

**Final Environmental Assessment  
Niagara Engine Company No. 6, Inc.  
Fire Station Directed Relocation  
Village of Schoharie, Schoharie County, New York**

**4020-DR-NY**

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**FEMA**

**U. S. Department of Homeland Security**  
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## **LIST OF ACRONYMS**

amsl	Above Mean Sea Level
ACHP	Advisory Council on Historic Preservation
AD	Area of Disturbance
APE	Area of Potential Effect
AST	Aboveground Storage Tank
ASTM	American Society for Testing and Materials
BFE	Base Flood Elevation
BMP	Best Management Practices
CAA	Clean Air Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
DRP	Data Recovery Plan
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
EO	Executive Order
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
NAAQS	National Ambient Air Quality Standards
NASS	National Agricultural Statistics Service
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHP	Natural Heritage Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRE	National Register Eligible
NRHP	National Register of Historic Places
NRL	National Register Listed
NRCS	Natural Resources Conservation Service
NYS	New York State
NYSBC	New York State Building Code
NYSDEC	New York State Department of Environmental Conservation
NYS DHSES	New York State Division of Homeland Security and Emergency Services
NYSECL	New York State Environmental Conservation Law
NYSOPRHP	New York State Office of Parks, Recreation, and Historic Preservation
OSHA	Occupational Safety and Health Administration
PAF	Public Archaeology Facility
PM	Particulate Matter
RCRA	Resource Conservation and Recovery Act
SCO	Soil Cleanup Objectives
SF	Square Foot

**LIST OF ACRONYMS continued**

SEQRA	State Environmental Quality Review Act
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office
SPDES	State Pollutant Discharge Elimination System
SVOC	Semi-Volatile Organic Compounds
SWPPP	Stormwater Pollution Prevention Plan
THPO	Tribal Historic Preservation Office
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VOC	Volatile Organic Compounds

## **1.0 INTRODUCTION**

The Niagara Engine Company No. 6, herein referred to as the “Subgrantee”, has requested financial assistance from the U.S. Department of Homeland Security-Federal Emergency Management Agency (FEMA) to construct a new fire station at 114/118 Fort Road, Village of Schoharie, Schoharie County, New York. The new fire station would replace the function of the facility lost due to substantial storm damage experienced during Hurricane Irene. The storm incident, that occurred August 26 to September 5, 2011, was declared a major disaster by President Barack H. Obama on August 31, 2011 (FEMA 4020-DR-NY) and subsequently amended. Federal public assistance was made available to affected communities and non-profit organizations in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, (42 U.S.C. 5172 et seq.), as amended. The New York State Division of Homeland Security and Emergency Services (NYSDHSES) is the Grantee partner for the proposed action. The Public Assistance Subgrant Application reference number is PW-05101.

The Schoharie Fire Department building located at 133 Grand Street in the Village of Schoharie experienced extensive flooding as a result of the declared incident. The facility is located in the 100-year floodplain. Flood damages rendered the fire station unsafe for use and it was abandoned. The Subgrantee purchased two parcels that are adjacent to one another at 114 Fort Road and 118 Fort Road and has temporarily reestablished fire services at 114 Fort Road; which is located less than one mile from the former site, in a facility that once housed a tractor sales dealership. According to the construction cost estimates provided by the Subgrantee, the existing facility’s estimated repair costs exceed the assessed value of the building. The repair costs are more than 50 percent of the costs to replace the facility and FEMA has approved the Subgrantee’s request to move the facility to a new location outside of the floodplain. The Subgrantee would use the existing buildings at 114 Fort Road as a temporary facility for fire services until the construction of the new fire station is completed. The Subgrantee would demolish the buildings at 114 and 118 Fort Road once the new fire station is completed and occupied. Per Public Assistance Guide (FEMA 322) pg. 39 and Recovery Fact Sheet 9580.102: Permanent Relocation, FEMA would provide financial assistance for the demolition activities and the eligible portions of the new facility planning, design, and construction.

FEMA is required as a Federal agency to evaluate the potential environmental impacts of its proposed actions, and alternatives to proposed actions, in order to make an informed decision in defining a proposed project for implementation. FEMA must consider and incorporate, to the extent practicable, measures to avoid, minimize, or mitigate adverse impacts to the human environment. The environmental analysis is conducted in compliance with the National Environmental Policy Act (NEPA), and its implementing regulations at 40 Code of Federal Regulation (CFR) Parts 1500-1508 and FEMA’s regulations at 44 CFR Part 10. FEMA evaluates financial assistance projects prior to grant approval. This Final Environmental Assessment (EA) serves as documentation of FEMA’s analysis of the potential environmental impacts of the proposed fire station directed relocation project, including analysis of project alternatives, and identification of impact minimization measures. The document serves as written communication of the environmental evaluation for public and interested party comment. Public involvement is a component of NEPA to inform an agency’s determination of whether to prepare an Environmental Impact Statement (EIS) or issue a Finding of No Significant Impact (FONSI).

## **2.0 PURPOSE AND NEED**

The objective of the Public Assistance Grant Program is to provide assistance to State, Tribal, and local governments and certain types of private nonprofit organizations so that communities can quickly respond to and recover from major disasters or emergencies. The purpose of this project is to permanently reestablish full fire services for the residents of the Village of Schoharie and consider flood damage risk reduction measures for the facility during plan formulation. The need is to maintain public safety and operability for first responders during an emergency event. The need arose due to the flood damage sustained to the existing fire station as a result of Hurricane Irene and the repetitive flooding of the existing facility that occurred in past history.

## **3.0 BACKGROUND INFORMATION**

The Schoharie Fire Department is an all-volunteer company that averages 120 calls per year and whose response area covers approximately 27 square miles and a resident population of approximately 3,200. The Niagara Fire Department is a volunteer fire department in which the fire station is normally unmanned until an emergency occurs. Emergency drills are conducted weekly, and up to 12 volunteers participate in these drills each week. The Subgrantee holds monthly meetings which are attended by about 20 volunteers. Community functions are held in the meeting room two or three times per year, with approximately 30 to 40 attendees.

## **4.0 DESCRIPTION OF ALTERNATIVES CONSIDERED**

NEPA requires the analysis of practicable alternatives as part of the environmental review process for the proposed project. Inclusion of a No Action Alternative in the environmental analysis and documentation is required under NEPA. The No Action Alternative is used to evaluate the effects of not providing eligible assistance for the project, thus providing a benchmark against which “action alternatives” may be evaluated. FEMA reviewed all applicable Federal, State, and local laws and Executive Orders for each alternative considered.

As mentioned previously, the Subgrantee purchased two parcels that are adjacent to each other at 114 Fort Road (Lot 19) and 118 Fort Road (Lot 20) and has temporarily reestablished fire services at 114 Fort Road, located less than one mile from the former site, in a facility that once housed a tractor supply dealership. As an emergency temporary measure for equipment storage, the Subgrantee constructed a pole barn in the eastern portion of the property at 114 Fort Road. The temporary critical facility action underwent prior federal agency environmental and historic preservation compliance review.

### **4.1 No Action Alternative**

The No Action Alternative would not provide Federal funding to reconstruct the new fire station at a new location. It is anticipated that the Subgrantee would not demolish the damaged facility and would not construct the new facility as described in Section 3.2. Thus, it is anticipated that the Subgrantee would continue to provide fire services from the former tractor sales dealership at 114 Fort Road. This alternative is not practicable in the long term, as the temporary facility would not be adequate for full restoration of fire services to the community. This alternative may jeopardize public health, safety, and well-being and thus it would not address the project’s purpose and need.

