

Draft Tiered Site-Specific Environmental Assessment

City of Bayonne Fire Station, New Jersey

Assistance to Firefighters Grant Program
American Recovery and Reinvestment Act

March 2011



Federal Emergency Management Agency
Department of Homeland Security
500 C Street, SW
Washington, DC 20472

I. Background

In accordance with 44 Code of Federal Regulations (CFR) for FEMA, Subpart B, Agency Implementing Procedures, Part 10.9, a Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Project was prepared and a Finding of No Significant Impact (FONSI) was issued in July 2010, 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). This Tiered Site-Specific Environmental Assessment (SEA) is being prepared in accordance with the July 2010 PEA. The focus of this Tiered SEA is on those areas of concern requiring additional discussion or analysis that are beyond the scope of the PEA.

The City of Bayonne Fire Department in Hudson County, New Jersey has prepared an environmental assessment (EA)/ report on this site and has provided documentation on the coordination it has engaged with environmental planning and historic preservation (EHP) resource agencies. The applicant's EA and supporting documentation are incorporated by reference in this document.

II. Purpose and Need

The City of Bayonne Fire Department has applied for financial assistance for the construction of a permanent fire station within city limits. Currently there is a temporary fabric tent station and supporting trailers that house the City of Bayonne Fire Department for service to the Peninsula at Bayonne Harbor and the City proper. These interim facilities were erected in 2008, after the City Fire Department's access to a former Military fire station was terminated due to Port redevelopment. The area has a need for a permanent station for the resident fire fighters and help reduce response times, improve fire suppression coverage, provide space for training, and provide for the health and well-being of the fire fighters.

The objective of the American Recovery and Reinvestment Act of 2009 (ARRA) is to stimulate the American economy by funding multiple projects throughout the nation. The purpose of the Assistance to Firefighters Grant Program's (AFG) ARRA Fire Station Construction Grant (SCG) is to meet the objective of ARRA by providing Federal assistance for the construction of fire stations across the country.

III. Alternatives

Two project alternatives are proposed in this SEA: 1) No Action and 2) Preferred Action Alternative- Construction of a New Fire Station.

Under the No Action Alternative, no construction would occur. The fire fighters would continue to use the existing temporary structures.

The Preferred Action Alternative is the construction of a new fire station at a 1.8 acre block designated HS-17 within the Peninsula. The Peninsula is a former federal military base known as the Bayonne Military Ocean Terminal (MOTBY) that was transferred to the Bayonne Local Redevelopment Authority (BLRA) in 2002. This parcel has been envisioned for "civic use" to

accommodate public buildings in accordance with the Bayonne Harbor Redevelopment Plan. The block lies central to the Fire Station's on-site and off-site fire service area. It has access to the two bridges and two highway intersections that connect the Peninsula to the City proper. The site is entirely disturbed and clear of vegetation. It was created through the placement of dredged material in the 1940s. The site's historic use has been recreation and a roadway.

The proposed construction will be a one story building occupying approximately 15,000 sq.ft. with the remaining portion serving as ingress/ egress and parking space. The BLRA will construct roads on the northeast and southeast faces of the property. Water, natural gas, stormwater, and electricity infrastructure has already been developed by the BLRA.

IV. Environmental Impacts

Discussion of the environmental impacts associated with the No Action Alternative is included in the July 2010 PEA. This document incorporates the PEA by reference. The PEA can be found in FEMA's electronic library at <http://www.fema.gov/library/viewRecord.do?id=4143>.

FEMA's environmental planning and historic preservation review reveals that all environmental areas of concern are appropriately accounted for in the PEA with the exception of floodplain impacts. Table 1 provides a summary of the findings for the environmental areas of concern that FEMA typically reviews.

Table 1: Summary of Other Environmental Areas of Concern

Area of Concern	No Action	Preferred Action
Historic properties	No effects.	FEMA determined in accordance with CFR 36 Part 800.4(d)(1) that the proposed alternative would not have effect to historic properties. Information provided by the New Jersey Department of Environment (DEP), Historic Preservation Office indicates that the BMOT was not eligible for inclusion in the National Register and that there were no listed or eligible archeological properties since the site was created by fill.
Endangered and threatened species and critical habitat	No effects.	No effects. Threatened and endangered species identified within ¼ mile of the site include least tern and shortnose sturgeon. Essential fish habitat identified within ¼ mile of the site. However, this particular site is heavily developed, surrounded by industrial uses, does not have suitable habitat for these species, and does not directly affect the EFH.
Migratory birds	No effects.	No effects.
Water quality	No effects.	Minor impacts will be mitigated through stormwater pollution prevention best practices.
Coastal resources	No effects.	No effects. BLRA has obtained a Waterfront Development permit from the New Jersey DEP for construction of residential, recreational, industrial, and commercial facilities in the Peninsula at Bayonne Harbor.
Wetlands	No effects.	No effects.
Low-income and minority populations	No effects.	Positive effects on public safety for all members of the community.

In compliance with FEMA regulations implementing Executive Order 11988, Floodplain Management, FEMA is required to carry out the 8-step decision-making process for actions that are proposed in the floodplain per 44 CFR §9.6. Step 1 is to determine whether the project is located in the floodplain. FEMA has determined that the Preferred Action Alternative is located in a 100-year floodplain and 500-year floodplain, Zone AE (EL 9) and Shaded Zone X, as depicted on FIRM Community Panel 34017C0111D, effective date August 16, 2006. The information on the Flood Insurance Study (FIS) No. 34017CV000A for Hudson County, New Jersey the 100-year base flood elevation (BFE) for the area is 8.6 ft. above mean sea level (amsl) and the 500-year (BFE) for the area is 10.8 ft. amsl. Elevation information submitted by the applicant indicates that the proposed site is above the 100-year BFE but not above the 500-year BFE in all areas.

