

**FINDING OF NO SIGNIFICANT IMPACT
WELLSBURG FIRE STATION FACILITY CONSTRUCTION
VILLAGE OF WELLSBURG, CHEMUNG COUNTY, NEW YORK
FEMA-4031-DR-NY**

BACKGROUND

The Wellsburg Volunteer Fire Department (Applicant) has requested federal financial assistance from the U.S. Department of Homeland Security-Federal Emergency Management Agency (FEMA) to build a new permanent replacement Volunteer Fire Department Facility at 147 Main Street, Village of Wellsburg, Chemung County New York to replace the former Volunteer Fire Department Building that had been located at 3661 Front Street in the Village of Wellsburg. From September 7 - September 11, 2011, (as amended September 23, 2011) high winds and heavy rains associated with remnants of Tropical Storm Lee caused flooding in watersheds throughout the southern tier. The storm incident period was declared a major disaster by President Barack Obama on September 13, 2011, and federal assistance was made available to affected communities and eligible community organizations such as the Applicant, per FEMA-4031-DR-NY, and in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (PL-93-288), as amended. The applicant's Volunteer Fire Department Facility and its site at 3661 Front Street was substantially damaged during the disaster when high velocity flood waters from Bentley Creek and White Hollow Creek carried mud, silt, gravel, woody debris and contaminants into the village and inundated the building to a depth of five and one half feet, damaging the driveway, interior finishes and fixtures, window glazing, doors, electrical, plumbing and mechanical components throughout the facility. The Applicant has made limited repairs and has been operating out of the original building, which has been repetitively flood damaged. The building is considered unsuitable for long-term occupancy given the lack of accessibility during major storm events.

The Applicant considered three project alternatives: 1) No Action, retaining the building at the original location; 2) Reconstruction at the proposed location; and 3) Relocation at an alternate location. The No Action Alternative was eliminated as it would limit the Applicant's ability to provide effective long-term emergency and fire services given the recurrence of major flood events and associated inaccessibility. Moreover, the size of the existing site and proximity of the existing building in relation to the roadway prevents the full re-construction and necessary elevation. Relocation to an alternate site located in the Village off Terrace Avenue was also eliminated as a practicable alternative due to the limited size, necessity of fill and associated likelihood of retaining walls and resultant limitations to emergency vehicle maneuverability.

The Applicant arrived at the selected permanent relocation site at 147 Main Street just south and west of the Bentley Creek Bridge. From this site, the Wellsburg Volunteer Fire Department will have access to the entire Village and can also respond to calls as needed within and nearby the Town of Ashland. The proposed site is located within the 100-year floodplain and partially within the 500-year floodplain. Accordingly, the site is being raised by fill to an elevation exceeding the 500-year floodplain level, ensuring protection of the building in the event of a 500-year or larger flood event.

PROJECT DESCRIPTION

The proposed project would involve new construction of a 13,800±square-foot permanent facility at a new location on a 3.5-acre parcel at 147 Main Street, Wellsburg. New construction includes planning, engineering & design, and construction costs for the new building with site utilities and amenities. Project elements would involve site grading, facility construction, a stormwater management system, water and sewer service connections and landscaping. The Applicant would be responsible for securing the original facility and site. It is not known at this time if the existing facility would be demolished or not. The new facility grant project is proposed to be funded per public assistance FEMA-4031-DR-NY.

An Environmental Assessment (EA) was prepared by FEMA with grantee and Applicant 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, visual resources, socioeconomics, public safety or transportation. During the construction period, short-term impacts to soils, air quality, transportation, and noise are anticipated. Short-term impacts will be mitigated utilizing construction best management practices, proper equipment maintenance, and appropriate signage. 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 public comment period for the federal agency's EA was from April 30-May 14, 2013. A public notice was issued in the Elmira Star Gazette newspaper on April 29, 2013. 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 new facility must be elevated or floodproofed to at/above the Base Flood Elevation (BFE) for the 500-Year Floodplain utilizing the Best Available Data for BFE determination (*Chemung County-wide Flood Insurance Study FEMA 2006 and Draft Chemung County Flood Maps FEMA 2010*).
2. The proposed construction in the floodplain will need to be coordinated with the local floodplain administrator, and the applicant must comply with federal, state and local floodplain regulations.
3. Excavated soil and waste materials will be managed and disposed of in accordance with applicable local, state and federal regulations.
4. The grantee shall be responsible to comply with the 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 applicant shall provide NYSOEM/DHS-FEMA a copy of the Stormwater Pollution Prevention Plan and a copy of the Notice of Intent Form at grant project close-out or other time identified by NYSOEM/DHS-FEMA Grant Programs Directorate per grant administrative documentation guidance requirements. If an individual SPDES permit is determined to be required, the applicant shall provide a copy of the obtained permit, as well as supporting Stormwater Pollution Prevention Plan to NYSOEM/DHS-FEMA at grant project close-out or other time identified by NYSOEM/DHS-FEMA Grant Program per grant administrative documentation guidance requirements. For more information regarding SPDES, visit <http://www.dec.ny.gov/chemical/43133.html>. It is expected that the grantee and its construction contractor(s) will conduct construction utilizing best management practices to limit noise, dust and sedimentation & erosion during construction.

5. The construction and installation of any sanitary sewer and/or septic tank and leach field would need to be coordinated with the Chemung County Health Department.
6. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the grantee and 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, through the grantee, will inform NYSOEM immediately, must secure all archaeological findings, and shall restrict access to the area. NYSOEM must notify FEMA and FEMA will consult with the NYSHPO. 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 sub-grantee is notified by NYSOEM.
7. Chemung County is currently identified as a quarantine zone for the invasive insect Emerald Ash Borer (EAB). It is required that woody tree and shrub material to be removed for the proposed action 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 EO13112 Invasive Species, federal regulations at 7 CFR Part 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
8. Occupational Safety and Health Administration (OSHA) standards shall be followed during construction to avoid adverse impacts to worker health and safety.
9. It is recommended that the grant applicant 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

10. The applicant shall not initiate construction activities until fifteen (15) days after the date that this FONSI has been signed as "APPROVED" per final notice requirements at 44 CFR Part 9.12 (f).

FINDINGS

In accordance with NEPA and 44 CFR Part 10, 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