

FINDING OF NO SIGNIFICANT IMPACT

**Department of Homeland Security-Federal Emergency Management Agency
Global Terminal and Container Services Imaging System
Port Facility Security Enhancements
Jersey City, Hudson County, NJ
PSGP 2008-GB-T8-K020 (39) (10128)**

BACKGROUND

The Department of Homeland Security-Federal Emergency Management Agency (DHS-FEMA) plans to provide federal funding to the Port Authority of New York & New Jersey, as grantee, and the Global Terminal & Container Services, L.L.C. (Global), as sub-grantee, for the construction of new truck imaging portals at the their port facility located at 302 Port Jersey Blvd., Jersey City, Hudson County, NJ 07305. The proposed project would be funded through the Port Security Grant Program (PSGP), under the authority of the *Maritime Transportation Security Act of 2002* (MTSA), as amended (46 U.S.C. §70107) and consistent with the SAFE Port Act (Public Law 109-347). The project site is within the Special Flood Hazard Area (100-Year Floodplain) of the Hudson River, as shown on the Flood Insurance Rate Map (Community-Panel Number 34017C0112D).

Pursuant to the National Environmental Policy Act and 44 CFR Part 9, DHS-FEMA and the sub-grantee evaluated alternatives to achieve enhanced security and enhanced capability of the Port's Security Operations in order to address port vulnerabilities. Practicable alternatives to locating the project outside the Special Flood Hazard Area, and alternatives to construct the facilities with risk minimization measures, were evaluated. The No Action alternative was evaluated and dismissed. The No Action alternative would not achieve port security improvements necessary to adhere to MTSA requirements. DHS-FEMA and the sub-grantee concluded that the port-security function of the new truck imaging portals must be located at the selected locations within the 100-Year floodplain. The alternative to construct the portals was refined with incorporation of floodplain management risk minimization measures. The new facility will be constructed with the lowest floor of the structure, and above-ground utilities, either elevated or floodproofed to at or above the 100-Year Base Flood Elevation (BFE).

PROJECT DESCRIPTION

The Applicant has elected to construct six truck Optical Character Recognition (OCR) portals and associated work. This would include; the construction of three prefabricated metal portal buildings; which would be placed at the inbound and outbound gates as well as the entrance/exit to the rail facility, each with a nominal respective footprint of 30 ft by 60 ft and two imaging portal lanes each; the installation of two area scan cameras and five line scan cameras with associated mounting hardware within the portals; the installation of electrical power generators; and approximately 9,000 ft of utility trenching to a depth of 48 inches to provide power and communication connectivity between the three enclosures and the primary/backup server rooms.

An Environmental Assessment (EA) was prepared by FEMA with grantee and subgrantee 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 Parts 1500 through 1508), and FEMA regulations

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for environmental consideration pertaining to NEPA compliance (44 CFR Part 10). The described action will not result in any known significant adverse impacts to geology, hydrology, air quality, floodplains, wetlands, water quality, wildlife and fisheries habitat, vegetation, socioeconomics, public safety or transportation. The proposed alternative has been reviewed, and to the best of our knowledge, does not have the potential for significant cumulative effects when combined with past, present or reasonably foreseeable future actions in the project area. The benefit of the new facility to the public outweighs the risks associated with its floodplain location. Risk of future flood damage will be minimized to the extent practicable.

The public comment period for the federal agency's EA was from May 21 – June 5, 2012. A public notice was issued in the Jersey Journal newspaper on May 21, 2011. No public comments were received during the public comment period.

CONDITIONS

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

1. The proposed new buildings must be elevated or flood-proofed to at/above the Base Flood Elevation (9ft NGVD 1929) of the Special Flood Hazard Area to comply with Executive Order 11988, 44CFRPart9, and the National Flood Insurance Program.
2. The grantee and sub-grantee are responsible for obtaining and complying with all required local, State and Federal permits and approvals.
3. 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.
4. The Applicant and its construction contractor(s) must conduct construction utilizing best management practices to limit noise, dust, sedimentation and erosion during construction.

The sub-grantee must also adhere to the following conditions during project implementation that were identified in the Finding of No Significant Impact, issued in July 2010, for the Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Projects:

1. Excavated soil and waste materials will be managed and disposed of in accordance with applicable local, state and federal regulations. If contaminated materials are discovered during construction activities, the work will cease until the appropriate procedures and permits are implemented.
2. The grantee and sub-grantee will follow applicable mitigation measures as identified in Section 7 of the Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Project to the maximum extent possible.
3. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the grantee and sub-grantee 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 grantee and/or sub-grantee must inform FEMA and the New Jersey State Historic Preservation Office immediately. FEMA will consult with the State Historic Preservation Office (SHPO) and/or Tribal Historic Preservation Officer (THPO) or appropriate Tribal official. Construction work cannot resume until FEMA

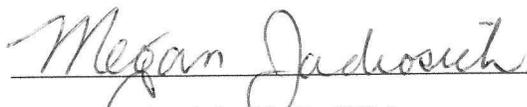
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completes consultation, and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act and other applicable Federal and State regulations.

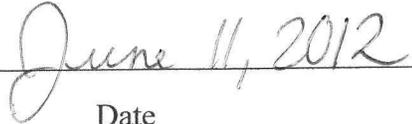
FINDINGS

In accordance with NEPA and 44CFRPart10, based upon the findings of the EA and adherence to project conditions, 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:



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



Date