

FINDING OF NO SIGNIFICANT IMPACT

CITY OF BAYONNE FIRE STATION, NEW JERSEY ASSISTANCE TO FIREFIGHTERS, AMERICAN RECOVERY AND REINVESTMENT ACT PROJECT FEMA GRANT # EMW-2009-FC-04845R

BACKGROUND

In accordance with 44 Code of Federal Regulations (CFR) for FEMA, Subpart B, Agency Implementing Procedures, Part 10.9, a Tiered Site-specific Environmental Assessment (Tiered SEA) was prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The Tiered SEA is tiered from the Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI) for the Grant Programs Directorate Programs. The Tiered SEA, PEA for GPD Programs and the PEA's FONSI are incorporated into this FONSI by reference.

The purpose of the proposed project is to enhance firefighter and resident safety by providing a permanent fire station that will assist in reducing response times, improve fire suppression coverage, provide space for training, and provide for the health and well-being of fire fighters providing service to the City of Bayonne and the Peninsula at City Harbor. The City of Bayonne Fire Department (Bayonne) has applied for Assistance to Firefighters, American Recovery and Reinvestment Act program funding under application number EMW-2009-FC-04845R.

Two project alternatives were considered in the EA: 1) No Action and 2) Preferred Action Alternative. Under the No Action Alternative, no FEMA funding will be used for the construction of a fire station in Bayonne. As a result of this alternative, the Bayonne Fire Department would continue to operate in the current temporary facilities. The Preferred Action Alternative is the construction of a new fire station at a 1.8 acre block at the Peninsula that is designated as HS-17 under the Bayonne Harbor Redevelopment Plan. The fire station will be a one story building occupying approximately 15,000 square feet. The proposed action is a critical action and will be located in the 500-year floodplain. There are no practicable alternatives outside the 500-year floodplain, the action continues to be practicable, and taking this action in the floodplain clearly outweighs the requirement under Executive Order 11988, *Floodplain Management*, to (1) avoid direct or indirect support of floodplain development, (2) reduce the risk of flood loss, (3) minimize the impacts of floods on human safety, health, and welfare, and (4) restore and preserve floodplain values. FEMA has documented the 8-step review required by 44 CFR Part 9 through the Tiered SEA.

A public notice was posted on FEMA's website: www.fema.gov/plan/ehp/envdocuments/ea-region2 on/by April 4, 2011. The draft EA was available for review for a period of 15 days at City of Bayonne, Clerk's Office, 630 Avenue C, Bayonne, NJ 07002. The public was invited to comment on the proposed action and the draft EA. No comments were received from the public during the 15-day comment period.

FINDINGS

The proposed project as described in the Tiered SEA will not effect on historic properties, threatened and endangered species, critical habitat, migratory birds, wetlands, and coastal resources. The proposed project will have minor effects on water quality. The proposed project will have positive impacts on low-income and minority populations. The proposed action will take place in the 500-year floodplain but will have no significant impacts on floodplains and floods will not have significant impacts on the proposed action.

CONDITIONS

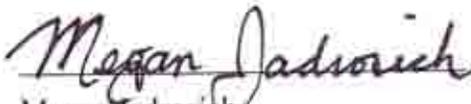
The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of Federal funding.

1. Bayonne is required to obtain any necessary local, state, and/or federal permits or approvals prior to project implementation.
2. Bayonne will follow best management requirements under applicable stormwater pollution requirements for the placement of the fill and construction activities.
3. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, Bayonne 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. All archeological findings will be secured and access to the sensitive area restricted. Bayonne will inform FEMA immediately and FEMA will consult with the New Jersey State Historic Preservation Officer (SHPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act.
4. Bayonne will submit any changes to the scope of work that was originally submitted as part of the application for FEMA's determination of whether the Tiered SEA and this finding are still valid or whether any supplementation or re-evaluation is needed.

CONCLUSIONS

Based on the findings of the Tiered SEA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major Federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.9) and the proposed project as described in the attached Tiered SEA may proceed.

APPROVAL


Megan Jadrosich
Regional Environmental Officer
FEMA Region II

Date 4-26-2011