

FINDING OF NO SIGNIFICANT IMPACT

**Department of Homeland Security-Federal Emergency Management Agency
Emergency Boat Ramp Construction
Burlington Bridge Commission
Palmyra, Burlington County, NJ
PSGP 2009-PU-T9-K005 IJ#2(01)**

BACKGROUND

The Department of Homeland Security-Federal Emergency Management Agency (DHS-FEMA) plans to provide federal funding to the Maritime Exchange for the Delaware River and Bay, as grantee, and the Burlington Bridge Commission, as sub-grantee, for the construction of a new emergency boat ramp on the Delaware River, adjacent to the Tacony-Palmyra Bridge in Palmyra, NJ. The proposed port security enhancement would minimize security vulnerabilities for bridges within the Commission's responsibility by creating an emergency access ramp to the Delaware River, and would benefit public safety by providing an emergency access point to the river for local and regional law enforcement and emergency response teams. 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 3401100001C).

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. 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 emergency boat ramp is functionally dependent upon the water's edge location within the Special Flood Hazard Area. The selected site location was determined to be the best location due to property ownership and operations, proximity to the Tacony-Palmyra Bridge, existing access road, and nearby park building and parking lots.

PROJECT DESCRIPTION

The proposed project would consist of installation of one emergency boat ramp on State of New Jersey property that is managed by the Burlington County Bridge Commission. The site is located in Palmyra, NJ, due south of the Tacony-Palmyra Bridge and at the following coordinates: 40 °00'31.67"E; 75 °02'35.84"W. The boat ramp would be for emergency and maintenance purposes by the Commission. The project scope of work would include soil erosion and sediment control, site dewatering, excavation and disposal of soils, and site restoration. The construction site area would be limited to approximately 2,400 square feet. The boat ramp would be comprised of 8' wide concrete matting placed on top of a 12' x 67' stone bed base (with stones of 4-5" nominal dimension) and a concrete apron at the top of the ramp. The concrete apron would have a trapezoid plan view layout that would be 18' wide at its landward width scaling to 12' wide at its western river side. The side length of the concrete apron would be 10' and depth of the apron would be 6". It is not anticipated that the existing access road

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would need to be modified for facility use. It is anticipated that temporary construction staging of equipment and materials will be situated on existing impervious cover or disturbed portions of the property to avoid disturbance to floodplain habitats. Site dewatering would be accomplished through placement of a rubberized membrane at the waterside perimeter and use of pump to pump out water as needed to work in the dry.

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 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. During the construction period, short-term impacts to soils, water quality, air quality, aquatic resources, floodplain wildlife resources, transportation, and noise are anticipated. Short-term impacts will be mitigated utilizing construction best management practices, timing restrictions for construction, proper equipment maintenance, and appropriate signage. The proposed project would result in loss of natural river sediment bottom (riverine wetland) within the footprint of the emergency boat ramp. The impact would be less than 1,000 square feet in size. 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 and the project's adverse impact to riverine wetlands and aquatic habitat.

The public comment period for the federal agency's EA was from August 30th – September 14, 2012. A public notice was issued in the Courier Post newspaper on August 30, 2012. No public comments were received during the public comment period. FEMA concluded a Section 7 informal consultation, in accordance with the Endangered Species Act, with the National Marine Fisheries Service (NMFS) in parallel to the public comment period. NMFS concurred with FEMA's finding of not likely to adversely affect any listed species under NMFS jurisdiction per letter response dated September 12, 2012.

CONDITIONS

The Commission will be responsible for obtaining all applicable permits for project implementation prior to construction, and to adhere to permit conditions. The Commission has already obtained permits from NJDEP and USACE for construction implementation. The conditions of those permits are adopted as conditions of FEMA's grant. The Commission (and its construction contractor) will be responsible to obtain any applicable certifications or permits from the Burlington Soil Conservation District in accordance with the Soil Erosion and Sediment Control Act (N.J.S.A. 4:24 -39 et seq.) and Stormwater Management Rules (N.J.A.C. 7:8) prior to start of construction. It is expected that the Commission and its construction contractor(s) will conduct construction utilizing best management practices to limit noise, dust and sedimentation & erosion during construction. A timing restriction of March 15 through June 30 and September 1 through November 30 will be necessary to protect anadromous fish, including the federally

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listed shortnose and Atlantic sturgeon species, and warm water fish during migration and/or spawning from any turbidity generating activity. OSHA standards would be followed during construction to avoid adverse impacts to worker health and safety.

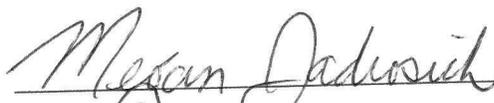
The sub-grantee must also adhere to the following conditions during project implementation that were identified in the Finding of No Significant Impact, issued in July 2010, for the Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Projects:

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 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.

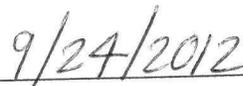
FINDINGS

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