## 4.2 Proposed Action Alternative

The Subgrantee proposes to construct a new 13,918 square foot volunteer fire station on the 3.62 acres site at 114 Fort Road and 118 Fort Road in the Village of Schoharie (*Appendix A, Figures 1, 2, and 3*). The proposed site is located outside the 100-year floodplain and 500-year floodplain; thus, risk of flood damage would be minimized. The Subgrantee proposes to purchase the 114 Fort Road parcel with the former tractor supply dealership (New Holland Tractor sales from 1950 to 2007) and the adjacent parcel at 118 Fort Road that contains a vacant, single family residence to construct the new fire station facility. These two separate parcels are identified on the Village of Schoharie Tax Map as Section 72.6, Block 2, Lots 19 and 20. The eastern portion of Lot 19 is bisected by a 75± foot wide parcel owned by Niagara Mohawk Power Corporation that contains utility lines. Current structures on the 114 Fort Road parcel include those used for the fire house/meeting room, a Quonset hut used for fire truck storage, a lean-to attached to the Quonset hut also used for fire truck storage, an existing pole barn (open shed), and a junk shed that are not currently utilized by the fire department. A loading dock and two concrete pads abut the parking areas south and southeast of the fire station. The property selected for the proposed new fire station was the only available property suitable for the construction of a new fire station that met the facility design criteria and that was located outside the 500-year floodplain.

The Subgrantee would demolish the existing flood damaged fire station at 133 Grand Street and donate the property to the village. The Subgrantee would use the existing buildings at 114 Fort Road as a temporary facility for fire services until the construction of the new fire station was completed. The Subgrantee would demolish the buildings at 114 and 118 Fort Road once the new fire station is completed and occupied. A topographic survey prepared by Rudolph D. Snyder, L.S., P.C., and a conceptual site plan prepared by Lamont Engineers are provided in *Appendix B*. The proposed project would provide adequate space for emergency vehicles and equipment and meeting room spaces for the station's community functions. This alternative would comply with the Village of Schoharie floodplain ordinance and National Flood Insurance Program (NFIP) requirements. This alternative would also address the proposed project's purpose and need.

## 4.3 Alternatives Considered and Dismissed from Further Analysis in this EA

The Subgrantee considered repairing the existing fire station at 133 Grand Street. However, the facility is located within the 100-year floodplain, the flood damages were extensive, and the costs were prohibitive to repair and to bring the facility up to current building and safety codes, as well as construction of National Flood Insurance Program (NFIP) compliance measures. The Subgrantee dismissed the repair alternative due to repair costs and safety concerns.

The Subgrantee researched properties within the Village of Schoharie that would have existing commercial building(s) capable of allowing a 14-foot high overhead door and would also be located outside the 500-year floodplain; however, no properties were found meeting those two criteria. Furthermore, the Subgrantee was unable to locate entirely vacant land suitable to construct a new building outside the 500-year floodplain. Therefore, the Subgrantee arrived at the proposed alternative to construct a new facility on a site within the Village that had existing structures to be re-used in less than full restorative emergency services capacity or demolished to construct the new fire station.

## **5.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

Table 1 on Page 5 summarizes potential impacts of the No Action and Proposed Action alternatives. The following sections provide a more detailed description of the affected environment and potential environmental impacts of the No Action and Proposed Action alternatives.

### **5.1 Topography, Soils, and Geology**

#### **5.1.1 Existing Conditions**

##### **Topography**

The proposed project site topography is relatively flat with a gradual downward slope to the west towards an unnamed tributary to Fox Creek. According to the topographic survey prepared for the site (*Appendix B*), surface elevations on the site range from approximately 620 feet above mean sea level (amsl) on the eastern portion of the property to 617 feet amsl in the western portion of the property. Surrounding area topography slopes downward to the north towards Fox Creek and to the west toward an unnamed tributary to Fox Creek.

##### **Soils**

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) operates the Web Soil Survey, which includes the soils of Schoharie County (NRCS, 2013). The Web Soil Survey maps show soils on the site as being composed of three soil types. The majority of the site is comprised of Schoharie and Hudson silt loams, 2 to 6% slopes and 6 to 12% slopes (ShB and ShC), respectively. These soils consist of moderately well drained soils comprised of reddish clayey and silty glaciolacustrine deposits. This soil type is found on lake plains. A small area of Howard gravelly silt loam, 0 to 5 percent slopes (HgA) is located on the southwestern corner of the property. This soil consists of well drained soils comprised of gravelly loamy glaciofluvial deposits over sandy and gravelly glaciofluvial deposits, containing significant amounts of limestone. This soil is found on valley trains and terraces. The Surficial Geologic Map of New York (Hudson Mohawk Sheet, 1987) indicates that surficial soils in the area are mapped as till of variable texture and thickness.

The Farmland Protection Policy Act (FPPA) requires Federal agencies to minimize the extent to which Federal programs contribute to the unnecessary conversion of farmland to nonagricultural use and to assess potential conversion of farmland to developed property. The ShC soils are categorized as Farmland of Statewide Importance. The ShB and HgA soils are categorized as Prime Farmland soils. The property is adjacent to Agricultural District 1 and near District 2, but the project site is not within a district. According to the NRCS letter dated September 24, 2013, the project is exempt from FPPA because the site is of minimal size and is in an area of urban buildup; the Farmland Conversion Impact Rating form AD-1006 is not required for this project (*Appendix C*).

##### **Geology**

Executive Order (EO) 12699 requires Federal agencies assisting in the financing, through Federal grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of newly constructed buildings to initiate measures to assure appropriate consideration of seismic safety (WBDG, 1990). The U.S. Geological Survey (USGS) Percent Peak Ground Acceleration Seismic

**Table 1. Summary of Potential Environmental Impacts and Mitigation**

Resource	Potential Impacts		Agency Coordination/ Permits	Mitigation
	No Action Alternative	Proposed Action Alternative		
Topography, Geology and Soils	No impact.	Minor impact. Disturbance of soils during construction	NYSDEC SPDES General Permit GP-0-10-001	Balance earthwork on site. Implement erosion and sediment control practices.
Land Use and Zoning	No impact.	No impact. Consistent with Town and Village Comprehensive Plan.	Village of Schoharie Planning Board Site Plan and Zoning Board of Appeals Approval	Compliance with Village Land Use Law. Consistent with Town and Village Comprehensive Plan.
Contaminated Materials	No impact	No impact	N/A	Best management practices.
Air Quality	No impact	Short-term impact during construction; no long-term impact	N/A	Best management practices.
Water Resources and Water Quality	No impact.	No significant impact with SWPP implementation and mitigation.	NYSDEC SPDES General Permit GP-0-10-001	Compliance with SWPPP and SPDES Permit.
Wetlands	No impact	No significant impact. Less than 0.1 acre of wetland disturbance	USACE Nationwide Permit and NYSDEC Blanket Section 401 Water Quality Certification	Comply with permit conditions.
Floodplains	Potential negative impact; damaged facility would remain vacant in floodplain if not demolished	Positive impact. Facility relocated outside the 100-year and 500-year floodplains and damaged facility to be demolished	N/A	N/A
Vegetation	No impact	No significant impact. Reduction of 0.09 acre of vegetated area	N/A	Native plant species are recommended for site landscape plantings.
Wildlife and Fisheries Habitat	No impact	No impact	N/A	N/A
Threatened and Endangered Species	No impact	No impact. Not removing mature trees that could be habitat for Northern Long-eared Bats	N/A	N/A
Cultural Resources	No impact	No significant impacts if conditions are followed.	NYSOPRHP Review	Avoid identified archeological sites.
Visual Resources	Potential negative impact	Positive impact through design of new buildings in character with surroundings	Village of Schoharie Planning Board Historic Overlay project review	Comply with Village Planning Board design requirements.
Socioeconomic Resources	Negative impact; fire services not meeting community needs	Positive impact with fully restored fire services capability	N/A	N/A
Environmental Justice	No impact	No impact	N/A	N/A
Noise	No impact	Short-term impact during construction; no long-term impact	N/A	N/A
Traffic	No impact	Short-term impact during construction; no long-term impact	N/A	Compliance with local ordinances related to operation on the construction site
Infrastructure	No impact	No impact	N/A	N/A
Public Health and Safety	Negative impact; fire services not meeting community needs	Positive impact with improved fire services capability	N/A	Compliance with NYS Building Code and various approvals.
Climate Change	No impact	No impact	N/A	N/A
Cumulative Impacts	No cumulative impacts	No cumulative impacts	N/A	N/A

Hazard Maps (USGS, 2008) adopted by the New York State Building Code (NYSBC) indicate that the project site is located within a moderate seismic hazard area, as is most of New York State.

