FEDERAL EMERGENCY MANAGEMENT AGENCY
FINDING OF NO SIGNIFICANT IMPACT
SCHOHARIE COUNTY PUBLIC SAFETY FACILITY PROJECT
TOWN OF SCHOHARIE
SCHOHARIE COUNTY, NEW YORK
FEMA-4020-DR-NY

BACKGROUND

The Town and Village of Schoharie experienced storm damages and flooding from Hurricane Irene and Tropical Storm Lee in late August and early September 2011. Flooding resulting from the event rendered the Schoharie County Public Safety Facility, located at 157 Depot Lane in the Village of Schoharie, Schoharie County, New York 12157, unusable for its intended purpose. President Barack H. Obama declared the storm incident period a major disaster on August 31, 2011 (FEMA 4020-DR-NY). This declaration makes federal disaster assistance available to affected communities and certain nonprofit organizations in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (Stafford Act; 42 U.S.C. 5172), as amended. The Recipient for the proposed action is the New York State Division of Homeland Security and Emergency Services (NYSDHSES), and the County of Schoharie is the Subrecipient.

This Environmental Assessment (EA) has been prepared in accordance with Section 102 of the National Environmental Policy Act (NEPA) of 1969, as amended; and the Council on Environmental Quality (CEQ) Regulations for Implementation of NEPA (40 Code of Federal Regulations [CFR] Parts 1500 to 1508). The purpose of the EA is to analyze the potential environmental impacts of the proposed Project 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 above referenced regulations and FEMA Directive 108-1 and FEMA instruction 108-1 requires FEMA, during decision making, to evaluate and consider the environmental consequences of major federal actions it undertakes.

ALTERNATIVES

FEMA evaluated multiple alternatives in the EA in accordance with the NEPA. As detailed in the EA, the Subrecipient had initially considered, but ultimately dismissed, an alternative to repair and flood-proof the damaged facility. The Subrecipient also considered and dismissed an alternative to construct at another site based on selected criteria, but on-site field testing at this location revealed environmental and constructability issues that indicated insurmountable problems at the site. The remaining alternatives evaluated in the EA include: 1) the No Action Alternative wherein FEMA would not provide federal funding for the restoration of the facility or consolidation of functions which would cause the Subrecipient to continue sending inmates to the Albany County Correctional facility and operate other public safety functions from decentralized locations in Schoharie County; and 2) the Proposed Action to construct a new facility.

PROJECT DESCRIPTION

The Subrecipient's proposed project consists of two components:

1) Subrecipient proposes to construct a new, approximately 67,000 square-foot County Correctional Facility and Public Safety Facility to replace the damaged facility. The new facility will include, but not be limited to, the following functions and spaces:
    a. 65-75 inmate capacity jail and supportive facilities;
    b. Sheriff's Office (Road Patrol, Administration and supportive facilities);
    c. Probation Department; District Attorney's Office;
    d. Free-standing antenna (approximately 120 feet in height) to connect to the Schoharie 911 Call Center / Emergency Operations Center in Cobleskill;
    e. Paper records storage area, and additional swing space to provide for continuity of government and training.
2) The Subrecipient will extend public water and sanitary sewer facilities from the Town and Village of Cobleskill to the proposed new facility from existing connection points along NYS Route 7 and Howe's Cave Road to the project site.

SUMMARY OF POTENTIAL IMPACTS AND MITIGATION

The proposed action would have minor impacts on geology, topography and soils. FEMA expects that construction will require removal of some existing vegetation, and would result in minor impacts to vegetation. There will be no impacts to migratory birds or bald eagles. FEMA will mitigate against possible minor impacts to threatened or endangered species resulting from tree removal, by implementing project conditions and conservation measures required by resource agencies.

There would be minor impacts on local land use, planning and community character; the project is relatively isolated from incompatible uses and the Subrecipient will site the facility to be visually unobtrusive. Construction activity would be temporary and, by implementing best management practices, impacts on air quality and noise would be minor during construction. The Subrecipient will mitigate possible moderate impact to hazardous materials by following project conditions drawn from the Phase II Environmental Site Assessment for the facility site. Facility construction and installation of water and sewer main installation in existing rights-of-way would result in temporary, minor impacts to traffic. FEMA expects that traffic impacts of facility operation will be negligible.

Negligible impacts to water resources and water quality may occur; the Subrecipient intends to use directional drilling to minimize impacts to stream courses, wetlands and floodplains along the utility corridor. Construction of the new facility will have no impact to floodplains, but overall, the project will have a moderate positive impact on floodplains countywide because it removes operations from the damaged facility. Construction will entail the loss of approximately

0.4 acres of wetland; adherence to permit conditions from regulatory authorities will mitigate moderate impact.

No impacts will occur to aboveground historic and cultural resources. Utility line installation may result in minor impacts to archeological resources, but avoidance measures such as the use of directional drilling, will mitigate the potential for impacts.

The proposed project will have moderate positive impacts to socioeconomic resources and public health and safety in Schoharie County, as it will restore jobs associated with the facility while it consolidates resources to provide public safety services within the county. The project will also have minor impacts on water and sewer system infrastructure by increasing demand for both systems.

PUBLIC INVOLVEMENT

FEMA issued a public notice in the *Times Journal*, *The News of Schoharie County* newspaper on February 14, 2018, and *The Mountain Eagle* on February 16, 2018, 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 website at http://www.fema.gov/resource-document-library and the Subrecipient made a hard copy of the EA available for public review at the Schoharie County Offices, Clerk of the Board of Supervisors, 3rd Floor, 284 Main Street, Schoharie, NY 12157.

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 AND PROJECT CONDITIONS

The Subrecipient is responsible to obtain all applicable Federal, state, and local permits for Project implementation prior to construction, and to adhere to all permit conditions. The Subrecipient has completed a SEQRA documentation process with forms provided in Appendix B.2. Any substantive change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other laws and executive orders. The Subrecipient must also adhere to the following conditions during Project implementation:

1. The Subrecipient is responsible for obtaining all applicable state and local floodplain permits.
2. The Subrecipient is responsible for coordination with the local floodplain manager for any future plans for the damaged facility.
3. Excavated soil and waste materials will be managed and disposed of in accordance with applicable Federal, state and local regulations.
4. The Subrecipient will incorporate recommendations made in the Phase II Environmental Site Assessment for the Fire Training Facility Site:

- Implement an Environmental Management Plan to provide guidance for the proper handling, relocation and disposal of fill materials during construction.
- Provide an environmental monitor during ground-disturbing construction activities as a precautionary measure in case higher concentrations of volatile organic compounds are encountered at previously untested areas of the site.
- The Subrecipient must coordinate with NYSDEC to ensure appropriate disposal of excavated fill materials in accordance with applicable regulations.

5. The Subrecipient must 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. Subrecipient shall provide NYSDHSES and FEMA a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent Form or a copy of any obtained permit (if an individual permit was needed), at grant project close-out or other time identified by NYSDHSES and FEMA PA per grant administrative documentation guidance requirements.
6. The United States Army Corps of Engineers (USACE) may require a permit for the project associated with wetlands. The work may be authorized by a general permit or a nationwide permit. The Subrecipient is responsible for obtaining all necessary permits and complying with all conditions of the permit including but not limited to notification and signature requirements to insure validation of permits.
7. The Subrecipient will coordinate with Schoharie County Department of Health and/or the New York State Department of Health regarding compliance with all regulations regarding public water supply and sanitary sewer system modifications.
8. The damaged facility has been rendered safe and secure. Subrecipient must notify FEMA if demolition of the existing facility becomes necessary as a FEMA-funded action, prior to demolition. FEMA will determine if demolition of the damaged facility requires further evaluation under Section 106 of the National Historic Preservation Act and federal regulations at 36 CFR Part 800.
9. The potentially-eligible National Register Howe's Cave site, located in the southern portion of the Project site, must be avoided and protected from any impact of the construction activities. If the site cannot be avoided, a Phase 2 Archaeological Site Investigation will be necessary to determine NRHP eligibility and potential mitigation of adverse effects to historic properties. See Archeological Site Impact Avoidance Plan prepared by PAF in June 2017 for details.
10. Construction of the utility corridor must follow the impact avoidance plan to protect three archaeological sites.
11. In the event that unmarked graves, burials, human remains or archaeological deposits be uncovered, the Subrecipient will immediately halt construction activities in the vicinity of

the discovery, secure the site and restrict access to the area, and take reasonable measures to avoid or minimize harm to the finds. As soon as possible, the Subrecipient will contact: local law enforcement and the country coroner/medical examiner (for human remains), NYSDHSES, SHPO and FEMA. FEMA will immediately coordinate with the SHPO, notify Participating Tribal Nations and any other consulting parties that may have an interest in the discovery, and consult to evaluate the discovery and determine how to proceed in accordance with 36 CFR 800.13, Post-review Discoveries. Work in sensitive areas may not resume until consultations are completed.

