

FEMA
FINDING OF NO SIGNIFICANT IMPACT
PRATTSVILLE FIRE DISTRICT – FACILITY REPLACEMENT PROJECT
TOWN OF PRATTSVILLE, GREENE COUNTY, NEW YORK
4020-DR-NY

BACKGROUND

The Prattsville Fire District (i.e., Subgrantee) has requested Federal financial assistance from the U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) to replace its fire station facility, currently located at 14563 Main Street in the Town of Prattsville, Greene County, New York, with a new facility proposed to be located on a currently undeveloped lot off of Main Street in Prattsville, approximately 500 feet northwest of the current location. As a result of damages from high winds, rains, and flooding associated with Hurricane Irene during the incident period from August 26 to September 5, 2011, the President issued a major disaster declaration 4020-DR-NY that enabled FEMA to provide Public Assistance grant funds to assist the Grantee (New York State Division of Homeland Security and Emergency Services (NYS DHSES)) and eligible Subgrantees in their recovery from the disaster. The Subgrantee's proposed project has been determined to be an eligible grant project in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, (Public Law 93-288, as amended, 42 U.S.C. 5121 et seq.). The FEMA project worksheet reference number is 4020-DR-NY-PW-08086.

The Subgrantee's facility sustained damage during the disaster. The Subgrantee has stabilized the building and continues to utilize the facility for firehouse operations and as a community meeting space as a temporary measure until a permanent plan for full restoration of functions can be implemented. The Subgrantee has requested an improved project to relocate the facility outside of the 500-year floodplain to reduce the risk of future flood-related damage.

The Subgrantee considered three alternatives to restoration of a permanent facility to provide necessary fire services for the affected community, which are evaluated in the Environmental Assessment (EA): 1) No Action: no federal funding provided and continued operation out of the existing stabilized facility; 2) Proposed Action, Site #1: federal funding provided to construct a new facility on a vacant lot predominantly outside the 100-year and 500-year floodplains; and 3) Alternative Action Site #2: federal funding provided to construct a new facility on a vacant lot adjacent to Site #1 outside of both the 100-year and 500-year floodplains. The No Action alternative was dismissed as the original facility is located in the 100-year floodplain and this alternative would not address the risk of future interruption of emergency services during flood events. Furthermore, the substantial repair or replacement of the facility in its existing location would involve additional costs for securing another temporary location during construction and for incorporating flood proofing and building code compliance requirements. The Alternative Action Site #2 was dismissed although it would meet the project's purpose and need, because the site acquisition and development costs would be significantly higher than those for Site #1. The Proposed Action Site #1 would restore full emergency and community services while incorporating flood damage risk reduction through relocation of the facility predominantly outside the 100-year and 500-year floodplains in a cost effective manner.

An EA was prepared with the Subgrantee's participation to assess the proposed project's impacts on the human environment in accordance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations for implementing NEPA (44 CFR § 1500

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through 1508), and FEMA regulations for environmental consideration pertaining to NEPA compliance at 44 CFR Part 10. EO 11988 and 44 CFR Part 9 Eight-Step Decision-Making Process was incorporated into the EA to inform alternative analysis and determination of the practicable alternative to relocate the facility.

A public notice was issued in *The Windham Journal* and *Mountain Eagle* newspapers on June 17, 2014. During the 30-day public review and comment period, FEMA received comments from the Delaware Tribe of Indians. The Tribe indicated that there are no religious or culturally significant sites in this project area and that they had no objection to the proposed project. They expressed interest in continuing as a consulting party on this project and requested a condition that if any archaeological remains (artifacts, subsurface features, etc.) are discovered during the construction process that construction is halted until an archaeologist can view and assess the finds. Furthermore, they asked that if any human remains are accidentally unearthed during the course of the project that construction cease development immediately and inform the Delaware Tribe of Indians of the inadvertent discovery. FEMA has incorporated the Tribes request as a condition of the grant. A Final Environmental Assessment will be made available on the FEMA website incorporating the comments received from the Tribe.

PROJECT DESCRIPTION & IMPACT SUMMARY

The Subgrantee proposes to construct a new 10,000-12,000 square foot one-story fire district facility on the vacant site located on the north side of Main Street (State Route 23) between Wright Street and Pine Street in Prattsville. Proposed Action Alternative consists of continued use of the existing building at 14563 Main Street in Prattsville as a temporary facility until construction of new facility is completed, after which the property will be made safe and secure. Proposed project elements also involve site grading, installation of a stormwater management system, installation of water and sewer service connections, paving of driveways and parking areas, and landscaping. While portions of the lot are within the floodplain, the floor elevation, secondary access, and parking for first responder personnel would be above the 500-year floodplain elevation.

FEMA undertook an independent review under Section 106 of the National Historic Preservation Act to clarify the location of the project site and identify potential adverse effects resulting from excavation in an archeologically sensitive area. FEMA has obtained concurrence from the New York State Historic Preservation Office (NYSHPO) that no historic properties will be affected by the project. 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), adherence to invasive insect quarantine protocols, and compliance with building and floodplain development permit requirements.

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CONDITIONS

The Subgrantee must meet these conditions as part of the project. Failure to comply with these conditions may jeopardize Federal funds:

1. The new facility structural footprint and facility site egress must be elevated or floodproofed to at/above the 500-year floodplain utilizing the Best Available Data (*Flood Insurance Rate Map Community-Panel Number 36039C0158F dated May 16, 2008*) in accordance with the National Flood Insurance Program and 44 CFR Part 9.
2. Any proposed construction in the floodplain will need to be coordinated with the local floodplain administrator and must comply with Federal, state, and local floodplain laws and regulations.
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 ensure the original facility site is safe and secure.
5. The Subgrantee shall be responsible to comply with the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) permit for stormwater discharge from construction activity or other applicable SPDES permit, in accordance with NYS Environmental Conservation Law. 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.
6. The construction and installation of the sanitary sewer connection will need to be coordinated with the NYCDEP and Town of Prattsville.
7. Tree removal must only be conducted between November 1 and March 31 to avoid the roosting period of the Indiana bat and the Northern long-eared bat. In addition, the removal of standing trees (live or dead) greater than or equal to 4 inches DBH with loose bark should be avoided as much as possible. Bright colored flagging or fencing should designate the trees to be removed prior to construction activities to differentiate them from protected trees.
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,

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NYSHPO, and FEMA immediately. FEMA would then notify the Delaware Tribe of Indians. 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. Greene County is currently identified as a quarantine zone for the invasive insect Emerald Ash Borer (EAB). Since this is a 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 or not 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/
 - www.agriculture.ny.gov/PI/eab.html
 - 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/
 - www.fs.fed.us/wildflowers/nativeplantmaterials/rightmaterials.shtml
12. Subgrantee shall not initiate construction activities until fifteen (15) days after the date that the Finding of No Significant Impact (FONSI) has been signed as “APPROVED.”

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FINDINGS

In accordance with NEPA and 44 CFR § 10, FEMA has determined that the proposed action will have no significant adverse impact on the quality of the human environment. As a result of this Finding of No Significant Impact (FONSI), an Environmental Impact Statement will not be prepared, and the proposed project as described in the EA may proceed. This FONSI serves as the final public notice for the proposed project.

APPROVED BY:

Megan Jadrosich, PMP, CFM
Regional Environmental Officer
Federal Emergency Management Agency, Region II

July 15, 2014