole building, arena, and hot walker room) did not have any contributory value to the \$2.1 million dollar reviewed and approved purchase price for the 66.52 acre property. In addition to the attempted sale of the stable building by the Service as salvage material through GSAXcess, the Service has delegated authority from GSA to dispose of assets with a value of \$50,000 or less. The Service did in fact coordinate with GSA in 2011 in order to advertise on the GSAXcess website. Further, the proposed demolition of the stable building meets the delegated, or blanket, authority granted to the Service by GSA.

**Compliance with NEPA process** – Some commenters asserted the Service was not following the established NEPA process by removing materials from the stable before the NEPA was completed. A categorical exclusion (CE) was completed on April 11, 2018 for the salvage of nonstructural material from the building as a part of an effort to assess the interior of the building for safety purposes and better visualize the potential for repurposing the building for other uses that could still accommodate barn swallow nesting as well as support Service initiatives.

Prior to the start of the 2018 barn swallow nesting season, 24 of the 37 non-structural walls separating stalls were removed. As a continuation of the earlier work, the remainder of the stall walls along with the former office, two storage rooms, and a storage area were opened up after the 2018 nesting season in an effort to address health and safety issues (mold and dead animals within the walls and insulation) discovered when the stall walls were removed earlier in 2018. Due to the arrival of barn swallows and the start of the 2018 nesting season, this work had to be delayed until the 2018 nesting season was over.

As the boards forming the walls of the stalls were not of structural importance, the salvage did not compromise the structural integrity of the building and not germane to the proposed demolition of the structure. The structural issues with the building can be attributed to the extended impact of the water due to the condition of the roof and the weathering it caused on much of the 11,250-square-foot second floor plywood floor, floor joists, and the main support beams for the floor joists supporting the second floor. Almost all of the structural issues are above the ground floor of the building where the stall boards were removed. None of the safety issues can be attributed to the removal of the movable stall walls. Beyond the aforementioned work covered by a CE, no work was done to demolish the stable building to reduce our structural footprint, remove an unneeded building from the FWS inventory, or to resolve the overarching safety concern due to the overall structural integrity of the 11,250-square-foot building.

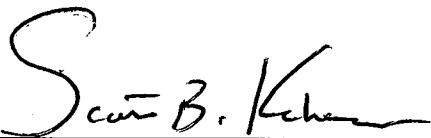
**Aerial insectivore initiative/ Artificial structures do not work** – Some commenters felt the Service was not doing enough to mitigate the impact of removing the stable and that artificial structures built for barn swallows do not work.

Mitigation is not required because the barn swallow is not listed as threatened or endangered by either the Federal Government or the Commonwealth of Massachusetts and the demolition of the stable will occur outside the nesting season. However, due to the declining population trends of aerial insectivores in New England and all the interest in the barn swallows, the demolition of the stable presents a multifaceted opportunity for a public/private partnership initiative designed to benefit barn swallows and a suite of aerial insectivores (birds to bats) on a landscape basis.

One idea for this initiative is to continue research at the refuge (hot walker/boat house building) and in the surrounding landscape on artificial structures for aerial insectivores. The design and fabrication of structures that can attract aerial insectivores to the refuge and elsewhere, could be shared with private landowners and exported (designs and technical support) to the watershed. As a separate initiative, this work has been underway as refuge staff have constructed barn swallow nesting and other aerial insectivore structures and installed them in other refuge and privately owned buildings. We envision this local initiative to be the start of a much larger regional effort that could engage youth, young adults, private landowners and other partners while connecting the public with nature. This initiative could provide landowners and other interested partners with the information and resources they need to attract aerial insectivores to their property. Those interested in this initiative should contact the refuge.

**Finding of No Significant Impact:** Based upon a review and evaluation of the information contained in the EA as well as other documents and actions of record affiliated with this proposal, the Service has determined that the proposal to implement the demolition of the former Bri-Mar Stable on the Fort River Division of the Silvio O. Conte National Fish and Wildlife Refuge located in Hadley, Massachusetts does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102 (2) (c) of the National Environmental Policy Act of 1969 (as amended). As such, an EIS is not required.

**Decision:** The Service has decided to move forward with Alternative C and demolish the building outside of the barn swallow nesting season. Demolition of the building will be completed before the next nesting season. The action is consistent with applicable laws and policies.



Regional Chief

DEC 03 2019

Date

## References

Atwood, J.L., A. Brosnan-Smith, and A.C. French. 2019. Barn Swallow Nesting Biology at Bri Mar Stable, Hadley, Massachusetts During 2019. Unpublished report, Massachusetts Audubon Society; Lincoln, Massachusetts. 19 pp.

Brown, M. B. and C. R. Brown (2019). Barn Swallow (*Hirundo rustica*), version 2.0. In The Birds of North America (P. G. Rodewald, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bna.barswa.02>

Heagy, A., D. Badzinski, D. Bradley, M. Falconer, J. McCracken, R.A. Reid and K. Richardson. 2014. Recovery Strategy for the Barn Swallow (*Hirundo rustica*) in Ontario. Ontario Recovery Strategy Series. Prepared for the Ontario Ministry of Natural Resources and Forestry, Peterborough, Ontario. vii + 64 pp.

Sauer, J.R., J E. Hines, J.E. Fallon, K.L. Pardieck, D.J. Ziolkowski, Jr., and W.A. Link. 2012. The North American Breeding Bird Survey, Results and Analysis 1966 -2011. Version 12.13.2011. [USGS Patuxent Wildlife Research Center](#), Laurel, MD. 22 February 2013 update.

U.S. Fish and Wildlife Service. 2008. Birds of Conservation Concern 2008. United States Department of Interior, Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia. 85 pp. [Online version available at <https://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>]