12. The Subrecipient must avoid cutting or destroying trees during the conservation cutting window for the Northern Long-eared Bat (April 1 - October 31).
13. The Subrecipient must immediately report to FEMA and USFWS New York Field Office in Cortland any changes to the proposed scope of work; the results of any surveys conducted; the presence of any colonies of bats of any species; and the presence of any dead, injured, or sick bats of any species found during the undertaking.
14. If the Subrecipient has not completed this project within one year of the consultation dated October 26, 2017, the Subrecipient must notify FEMA so that FEMA may update this determination and resubmit the required information to USFWS.
15. FEMA recommends that the Subrecipient install orange construction fence to demarcate clearing limit lines and incorporate downward-facing (dark-sky compliant) lighting for all exterior and site lighting applications.
16. FEMA recommends that woody tree and shrub material removed during work 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 EO 13112 Invasive Species, Federal regulations at 7 CFR Parts 301.53-1 through 301.53-9 and State regulations at 1 NYCRR Part 141.
17. FEMA recommends that the Subrecipient restore disturbed construction areas of the site with native seed and/or plant species to the extent practicable.
18. The Subrecipient must ensure that Occupational Safety and Health Administration (OSHA) standards are followed during construction for worker health and safety.
19. Subrecipient will not initiate construction activities until fifteen (15) days after the date that the Finding of No Significant Impact (FONSI) has been signed as “APPROVED.”

PUBLIC COMMENTS

No substantive comments were received during the public review and comment period that would affect the findings of this assessment.

FINDINGS

In accordance with NEPA and its implementing regulations at 40 Code of Federal Regulation (CFR) Parts 1500-1508, FEMA Directive 108-1 and FEMA Instruction 108-1-1. FEMA

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

JOHN P DAWSON Digitally signed by JOHN P DAWSON
Date: 2018.03.19 10:43:52 -04'00'

JOHN DAWSON
Regional Environmental Officer Representative
Federal Emergency Management Agency, Region II Date:

KEVIN P STEWART Digitally signed by KEVIN P STEWART
DN: c=US, o=U.S. Government, ou=Department of Homeland Security, ou=FEMA, ou=People, cn=KEVIN P STEWART, 0.9.2342.19200300.100.1.1=0336911798.FEMA
Date: 2018.03.19 13:41:27 -04'00'

CHRISTOPHER HARTNETT
Public Assistance Branch Chief, Recovery Division
Federal Emergency Management Agency, Region II Date:

Environmental Assessment

Schoharie County
Public Safety Facility Project

FEMA-4020-DR-NY

Town of Schoharie, Schoharie County, New York

February 2018

FEMA

U.S. Department of Homeland Security
Federal Emergency Management Agency, Region II
26 Federal Plaza
NY, NY 10278

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List of Acronyms

AADT	Annual Average Daily Traffic
ACS	American Community Survey (U.S. Census)
amsl	Above Mean Sea Level
ACHP	Advisory Council on Historic Preservation
AD	Area of Disturbance
APE	Area of Potential Effect
ASTM	American Society for Testing and Materials
BFE	Base Flood Elevation
BMP	Best Management Practices
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CWA	Clean Water Act
CY	Cubic Yards
dB	Decibels
dBA	Decibels (A-weighted)
DRP	Data Recovery Plan
EA	Environmental Assessment
EAB	Emerald Ash Borer
EIS	Environmental Impact Statement
EJ	Environmental Justice
ESA	Endangered Species Act
EO	Executive Order
EOC	Emergency Operations Center
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FTC	Fire Training Center
GPD	Gallons per Day
HUC	Hydrologic Unit Code

MBTA	Migratory Bird Treaty Act
MGD	Million Gallons per Day
NAAQS	National Ambient Air Quality Standards
NAVD	North Atlantic Vertical Datum
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHP	Natural Heritage Program
NHPA	National Historic Preservation Act
NLEB	Northern Long Eared Bat
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NRCS	Natural Resources Conservation Service
NYCRR	New York Codes, Rules and Regulations
NYS	New York State
NYSBC	New York State Building Code
NYSDEC	New York State Department of Environmental Conservation
NYSDHSES	New York State Division of Homeland Security and Emergency Services
NYSEC	New York State Energy Code
NYSECL	Environmental Conservation Law
NYSOPRHP	New York State Office of Parks, Recreation, and Historic Preservation
NWI	National Wetland Inventory
OSHA	Occupational Safety and Health Administration
PA	Public Assistance
PAF	Public Archeology Facility
PM	Particulate Matter
PSF	Public Safety Facility
REC	Recognized Environmental Condition
ROW	Right of way
SEQRA	State Environmental Quality Review Act
SF	Square feet
SFHA	Special Flood Hazard Area

SHPO	New York State Historic Preservation Office
SIP	State Implementation Plan
SPDES	State Pollutant Discharge Elimination System
SPL	Sound Pressure Level
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
VOC	Volatile Organic Compound

1.0 INTRODUCTION

The Town and Village of Schoharie experienced storm damages and flooding from Hurricane Irene and Tropical Storm Lee in late August and early September 2011. Flooding resulting from the event rendered the Schoharie County Public Safety Facility, located at 157 Depot Lane in the Village of Schoharie, Schoharie County, New York 12157, unusable for its intended purpose. President Barack H. Obama declared the storm incident period a major disaster on August 31, 2011 (FEMA 4020-DR-NY). This declaration makes federal disaster assistance available to affected communities and certain nonprofit organizations in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (Stafford Act; 42 U.S.C. 5172), as amended. The Recipient for the proposed action is the New York State Division of Homeland Security and Emergency Services (NYSDHSES), and the County of Schoharie is the Subrecipient.

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2.0 PURPOSE AND NEED

The objective of the Public Assistance Grant Program is to provide assistance to State, Tribal and local governments, and certain types of private nonprofit organizations so that communities can quickly respond to and recover from major disasters or emergencies. The purpose of this project is to restore the functions of the correctional and public safety facility in Schoharie County, herein the "Project." The need for the Project arises from flood damage to the public safety facility building complex at 157 Depot Lane during Hurricane Irene and Tropical Storm Lee. The damaged facility is within the 100-year and 500-year floodplains resulting in flood damage to the ground floor level during the event. The Subrecipient is seeking a safe and resilient facility consolidating correctional and public safety services in Schoharie County in accordance with New York State law.

3.0 BACKGROUND INFORMATION

The damaged facility consists of four buildings on a single lot located at 157 Depot Lane in the Village of Schoharie (latitude: 42.672189, longitude: -73.308975), portions of which are still in use. The four buildings, totaling 80,000 square feet, were constructed in 1992 (with later renovations to part of the complex in 1996) in a mixed-use area dominated by commercial and municipal service uses. The facility included a jail with a 101-inmate design capacity as well as office space for the Sheriff's Office, Probation Department, District Attorney's Office, and 911/Emergency Management. At the time of its construction, the facility was located outside of the mapped 100-year floodplain based on flood hazard maps from 1973; however, the 1973 maps

did not indicate the location of a 500-year floodplain. FEMA updated flood maps in 1993, after the Subrecipient built the facility, now including the site within the 100-year and 500-year floodplains.

Hurricane Irene and Tropical Storm Lee caused widespread flooding in the area and caused substantial damage to the first floor of the facility. The facility was evacuated prior to the flooding event and the entire facility was closed. Following flooding from these storms, the local Floodplain Administrator determined the facility was substantially damaged in accordance with the NFIP. The County used federal funds for temporary protective measures to stabilize the building to make it safe and secure and to allow portions of the Sheriff's Office, the Probation Department, the District Attorney's Office, and the Corrections Office to move back into the second floor. The Subrecipient relocated the 911 Emergency Operations Center to the nearby Town of Cobleskill. Over a period of months, the Subrecipient was able to reestablish the second floor spaces following the restoration of mechanical, electrical, plumbing, telephone, and communication services.

