FEMA
FINDING OF NO SIGNIFICANT IMPACT
BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES GRANT PROGRAM
TOTTENVILLE SHORELINE PROTECTION PROJECT
STATEN ISLAND, RICHMOND COUNTY, NEW YORK
EMN-2020-BRIC-063-0008

BACKGROUND

The New York City Department of Parks and Recreation (NYC Parks), the Subapplicant, has applied to the Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) Grant Program for the funding of four out of five components of the Tottenville Shoreline Protection Project (TSPP) in accordance with Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 United States Code (U.S.C.) 5133, as amended by the Disaster Recovery Reform Act of 2018. Under the BRIC Grant Program, FEMA provides technical and financial assistance to states and local governments to assist in the implementation of hazard mitigation measures that are cost-effective and designed to reduce injuries, loss of life, and damage and destruction of property; this includes damage to critical services and facilities resulting from natural disasters. The Governor's Office of Storm Recovery is the Applicant partner.

FEMA prepared a Tiered Environmental Assessment (TEA) in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality regulations for implementing NEPA (Title 40 Code of Federal Regulations [CFR] Sections 1500-1508). FEMA prepared a Programmatic Environmental Assessment (PEA) to facilitate and streamline compliance with NEPA for streambank and shoreline stabilization projects in the states of New Jersey and New York. However, the scope of the Proposed Action exceeds the limits set within the PEA; therefore, FEMA prepared the TEA to analyze potential environmental impacts beyond the scope covered in the PEA and alternatives, including a No Action Alternative, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). In accordance with the above referenced regulations, FEMA Directive 108-1, and FEMA Instruction 108-1-1, FEMA is required, during decision-making, to evaluate and consider the environmental consequences of major federal actions it funds or undertakes.

The purpose of the Proposed Action is to reduce future coastal flood risks associated with wave action specifically at a regional recreational park and community assets within the Tottenville neighborhood. The project is needed to minimize future injuries, eliminate loss of life, reduce damage to structures and erosion, protect jobs, and facilitate transportation and access to the Tottenville neighborhood from extreme wave action and coastal flooding that occurs during hurricanes and other severe coastal storm events.

ALTERNATIVES

FEMA evaluated multiple alternatives in the TEA in accordance with NEPA based on the purpose and need for the project, engineering constraints, environmental impacts, and available property. Budgetary

constraints were included but were not the controlling factor. As detailed in the TEA, NYC Parks initially considered four alternatives and ultimately dismissed two of those alternatives based on impracticability.

The remaining alternatives evaluated in the TEA include: 1) the No Action Alternative, wherein FEMA would not provide federal financial assistance for the reduction of future coastal flood risks; and 2) the Proposed Action, which would include the construction of an earthen berm, a wetland eco-revetment, a hybrid dune-revetment, an eco-revetment, and a raised edge. The raised edge component would not be funded through the FEMA grant and would be funded independently through the New York City Raised Shorelines Program. However, it is included in the TEA as a connected action that does not have independent utility.

PROJECT DESCRIPTION

The primary components of the Proposed Action consist of the following:

(1) An earthen berm that extends approximately 948 feet from Carteret Street to Brighton Street. The berm would be 25 feet wide ranging from 12 to 13 feet above mean sea level and would have a stone core covered with a layer of fine sandy material. A vegetated slope would be constructed on the earthen berm and be planted with a woodland mix of native plants.

(2) A wetland eco-revetment that extends approximately 338 feet from the eastern terminus of the earthen berm at Brighton Street to Manhattan Street, adjacent to an existing wetland. The eco-revetment would be 46 feet wide and would feature two rows of sheet pile with concrete caps, an 8-inch-thick concrete deck, and a 3:1 width-to-height vegetated slope covering a stone layer on the landward side of the wetland eco-revetment. The adjacent wetland would be regraded to a bench elevation of 2.5 feet above mean sea level and planted with a combination of wetland high marsh, wetland scrub shrub, and wetland/swale mix vegetation.

(3) A hybrid dune-revetment that extends approximately 937 feet along the shoreline from Manhattan Street to Loretto Street. The structure would consist of a stone core dune capped with sand and planted with native beach grasses. The width of the hybrid dune-revetment would range from 70 to 90 feet with an elevation of approximately 14 feet above mean sea level.

(4) An eco-revetment constructed to the east of the hybrid dune-revetment that extends approximately 396 feet from Loretto Street to Sprague Avenue. The structure would be approximately 60 feet wide and consist of vegetated planters backed by an armored stone revetment on the seaward side and a curb wall on the landward side. The curb wall would separate the vegetated area from an 8-foot-wide paved pathway. The plant containers would be planted with a perennial and wetland swale mix.

(5) The connected action that would not be funded by FEMA is a raised edge that extends approximately 2,536 feet from Sprague Avenue to 600 feet east of Page Avenue. The structure would consist of a stone revetment supported on its landward side by a concrete curb wall. The concrete curb wall would separate the stone revetment from the 8-foot-wide concrete trail and a

bioswale with an approximate width of 5 feet would be constructed on the landward side of the concrete trail.

SUMMARY OF POTENTIAL IMPACTS AND MITIGATION

The Proposed Action, as described in the TEA, would have no short- or long-term impact on threatened and endangered species, bald and golden eagles, cultural resources, and environmental justice populations after avoidance measures are implemented.

