

FEMA
FINDING OF NO SIGNIFICANT IMPACT
NYC Department of Parks and Recreation – World’s Fair Marina
Queens County, New York
FEMA-4085-DR-NY

BACKGROUND

On October 29, 2012, Hurricane Sandy caused storm damage to several areas of New York State, including portions of Queens County, New York. President Barack Obama declared Hurricane Sandy a major disaster on October 30, 2012. The disaster declaration authorized federal public assistance to affected communities and certain non-profit organizations through FEMA and in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5172) as amended, the Sandy Recovery Improvement Act (SRIA) of 2013, and the accompanying Disaster Relief Appropriations Act of 2013. The Recipient for the Proposed Action is the New York State Division of Homeland Security and Emergency Services (NYS DHSES), and the New York City Department of Parks and Recreation (NYCDPR) is the Subrecipient.

FEMA prepared an Environmental Assessment (EA) in accordance with Section 102 of National Environmental Policy Review Act of 1969, as amended; and the Council on Environmental Quality (CEQ) Regulations for the Implementation of NEPA (40 CFR Parts 1500 to 1508) FEMA Directive 108-1-1; and the DHS Instruction Manual 023-1-1. The EA analyzed the potential environmental impacts of the Proposed Action and alternatives.

The purpose of this project is to reduce damages from storm surge flooding caused by coastal storms such as nor’easters, tropical storms, and hurricanes with the potential to affect the World’s Fair Marina and its emergency response, functional, and recreational uses. The primary need is to address damage that the Marina sustained during tidal surges and waves associated with Hurricane Sandy and thereby improve the resiliency of the Marina to withstand future flooding and coastal storms and maintain recreational access. There is also a need to improve the safety and security of the marina, including utility upgrades to bring them up to current codes and standards, to improve emergency response times for NYPD and FDNY, and to address the Americans with Disabilities Act accessibility.

ALTERNATIVES

FEMA considered alternatives in the EA in accordance with NEPA based on engineering constraints, environmental impacts, and the purpose and need for the project. The No Action Alternative was defined as maintaining the status quo with no FEMA involvement. World’s Fair Marina Pier 1 would remain in its current state, likely remain closed except for transient dockage, and NYCDPR would not implement additional resiliency measures. The pier would remain vulnerable to future storm events. Routine maintenance undertaken by NYCDPR is not part of the proposed project and would still occur as necessary under the No Action Alternative.

PROJECT DESCRIPTION

The proposed project consists of the removal of Pier 1 and associated floating docks and its replacement in a location approximately 1,000 feet to the west. The new location will align to the existing boat launch and landward parking area and position the replacement closer to Marina concessions. Some materials will be re-used including the western-most floating docks and the pump-out and refueling dock. New pier supports will be concrete pilings with a cast-concrete deck to provide increased strength. New timber decking will maintain the appearance of the existing pier and docks. In a similar layout as the current but with slightly less capacity, floating docks will attach to the pier along with new flotation devices. Commercial docks for ferry service and recreational boat tours will be accessed by aluminum gangways similar to the existing in use before the storm. A timber wave attenuation screen extending into Flushing Bay will increase resiliency of the pier and floating docks as an additional protection measure against future storm events. The intention of NYCDPR is to increase resiliency of Pier 1 at the new location while better aligning to the landward programming including the boat launch and parking areas. The new location will also provide upgraded facilities for both NYPD and FDNY to improve emergency response times, particularly to incidents at LaGuardia Airport.

SUMMARY OF POTENTIAL IMPACTS AND MITIGATION

The Proposed Action as described in the EA would have no impacts on sole source aquifers, architectural resources, or archaeological resources. The Proposed Action would have no long-term impacts on air quality, water quality, threatened and endangered species, or noise.

The Proposed Action may have temporary but negligible adverse impacts on water quality, coastal resources, and environmental justice. The Proposed Action may also have temporary negligible to minor adverse impacts on threatened or endangered species. The Proposed Action may have temporary minor adverse impacts on air quality, floodplains, wetlands, and noise.

The Proposed Action may have long-term minor beneficial impacts on floodplains, wetlands, coastal resources, and environmental justice.

PUBLIC INVOLVEMENT

NYCDPR issued a public notice in the *Queens Chronicle* newspaper on August 18, 2022, to notify the public of the thirty-day public review and comment period. Accordingly, FEMA posted an electronic version of the EA to the FEMA.gov website at https://www.fema.gov/sites/default/files/documents/fema_worlds-fair-marina-dea_08022022.pdf and the Subrecipient also posted an electronic version of the EA to <https://www.nycgovparks.org/facilities/marinas/13>. No public comments were received during the 30-day comment period.

This EA reflects the evaluation and assessment of the federal government, the decision maker for the federal action; however, FEMA has taken into consideration comments received during the public review period to inform the final decision regarding grant approval and project implementation.

PERMITS & PROJECT CONDITIONS

The Subrecipient is directly or indirectly responsible for obtaining and adhering to all applicable federal, state, and local permits, permit conditions, regulatory compliance, and authorizations for project implementation. Any substantive change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other environmental and historic preservation laws and Executive Orders. The Subrecipient must also adhere to the following conditions during project implementation:

1. Any proposed construction in the floodplain must be coordinated with the local floodplain administrator and must comply with federal, state, and local floodplain laws and regulations.
2. Excavated soil and waste materials, including potentially hazardous wastes, must be managed and disposed of in accordance with applicable federal, state, and local regulations. Solid waste haulers will be required to have a NYSDEC waste hauler permit and all waste will need to be disposed of or processed at a permitted facility.
3. If any threatened or endangered species are encountered in the project area, the subrecipient must stop work and notify FEMA to continue consultation with NOAA.
4. Preparation of a SWPPP and adherence to the conditions of SPDES General Permit for Stormwater Discharges is required on project sites where the soil disturbance would be greater than or equal to one acre.
5. The subrecipient and its contractors are required to use appropriate Best Management Practices (BMPs) for construction not limited to sedimentation and erosion control measures, dust control, noise abatement, and restriction of work areas to limit vegetation removal and habitat impacts.
6. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the subrecipient and its contractors 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 discovery. The subrecipient will immediately inform DHSES and FEMA. 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 historic significance of the discovery.
7. Occupational Safety and Health Administration standards shall be followed during construction to avoid adverse impacts to worker health and safety.

8. BMPs will be used to limit NAAQS emissions during and after construction under USEPA guidelines.
9. Submit copies of all permits obtained to NYSDHSES/FEMA at or prior to final closeout of the grant.
10. Do not initiate construction activities until fifteen (15) days after the date that the FONSI has been signed as "APPROVED."

PUBLIC COMMENTS

FEMA did not receive any comments on the EA from other agencies, organizations, or the general public during the 30-day public comment period that ended September 17, 2022.

FINDINGS

In accordance with NEPA and its implementing regulations at 40 CFR Parts 1500-1508, FEMA Directive 108-1 and FEMA Instruction 108-1-1, 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 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:

JOHN J MCKEE Digitally signed by JOHN J MCKEE
Date: 2022.09.26 09:57:03 -04'00'

John J. McKee

Date

Regional Environmental Officer

Mitigation Division/EHP

Federal Emergency Management Agency, Region 2

JENNIFER A DILORENZO Digitally signed by JENNIFER A
DILORENZO
Date: 2022.09.26 10:22:12 -04'00'

Jennifer A. DiLorenzo

Date

Public Assistance Branch Chief

Recovery Division

Federal Emergency Management Agency, Region 2