New York State law mandates that each county operate its own jail. For this reason, the Subrecipient does not consider long-term boarding out of inmates to be a practicable solution. County Law Section 217 imposes upon New York State counties a statutory obligation to maintain a county jail in order to serve the important governmental functions of protecting the safety of residents and of providing safe and secure housing for inmates. Although the Subrecipient has responded to the 2011 flooding and closing of the existing correctional facility by boarding out Schoharie County inmates at the Albany County Correctional Facility at a cost of approximately $1 million per year, this is a temporary solution, only authorized by the NYS Commission of Corrections until such time as Schoharie County is able to resume operations comparable to before the disaster.

4.0 ALTERNATIVES

The Subrecipient identified project criteria to use as a comparative evaluation tool for selection of reasonable alternatives. Project criteria included natural environment and social, economic and legal considerations. Through the evaluation process, the Subrecipient determined that relocating the facility to another site out of the 500-year floodplain was the best option to meet its established criteria, and the site selection tool allowed the Subrecipient to identify several potential locations before deciding on the proposed site.

4.1 No Action Alternative

NEPA requires the analysis of practicable alternatives as part of the environmental review process for the proposed Project. Inclusion of a No Action Alternative in the environmental analysis and documentation is required under NEPA (NEPA § 102(E); 40 CFR § 1508.9). The No Action Alternative is used to evaluate the effects of not providing Federal financial assistance for the Project, thus providing a "without project" benchmark against which "action alternatives" may be evaluated.

The No Action Alternative would not provide Federal funding for the restoration of the facility or consolidated functions Thus, under the No Action Alternative, the damaged facility would remain only partially utilized by the various public safety departments. Other public safety functions and

operations which were previously located at 157 Depot Lane would necessarily continue to work from alternative locations throughout the county in a fragmented manner. The Subrecipient would continue to send inmates to the Albany County Correctional Facility for holding, inconsistent with New York State law.

The No Action Alternative would not address the proposed Project's purpose and would not meet the Subrecipient's needs.

4.2 Proposed Action Alternative

Under the Proposed Action, the Subrecipient would construct a new, approximately 67,000 square-foot County Correctional Facility and Public Safety Facility to replace the damaged facility. The Subrecipient anticipates the duration of construction to be approximately 9 to 15 months. The new facility will include, but not be limited to, the following functions and spaces:

- 65-75 inmate capacity jail and supportive facilities;
- Sheriff's Office (Road Patrol, Administration and supportive facilities);
- Probation Department;
- District Attorney's Office;
- Free-standing antenna (approximately 120 feet in height) to connect to the Schoharie 911 Call Center / Emergency Operations Center in Cobleskill.
- Paper records storage area and additional swing space to provide for continuity of government and training may be included as design continues.

The Subrecipient will site the proposed Project on two parcels located within the Town of Schoharie at 373 Howe's Cave Road (see Appendix A.1, Site location). One parcel (tax id 58.-4-6.12) is owned by the Subrecipient and currently contains Schoharie County's Fire Training Center and is referred to as the "FTC Site." The adjacent parcel (tax id 58.-5-30.2) is to be acquired by the Subrecipient and is referred to as the "Berlin Site." Together, these two parcels make up the project location and are referred to as the "FTC/Berlin Site" throughout this document (latitude: 42.689009, longitude: -74.371015). The Subrecipient had considered the FTC site alone during its initial selection process but concluded that the site was not suitable for development because of its historic use as a gravel mine and dump site, and the potential for contamination. With the addition of the adjacent Berlin site, the Subrecipient was able to site the project to avoid the previously disturbed portion of the FTC site. The total area of the two parcels would equal approximately 101 acres. The Subrecipient will develop approximately 13.1 acres, which will include approximately 10.3 acres at the primary building area (beyond the end of the existing access drive) and approximately 2.8 acres of upgrades and restoration to the existing access drive (see Area of Disturbance Map, Appendix A.2). The existing Fire Training Center would continue its normal operations at its current location on another portion of the FTC site. No sirens or external alarms are planned for this Project.

The Subrecipient will extend public water and sanitary sewer facilities from the Town and Village of Cobleskill to the proposed new facility from existing connection points along NYS Route 7 and Howe's Cave Road to the project site, as shown on Utility Corridor Location Map in Appendix A.3. The utility corridor begins approximately 1.5 miles from the project site (latitude: 42.682108, longitude: -74.399388) and ends at the project site. The water line will cross under NYS Route 7 and proceed via easements across private properties and underneath Cobleskill Creek. Finally, the water main will cross under Howe's Cave Road (County Route 8a) and will continue along the west side of Howe's Cave Road to the access drive to the FTC/Berlin Site. A total of approximately 4,000 linear feet (0.75 mile) of water main is proposed to be installed along the route described above. New sanitary sewer lines will extend from the site access drive and follow the west side of Howe's Cave Road until they cross beneath this roadway. The sewer line will proceed via easements beneath Cobleskill Creek and across private properties until it reaches NYS Route 7. The sanitary line routing differs from the water line routing in that the proposed sanitary line will extend west of the Cobleskill/Schoharie Town border approximately 0.75 mile to a connection point in the Town of Cobleskill. The total length of sanitary piping to be installed is approximately 7,900 linear feet (1.5 miles). Current plans specify that portions of the new water and sewer mains will be installed by trench construction and other portions by directional drilling. Directional drilling will be used in areas where necessary due to road right-of-way (ROW) width, road crossings, topography, wetlands, archeological sites, and creek crossings. The relatively small size of these excavations and their location outside of sensitive areas minimize ground disturbance, removal of vegetation, disturbance of floodplain habitat, and the potential for erosion and sedimentation.

The Subrecipient will render the damaged facility and site at 157 Depot Lane safe and secure. There are no current plans for disposition or future use of this building. This Alternative would comply with the Town and Village of Schoharie floodplain ordinances and NFIP requirements and would address the proposed Project's purpose and meet the Subrecipient's needs.

4.3 Alternatives Considered and Dismissed

4.3.1 Repair Alternative

The Subrecipient considered flood proofing mitigation measures including the installation of a reinforced concrete floodwall system around the perimeter of three of the four facility buildings. This system would involve installation of sheet pilings below the entire perimeter of the floodwall system, floodgates, a stormwater pump station with redundant pumps, a redundant valve system on each side of the concrete floodwall, a perimeter under-drainage system, and a storm bypass to the pump station In addition, much of the critical equipment at the 157 Depot Lane site would be elevated above the design flood level.

The design flood level has been established by the Subrecipient as the flood level of Hurricane Irene (613.20 feet) plus 2.00 feet of freeboard for residential structures. The first floor of the former public safety facility is 604.70 feet, while the first floor of the jail is 605.20 feet. All flood proofing mitigation systems would have to be designed and constructed in accordance with the Army Corps of Engineers Design Manual for Flood Control and Design as well as the established design flood level.

The Subrecipient dismissed the Repair Alternative due to the considerably higher costs. The Subrecipient determined that relocation outside the floodplain was practical for the community and a preferred alternative to the continued occupancy of the building in the 100-year floodplain.

4.3.2 Alternative Locations

In 2013-2014, the Subrecipient considered and evaluated eighteen alternative sites for their feasibility as a location on which to construct a new facility. The County identified site selection criteria to evaluate potential Project locations that were or could be available for sale. These criteria included: location outside of the 500-year floodplain; sufficient acreage (10-acre minimum) and buildable topography; reasonable proximity and access to major highways to facilitate prisoner transport; and reasonable proximity to the Village of Schoharie. Of the eighteen sites considered, six alternatives met these minimum criteria.

The Subrecipient then assessed the six alternatives using additional site selection criteria including: availability of municipal water and sewer services; availability of multiple access and egress routes to reduce vulnerability to access limitations during a disaster; proximity to county courts; and availability of unimpeded access to the Capital District to allow access to emergency resources. Of the six sites considered, two alternatives met these additional criteria and were considered potentially suitable for construction of a new facility:

- Seebold Property: eastern side of State Highway 30 in Town of Schoharie (latitude: 42.688791, longitude: -74.294130)

- Zicha Road Property: northwest corner of the intersection of Zicha Road and NYS Route 7 in the Town of Schoharie (latitude: 42.711748, longitude: -74.316880)

Following a more detailed analysis of topography, constructability factors, and other criteria cited above, the Subrecipient identified the Seebold property as the primary potential site and the Zicha Road property as the secondary potential site (see Appendix B.1 for details pertaining to the County's evaluation of proposed Project site locations). Consequently, in August 2015, the Seebold property advanced into the New York State Environmental Quality Review Act (SEQRA, Appendix B.2) evaluation as the preferred site for the Subrecipient's Project.