The Proposed Action would have short-term negligible to minor adverse impacts on topography and soils, air quality, climate change, water quality, wetlands, floodplains, coastal resources, vegetation, wildlife and fish, migratory birds, essential fish habitat, marine mammals, noise, transportation, public services and utilities, public health and safety, and hazardous materials during the construction period. These impacts would only occur during construction and would be minimized through the implementation of best management practices, such as conducting a pre-construction field survey for red knots and developing and implementing a noise mitigation plan, described below under Permits and Project Conditions.

The Proposed Action would result in long-term negligible or minor beneficial impacts on air quality, climate change, water quality, wetlands, vegetation, wildlife and fish, migratory birds, essential fish habitat, marine mammals, noise, transportation, public services and utilities, public health and safety, and hazardous materials. The Proposed Action would result in long-term moderate beneficial impacts on topography and soils (due to reducing soil loss from wave action, flooding, and inland erosion), floodplains (reducing wave impacts would increase shoreline stability and reduce inland flooding), and coastal resources (support and advance several New York State Coastal Management Policies such as increasing access to public water-related recreation sources and implementing wetland enhancement activities).

AGENCY COORDINATION AND PUBLIC INVOLVEMENT

An earlier draft of the Proposed Action was included in an extensive public engagement process as part of the Coastal and Social Resiliency Initiatives for the Tottenville Shoreline EIS. The NEPA public comment period occurred over 45 days beginning March 24, 2017, and ending May 8, 2017. A public hearing was held at Public School 6, 555 Page Avenue, Staten Island, New York, on April 26, 2017. The Joint Record of Decision and State Environmental Quality Review Act Findings Statement were issued on August 31, 2018.

FEMA issued a public notice in the newspaper, The Advance, on July 13th, 2023, to notify the public of the thirty-day public review and comment period. Accordingly, FEMA posted an electronic version of the TEA to the FEMA website at https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa/tiered-environmental-assessment and the City posted a copy at https://stormrecovery.ny.gov/environmental-docs. A hard copy of the TEA was made available for review at:

Office of Resilient Homes and Communities
60 Broad Street, 26th Floor
New York, NY 10004

There were no substantive comments received during the public comment period on the draft TEA.

PERMITS AND PROJECT CONDITIONS

NYC Parks is responsible for obtaining all applicable federal, state, and local permits and other authorizations for project implementation prior to construction and for adhering to all permit conditions. Applicable permits may include, but are not limited to, a U.S. Army Corps of Engineers' (USACE's) Section 404 Clean Water Act (CWA) Permit and a State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. Any substantive change to the scope of work would require re-evaluation by FEMA for compliance with NEPA and other laws and executive orders.

The Subapplicant must adhere to the following conditions during project implementation:

- NYC Parks will follow all conditions laid out in the PEA, Stream and Shoreline Stabilization in New York and New Jersey.
- NYC Parks will follow all conditions in the individual CWA permits NAN-2017-00296-ESW, issued March 21, 2021, and NAN-2017-00296-M1, issued January 21, 2022.
- Use of any removed fill materials to construct project components must be in accordance with a Beneficial Use Determination (6 N.Y. Codes, Rules, and Regulations 360.13).
- NYC Parks will obtain a SPDES General Permit for Stormwater Discharges from Construction Activity from the New York State Department of Environmental Conservation (NYSDEC) and comply with all permit conditions.
- In compliance with the USACE CWA permit conditions, NYC Parks will provide documentation of compliance with the wetland mitigation requirements to FEMA.
- A pre-construction field survey will be conducted for red knots during the peak migratory seasons (i.e., in spring from February 16 to June 1 and in fall from July 2 to November 15). If red knots are present during construction, work activities will not take place within 500 meters of red knots.
- NYC Parks will halt construction activities to avoid the May 1 through July 31 primary bird breeding season to the extent practicable.
- NYC Parks will comply with the Bald and Golden Eagle Protection Act if bald eagles roost or nest within 660 feet of project activities.
- All construction activities will be conducted in a safe manner in accordance with Occupational Safety and Health Administration regulations.
- NYC Parks will obtain a Tidal Wetlands Permit from NYSDEC and comply with all permit conditions.

- NYC Parks will coordinate with the NYS Natural Heritage Program to develop a protection program (e.g., transplant, seed collection, and seed propagation) for the population of seaside goldenrod (state-listed as endangered) that would have the potential to be affected by the construction of the project.
- NYC Parks will follow all conditions laid out in the NYC Parks Tree Protection Best Practices and Protocol.
- Consistent with Section 28-100 of the Rules of the City of New York, General Construction Noise Mitigation Plan, NYC Parks will develop and implement a noise mitigation plan.

FINDINGS

Based upon conditions and information contained in the BRIC grant application and the TEA and in accordance with NEPA and its implementing regulations at 40 CFR Parts 1500-1508; FEMA Directive 108-1; FEMA Instruction 108-1-1; and Executive Orders (EOs) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898), FEMA has determined that the Proposed Action will have no significant adverse impact on the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared, and the proposed project as described in the TEA may proceed. This FONSI serves as the final public notice for the proposed project.

APPROVED:

JOHN J MCKEE

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JOHN J. McKEE
Regional Environmental Officer
Federal Emergency Management Agency, Region 2 Date:

FOR PROGRAM AWARENESS:

WILLIAM MCDONNELL

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WILLIAM McDONNELL
Acting Federal Insurance & Mitigation Director, Mitigation Division
Federal Emergency Management Agency, Region 2 Date: