

*Draft*  
**FINDING OF NO SIGNIFICANT IMPACT**  
Fire Station Construction  
Gates Rural Fire Protection District, Gates, Oregon  
FEMA-EMW-2009-FC-01462

The Gates Rural Fire Protection District (GRFPD) applied to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant Program (AFG) for funding assistance to build a new fire station. Funding was authorized through the American Recovery and Reinvestment Act (ARRA). The ARRA is an economic stimulus package and the purpose of the Fiscal Year 2009 funds is to create or save jobs in recession-hit areas which includes supporting 'shovel-ready' projects. ARRA will further help achieve AFG goals of firefighter safety and improved response capability/capacity based on need, through the construction, renovation, or modification of fire stations.

In 2005, the GRFPD also applied to the US Department of Agriculture's (USDA) Rural Development program for assistance with fire station construction. The USDA prepared an Environmental Assessment (EA) for the action and issued its Finding of No Significant Impact (FONSI) on January 11, 2006. The USDA award is insufficient to complete the project, additional FEMA funding will enable project completion.

The Proposed Action includes construction of an approximately 8,000 square foot fire station on a 1.5 acre parcel located on Sorbin Avenue at the intersection of Riverview Street SE in Gates. The fire station will be designed to at least meet the US Green Building Council's Leadership in Energy and Environmental Design Gold level. The building will include dedicated space for training/meetings, living, offices, equipment storage, and apparatus bays. The facility will have a back-up generator in the event of power outages. In addition to the fire station, the site will include space for parking, maneuvering space for the trucks, and a small stormwater detention area.

In accordance with the National Environmental Policy Act (NEPA) of 1969 and FEMA's implementation regulations; FEMA reviewed the USDA EA and FONSI (attached) and supporting documentation, and current resource data; to identify and evaluate potential environmental impacts resulting from the alternatives presented and ensure sufficiency with FEMA's NEPA regulations 44 CFR Part 10. Alternatives sites and fire station designs were evaluated in the EA, including No Action. The USDA EA was made available for public review in 2005 and USDA did not receive substantive comments. FEMA concurs with USDA's findings and provides its draft FONSI for public review from April 10 through 25, 2010.

## **FINDINGS**

Based upon the site and building design and attached Mitigation and Conservation Measures and USDA EA; and in accordance with FEMA's regulations in 44 Code of Federal Regulations (CFR) Part 10 for environmental consideration, including Executive Orders (EO) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898), FEMA determined the proposed project will not significantly affect the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.8) and the project as described in the GRFPD's AFG application may proceed.

## **APPROVAL**

*[to be signed following public review]*

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Mark G. Eberlein  
Regional Environmental Officer  
FEMA Region X

Date

## **MITIGATION AND CONSERVATION MEASURES**

Mitigation and conservation measures refer to actions that would minimize or eliminate potential adverse environmental impacts that could result from the Proposed Action:

- The applicant must comply with USDA FONSI Summary Mitigation measures.
- The applicant is responsible for selecting, implementing, monitoring, and maintaining best management practices to control erosion and sediment, reduce spills and pollution, and provide habitat protection.
- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other laws and Executive Orders.
- In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity shall be discontinued, the area secured, and the SHPO and FEMA notified.



EMW-2009-FC-1462 R

United States Department of Agriculture  
Rural Development  
Oregon State Office

**MEMORANDUM**

**DATE:** January 11, 2006

**SUBJECT:** Finding of No Significant Environmental Impact  
and Necessary Environmental Findings

**Gates Rural Fire Protection District  
New Fire Station  
CF #43-24-930780375  
Gates, OR 97360**

**TO:** Project File

The attached environmental assessment for the subject proposal has been prepared and reviewed by the appropriate Rural Development officials. After reviewing the assessment and the supporting materials attached to it, I find that the subject proposal will not significantly affect the quality of the human environment. Therefore, the preparation of an environmental impact statement is not necessary.

I also find that the assessment properly documents the proposal's status of compliance with the environmental laws and requirements listed therein. Mitigation Measures are attached (see Exhibit B to 1940-21), and will be included within the Letter of Conditions.