As the architectural design of the Project progressed, the Subrecipient evaluated the Seebold property to ascertain whether the site could accommodate the Project based on engineering and environmental criteria. As part of the SEQRA process, several alternative sites continued to be assessed. In August 2016, the cumulative results of the on-site field testing on the Seebold property pointed toward a series of environmental and constructability issues which, when taken together, indicated insurmountable problems at the site. As a result, the Subrecipient abandoned the Seebold property as the preferred site for the Project and re-initiated an evaluation of a new set of alternative sites with revised site selection criteria that included:

- sufficient buildable acreage above the 500-year floodplain;

- travel distance of 10 miles or less to the Courthouse;

- existing direct access to municipal water and sewer services at the property line;

- minimal social impact; and
- availability.

Members of the County's Flood-Law and Building-and-Purchases Committees, the County Board of Supervisors, and the Subrecipient's design team suggested a number of alternative sites, including several of the more promising options that had been assessed throughout the earlier FEMA and SEQRA alternative evaluation processes, and additional sites that had become available or had been newly identified for consideration due to other factors. In total, fourteen sites were considered viable alternatives as part of SEQRA review, including or in addition to the original eighteen sites evaluated in the initial screening process. More information about each site, its location, and the reasons it was not considered preferable to the FTC/Berlin Site, is provided in the Subrecipient's Alternatives Analysis, Appendix B.1.

These alternatives will not be subject to any further analysis in this EA. The No Action Alternative and Proposed Action Alternative are considered further in this EA and are discussed in Section 5.0.

4.4 Summary of Alternatives

As discussed above in Section 4.3, the Subrecipient had considered and dismissed multiple alternatives while planning this project. Following the analysis of these alternatives, the remaining alternatives are:

1) No Action Alternative
2) Proposed Action Alternative – Public Safety Facility Project (FTC/Berlin site)

The following section focuses the impact analysis on environmental and cultural resources in regard to the No Action and Proposed Alternatives.

5.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS

Potential environmental impacts and proposed mitigation measures associated with the No Action Alternative and the Proposed Action Alternative are presented in the following sections. When possible, quantitative information is provided to establish potential impacts and the potential impacts are evaluated based on the criteria listed in Table 1, "Impact Significance and Context Evaluation Criteria for Potential Impacts" and are summarized in Table 2, "Summary of Impacts." The potential cumulative environmental impacts are also discussed (see Section 5.17, Cumulative Impacts).

Table 1: Impact Significance and Context Evaluation Criteria for Potential Impacts

Impact Scale	Criteria
No Impact	The resource area would not be affected and there would be no impact.
Negligible	Changes would either be non-detectable or, if detected, would have impacts that would be slight and local. Impacts would be well below regulatorystandards, as applicable.
Minor	Changes to the resource would be measurable, but the changes would be small and localized. Impacts would be within or below regulatory standards, as applicable. Mitigation measures would reduce any potential adverse effects.
Moderate	Changes to the resource would be measurable and have either localized or regional scale impacts. Impacts would be within or below regulatory standards,but historical conditions would be altered on a short-term basis. Mitigation measures would be necessary, and the measures would reduce any potential adverse impacts.
Major	Changes to the resource would be readily measurable and would have substantial consequences on regional levels. Impacts would exceed regulatory standards. Mitigation measures to offset the adverse effects would be requiredto reduce impacts, though long-term changes to the resource would be expected.

Table 2: Summary of Impacts

Section	Area of Evaluation	Alternative 1: No Action	Alternative 2: Proposed Action
5.1	Geology, Topography, and Soils	No impact	Minor impacts
5.2	Air Quality	No impact	Minor temporary impact during construction, no long-term impact
5.3	Water Resources and Water Quality	No impact	Negligible impact
5.4	Wetlands	No impact	Moderate impact
5.5	Floodplains	No impact	Negligible negative impact (utility corridor), moderate positive impact (building)
5.6	Vegetation	No impact	Minor impact
5.7	Threatened and Endangered Species, Wildlife and Fisheries Habitat	No impact	Minor impact
5.8	Cultural Resources	No impact	Minor impact (with avoidance measures)
5.9	Land Use, Planning, Community Character and Visual Resources	No impact	No impact to minor impact
5.10	Socioeconomic Resources and Environmental Justice	No impact to minor impact	Moderate beneficial impact to locality. No impact to communities of concern.
5.11	Contaminated Materials	No impact	Moderate impact at site as a result of existing conditions
5.12	Noise	No impact	Minor temporary impact during construction and operation of facility
5.13	Traffic	No impact	Minor temporary impact during construction and negligible impact during operation of facility
5.14	Infrastructure and Utilities	No impact	Minor impact
5.15	Public Health and Safety	Moderate negative impact	Moderate beneficial impact

Coastal Zone Management, Essential Fish Habitat, and Coastal Barrier Resources Act were omitted from this document because these topics do not apply to this project.

5.1 Topography, Soils, and Geology

5.1.1 Existing Conditions

Topography

Ground surface elevation at the former facility is approximately 604 to 605 feet above mean sea level (amsl) and is relatively flat. The site is located in the Schoharie Creek valley.

The FTC/Berlin Site is located in the Cobleskill Creek valley which gently decreases in elevation as it continues downriver to the east to empty into Schoharie Creek (a tributary within the Mohawk River Valley.) The site itself is relatively level and slopes upwards from south to north. Elevations on the proposed new facility site range from approximately 700 to 740 feet amsl, according to USGS mapping.

The proposed new utility corridor to the FTC/Berlin site is located within and along the southern portion of the Cobleskill Creek valley. According to the USGS Schoharie 7.5 minute quadrangle map, the alignment will start at approximately 740 feet amsl at the intersection of the site access driveway with Howe's Cave Road, dip to approximately 700 feet amsl at the Cobleskill Creek crossing, and climb to approximately 740 feet amsl at the terminus of the water line or to 840 feet amsl at the terminus of the sanitary sewer line.

Soils

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) operates the Web Soil Survey, which includes the soils of Schoharie County. Soils in these valley floor locations consist of alluvial deposits with varying depths. These soils are typically well-drained and level, making them suitable for farming. The Farmland Protection Policy Act (FPPA) requires federal agencies to minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural use and to assess potential conversion of farmland to developed property.

The Web Soil Survey maps show soils on the site as being composed of two major soil types, both well drained deep silt loams that are considered farmland of statewide importance or farmland of statewide importance if drained. An area that had been used as gravel mine on the FTC parcel is designated as borrow pits. The proposed route of the new utility corridor crosses multiple soil types, the majority of which are considered farmland of statewide importance. They are alluvial soils that are deep and mostly well-drained or moderately well-drained. See Appendix C.1, FPPA Correspondence, which contains soil maps of the area.

Geology

Schoharie County is located in the glaciated Allegheny Plateau, which extends south from the Mohawk Valley lowlands to the northern ranges of the Catskills. This part of Schoharie County is characterized by significant limestone geology and contains numerous caves, sinkholes, sinking

streams, cracked limestone pavement and other karst features. Karst features form when ground water dissolves limestone rocks, creating cracks which become larger openings over time. Howe's Cave is located a little less than a mile from the proposed Project site.

Bedrock is mapped in the area by the NYS Geologic Survey as Schenectady Formation greywacke, sandstone, siltstone and shale in close proximity to a change in the rock type to Cobleskill and Helderberg Group Limestones. At the proposed Project site, no bedrock was encountered within the approximate 50 foot depths explored in test pits, according to the initial reports of geotechnical conditions prepared for the FTC and Berlin sites in April 2017 (Appendix B.3). Likewise, bedrock is not reported within shallow depths along the proposed off-site utility corridor, according to on-line USDA soil maps.

Executive Order 12699 requires Federal agencies assisting in the financing, through Federal grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of newly constructed buildings to initiate measures to assure appropriate consideration of seismic safety. According to earthquake hazard maps posted on FEMA's website, the seismic design category for Schoharie County is "A", meaning that there is a very small probability of experiencing damaging earth-quake effects at this location. Since seismic activity is so low within an area categorized as a moderate seismic hazard area, the construction of buildings would not have to meet any higher standards.

5.1.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would have no impact on topography, geology, or soils.

Proposed Action

Public Safety Facility – The proposed action would have minor impacts to site soils and physiographic features within the 13.1 acres to be developed. This acreage includes disturbances for adding fill materials, grading the site and for facility construction, including site development inclusive of parking areas, driveways and walkways. Construction of buildings, roads, parking areas, and other facilities will convert 4.7 acres of the site to impervious cover. The remaining 8.4 acres will consist of pervious land cover (around the fringes of the developed area) or lawn/landscaped area (generally within the ring road). Appendix A.4 provides a conceptual drawing of the layout and components of the PSF development.