Bedrock in the area of the site is greater than 80 inches below grade according to the above-referenced Soil Survey and Surficial Geologic Map and is mapped on the Geologic Map of New York (Hudson Mohawk Sheet, 1970) as Paleozoic-aged rocks of the Schenectady Formation consisting of greywacke, sandstone, siltstone, and shale.

### **5.1.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would have no impacts to topography, geology, or soils.

#### **Proposed Action Alternative**

The Proposed Action Alternative would have minor impacts to the physical features of the project site including ground disturbance during construction. The entire area of disturbance (AD) is already developed with buildings, paved or gravel driveways and parking areas, and lawn/landscaped areas. The project requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) developed in accordance with the "New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity" General Permit Number GP-0-10-001, effective January 29, 2010 through January 28, 2015. The SWPPP and accompanying plans identify and detail stormwater management, pollution prevention, and erosion and sediment control measures necessary during and following completion of construction. The area of the existing single family home to be removed is slated to contain a retention basin for stormwater management. See *Appendix B* for site plans.

## **5.2 Land Use and Zoning**

### **5.2.1 Existing Conditions**

The proposed site and surrounding properties are located within the Residential Land Use District, according to the Village of Schoharie Land Use Areas Map (October 2006). The front of the property along Fort Road is located within the Old Stone Fort Historic Overlay District (Village of Schoharie Historic Overlay Map, October 2006). The property is not located within the Special Flood Hazard Area (SFHA)/100-year floodplain and 500-year floodplain (Village of Schoharie Flood Hazard Overlay Map, October 2008). The parcel located at 118 Fort Road contains a vacant single family home. Structures on the 114 Fort Road parcel include the facility temporarily used as a fire house/meeting room, a Quonset hut used for fire truck storage, a lean-to attached to the Quonset hut also used for fire truck storage, and a pole barn and a junk shed that are not currently utilized by the fire department. A temporary 60FT x 48FT "pole building" was constructed on the eastern portion of 114 Fort Road parcel to store fire trucks that are used infrequently, providing sufficient room in the temporary facility for the remaining apparatus. The Subgrantee is responsible for dismantling the pole building once the permanent fire station facility is completed. A loading dock and two concrete pads abut the parking areas south and southeast of the fire station.

"Public buildings and institutions" are permitted in the Residential Land Use District subject to site plan approval by the Village of Schoharie Planning Board. Development in the Residential land use district is required to follow existing design criteria outlined in Appendix A of the Town and Village of Schoharie Comprehensive Plan (January-February 1997). The Historic Overlay requires that all new

construction or exterior alterations of existing buildings must be in keeping with the general character of the area, and that architectural plans must be approved by the Planning Board. The Planning Board sets the requirement for exterior building materials, details, and aesthetics in accordance with the Village zoning ordinance.

### **5.2.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact land use or local zoning. This alternative would not be consistent with the Town and Village Comprehensive Plan, since the town and village are in need of a new fire station to ensure quick response to emergency situations.

#### **Proposed Action Alternative**

The Proposed Action Alternative would not impact land use and zoning. The proposed project would be consistent with previous site usage. According to the building architects, the new fire station would be designed to be consistent with the rural character of the community while utilizing durable materials such as masonry to fulfill its safety mission as a permanent structure that would serve the community for many generations. The proposed project would be consistent with the Town and Village Comprehensive Plan, since one of the objectives listed in the Village Comprehensive Plan is to maintain adequate police, fire, and ambulance services in the Town and Village. The proposed facility would be designed to provide better fire services to current residents and accommodate new development in the future.

## **5.3 Contaminated Materials**

### **5.3.1 Existing Conditions**

A Phase I Environmental Site Assessment was conducted by The Chazen Companies for the proposed project site in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Standard Practice E 1527-05. In response to some findings of the Environmental Site Assessment, the former site owner performed specific removal and excavation actions. Following these actions, a limited Phase II investigation was conducted to assess site conditions. The conclusions of these two investigations are summarized below; the full Phase I Environmental Site Assessment report is attached as *Appendix D*.

- A buried drainage drum was removed and excavated, and test pits were installed in the former tractor wash area. Soil and groundwater sampling in these areas did not reveal contamination from volatile organic compounds (VOC) or semi-volatile organic compounds (SVOC). The metals reported in the soil at concentrations greater than the Unrestricted Use soil cleanup objectives (SCO) were consistent with either rural background concentration or met the Restricted Use SCO. The lead concentration in groundwater slightly exceeded the groundwater quality standard; however, the low concentration it is not indicative of gross contamination and is likely associated with sediment in the test pit grab sample that was dissolved by the acidic sample preservative.
- Sludge was removed from the floor drain system in the concrete pad near the southern corner of the site. An attempt to locate the discharge pipe outside the pad was unsuccessful; however, soil in the presumed discharge location did not contain VOCs, SVOCs or Resource Conservation and Recovery Act (RCRA) metals at concentrations exceeding the NYSDEC Unrestricted Use SCOs.

- The fuel oil aboveground storage tank (AST) in the house basement was removed along with some surface soil underlying the tank. The surface soil sample collected from this location did not reveal evidence of contamination.
- Stains on damaged concrete were observed under the AST located in the Quonset hut. There was insufficient information to confirm whether the underlying ground may have been impacted. The limited amount of staining suggests that potential subsurface impacts would be limited, if present.
- Former waste oil drums were removed from the site. A surface soil sample collected from former drum storage area did not report VOCs or RCRA metals at concentrations that greater than the Unrestricted Use SCOs.
- A visual inspection of an on-site storage shed showed that the contents of the shed included some containers of apparent petroleum products. The floor of the shed had de minimis staining.
- During the Phase I Environmental Site Assessment, it was reported that rubble from the 1950s site building fire was buried near the southern corner of the site, and that the owner brought shale and rubble to fill to the back of the site behind the tractor sales building area. The exact location and contents of the debris and rubble are unknown, therefore, considered a significant data gap.
- The condition of conveyance piping and the discharge location for the floor drain system in the Quonset hut were not confirmed, but the former site owner thought it was connected to the municipal sewer system. This is a significant data gap as the past condition and discharge point for the drain system is unknown. Floor drains connected to municipal sewers are considered less likely to result in subsurface releases than systems connected to septic or dry wells.

### **5.3.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact or be impacted by contaminated materials. No evidence of significant contamination to site structures, soils, surface/groundwater from hazardous materials has been identified. The former site owner performed specific removal and excavation actions as noted above in Section 4.3.1. The continued occupancy at this site would not adversely impact the risk to the human environment from contaminated materials. The Subgrantee would be responsible for securing the original facility site.

#### **Proposed Action Alternative**

The Proposed Action Alternative would not impact or be impacted by contaminated materials. The continued occupancy at this site would not adversely impact the risk to the human environment from contaminated materials. However, if hidden and/or unknown hazardous materials are discovered during excavation and/or construction activities, additional testing and/or remediation may be necessary. Best management practices (BMP) should be implemented in the event that petroleum or other hazardous material leaks occur during construction and demolition phases. These practices include requiring all contractors to keep materials on hand to control and contain a petroleum spill. All spills are required to be reported to the NYSDEC. Contractors are responsible for ensuring responsible action on the part of construction personnel.

## **5.4 Air Quality**

The Clean Air Act (CAA) of 1963 (amended 1970, 1977, and 1990) requires each state to attain and maintain specified air quality standards. National Ambient Air Quality Standards (NAAQS) have been promulgated by the Federal government and by NYS for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), total suspended particulate (TSP), sulfur dioxide (SO<sub>2</sub>) and lead (pb). NYS standards are

generally the same as the Federal standards for these pollutants. Primary air quality standards are set to protect human health and secondary standards are set to protect human welfare. The EPA implements 2008 ozone standards as required by the CAA and meets the standards to provide public and environmental health benefits.