**D. WAYNE DUNLAP**  
Director, Community Programs

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34/5/06

**USDA- Rural Development**  
**Form RD 1940-21**  
**(Rev. 6-88)**

**ENVIRONMENTAL ASSESSMENT FOR CLASS I ACTION**

**1. Description**

- a. Name of Project: Gates Rural Fire Protection District
- b. Project Number: 43-24-930780375
- c. Location: Gates, Oregon

**2. Protected Resources**

The following land uses or environmental resources will either be affected by the proposal or are located within the project site. (Check appropriate box for every item of the following checklist. If more than one item is checked "yes" the environmental assessment format for a Class II action must be completed, except if the action under review is either (1) an application for a Housing Preservation Grant or (2) normally a categorical exclusion that has lost its exclusion status. The reviewer should not initiate the Assessment for a Class I action when it is obvious that the assessment format for a Class II will be required.)

	YES	NO
a. Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Wilderness (designated or proposed under the Wilderness Act)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Wild or Scenic River (proposed or designated under the Wild and Scenic Rivers Act)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Historical, Archeological Sites (listed on the National Register of Historical Places or which may be eligible for listing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Critical Habitat or Endangered/Threatened Species (listed or proposed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Coastal Barrier included in Coastal Barrier Resources System	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Natural Landmark (Listed on National Registry of Natural Landmarks)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Important Farmlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Prime Forest Lands	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Prime Rangeland	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Approved Coastal Zone Management Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Sole Source Aquifer Recharge Area (designated by Environmental Protection Agency)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

For an item checked "yes", I have attached as Exhibit I both the necessary documentation to demonstrate compliance with the Agency's requirements for the protection of the resource and a discussion setting forth the reasons why the potential impact on the resource is not considered to be significant. If item e. is checked "no", the results of the consultation process with the State Historic Preservation Officer is also attached.

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**3. General Impacts**

I have reviewed the environmental data submitted, dated and signed by the applicant as well as any previously completed environmental impact analysis and conclude the following:

- a. The project, the project area, and the primary beneficiaries are adequately identified;
- b. No incompatible land uses will be created nor direct impacts to parks, beaches, dunes, barrier islands, or important wildlife habitats or recreational areas; and
- c. Only minimal impacts or no impacts will result to the following checked items:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Air Quality            | <input checked="" type="checkbox"/> Wildlife             |
| <input checked="" type="checkbox"/> Water Quality          | <input checked="" type="checkbox"/> Energy               |
| <input checked="" type="checkbox"/> Solid Waste Management | <input checked="" type="checkbox"/> Construction Impacts |
| <input checked="" type="checkbox"/> Transportation         | <input checked="" type="checkbox"/> Secondary Impacts    |
| <input checked="" type="checkbox"/> Noise                  |  |

An analysis of an item which cannot be checked, therefore having a potential for more than minimal impacts, is attached as Exhibit \_\_\_\_\_. (If more than one item is unchecked, the environmental assessment format for a Class II action must be completed.)

**4. State, Regional and/or Local Government Consultation**

Yes     No    This project is subject to review State, regional, or local agencies under requirements of Executive Order 12372, Intergovernmental Review of Federal Programs.

If "yes" is checked, complete (a), or (b), or (c). (If negative environmental comments have been received, the environmental assessment format for a Class II action must be completed.)

- a.  The review period has expired and no comments were received.
- b.  No negative comments of an environmental nature were received and the review period is complete, with the comments attached.
- c.  Negative comments of an environmental nature have been received.

**5. Controversy**

Yes     No    This action is controversial for environmental reasons or is the subject of an environmental complaint. If yes, check on of the following:

- The action is the subject of isolated environmental complaints or questions have been raised which focus on a single impact. Attached as Exhibit \_\_\_\_ is an analysis of the complaint or questions, and no further analysis is considered necessary.

**6. Cumulative Impacts**

Yes     No    The cumulative impacts of this action and other Rural Development actions, of the federal actions, or related nonfederal actions exceed the criteria for a Class I action; or the action represents a phase or segment of a larger project, the latter which exceeds the criteria for a Class I action.