Utility Corridor – Construction of the proposed new utility corridor would have minor impacts to 5.5 acres along the various road ROWs and through private properties, depending upon where directional drilling is used. This acreage includes temporary disturbances for excavations, placement of the utilities, and re-grading to pre-construction conditions. No impact to the bedrock or geology is expected as excavation is not proposed to reach the depth of bedrock. Disturbance of site soils and topography during construction would be expected for the proposed Project.

Because construction will disturb more than one acre of ground, the Subrecipient will develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination

System (SPDES) General Permit for Stormwater Discharges from Construction Activity General Permit Number GP-0-15-002. Erosion and sedimentation impacts would be minimized through the implementation of an approved erosion and sediment control plan for construction activities, incorporating best management practices (BMP) for soil erosion and sediment control. The Subrecipient is responsible for ensuring that construction activities conform to the requirements of the stormwater SPDES General Permit.

FEMA consulted with the USDA/NRCS for soils classified as farmland of statewide importance and in a response letter dated September 11, 2017. USDA determined that only the FTC/Berlin Site would be subject to continued review under the FPPA and that the utility corridor would be exempt from FPPA review as long as soils are restored after utility lines are placed (see correspondence Appendix C.3). NRCS requested completion of the Farmland Conversion Impact Rating form AD-1006 for the FTC/Berlin site. FEMA determined that the conversion of farmland associated with the project is consistent with the FPPA under the review criteria and guidance from NRCS.

5.2 Air Quality

The Clean Air Act of 1970 (42 USC 7401–7661) is a comprehensive federal law that regulates air emissions from area, stationary, and mobile sources. The act authorized the USEPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and the environment. The NAAQS include standards for six criteria air pollutants: lead, nitrogen dioxide, ozone, carbon monoxide, sulfur dioxide and particulate matter (PM, including both particulate matter less than 10 micrometers in diameter [PM10], and fine particulate matter less than 2.5 micrometers in diameter [PM2.5]). Areas where the monitored concentration of a criteria pollutant exceeds the applicable NAAQS are designated as being in non-attainment of the standards; while areas where the monitored concentration of a criteria pollutant is below the standard are classified as in attainment. Non-attainment areas can be re-designated as a maintenance area if monitoring data demonstrate that a non-attainment area meets the NAAQS and a 10-year plan for continuing to meet and maintain such standards is implemented.

Federally-funded actions in nonattainment and maintenance areas are subject to USEPA conformity regulations (40 CFR Parts 51 and 93), which ensure that emissions of air pollutants from planned federally-funded activities would not affect the state's ability to meet the NAAQS. Section 176(c) of the CAA requires that federally-funded projects conform to the purpose of the State Implementation Plan (SIP), meaning that federally-funded activities would not cause any violations of the NAAQS, increase the frequency or severity of NAAQS violations, or delay timely attainment of the NAAQS or any interim milestone.

The conformity requirements of the CAA and its regulations limit the ability of federal agencies to assist, fund, permit and approve projects that do not conform to the applicable SIP. When subject to this regulation, the federal agency is responsible for demonstrating conformity for its proposed action. Conformity determinations for federal actions other than those related to transportation plans, programs and projects that are developed, funded or approved under title 23 USC or the Federal Transit Act (49 USC 1601 et seq.) must be made according to the federal general conformity regulations (40 CFR 93 Subpart B). Certain actions and activities are exempted from general conformity review, including the following:

- Stationary source emissions regulated under major or minor New Source Review (air permitting) programs
- Alteration and additions of existing structures as specifically required by new or existing applicable environmental legislation
- Actions where the emissions are not reasonably foreseeable
- Actions that have been defined by the federal agency or by the state as "presumed to conform"
- Activities with total direct or indirect emissions (not including stationary source emissions regulated under New Source Review programs) below *de minimis* levels. Emissions from construction activities are subject to air conformity review, unless they are shown to be below the applicable *de minimis* levels.

5.2.1 Existing Conditions

As identified by the USEPA Green Book Nonattainment Areas, current as of June 20, 2017, the proposed Project and surrounding areas are not located in any non-attainment areas including those for 8-Hour Ozone (2008), carbon monoxide (1971), nitrogen dioxide (1971), sulfur dioxide (2010), lead (2008), Particulate Matter (PM) 2.5 (2012), or Particulate Matter (PM) 10 (1987).

The Proposed Action is located in Schoharie County, and as identified on the USEPA EJScreen, the area is not within the most recent non-attainment or maintenance area for inhalable particulate matter (PM2.5) or 8-hour ozone as of May 2017, and is not located in a non-attainment area for Ozone 8-Hour, Lead 2008 Standard, Particulate Matter (PM) 2.5 Annual or PM 2.5 24-Hour Standard. Therefore, a conformity assessment is not warranted.

5.2.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact air quality.

Proposed Action

The Proposed Action Alternative would have a minor, temporary impact to air quality during construction. Fugitive dust can be generated and released into the air during ground-disturbing construction activities. The Subrecipient will use BMPs to control fugitive dust at each location. Emissions from diesel construction vehicles are also a potential source of air pollution. The Subrecipient is responsible for coordinating air conformity review with the USEPA using emissions estimates. There will be no long-term impacts to air quality as a result of the proposed action.

5.3 Water Resources and Water Quality

Congress enacted the Federal Water Pollution Control Act in 1948 which was reorganized and expanded in 1972 and became known as the Clean Water Act (CWA) in 1977, as amended. The CWA regulates discharge of pollutants into water with sections falling under the jurisdiction of the U.S Army Corps of Engineers (USACE) and the U.S. Environmental Protection Agency (USEPA). Section 404 of the CWA establishes the USACE permit requirements for discharging dredged or fill materials into Waters of the United States and traditional navigable waterways as authorized under the 1899 Rivers and Harbors Act. Under National Pollutant Discharge Elimination System (NPDES), the USEPA regulates both point and non-point pollutant sources, including stormwater. The USEPA delegates oversight and enforcement of NPDES to NYSDEC within NYS. Activities that disturb one (1) acre of ground or more are required to apply for an SPDES permit administered in NYS through the NYSDEC.

Section 1424(e) of the Safe Drinking Water Act of 1974 [Public Law 93–523] authorizes USEPA to designate an aquifer for special protection under the sole source aquifer program if the aquifer is the sole or principal drinking water resource for an area (i.e., it supplies 50 percent or more of the drinking water in a particular area) and if its contamination would create a significant hazard to public health. No commitment for federal financial assistance may be provided for any project that the USEPA determines may contaminate a sole source aquifer such that a significant hazard to public health is created.

5.3.1 Existing Conditions

The Town of Schoharie is located within the Schoharie Creek Watershed, which, together with the Mohawk Watershed, make up the Mohawk River Basin. The project site lies approximately 600 feet north of the Cobleskill Creek which flows eastward and joins Schoharie Creek approximately 2.5 miles east of the Project area. NYSDEC classifies Cobleskill Creek as a Class C stream indicating that its highest and best use is for fishing and that the water is suitable for fish, shellfish and wildlife propagation.

Based on the Web Soil Survey, the depth to the high water table in the proposed new utility corridor varies, ranging from zero inches in places to at least six feet below the surface level. The Subrecipient's contractors conducted a Geotechnical Assessment in April 2017, identifying approximate depth to groundwater in the area of disturbance at 5 to 10 feet below the ground surface level (Appendix B.3). No sole-source or primary aquifers are located in the project vicinity, but the FTC/Berlin site is adjacent to a high-yield unconfined aquifer as mapped by USGS and the NYSDEC Division of Water. The aquifer is large (210 square miles) and is associated with the Mohawk River and its tributaries, including the Cobleskill Creek. Surface water at the site includes two freshwater ponds, three perennial streams (Stream A, B & C) and one intermittent stream (Stream D) (Appendix B.5, Wetland report). All the on-site streams are unclassified waterbodies, except Stream A which is a Class C(t) stream (trout habitat). Four perennial streams are in the utility corridor study area, including the Cobleskill Creek, the Punch Kill and two unnamed streams.

5.3.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact water resources and water quality.