#### **5.4.1 Existing Conditions**

The proposed project area, as depicted on EPA Environmental Justice (EJ) View Tool, is not in attainment for 8-Hour Ozone, but is in attainment for lead and Particulate Matter (PM) 2.5.

#### **5.4.2 Potential Impacts and Proposed Mitigation**

##### **No Action Alternative**

The No Action Alternative would not impact air quality.

##### **Proposed Action Alternative**

The Proposed Action Alternative would have a temporary impact to air quality during construction activities; no long-term impacts are expected. Construction activities on the project site may have a potential impact on the local air quality through the generation of fugitive dust or airborne dust. Fugitive dust is generated during ground breaking and excavation activities. Emissions from diesel construction vehicles are also a potential source of air pollution. The use of best management practices (BMPs) would help minimize dust and vehicle emissions. BMPs may include but would not be limited to application of water or stabilizers to control dust or reducing equipment idling time to prevent excessive emissions. It is FEMA's finding that the construction emissions would be below *de minimis* levels for ozone and other criteria pollutants.

### **5.5 Water Resources and Water Quality**

Congress enacted the Federal Water Pollution Control Act in 1948 which was reorganized and expanded in 1972 and became known as the Clean Water Act (CWA) in 1977, as amended. The CWA regulates discharge of pollutants into water with sections falling under the jurisdiction of the U.S Army Corps of Engineers (USACE) and the EPA. Section 404 of the CWA establishes the USACE permit requirements for discharging dredged or fill materials into Waters of the United States and traditional navigable waterways. The USACE regulates activities within navigable waters, as authorized under the 1899 Rivers and Harbors Act. Under National Pollutant Discharge Elimination System (NPDES), the EPA regulates both point and non-point pollutant sources, including stormwater. Activities that disturb one (1) acre of ground or more are required to apply for an SPDES permit administered in NYS through the NYSDEC.

#### **5.5.1 Existing Conditions**

The proposed project site is located within the Schoharie Creek watershed. The closest mapped water body to the proposed site is Fox Creek, NYSDEC Stream H-240-82-67, which is 170 feet from the eastern parcel boundary and approximately 1,100 feet east of the proposed Disturbance Area. Fox Creek flows to the northwest and is a tributary of the Schoharie Creek, which flows in a northerly direction. Groundwater flow is expected to be toward Fox Creek and west toward Schoharie Creek. Fox Creek, near proposed site, is a Class A and B stream. Class A indicates best usage for a source of drinking water, swimming and other recreation, and fishing; Class B indicates best usage for swimming and other recreation, and fishing (NYSDEC-Mapper, 2013). The existing facility is located approximately 2,500 feet from Schoharie Creek.

## 5.5.2 Potential Impacts and Proposed Mitigation

### No Action Alternative

The No Action Alternative would not impact water resources and water quality.

### Proposed Action Alternative

The Proposed Action Alternative would not impact Fox Creek or Schoharie Creek surface water quality. Stormwater would be controlled to prevent pollutants from entering water sources. No impacts to Fox Creek or Schoharie Creek bed and banks would be involved. A SWPPP is required and must be approved prior to construction, in accordance with the NYS stormwater SPDES General Permit for Construction Activities (GP-0-10-001). No impact to groundwater quality is expected; excavations are not expected to reach high water table depths and no sanitary waste would be discharged into groundwater. The project would implement green infrastructure and stormwater management practices with runoff reduction capacity within the site design in order to achieve 100% runoff reduction of the 90% rainfall event. Potential storm water quality impacts and soil erosion and sedimentation would be mitigated both during and after construction.

## 5.6 Wetlands

EO 11990 “Wetlands Protection” requires that Federal agencies take actions to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the beneficial effects of wetlands. Compliance with this EO is insured through the process of identifying whether the action would be located within or would potentially affect Federally-regulated wetlands (USFWS, 2013). Federal regulation of wetlands is under the jurisdiction of the USACE. Federal actions within wetlands require the Federal agency to conduct an Eight-Step Review Process. This process, like NEPA, requires the evaluation of alternatives prior to funding the action. FEMA’s regulations for conducting the Eight-Step Review process are contained in 44 CFR Part 9.5. NYSDEC also regulates and protects freshwater wetlands as defined by NYS’ Environmental Conservation Law (NYSECL) Article 24. The Eight-Step Review Process for this project can be found in *Appendix E*.

### 5.6.1 Existing Conditions

Based on a wetlands review of the proposed project site for the presence of NYS regulated freshwater wetlands conducted at the NYSDEC’s “Environmental Resource Mapper” website, no state regulated wetlands are within the AD. The U.S. Fish and Wildlife Services’ (USFWS) National Wetland Inventory (NWI) website does not identify any wetlands within the AD (*Appendix A*).

According to a Phase I Wetland Evaluation, November 2, 2012 (*Appendix C*), a field investigation indicated the presence of two small wetlands on the site (*Appendix A*). Wetland B consists of a linear wetland with aquatic vegetation within a drainage channel which extends from Fort Road in an east-southeasterly direction along and past the boundary between Lots 19 and 20, where it then turns to the southwest to the driveway, through a culvert pipe under the driveway, and then to the northeast into an upland drainage community. Wetland E is located north of the driveway in the eastern portion of the site. Most of this wetland is located on the National Grid parcel and bisects Lot 19. This wetland is dominated by shrub vegetation with some herbaceous vegetation near the southern border.

### 5.6.2 Potential Impacts and Proposed Mitigation

#### No Action Alternative

The No Action Alternative would not impact wetlands.

### **Proposed Action Alternative**

The Proposed Action Alternative would not have a significant impact to wetlands. Based on the currently proposed layout (*Appendix B*), the proposed project is expected to impact less than 0.1 acre of Wetland B, which would require pre-construction notification to obtain permit authorization from the USACE. Wetland mitigation would not be needed if wetland impacts are determined to be less than 0.1 acre; however, if wetland impacts are greater than 0.1 acre, compensatory mitigation may be required. Wetland E is not expected to be impacted by the proposed project.

## **5.7 Floodplains**

EO 11988 “Floodplain Management” requires that Federal agencies avoid funding activities that directly or indirectly support occupancy, modification, or development of the 100-year floodplain whenever there are practicable alternatives. FEMA uses Flood Insurance Rate Maps (FIRM) to identify floodplains and flood risks for the NFIP. Federal actions within the 100-year floodplain, or 500-year floodplain for critical actions, require the Federal agency to conduct an Eight-Step Review process. This process, like NEPA, requires the evaluation of alternatives prior to funding the action. FEMA’s regulations for conducting the Eight-Step Review process are contained in 44 CFR Part 9.5. The Eight-Step Review Process conducted for this project can be found in *Appendix E*.

### **5.7.1 Existing Conditions**

According to FIRM (Community Panel Number 361095C0187E, effective April 2, 2004), 133 Grand Street is located in Zone AE within the 100-year floodplain/special flood hazard area (SFHA). According to FIRM (Community Panel Number 361095C0191E, effective April 2, 2004) both parcels (114 and 118 Fort Road) are located outside the 100-year and 500-year floodplains. Niagara Engine Company No. 6 meets the definition of a critical action (facility). According to 44 CFR 9.4, the minimum floodplain of concern for critical actions is the 500-year floodplain.

### **5.7.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative may have a negative impact on the floodplain. If the existing facility is not demolished and/or not properly secured, materials may remain that could become floating debris or pollutant releases during future floods or over time in the floodplain.

#### **Proposed Action Alternative**

The Proposed Action Alternative would not adversely impact or be affected by the 100-year or 500-year floodplains. Directed relocation of the critical facility outside the 100-year and 500-year floodplains would be beneficial to flood damage risk reduction for the fire service operations.