**7. Need for the Project and Alternatives to it**

Attached as Exhibit **A** is a brief statement of Rural Development's position regarding the need for the project. Also, briefly discussed are (a) the alternatives which have been considered by the applicant and Rural Development and (b) the environmental impacts of these alternatives. Alternatives include alternative locations, alternative designs, alternative projects having similar benefits, and no action.

**8. Measures to Avoid or Mitigate Adverse Environment Impacts**

Yes  No

Mitigation measures are required. Attached as Exhibit **B** is a description of the site or design change that the applicant has agreed to make as mitigation measures that will be placed as special condition within the offer or financial assistance or subdivision approval.

**9. Compliance With Highly Erodible Land and Wetland Conservation Requirements**

Yes  No

This action is subject to the highly erodible land and wetland conservation requirements contained in Exhibit M of RD Instruction 1940-G

If "yes" is checked, please complete (a), (b), (c), and (d).

a. Attached as Exhibit \_\_\_\_\_ is a completed Form SCS-CPA-026 which documents the following:

Yes  No Highly erodible land is present on the farm property.

Yes  No Wetland is present on the farm property.

Yes  No Converted wetland is present on the farm property.

b.  Yes  No This action qualifies for the following exemption allowed under Exhibit M:

\_\_\_\_\_  
\_\_\_\_\_

c.  Yes  No The applicant must complete the following requirements prior to approval of the action in order to retain or regain its eligibility for Agency financial assistance:

\_\_\_\_\_  
\_\_\_\_\_

d.  Yes  No Under the requirements of Exhibit M, the applicant's proposed activities are eligible for Agency financial assistance.

10. Environmental Determinations

The following recommendations shall be completed and the environmental reviewer shall sign the assessment in the space provided below.

a. Based on an examination and review of the foregoing information and such supplemental information attached hereto, I recommend that the approving official determine that this project:

- will have significant effect on the quality of the human environment and an Environmental Impact Statement must be prepared;
- will not have a significant effect on the quality of the human environment;
- will require further analysis through completion of the assessment format for a Class II action.

b. I recommend that the approving official make the following compliance determinations for the below listed environmental requirements.

Not In Compliance	In Compliance	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Clean Air Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Federal Water Pollution Control Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safe Drinking Water Act-Section 1424(e)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Endangered Species Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Barrier Resources Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Zone Management Act-Section 307(c)(1) and (2)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wild and Scenic Rivers Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	National Historic Preservation Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Archeological and Historic Preservation Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Highly Erodible Land and Wetland Conservation, Food Security Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Executive Order 11988, Floodplain management
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Executive Order 11990, Protection of Wetlands
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Farmland Protection Policy Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Departmental Regulation 9500-3, Land Use Policy
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Office National Resource Management Guide

c. I have reviewed and considered the types and degrees of adverse environmental impacts identified by the assessment. I have also analyzed the proposal for its consistency with Rural Development environmental policies, particularly those related to land use, and have considered the potential benefits of the proposal. Based upon a consideration and balancing of these factors, I recommend from an environmental standpoint that the project

- be approved
- not be approved because of the attached reason (see Exhibit \_\_\_\_)

*[Handwritten Signature]*  
\*Signature of Preparer

8/25/05  
Date

Title CP Spec.

\*See Section 1940.302 for listing of officials responsible for preparing assessment.

D. Wayne Dunlap  
Signature of Concurring Official<sup>1</sup>

1/11/06  
Date

Title CP Director

I have reviewed the environmental assessment and supporting documentation. Following are my positions regarding its adequacy and the recommendations reached by the preparer. For any matter in which I do not concur, my reasons are attached as Exhibit \_\_\_\_\_.

Do not

Concur

Concur

- Adequate Assessment
- Environmental Impact Determination
- Compliance Determination
- Project Recommendation

[Signature]  
Signature of State Environmental Coordinator<sup>2</sup>

01-11-06  
Date

<sup>1</sup> See Section 1940.316 for both the instances when a concurring official must sign the assessment and who is authorized to sign as the concurring official.