Proposed Action

The Proposed Action would have negligible impacts on water resources and water quality. Stormwater would be controlled to prevent pollutants from entering nearby water sources. FEMA anticipates no impact to the surface water quality of Cobleskill Creek or its tributaries. The Subrecipient plans to install the water and sanitary sewer lines beneath Cobleskill Creek (and any other regulated waterways or waterbodies) via directional drilling. As a result, FEMA anticipates no impact to the stream bed or banks of Cobleskill Creek. The Subrecipient is responsible for obtaining all applicable federal, state, and local permits, and must adhere to all permit conditions and use of BMPs. As noted in Section 5.1, a Stormwater Pollution Prevention Plan (SWPPP) is required prior to construction in accordance with the NYS stormwater SPDES General Permit for Construction Activities (GP-0-10-001). FEMA anticipates no impacts to groundwater or groundwater quality as there would be no onsite discharge of sanitary wastes and no withdrawal of groundwater at the site. This is based on the proposed extension of municipal sanitary sewer service and water lines to the new facility.

The shallow depth to water table along portions of the utility corridor may affect construction considerations. The Subrecipient will ensure engineering and design will account for the safe and appropriate installation of the utility lines within soils with a shallow water table. Given the linear nature of the utility excavations and relatively low magnitude of disturbance that will result, FEMA anticipates no impact on displacement or contamination of groundwater or surface water, or on overall groundwater levels in the Project vicinity. Stream crossings will be accomplished via directional drilling and no impact is expected to these bodies of water.

5.4 Wetlands

Under EO 11990 Wetlands Management, federal agencies must take actions to minimize the destruction, loss or degradation of wetlands and to preserve and enhance the beneficial effects of wetlands. Compliance with this EO is insured through the process of identifying whether the action would be located within or would potentially affect federally-regulated wetlands. FEMA's regulations use the USFWS's Cowardin Classification System requiring only one of three parameters to be present: wetland soils, wetland plants, or wetland hydrology. Federal actions within wetlands require the federal agency to conduct an Eight-Step Review Process This process, like NEPA, requires the evaluation of alternatives prior to funding the action in accordance with 44 CFR Part 9.5.) See appendix B.4 for FEMA's 8-step floodplain and wetland analysis.

FEMA uses the National Wetlands Inventory (NWI), state-specific mapping tools, and site-specific surveys to identify wetlands. Federal regulation of wetlands is under the jurisdiction of the USACE, and wetland disturbance may be subject to permitting under the CWA. NYSDEC also regulates and protects freshwater wetlands as defined by NYS Environmental Conservation Law (NYSECL) Article 24.

5.4.1 Existing Conditions

According to NYSDEC's "Environmental Resource Mapper" website, there are no state-regulated freshwater wetlands mapped in the vicinity at the proposed new facility site nor along the off-site utility corridor. There are no NWI-mapped wetlands within the project area on the FTC/Berlin Site; two small freshwater ponds are shown on the NWI maps. The NWI maps indicate a freshwater pond and several riverine wetlands, including the Cobleskill Creek and Punch Kill, along or adjacent to the off-site utility corridor. The Subrecipient's contractors conduced an on-site wetland and stream delineation on the proposed new facility site and along the off-site utility corridor (Appendix B.5).

Public Safety Facility - The Subrecipient's contractors mapped one large wetland, about 11 acres in size (Wetland-E), and seven smaller wetlands, about one (1) acre or less in size (Wetlands A, B, C, D, F, G & H) on the proposed FTC/Berlin Site. Wetlands with emergent, shrub/scrub vegetative cover and forested cover, as well as open water areas, are on the site. USACE field-verified the delineated wetlands and streams on the FTC/Berlin site during a site visit on August 16, 2017, and agreed with revised drawings of the wetland boundaries (Appendix B.5).

Utility Corridor – The Subrecipient's contractors conducted a separate wetland and stream delineation for the off-site utility corridor on October 25, 2017. The study area for wetland and stream delineation generally followed the defined utility corridor and is located on both sides of NYS Route 7 and Howe's Cave Road. Portions of five wetlands and four permanent (perennial) streams are along the utility corridor. In all, five wetland areas totaling less than 1.38 acres and four perennial streams are found in the proposed utility right-of way study area (Appendix B.5).

5.4.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact wetlands.

Proposed Action

Public Safety Facility – The Proposed Action will have a moderate impact on wetlands. Wetlands A, B, C, D, F, G and H will remain unaffected during construction of the proposed facility. The Project will fill the southern reaches of two portions of Wetland-E, permanently converting approximately 0.4 acres of wetland to an upland developed area.

Utility Corridor – Installation of utility lines via directional drilling will avoid physical disturbance of the wetlands and surrounding ground surface and will result in no impacts to wetlands along the utility right-of-way. Wetland crossings adjacent to the Cobleskill Creek and along other sections of the utility line will use directional drilling, which requires a small insertion pit in an upland area (i.e. outside the wetland area) through which the water line is hydraulically bored beneath the wetland, and a small receiving pit is necessary for the terminus of the water main alignment on the other side of the wetland area.

FEMA requires federal wetland permits prior to construction, and all work within or adjacent to wetlands will be done in accordance with the permit requirements and permit conditions. Final

permit conditions for work in wetlands will be determined as part of the joint permit process for actions under the jurisdiction of USACE.

5.5 Floodplains

Under EO 11988, Floodplain Management, federal agencies must avoid funding activities that directly or indirectly support occupancy, modification, or development of the 100-year floodplain whenever there are practicable alternatives. FEMA uses Flood Insurance Rate Maps (FIRM) to identify floodplains and flood risks for the NFIP. Federal actions within the 100-year floodplain, or 500-year floodplain for critical actions, require the Federal agency to conduct an Eight-Step Review Process. This process, like NEPA, requires the evaluation of alternatives prior to funding the action in accordance with 44 CFR Part 9.5. See Appendix B.4 for FEMA's 8-step floodplain and wetland analysis.

5.5.1 Existing Conditions

According to the FIRM (Community Panel Number 36095C0191E, effective April 2, 2004), the majority of the former facility is located in Zone AE, a special flood hazard area (SFHA) also referred to as the 100-year floodplain with a base flood elevation of approximately 606.5 feet NAVD 1988. Small portions of the former facility are located in shaded Zone X, also referred to as the 500-year floodplain. The existing building was determined substantially damaged in accordance with the NFIP per the local Floodplain Administrator (see letter in Appendix C.2).

According to the FIRM (Community Panel Number 36095C0160E and 178E, effective April 2, 2004), the proposed new facility site is entirely located outside of the mapped floodplain. The eastern portion of the proposed new utility corridor is located in Zone AE, associated with Cobleskill Creek. The utility corridor and crossing of Cobleskill Creek is also located within the regulatory floodway. The base flood elevation varies between approximately 709 and 714 feet in the affected area. A very small area along Howe's Cave Road north of the Cobleskill Creek crossing is located in shaded Zone X.

5.5.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would have no incremental impact on the floodplain because the building has been rendered safe and secure. The Subrecipient would be responsible for bringing the substantially damaged structures into code compliance in accordance with the NFIP and local floodplain management codes for any future use.

Proposed Action

The new public safety facility and functions (including buildings, access road, ring road, and parking lot) would be relocated outside of the 100-year and 500-year floodplains, resulting in a moderate positive impact. This will reduce risk of flood damage to the facility and greatly reduce future disruption of the operations of the PSF due to flood events. The damaged facility will be rendered safe and secure in its current location within the floodplain, presenting no incremental

effects to or from the floodplain. The Subrecipient will be responsible for coordinating any future use of the facility with local floodplain regulations and NFIP.

A portion of the utility alignments is located within a special flood hazard area, including the 100-year floodplain and below the regulatory floodway. These areas are associated with the stream course of Cobleskill Creek and include a wide swath on either side of the Creek near the intersection of NYS Route 7 and Howe's Cave Road. As shown Appendix A.3, both the sanitary and water lines will cross below the floodway and 100 year floodplain area from the point in the alignment where they come together on the north side of NYS Route 7, continuing across the private property and beneath Cobleskill Creek, nearly to the intersection with the FTC/Berlin Site access driveway.

FEMA anticipates negligible impacts to the floodplain during utility line installation and no long-term impacts associated with the utility lines. The proposed new utility corridor will be directionally drilled underneath Cobleskill Creek and approximately 170 feet of the adjacent floodway area. The remaining portion of the utility route through the floodway and 100-year floodplain (as well as the small portion of the 500-year floodplain) will be installed via trench construction. Construction will involve excavation of a trench, placement of the piping within the trench, restoration of the ground surface, and re-seeding of vegetation. Excavation for utility installation will be minimal and temporary. Moreover, as the utilities will be installed below ground, they will not impede floodwater flows or affect surface drainage patterns. The Subrecipient is responsible for obtaining all applicable state and local floodplain permits.

5.6 Vegetation

5.6.1 Existing Conditions

The area of disturbance at the FTC/Berlin site is an intermixture of mown fields and vacant fill land with some hedgerows of trees along property lines. Wetlands found to the north of proposed building site extend into it in two small fingers. Trees, mainly deciduous, line the entrance road and some of the property lines. Typical tree species include black walnut, shagbark hickory, green ash, white pine, and sugar and red maples.

Vegetated areas along the proposed new utility corridor include agricultural fields, wooded areas, residential lawns or mown areas. Low grasses and graveled surfaces dominate the road shoulder adjacent to the proposed ROWs. The majority of the area is upland. Wooded areas found along the proposed utility corridor mainly consist of deciduous species, while other vegetated areas generally exhibit relatively low species diversity with an intermixture of invasive or weedy, plant species.

Under EO 13112 Invasive Species, as amended, federal agencies must take measures to prevent the introduction and spread of invasive species, to the extent practicable. Invasive species prefer disturbed habitats and generally possess high dispersal abilities, enabling them to out-compete native species. The Towns of Schoharie and Cobleskill are located within the restricted zones for the invasive insect Emerald Ash Borer (EAB), according to a map created by the NYSDEC in May 2017. However, known Emerald Ash Borer locations are concentrated in the southeastern portion of the County, and none are known within the project area.

5.6.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact vegetation.

Proposed Action

FEMA anticipates minor impacts from the construction of the facility to existing vegetation. Construction would permanently convert approximately 4.7 acres of existing field, vacant fill area, or wetland to impervious cover at the FTC/Berlin Site. Approximately 8.4 acres of the site will be returned to pervious (vegetated) cover. The Subrecipient will install pervious lawn and landscaped areas between buildings, parking areas and roads. Wherever possible, the Subrecipient will select native plant species for site landscape plantings, in accordance with EO 13112 Invasive Species.

FEMA anticipates minor, temporary impacts to the agricultural fields and mown areas along the road ROW from installation of the proposed new water and sewer services in the utility corridor. FEMA anticipates up to a maximum of 5.5 acres of disturbance, depending on extent of directional drilling during construction. The Subrecipient's contractors will position utility lines to minimize tree clearing, as well as to minimize disruption of the active agricultural field on this property. Following utility installation, these areas will be re-graded and restored to existing vegetative conditions. If tree clearing is necessary, a ROW width along these areas will be permanently maintained in an open state to allow maintenance access. Cobleskill Creek, adjacent wooded areas, and wetlands along the utility corridor will remain unaffected, as utility lines will be directionally drilled beneath these resources.

The Subrecipient is responsible for implementing the quarantine protocol for Emerald Ash Borer as a condition of the grant for any tree removal for this project in accordance with EO 13112 Invasive Species, Federal regulations at 7 CFR Part 301, and state regulations at 1 New York Codes, Rules and Regulations (NYCRR) Part 141. Any 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 be transported whole outside the community.

5.7 Threatened and Endangered Species, Wildlife and Fisheries Habitat

The Endangered Species Act (ESA) of 1973 provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The lead Federal agencies for implementing the ESA are the USFWS and National Oceanic and Atmospheric Administration (NOAA) - National Marine Fisheries Service (NMFS). The law requires Federal agencies to ensure that actions they authorize, fund or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat of such species. The law also prohibits any action that causes a "taking" of any listed species of endangered fish or wildlife.

The Migratory Bird Treaty Act (MBTA) of 1918 provides a program for the conservation of migratory birds that fly through lands of the United States. The lead federal agency for implementing the MBTA is USFWS. The law requires federal agencies to ensure that actions they authorize, fund or carry out are not likely to jeopardize the continued existence of any migratory

birds or result in the destruction or adverse modification of designated critical habitat of such species. The law makes it illegal for anyone to “take,” possess, import, export, transport, sell, purchase, barter or offer for sale, purchase, or barter, any migratory bird, or their parts, feathers, nests or eggs. “Take” is defined as “to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or any attempt to carry out these activities.”

The Bald and Golden Eagle Protection Act (16 USC 668-668c), enacted in 1940, prohibits anyone, without a permit issued by the Secretary of the Interior, from "take” of bald and golden eagles, including their parts, nests, or eggs. Like the MBTA, the law makes it illegal for anyone to “take,” possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any bald or golden eagle, or their parts, feathers, nests or eggs.

5.7.1 Existing Conditions

The proposed new facility site consists of an intermixture of mown fields, vacant fill land, and a small area of wetland. No extensive groupings of trees or wooded areas were identified in the 10.3 acres that will be disturbed during construction. Deciduous trees and fewer coniferous trees are scattered throughout the property and line the entrance road or property lines. One of the streams identified on the site, an un-named tributary to Cobleskill Creek, is a NYSDEC Class C(T) stream, meaning it may support a trout population. Wetland types north of the project area include Palustrine Forested wetlands, Palustrine Emergent/Shrub Scrub/Open Water wetlands, Palustrine Emergent wetlands, and streams. Typically, these mixed woods-wetlands-field setting provide habitat for mammals such as deer, rodents, rabbit, skunk, raccoon, coyote, and fox, as well habitat for various birds, reptiles and amphibians.

The majority of the proposed new utility corridor is previously-disturbed, maintained road right-of-way habitat, agricultural fields and residential lawns. These corridors generally do not offer any unique ecological niche or special ecological significance. Cobleskill Creek is classified by the NYSDEC as a Class C stream indicating that it is suitable for supporting fisheries and non-contact recreation. The lack of a “T” standard indicates this creek does not support trout or trout spawning.

FEMA reviewed the USFWS’s Endangered Species Program webpage and IPaC system, as well as data obtained from the New York Natural Heritage Program, to determine whether any federally-threatened or endangered species were known to be located at or near the site. As of August 2017, IPaC indicates that the Northern Long-eared Bat (Myotis septentrionalis; NLEB; threatened) has the potential to occur in the proposed project area.

The Subrecipient also contacted New York Natural Heritage Program (NYNHP) regarding potential NYS threatened and endangered species or their habitat within or near the proposed new facility site and off-site utility corridor (Appendix A.3). NYNHP indicated that there are no records of rare or state-listed animals or plants, or significant natural communities, directly on the Project site. The Subrecipient coordinated with NYSDEC Region 4 regarding the location and sensitivity of NLEB hibernaculum (Appendix C.3).

According to correspondence between NYSDEC/NYNHP and the Subrecipient, bald eagles are found in Schoharie County, but are not currently found nesting near the project areas (Appendix

C.3). The proposed action is within the Atlantic Flyway, but there is no sensitive migratory bird habitat in the project area.

5.7.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact wildlife and fisheries habitat. The No Action Alternative would not impact threatened or endangered species or their critical habitat.

Proposed Action

The Proposed Action would have minor impacts to wildlife and habitat in the project vicinity. While the Project would permanently convert 4.7 acres of undeveloped fields, wetlands and vacant fill to developed land and would alter vegetative cover of an additional 8.4 acres, the existing trees on site are generally not grouped into functional woodlands or wildlife corridors. Such fragmented landscape is a common feature in this rural-agricultural region and does not have any special ecological significance. The Subrecipient's contractors did not observe unique niche habitat during the wetland delineation; the majority of wetlands will remain untouched (13.0 of the total 13.4 acres).

NYSDEC Region 4 has recommended to the Subrecipient that tree removal within the FTC/Berlin Site and along the off-site utility corridor be restricted to only occur during the winter months (November 1 through March 31). NYSDEC has also recommended that standing snag or cavity trees be left in place if their removal is not required for safety reasons (Appendix C.3). The Subrecipient will continue to work with NYSDEC Region 4 to comply with its recommendations and to avoid potential issues to State-listed rare, threatened or endangered species as Project design evolves.

In consultation with the USFWS, FEMA determined that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule (Appendix B.6). To support FEMA's determination, the Project is subject to the following conditions:

1) Any change to the scope of work as presented in this project will require additional FEMA Environmental Review before work begins.

2) The Subrecipient must immediately report to FEMA and USFWS New York Field Office in Cortland any changes to the proposed scope of work; the results of any surveys conducted; the presence of any colonies of bats of any species; and the presence of any dead, injured, or sick bats of any species that are found during the undertaking.

3) If the Subrecipient has not completed this project within one year of the consultation dated October 26, 2017, the Subrecipient must notify FEMA so that FEMA may update this determination and resubmit the required information to USFWS.