## **5.8 Vegetation**

### **5.8.1 Existing Conditions**

The majority of Lot 19 is comprised of developed area that includes two large buildings, a pole barn, a shed, a cement pad, and a gravel driveway, with lawn areas in between. Lot 20 is comprised of a vacant residence surrounded by mowed lawn. A gravel drive enters the site at the northeastern portion of Lot 20 and extends through a majority of Lot 19. According to a site visit on October 26, 2012 conducted for the Phase IA Wetland Evaluation and Endangered, Threatened, and Rare Species Habitat Assessment (*Appendix C*), it appears that the entire site had been cleared in the past. With the

exception of some trees along the northernmost portion of the site, the majority of the site contains only a few scattered small-diameter trees and lawn area. Schoharie County is currently identified as a quarantine zone for the invasive insect Emerald Ash Borer (EAB).

### **5.8.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact vegetation.

#### **Proposed Action Alternative**

The Proposed Action Alternative would have no significant impact on vegetation. The site contains a mixture of aquatic vegetation, trees, shrub vegetation, grassy areas, and some herbaceous vegetation most of which would be removed or impacted during construction activities. However, since most of the site is previously developed and most of the AD is without vegetation, the impact would be minimal (i.e., vegetation to be removed is approximately 0.09± acre). The Subgrantee proposes to use native species to landscape the site in order to be consistent with the goals of the U.S. Green Building Council, in accordance with EO13112 Invasive Species and in support of sustainable site development. Since this is a EAB quarantine county, any woody tree and shrub material to be removed for the proposed action must be chipped on site to chips of less than one inch in two dimensions and must not be transported whole outside the community in order to adhere with EO 13112 Invasive Species, Federal regulations at 7 CFR Parts 301.53-1 through 301.53-9 and state regulations at 1 NYCRR Part 141.

## **5.9 Wildlife and Fisheries Habitat**

### **5.9.1 Existing Conditions**

Field reconnaissance survey identified two small areas containing aquatic resources on site with emergent aquatic vegetation and some shrub vegetation within a drainage channel. Fox Creek, a Class A and B stream, is 170 feet from the eastern parcel boundary and approximately 1,100 feet east of the proposed Disturbance Area. The sites are previously disturbed and provide little or no suitable habitat for wildlife and birds, such as raccoons, skunks, chipmunks, squirrels, sparrows, wild turkey, whitetail deer, rabbits and passerine birds. In addition, Federal agencies must evaluate potential impacts to migratory bird habitat per the Migratory Bird Treaty Act. There is no sensitive migratory bird habitat at the proposed project site.

### **5.9.2 Potential Impacts and Proposed Mitigation**

Neither project alternative would impact wildlife, birds (including sensitive migratory bird habitat) or fisheries habitat.

## **5.10 Threatened and Endangered Species and Critical Habitat**

The Endangered Species Act (ESA) of 1973 provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The lead Federal agencies for implementing ESA are USFWS and National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NMFS). The law requires Federal agencies to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat of such species. The law also prohibits any action that causes a “taking” of any listed species of endangered fish or wildlife.

### **5.10.1 Existing Conditions**

Threatened and endangered species and critical habitat within the project site were reviewed through analysis of existing data sources, on-site field observations, and correspondence received from the New York Natural Heritage Program (NHP). According to correspondence from the NYSDEC NHP dated October 30, 2012 (*Appendix C*), the NYSDEC has no records of rare or state listed animals or plants, or significant natural communities on or in the immediate vicinity of the project site. The USFWS website provides a list of federally-listed species by county; as of January 2014, the Indiana bat (*Myotis sodalis*) is listed as an endangered species in Schoharie County. The Northern Long-eared Bat (*Myotis septentrionalis*), is proposed to be listed in Schoharie County as endangered on the federal threatened and endangered species list. Indiana bats were known to winter in Albany County; however, the USFWS indicates that they are likely extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects in Albany, Rensselaer, Saratoga, Schenectady, or Schoharie Counties. The bald eagle (*Haliaeetus leucocephalus*) is a delisted species identified in Schoharie County, yet it continues to receive protection under the Bald and Golden Eagle Protection Act amendment of 1972 (16 USC Part 668), the Migratory Bird Treaty Act of 1918, and the Migratory Bird Treaty Reform Act of 1998, which were enacted to prohibit the taking or attempt to take migratory game birds for the protection of the species.

### **5.10.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not affect endangered, threatened, or rare species or any critical habitat.

#### **Proposed Action Alternative**

Based upon the review of Federal and state sources, FEMA has found that the proposed action would not affect endangered, threatened, rare species or any critical habitat. The proposed project does not include the removal of mature trees that would provide roosting habitat for the bald eagle, Indiana bat, or Northern Long-eared Bat. Fox Creek, located east of the site does not provide primary foraging habitat for the bald eagle.

## **5.11 Cultural Resources**

Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 CFR Part 800 requires Federal agencies to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on Federal projects that would have an effect on historic properties. These actions must take place prior to the expenditure of Federal funds. Historic properties include districts, buildings, structures, objects, landscapes, archaeological sites and traditional cultural properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP).

### **5.11.1 Existing Conditions**

The proposed project includes the demolition of existing structures as well as the construction of a new fire house facility and associate site improvements. The Area of Potential Effects (APE) includes the entire tax parcels for 114 and 118 Fort Road and the existing facility site at 133 Grand Street. According to the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) website, the project site is located within an archeologically sensitive area. Also, as

previously stated, the project site is located within the Village's Old Stone Fort Historic Overlay District, which contains several potentially historic properties from the eighteenth and nineteenth centuries. The Old Stone Fort, located northwest of the project area on the west side of Fort Road is listed on the NRHP (Site #02NR04971). The Old Stone Fort, which is owned by Schoharie County, is not adjacent to or within the viewshed of the proposed project. The buildings at 114 Fort Road, as well as the building to be demolished at 133 Grand Street, were constructed in the mid- to late-twentieth century and were determined to be not eligible for listing in the National Register (State Historic Preservation Office (SHPO) Letter 12PR02894, July 13, 2012). The nineteenth-century dwelling at 118 Fort Road was also determined not eligible (SHPO Letter 12PR05286, January 6, 2014). Cultural Resources Investigations and consultations can be found in *Appendix F*.

A Phase IA Literature Review & Sensitivity Analysis & Phase IB Archaeological Field Reconnaissance Survey was completed in January 2013 by CITY/SCAPE Cultural Resource Consultants. The APE had previous alterations from the construction of the existing structures and facilities, but the Phase IA concluded that the undisturbed areas had archaeological potential. The Phase IB sub-surface testing yielded historic and prehistoric artifacts and two sites were identified. The Niagara Historic Site was heavily concentrated to the north and east of the house at 118 Fort Road; while the Niagara Prehistoric Site/Locus 1 is concentrated in the southeast portion of 114 Fort Road and Locus 2 is situated to the north and east of the house. A determination was made to proceed with a Phase II Archaeological Investigation, with concurrence from SHPO (12PR05286, dated December 20, 2012).

CITY/SCAPE Cultural Resource Consultants conducted the Phase II and presented an End of Field Report in September 12, 2013, with the preliminary findings of the field investigation. An Addendum was subsequently submitted in November 14, 2013. The post-excavation artifact processing and data analysis are currently in progress, and the final report is pending, but will be forwarded to SHPO upon receipt.

The investigators concluded that the north portion of the APE corresponding to Niagara Historic Site and Niagara Prehistoric Site Locus 2 lacked archaeological integrity, the stratigraphy was disturbed, no intact features were identified, there was no intact culture bearing soil horizon, and the areas lacked the potential to contribute anything beyond an expanded artifact sample. No further archaeological work is recommended for the north portion of the APE.

The excavations in the southeast portion of the APE corresponding with Niagara Prehistoric Site Locus 1 presented consistently intact stratigraphic profiles; dense concentration of chert flakes of various sizes and types characteristic of lithic reduction site or workshop; and intact features which may represent a living surface. As a result of the Phase II Archaeological Investigation, FEMA finds that the preliminary information provided in the End of Field Report and Addendum indicates that the Niagara Prehistoric Site Locus 1 is eligible for inclusion in the National Register. SHPO concurred with this finding in a letter dated January 6, 2014. Plans do not include any construction work in this area.