<sup>2</sup> See Section 1940.316 for instances when State Environmental Coordinator's review is required.

## **EXHIBIT A**

### **Need For The Project**

The Gates Rural Fire Protection District (GRFPD) is located in Gates, Oregon, OR in Marion County. The GRFPD was established in 1949 and serves residents in a roughly 21 square mile area that includes Marion and Linn Counties. It also provides services to facilities and unprotected areas outside of its service area when needed.

The GRFPD is presently located in a smaller office space that is shared with the City of Gates. This space is crowded and obsolete. It currently does not meet the needs of the community including insufficient equipment storage and operations space, insufficient training space, lack of an emergency shelter location, and generally inefficient and obsolete facilities that the community wants to upgrade. This project is for the construction of a 13,191 GSF building that includes a 4,324 GSF Administration Building with an 8,868 GSF Apparatus Bay.

The property on which the building will be constructed is undeveloped and lies within the city limits of the Gates.

USDA Rural Development position on the need for the facility is that the building is an essential community facility. This building will further the GRFPD ability to provide services to the people in the area.

### **Alternatives**

Alternative Locations. Several alternative locations were considered during the years of discussions regarding this project and before the GRFPD purchased the property.

The following criteria was used to select the project site:

1. Land that the GRFPD was financially able to purchase.
2. Land that is centrally located around the major population center.
3. Land that is zoned for this use.
4. Sites that involve minimum environmental impact.
5. Sites that involve minimal improvements
6. Sites that create a town center or town gateway
7. Land that has access to a public road.
8. Future Expansion Capabilities
9. Available parking

The GRFPD considered eight options during two work sessions. This location is considered the best choice because it meets all of the above criteria.

Alternative Designs. A conceptual design was submitted in the Preliminary Feasibility Report issued April 29, 2005.

Alternative Projects Having Similar Benefits. There are no alternative projects that would meet the needs of the community.

No Action. The personnel could remain in their present building but this has proven to not be conducive to meet the needs of the community in terms of equipment storage and training facility shortcomings.

Environmental Impacts To The Alternatives. There may be some short-term effects such as noise and minor traffic pattern displacement; however these will be mitigated with the construction contract.

**Exhibit B**  
**Gates Rural Fire Protection District**

**Summary of Mitigation**

All mitigation measures related to the construction phase of the project must be fully incorporated into the construction drawings and specifications. Implementation of mitigation measures will be monitored by the Gates Rural Fire Protection District and Rural Development.

- a. The Gates Rural Fire Protection District (GRFPD) shall comply with all applicable County, State, and federal regulations, and shall obtain and comply with all required County, State, and federal permits, including mitigation measures;
- b. Construction activities shall be restricted to normal daylight work hours. All construction impacting city roads shall be properly flagged and barricaded for the safety of vehicular traffic and pedestrians;
- c. Noise abatement technology, such as mufflers, shall be properly maintained on construction vehicles, and machinery to minimize the potential for disturbance of wildlife and nearby residents. Construction equipment shall be equipped with hazardous materials spill recovery kits and construction crews shall be trained in their use;
- d. Construction specifications shall contain requirements for dust control, erosion control, cleanup, and restoration of disturbed areas. No construction debris or rubble shall be discharged onto the banks of or into the North Santiam River. Dust emissions shall be kept to a minimum through the use of watering.
- e. Disturbance of existing vegetation shall be kept to a minimum. No trees of any size or age or understory vegetation shall be removed from within 150 feet of the North Santiam River. Upon completion of the project, all disturbed ground shall be re-vegetated or resurfaced;
- f. In the event archaeological or cultural resources are encountered during excavation or other earth moving activities, work shall be stopped and the appropriate authorities shall be contacted immediately to discuss appropriate protocol for removing, inventory, and proper preservation of the resource. The officials to be contacted are: 1) the USDA Rural Development State Environmental Coordinator (Mona Ellison, 503-414-3364); 2) the Oregon State Historic Preservation Office Archaeologist (Dennis Griffin, 503-986-0674); 3) any applicable tribal contacts.