Step 2 of the decisionmaking process is to provide initial public notice of this action. This step will be addressed through a 15-day public comment period on this Draft tiered EA.

Step 3 requires the evaluation of practical alternatives including the no action alternative. The no action will result in FEMA's denial of funding for this project. The proposed action is the construction of the fire station in the proposed location. The elevation at the site is uneven. The applicant proposes to bring fill to grade it and prepare it for the construction of the structure and facilities. The community needs to build a permanent fire station in an area with ready access to roads, does not appreciably impact response times, has approximately 1.5 acres for the structure and associated facilities, is appropriately zoned for civic purposes, does not negatively affect property values, assists in the redevelopment of the area, and is preferably in a City-owned parcel. The proposed site meets these criteria and therefore is practicable. Sites outside the floodplain would affect the response time to the Peninsula and would require land acquisition further delaying the construction of this critical facility. Sites outside the floodplain are not practicable.

Under Step 4 of the 8-step decisionmaking process under EO 11988 and Part 9, FEMA must take into account the impacts of floods on the project and from the project to the values of the floodplain. Step 5 requires the minimization of the identified impacts.

Impacts from Flood - The facility will be located in an area that could be subject to floods particularly flooding events that exceed the 0.2% chance of flooding on any given year. Flooding of this structure would result in the temporary disruption of fire suppression services to the Peninsula and to the City and may result in Federal re-investment in this facility through the Public Assistance grant program under the Robert T. Stafford Act. To minimize the impacts the facility will be elevated at least one foot above the 500-year BFE.

Impacts of fill on natural values - The addition of fill on floodplains can result in minor to moderate impacts on water quality. The addition of fill to this area dates back to the 1930s when the Peninsula was created. Over the last several years BLRA has been active in placing fill in this site in such a manner that all new access roads and development lots on the Peninsula are above the 100-year floodplain BFE. This activity has been appropriately permitted by the New Jersey Department of Environmental Protection's Land Use Regulation Program. For this particular project the impacts of the additional placement of fill on water quality would be minimized through the adoption of stormwater pollution prevention best management practices. The additional fill to raise the station would result in negligible impacts to water quality and the natural values of the floodplain and would not result in significant cumulative impacts. The applicant will be responsible for obtaining a soil erosion and sediment control plan certification, in accordance with the New Jersey Soil Erosion and Sediment Control Act (N.J.S.A. 4:24 -39 et seq.), prior to construction. The applicant will also be responsible for obtaining a New Jersey Point Discharge Elimination System general permit authorization for stormwater discharge from the Hudson-Essex & Passaic County Soil Conservation District in accordance with the Water Pollution Control Act (N.J.S.A. 58:10A-10f(2) and (3)).

Ingress/ egress considerations – The FIRM of the area shows that the portion of the site that faces the Peninsula (east, southeast, and south) is covered by areas subject to the 1% and 0.2% chance of flooding in any given year. This raised concerns about whether the site would be surrounded by flood waters in events that exceed the 100-year or 500-year flood. However, the portion of the site facing the City (north, northwest, and west) are not covered by these areas

which would allow for egress from the site in such events. In addition, the BLRA has added fill for new roads in the Peninsula such that they are elevated above BFE. These elevations are not reflected in the current Flood Insurance Study and FIRM.

Support of development in the floodplain – Adding a permanent fire station in the floodplain has the potential to encourage further development in the floodplain. Without a fire station development in this area would be less attractive for businesses and may have impacts on housing values and insurance premiums (e.g. homeowners insurance) that would make development of these areas unattractive. However, this area is already heavily developed and fill has been used to raise portions of it above the 100-year BFE. The impacts related to the encouragement of further development associated with the construction of this fire station are minor.

Impact on public safety – Currently the City and the Peninsula lack a permanent fire station. The fire suppression services are being hosted at a temporary location. Living quarters in the temporary location will continue to be cramped, poorly conditioned, and subject to weather impacts. The temporary facilities are in an area designated for private redevelopment activities and the land is anticipated to be sold in the future. The ingress/ egress situation to New Jersey State Highway Route 440 presents a public safety risk. Fire responses are required to leave the site through rear driveway, and circle back to the intersection before leaving the site. With a new permanent fire station these issues would be addressed. In addition, the fire station will be able to provide adequate first response coverage for incidents associated with flooding in the Peninsula.

Under Step 6 of the 8-step decisionmaking process FEMA is required to re-evaluate the practicality of alternatives. FEMA must take the no action unless the importance of the proposed action clearly outweighs the requirements to avoid direct or indirect support of floodplain development, reduce the risk of flood loss, minimize the impact of floods on human safety, health and welfare, and restore and preserve floodplain values. FEMA has determined that the proposed action is itself practicable and that the need for this facility to provide public safety clearly outweigh the minor impacts of this action on the floodplain.

V. Agencies Consulted

New Jersey Department of Environmental Protection, Historic Preservation Office
New Jersey Department of Environmental Protection, Land Use Program
New Jersey Department of Transportation
North Jersey Transportation Planning Authority
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
National Marine Fisheries Service
City of Bayonne
County of Hudson
U.S. Coast Guard
U.S. Department of Defense

VI. List of Preparers

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Appendix A

Applicant's Environmental Assessment/ Report