### **5.11.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact cultural resources.

### **Proposed Action Alternative**

There are no historic structures on the property and the new building would be designed in character with the surrounding historic overlay, thereby avoiding any potential indirect impacts to historic or potentially historic resources. As discussed above, excluding Niagara Prehistoric Site Locus 1, which is National Register eligible, the property has no potential for significant intact archeological resources. Therefore, FEMA finds that the project would have no adverse effects to historic resources with the condition that the area around Niagara Prehistoric Site Locus 1 be avoided and protected. FEMA provided NY SHPO with this finding in a letter dated December 19, 2013, to which NY SHPO concurred in a letter dated January 6, 2014 (*Appendix F*). After review of the submitted Environmental Assessment, in a letter dated April 10, 2014, SHPO recommended that the Niagara Prehistoric Site Locus 1 be delineated and protected by appropriate fencing during construction. This fencing should be installed by the project archaeologists with a minimum 25' buffer to ensure that the site is not damaged. SHPO further recommends that the site be placed into a state of permanent protection through the establishment of a protective easement or covenant. FEMA consulted with the St. Regis Mohawk Tribe and the Mohawk Nation Council of Chiefs; provided information regarding identified historic properties in the APE, and afforded the Tribes an opportunity to participate in the consultation. The Saint Regis Mohawk Tribe Tribal Historic Preservation Office (THPO) responded that the project was considered of No Effect in regards to cultural properties of concern to their Tribe.

## **5.12 Aesthetics and Visual Resources**

### **5.13.1 Existing Conditions**

The project site consists of two parcels, one of which contains a single family home, and the other of which contains a former tractor supply facility with extensive gravel areas for tractor/equipment storage. The front portion of the project site is located within the Village's Old Stone Fort Historic Overlay District, which includes the National Register-listed Old Stone Fort (Site #02NR04971) as well as several buildings that date to the eighteenth and nineteenth centuries. The Old Stone Fort, which is owned by Schoharie County, is situated northwest of the project site on the west side of Fort Road and is not adjacent to the proposed project. Schoharie County also owns numerous contiguous parcels, including two cemeteries, on either side of Fort Road related to the Old Stone Fort.

### **5.12.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative may negatively affect the Village of Schoharie's aesthetics, since there would not be any improvements made to the facility or the site.

#### **Proposed Action Alternative**

The Proposed Action Alternative would positively impact aesthetics or visual resources. According to building architects, the new fire station would be designed to be consistent with the rural character of the community while utilizing durable materials such as masonry to fulfill its safety mission as a permanent structure that would serve the community for many generations. The project site would be more aesthetically/visually pleasing with new buildings and landscaping than the current facility and vacant home, and plans must undergo review by the Village Planning Board to assure that designs are in character with the historic overlay.

## **5.13 Socioeconomic Resources**

### **5.13.1 Existing Conditions**

The U.S. Census Bureau indicates the population within the Village of Schoharie was 922 persons in 2010, a decline of 10 percent since the 2000 population of 1,030. In comparison, the population within Schoharie County was 32,617 in 2010 and 31,582 in 2000.

In 2010, 221 households in the Village were classified as family households, meaning those living together are related. The remaining 216 households are classified as non-family households or those with individuals who cohabitate but are unrelated, such as roommates. In 2000, family households accounted for 57 percent of all households. The average household size in the village was 1.99 persons in 2010 and 2.18 in 2000. In 2010, the Village had a total of 482 housing units, of which, nine percent were classified as vacant. Compared to 2000, when the Village had a total of 487 housing units, of which, six percent were classified as vacant.

The median household income in the village was \$36,477 in 2010, an increase from \$33,203 in 2000. Comparatively, the median household income in Schoharie County was \$51,896 in 2010, an increase from \$36,585 in 2000. In 2010, approximately eight percent of individuals in the village were below the poverty level, compared to 11 percent in 2000. Of individuals within Schoharie County, 11 percent were below the poverty level in 2010, with very little change in percentages from the 2000 level.

### **5.13.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative may have adverse impacts to the socioeconomic resources of the Village of Schoharie and surrounding communities. The existing damaged facility would remain vacant and unusable. The temporary fire station is currently inadequate for long-term use which may compromise service and safety. If fire services are deemed unreliable, this may result in some residents relocating to other communities which have adequate fire services. These potential relocations would overall decrease the local tax revenue and reduce monies available for essential community services.

#### **Proposed Action Alternative**

The Proposed Action Alternative would have a positive impact on fire services and response time for the Village of Schoharie and surrounding communities. The new facility would provide adequate space to house the fire trucks, equipment, and provide space for community functions such as dinners and other activities that are typically held at the fire station. Construction of a new facility would create approximately 20 temporary jobs during the construction phase of the project. The improved facility would make the area a safer community to live and work, which would keep residents and may attract new residents, thereby increasing the amount of socioeconomic resources available for community services and potential growth.

## **5.14 Environmental Justice**

EO 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” guides Federal agencies to “make environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human

health or environmental effects of its programs, policies, and activities on minority populations and low-income populations” (EPA-EO, 2013).

#### **5.14.1 Existing Conditions**

According to 2010 census data and the American Community Survey, the population of the Village of Schoharie and Schoharie County is predominantly Caucasian (estimated 97%). About 8.3% of Village of Schoharie residents and 10.7% of Schoharie County residents live below the poverty level. The project location is not delineated as an Environmental Justice community.

#### **5.14.2 Potential Impacts and Proposed Mitigation**

Neither project alternative would have a disproportionately high or adverse impact on human health and human environment of minority or low-income populations. All residents would benefit as a result of the proposed action because better fire services will be made available.

### **5.15 Noise**

Sound pressure level (SPL) is used to measure the magnitude of sound and is expressed in decibels (dB or dBA), with the threshold of human hearing defined as 0 dBA. The SPL increases logarithmically, so that when the intensity of a sound is increased by a factor of 10, its SPL rises by 10 dB, while a 100-fold increase in the intensity of a sound increases the SPL by 20 dB.

Equivalent noise level (Leq) is the average of sound energy over time, so that one sound occurring for 2 minutes would have the same Leq of a sound twice as loud occurring for 1 minute. The day night noise level (Ldn) is based on the Leq, and is used to measure the average sound impacts for the purpose of guidance for compatible land use. It weights the impact of sound as it is perceived at night against the impact of the same sound heard during the day. This is done by adding 10 dBA to all noise levels measured between 10:00 pm and 7:00 am. For instance, the sound of a car on a rural highway may have an SPL of 50 dBA when measured from the front porch of a house. If the measurement were taken at night, a value of 60 dBA would be recorded and incorporated into the 24-hour Ldn.

Leq and Ldn are useful measures when they are used to determine levels of constant or regular sounds (such as road traffic or noise from a ventilation system). However, neither represents the sound level as it is perceived during a discrete event, such as a fire siren or other impulse noise. They are averages that express the equivalent SPL over a given period of time. Because the decibel scale is logarithmic, louder sounds (higher SPL) are weighted more heavily; however, loud infrequent noises (such as fire sirens) with short durations do not significantly increase Leq or Ldn over the course of a day.

The Noise Control Act of 1972 required the EPA to create a set of noise criteria. In response, the EPA published Information On Levels Of Environmental Noise Requisite To Protect Public Health and Welfare With An Adequate Margin Of Safety in 1974 which explains the impact of noise on humans. The EPA report found that keeping the maximum 24-hour Ldn value below 70 dBA will protect the majority of people from hearing loss. The EPA recommends an outdoor Ldn of 55 dBA. According to published lists of noise sources, sound levels and their effects, sound causes pain starting at approximately 120 to 125 dBA (depending on the individual) and can cause immediate irreparable damage at 140 dBA. OSHA has adopted a standard of 140 dBA for maximum impulse noise exposure.

### **5.15.1 Existing Conditions**

The project site is centrally located within the Village of Schoharie, Schoharie County. Outside the Village, most of land is farmland or forested areas with pockets of residential development. The ambient noise level in the vicinity of the proposed project site is typical for a rural area. Vehicle noise would also be generated by traffic along Fort Road and North Main Street (NYS Route 30). The Ldn is typically about 45 dBA for rural agricultural areas, and 55 dBA for small-town and suburban residential areas. (References: NYSDEC program policy memorandum “Assessing and Mitigating Noise Impacts,” [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/noise2000.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/noise2000.pdf) and “Environmental Noise: The Invisible Pollutant,” <http://www.nonoise.org/library/envarticle/>).

Niagara Engine Company No. 6 is a volunteer fire department that averages 120 calls per year, providing fire, rescue, and fire police services to the district. The department has four trucks and an ambulance, with approximately 20 volunteers. The sirens are located on a utility pole in the village and are not being relocated with the fire station.

### **5.15.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact ambient noise levels.

#### **Proposed Action Alternative**

The Proposed Action Alternative would have a temporary impact to ambient noise level during construction; no long-term impacts are expected. Avoidance of construction related noise impacts can be mitigated by implementing a typical work-day schedule, such as limiting heavy machinery use to between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday.

Most fire engine sirens are between 100-120 dBA at the source, well below OSHA’s 140 dBA maximum impulse noise exposure recommendation. When used infrequently and only during emergencies, sirens from fire engines would not increase the Ldn, maintaining levels below the EPA’s recommendations for outdoor spaces. The proposed action would have a minimal impact on noise levels for the residences that are closer to the new fire station than they had been to the damaged facility. These impacts would result from short duration and infrequent activation of equipment sirens. Given the relatively low frequency of call outs, the overall adverse impact on existing noise levels is expected to be small.

## **5.16 Traffic**

### **5.16.1 Existing Condition**

The proposed project site is located at 114 and 118 Fort Road (east side), just north of the intersection of Fort Road and North Main Street (NYS Route 30). NYS Route 30 is an active roadway that supports vehicle, truck, and agricultural traffic, with an annual average daily traffic of 8,349 vehicles and speed limit of 50 mph in the vicinity of the project site. Fort Road has a speed limit of 30 mph.

### **5.16.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact traffic volume.

#### **Proposed Action Alternative**

The Proposed Action Alternative would have a short-term impact to traffic during construction; no long-term impact is expected. The presence of construction and delivery vehicles is unavoidable; however, this impact would be temporary, and all site construction activities would comply with Village ordinances that relate to operations on a construction site. Post-construction, the traffic volume would be similar to post-disaster traffic conditions as the Subgrantee has been using the proposed project site for its temporary facility for fire services.

## **5.17 Infrastructure**

### **5.17.1 Existing Conditions**

The proposed project would construct a new fire station on a previously developed property. All major utilities are available to the site. The new facility is expected to use existing infrastructure located on, to, and from the proposed project site.

### **5.17.2 Potential Impacts and Proposed Mitigation**

Neither project alternative would impact the existing infrastructure.

## **5.18 Public Health and Safety**

### **5.18.1 Existing Conditions**

The Village of Schoharie's public health and safety was negatively impacted by Hurricane Irene. The Niagara Fire Station at 133 Grand Street experienced extensive flood damage and the facility was rendered unfit for its intended purpose. The Subgrantee has been using the facility at 114 Fort Road as a fire station; however, the temporary facility is not designed or adequate for the full restoration of fire services to the community.

### **5.18.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would negatively impact public health and safety. The fire and community services would not be fully restored with the extension of temporary facility operations. Additionally, if the existing facility is abandoned and left to deteriorate, public safety may be at risk from harm by trespassers, arsonists, and facility instability. The facility may cause additional problems in future flood events if it collapses, catches fire, loosens from the foundation and floats away, etcetera.

#### **Proposed Action Alternative**

The Proposed Action Alternative would have a positive impact on the overall community public health and safety. The new facility would provide the necessary components and storage to allow for efficient response times, and would be constructed in compliance with current Federal, state, and local building codes and safety standards. The new facility would be located outside of the 500-year floodplain, reducing the facility's future flood damage risk and reducing risk of interruption of operational capabilities during flood events. The response times would be comparable to the existing facility location that was located less than one mile away from the proposed location.

## **5.19 Climate Change**

According to the EPA, the premise of climate change "...refers to any significant change in the measures of climate lasting for an extended period of time" (EPA, no date). This includes major variations in precipitation, sea surface temperatures and levels, atmospheric temperature, wind

patterns, and other variables resulting over several decades or longer. However, the EPA identifies and regulates human actions that theoretically may affect climate change. This is dubbed “abrupt climate change” which occurs over decades and distinguishes it from natural variability that occurs gradually over centuries or millennia. Embodied energy measures sustainability to account for the energy used by structures or to create materials. Another measure of sustainability is life-cycle or cradle-to-grave analysis which accounts for the extraction, manufacture, distribution, use, and disposal of materials. While resources exist to quantify embodied energy and life cycle analysis, the calculations were not prepared by the Subgrantee for the options presented in this EA.

### **5.19.1 Existing Conditions**

Climate change could potentially increase temperatures in the northeast United States; could potentially cause more severe weather incidents to occur; and could potentially cause sea levels to rise.

### **5.19.2 Potential Impacts and Proposed Mitigation**

#### **No Action Alternative**

The No Action Alternative would not impact or be impacted by climate change.

#### **Proposed Action Alternative**

The Proposed Action Alternative would not impact or be impacted by climate change. The new facility would be constructed in accordance with the New York State Energy Code (NYSEC). The code specifies basic mandatory requirements for newly constructed buildings. Requirements apply to heating and cooling systems, hot water systems, electrical systems, construction materials, equipment specifications and building sealing and insulation. The New York State Energy Research and Development Authority and the Public Service Commission promote compliance with Energy Star® and New York Energy Smart<sup>sm</sup> programs by construction firms, building management firms and homeowners that encourage the use of energy conserving appliances, materials, technologies and building techniques. The Subgrantee would consider design and material options to reduce future energy demand, as well as reduce use of non-renewable resources in accordance with the principles of Leadership in Energy and Environmental Design. For more information, visit the following websites:

- [www.usgbc.org/leed/rating-systems/core-shell](http://www.usgbc.org/leed/rating-systems/core-shell)
- [www.usgbc.org/resources/core-and-shell-v2009-checklist-xls](http://www.usgbc.org/resources/core-and-shell-v2009-checklist-xls)
- [www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs.aspx](http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs.aspx)
- [www.energystar.gov/index.cfm?c=pt\\_univ.eeps\\_sites\\_nyserda](http://www.energystar.gov/index.cfm?c=pt_univ.eeps_sites_nyserda)

### **5.20 Cumulative Impacts**

Cumulative effects are defined by the Council on Environmental Quality (CEQ) as the impact on the environment resulting from the incremental impacts of the evaluated actions when combined with other past, present, and reasonably foreseeable future actions, regardless of the source, such as Federal or non-Federal. Cumulative impacts can result from individually minor but collectively significant actions taken over time. No other projects in the past, in the present, or in the reasonably foreseeable future are anticipated in the project area that would cumulatively exacerbate impacts on the human environment in combination with the proposed action. (Table 1, Section 5.0 summarized the potential impacts of the No Action and Proposed Action alternatives).

## 6.0 PERMITS AND PROJECT CONDITIONS

The Subgrantee is responsible to obtain all applicable Federal, state, and local permits for project implementation prior to construction, and to adhere to all permit conditions. The Subgrantee has initiated a SEQRA documentation process which includes the forms provided in *Appendix G*. Any substantive change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other laws and executive orders. The Subgrantee must also adhere to the following conditions during project implementation:

1. The Subgrantee shall be responsible to complete the SEQR process and local land-use reviews in accordance with state and local regulations.
2. The new facility must be elevated or flood-proofed to at/above the 500-year floodplain utilizing the Best Available Data for 500-year floodplain determination (*National Flood Insurance Plan's Flood Insurance Rate Maps for Schoharie County* effective April 2, 2004) in accordance with the National Flood Insurance Program (NFIP) and 44 CFR Part 9.
3. Excavated soil and waste materials will be managed and disposed of in accordance with applicable Federal, state, and local regulations.
4. The Subgrantee shall be responsible to comply with the NYSDEC State Pollutant Discharge Elimination System (SPDES) permit for stormwater discharge from construction activity or other applicable SPDES permit, in accordance with NYSECL. If the NYSDEC General Permit for Stormwater Discharges is determined to cover the proposed action, the Subgrantee shall provide NYSDHSES/FEMA a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent Form at grant project close-out or other time identified by NYSDHSES/FEMA per grant administrative documentation guidance requirements. If an individual SPDES permit is determined to be required, the Subgrantee shall provide a copy of the obtained permit, as well as supporting SWPPP to NYSDHSES/FEMA at grant project close-out or other times identified by NYSDHSES/FEMA per grant administrative documentation guidance requirements. For more information regarding SPDES, visit the following website: <http://www.dec.ny.gov/chemical/43133.html>. It is expected that the Subgrantee and its construction contractor(s) will conduct construction utilizing best management practices to limit noise, dust and sedimentation, and erosion during construction.
5. The United States Army Corps of Engineers (USACE) may require a permit for the subject work that would place fill in a wetland. The work may be authorized by a nationwide permit 39. The Subgrantee is responsible for obtaining all necessary permits and complying with all conditions of the permit including but not limited to notification and signature requirements to insure validation of permits. The project will likely qualify for a NYSDEC blanket Section 401 Water Quality Certification from the NYSDEC; a Joint Permit Application will be submitted to both agencies.
6. The construction and installation of any sanitary sewer and/or septic tank and leach field would need to be coordinated with the Schoharie County Health Department.
7. The National Register-eligible Niagara Prehistoric Site, Locus 1, located in the southeast portion of the property, must be avoided and protected from any impact of the construction activities. After review of the submitted Environmental Assessment, the State Historic Preservation Office (SHPO) recommended that, during project construction, the Niagara Prehistoric Site Locus 1, be delineated and protected by appropriate construction fencing. This fencing should be installed by the project archaeologists with a minimum 25' buffer to ensure that the site is not damaged. SHPO further recommended that the site be placed into a state of permanent protection through the establishment of a protective easement or covenant.

8. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the Subgrantee and its contractors will immediately halt construction activities in the vicinity of the discovery, secure the site, and take reasonable measures to avoid or minimize harm to the finds. The Subgrantee, will inform NYSDHSES, SHPO and FEMA immediately. The Subgrantee must secure all archaeological findings and shall restrict access to the area. Work in sensitive areas may not resume until consultations are completed or until an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards determines the extent and historical significance of the discovery. Work may not resume at or around the delineated archaeological deposit until the Subgrantee has been notified by NYSDHSES.
9. Schoharie County is currently identified as a quarantine zone for the invasive insect Emerald Ash Borer (EAB). Since this is an EAB quarantine county, any woody tree and shrub material to be removed for the proposed action is required to be chipped on site to chips of less than one inch in two dimensions and must not be transported whole outside the community in order to adhere with EO 13112 Invasive Species, Federal regulations at 7 CFR Parts 301.53-1 through 301.53-9 and state regulations at 1 NYCRR Part 141. Invasive insects can devastate the forests of the northeast and it is recommended that communities in the northeast treat or handle wood materials in place to minimize the spread of these non-native insects. For more information concerning this environmental stewardship requirement, visit USDA-APHIS, New York State Department of Agriculture and Markets, and other websites concerning EAB:
  - [www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/emerald\\_ash\\_b/](http://www.aphis.usda.gov/plant_health/plant_pest_info/emerald_ash_b/)
  - [www.agriculture.ny.gov/PI/eab.html](http://www.agriculture.ny.gov/PI/eab.html)
  - [www.nyis.info/?action=news\\_detail&event\\_id=306](http://www.nyis.info/?action=news_detail&event_id=306)
10. Occupational Safety and Health Administration (OSHA) standards shall be followed during construction to avoid adverse impacts to worker health and safety.
11. It is recommended that the Subgrantee restore disturbed construction areas of the site with native seed and/or plant species to minimize soil erosion and sedimentation, as well as enhance environmental habitat quality of project area. It is recommended that disturbed soil areas be planted with native plant material, as soon as practicable after exposure, to avoid or minimize growth of undesired and potentially invasive plant species that can potentially take hold without competition of native plant materials. Local landscape plant nurseries and soil conservation offices can assist with identification of suitable native plants for site location type. The following websites may also be useful to identification of native plant material for the proposed project site:
  - <http://plants.usda.gov/java/>
  - [www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/plants/](http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/plants/)
  - [www.fs.fed.us/wildflowers/nativeplantmaterials/rightmaterials.shtml](http://www.fs.fed.us/wildflowers/nativeplantmaterials/rightmaterials.shtml)

## 7.0 PUBLIC INVOLVEMENT

In accordance with NEPA, the EA Report was released for a 30-day public review and comment period. Availability of the document for comment was advertised via public notices in the *Times Journal*, *The News of Schoharie County*. A hard copy of the EA was made available for review at the Village of Schoharie, 300 Main Street, Schoharie, NY 12157. An electronic copy of the EA was made available for download from the FEMA website at <http://www.fema.gov/resource-document-library>.

The EA reflected the evaluation and assessment of the Federal government, the decision-maker for the Federal action; however, FEMA took into consideration any substantive comments received during the public review period to inform the final decision regarding grant approval and project implementation. The public was invited to submit written comments by mail to FEMA, Office of Environmental Planning & Historic Preservation, Leo O'Brien Federal Building, 11A Clinton Avenue, Suite 742, Albany, New York 12207, or E-mail to: FEMA4020-4031Comment@fema.dhs.gov.

Copies of the EA were sent to:

NYSDHSES  
1220 Washington Avenue, Suite 101, Building 22  
Albany, NY 12226-2251

NYSDEC Region 4  
1130 North Westcott Road  
Schenectady, NY 12306-2014

The following parties received notice of the EA's availability for comment:

Mr. John Bonafide  
New York State Office of Parks, Recreation and Historic Preservation  
Peebles Island, PO Box 189 Waterford, NY 12188-0189

Mr. Andy Dangler  
US Army Corps of Engineers CENAN-OP-RU  
1 Buffington Street, Building 10, 3<sup>rd</sup> Floor  
N. Watervliet, NY 12189-4000

Arnold Printup, Jr.  
Tribal Historic Preservation Officer  
St. Regis Mohawk Tribe  
412 State Route 37  
Akwesasne, NY 13655

Mohawk Nation Council of Chiefs  
Via Box 336  
Roosevelt town, NY 13683

FEMA received comments from two resource agencies during the public review & comment period. USACE providing general permit guidance, and NYSHPO providing additional recommended historic preservation measures. No comments from the general public were received during the comment period. FEMA's Final EA evaluation resulted in the identification of no significant impacts to the human environment. Obtaining and implementing permit requirements along with appropriate best management practices would avoid or minimize potential adverse effects associated with the alternatives considered in this Final EA to below the level of a significant impact. A Finding of No Significant Impact (FONSI) will be issued concurrent with this Final EA.

## 8.0 CONCLUSION

FEMA through NEPA and the Subgrantee through the State Environmental Quality Review Act (SEQRA) have found that the Proposed Action Alternative to construct the new fire station at the 114/118 Fort Road site would not significantly adversely impact the human environment. One National Register-eligible archeological site was identified; however, construction activities would not take place in the vicinity of the site in order to avoid adverse effects to historic properties. During construction of the proposed facility, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated. Short-term impacts would be mitigated utilizing best management practices, such as silt fences, proper equipment maintenance, and appropriate signage. Environmental impacts of construction would also be minimized per adherence to the required Stormwater Pollution Prevention Plan (SWPPP) and conditions of issued permits. In the event that contamination is encountered during site development, it would be handled and disposed of properly and in compliance with applicable regulations.

## 9.0 LIST OF PREPARERS

The Chazen Companies, 100 Glen St, Suite 3D, Glens Falls, NY 12801

FEMA Region II, 26 Federal Plaza, New York, New York 10278

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