FEMA recommends that the Subrecipient install orange construction fence to demarcate clearing limit lines and incorporate downward-facing (dark-sky compliant) lighting for all exterior and site lighting applications. These conservation measures protect the bat species' potential habitat and

roosting and foraging behaviors. FEMA recommends that Subrecipient restrict cutting or destroying trees to the winter months, consistent with NYSDEC seasonal restrictions noted above.

FEMA has determined that there would be negligible impact to migratory bird habitat or bald eagle habitat, and no take of bald eagle or any migratory bird species associated with the Proposed Action.

5.8 Cultural Resources

Cultural resources includes historic properties, sacred sites, archaeological sites and other resources of cultural significance to a community. Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 CFR Part 800 requires federal agencies to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on federal projects that may have an effect on historic properties. Historic properties include districts, buildings, structures, objects, landscapes, archaeological sites and traditional cultural properties that are listed on or eligible for listing on the National Register of Historic Places (NRHP). Eligibility criteria can be found at 36 CFR Part 60. Section 106 consultation as detailed in 36 CFR Part 800 must take place prior to the approval of the expenditure of federal funds on an undertaking.

The Section 106 process involves four steps: the establishment of an undertaking, identification of historic properties, assessment of adverse effects, and resolution of adverse effects. FEMA consults with the State Historic Preservation Office (SHPO), Tribal Historic Preservation Offices (THPOs), the public and other consulting parties throughout the process. The process can be completed at any of the four steps depending on the findings of the federal agency. FEMA has executed a Programmatic Agreement with the NYSHPO, NYDHSES, ACHP, the New York City Landmarks Preservation Commission (LPC) and Stockbridge-Munsee Community Band of Mohicans that addresses FEMA undertakings in New York State in accordance with 36 CFR Part 800.14. This Programmatic Agreement stipulates roles and responsibilities, exempts certain undertakings from Section 106 review, establishes protocols for consultation, facilitates identification and evaluation of historic properties and streamlines the assessment and resolution of adverse effects. The New York Statewide Programmatic Agreement was executed on November 24, 2014.

5.8.1 Existing Conditions

FEMA initiated consultation with SHPO and the Saint Regis Mohawk Tribe on the Proposed Action when initially proposed at the Seebold Farm in letters dated October 28, 2015. FEMA notified both parties in a letter dated April 13, 2017 that the Seebold Farm was abandoned as the preferred relocation site and that four new sites were under consideration. Consultation continued in a letter dated June 21, 2017 when the Subrecipient selected the Fire Training Site (FTC) and the Berlin Property as the preferred relocation site. Both the FTC Site and the Berlin Site are located within an area considered archaeologically sensitive by the SHPO; there are no aboveground historic resources in the Area of Potential Effects (APE). The Public Archeology Facility (PAF) of the State University of New York at Binghamton conducted a Phase 1A/1B investigations, one on each of the two sites.

PAF conducted a Phase 1 Investigation of the FTC Site in February 2017 (see Appendix B.7). One hundred thirteen shovel tests were excavated and examined within the project's proposed APE. PAF notes that much of the APE was determined to be previously mined and/or fill land and no shovel tests were conducted in such areas. The sub-surface testing yielded scattered historic and prehistoric artifacts and one prehistoric archeological site – the Howe's Cave site. PAF recommended that the Howe's Cave site be considered potentially eligible for listing on the NRHP and avoided during project construction. If avoidance is not possible, PAF recommended that FEMA conduct a Phase 2 investigation.

The Howe's Cave site is located near the southern boundary of the FTC property and outside of the APE for the proposed facility. PAF determined that any impacts to the Howe's Cave site could be avoided during construction and an Archeological Site Impact Avoidance Plan was prepared by PAF in June 2017 (see Appendix B.7).

The Phase 1 Investigation of the Berlin Site was conducted by PAF in May 2017 (see Appendix B.7). Within the APE defined for the site, a total of 85 shovel tests were excavated and examined. No historic or prehistoric artifacts were recovered from the project area, and no historic or prehistoric archeological sites were identified. PAF recommended no further archeological work within the project boundaries.

A Phase 1A/1B investigation was also undertaken along the proposed new utility access corridor to the FTC/Berlin property by PAF. PAF excavated 172 shovel tests within the APE along the proposed access route. The sub-surface testing resulted in the identification of three archaeological sites; the Spenello Site, a prehistoric site which yielded an intermittent series of light density lithic debitage, the Rehberg Site, a prehistoric site yielding a light lithic scatter, and the historic C. Wetsel Site which consisted of 16 historic artifacts associated with the former C. Wetsel Residence. PAF recommended all three sites be considered eligible for the NRHP. PAF's survey recommended that impacts to all three sites be avoided, and if avoidance was not possible that the subrecipient conduct a Phase 2 Archaeological Site Assessment.

In coordination with FEMA, DHSES, Schoharie County, PAF and Labella Associates alternate construction methods were chosen in order to avoid the three identified archaeological sites. The Subrecipient plans on using directional drilling under the Rehberg Site as a means of impact avoidance. Following the completion of the investigation, LaBella realigned a portion of the utility route along the Spenello property in order to avoid the identified site. PAF conducted additional testing along the new route and found no prehistoric or historic sites. Therefore, the re-aligned route will avoid impacts to the Spenello Site. Construction plans show the C. Wetsel Site will also be avoided as the proposed watermain will be installed on the road side (adjacent to the road shoulder) of the ditch, opposite the site. PAF developed an impact avoidance plan in January 2018 (see Appendix B.7) outlining measures which guarantee protection of these three archaeological sites during construction.

See Appendix B.7 and C.4 for all correspondence and documentation for cultural resources associated with the Project

5.8.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact cultural resources.

Proposed Action

FEMA provided the Subrecipient's site avoidance plan for the Howe's Cave site to SHPO and THPO for the Saint Regis Mohawk Tribe for their review and concurrence. SHPO concurred with FEMA's findings in a letter dated July 5, 2017; the THPO for the Saint Regis Mohawk Tribe provided verbal concurrence as well.

FEMA provided the Phase 1 report and avoidance plan for the utility corridor to SHPO and THPO for the Saint Regis Mohawk Tribe for their review and concurrence. SHPO concurred with FEMA's assessment of the Rehberg and Wetsel sites and the avoidance of the Spenello site in a letter dated January 19, 2018. SHPO finds that the portions of the Rehberg and Wetsel site within the project's APE do not contain significant archaeological deposits. SHPO's opinion that site avoidance measures are unnecessary and no additional archaeological work within the APE is necessary. The THPO for the Saint Regis Mohawk Tribe concurred with FEMA's findings verbally as well as in an email on January 29, 2018. FEMA has determined there will be No Adverse Effect to historic properties contingent on the implementation of the Archaeological Site Impact Avoidance Plan during construction. Therefore, FEMA anticipates the Project will have minor impacts to cultural resources.

5.9 Land Use, Zoning and Community Character/Visual Resources

5.9.1 Existing Conditions

The damaged facility is located in a mixed use area in the Village of Schoharie, consisting of municipal, light industrial, service and commercial uses. The FTC/Berlin Site is relatively isolated, surrounded generally by wooded and agricultural areas, highways, and Cobleskill Creek. Five single family homes are located approximately ¼ mile southwest of the proposed building location on Spenello Drive, and there is a large gravel mine located about ½ mile northwest of the site in the Town of Cobleskill. The site is located within the Town's Rural-Agricultural (R-A) zoning district, which generally supports agricultural and residential uses, and compatible low-density commercial and other mixed uses. The Town of Schoharie's Zoning Law (Local Law No. 3 of 2015) specifically includes public and semi-public facilities, including public safety buildings and detention facilities (i.e., jails) as allowable uses in the Rural-Agricultural district. The proposed new utility rights-of-way will mainly follow County Route 8 in the Town of Schoharie, and NYS Route 7 in the Towns of Schoharie and Cobleskill, passing through the Rural-Agricultural (R-A) zoning district in the Town of Schoharie, and through the Highway Business District (B-2) and Heavy Industry District (I) in the Town of Cobleskill.

Visually, the proposed project site is typical of rural mixed and residential land uses in the vicinity. The Berlin Site is a mix of wooded, shrub, and wetland areas, with a small fishing camp adjacent to Cobleskill Creek at the far eastern boundary (outside of the PSF development area). The FTC Site has been used for gravel mining and as a dump site, and currently contains the County's fire

training center along with vacant fill land and wooded areas. The project site as a whole is relatively isolated from incompatible uses, as it is surrounded by moderate to large swaths of agricultural land, woodlands, and wetlands in all directions, with the exception of the five single family homes on Spenello Drive.

The FTC is the most visible use of the site currently. Most of the property boundaries are tree lined. The proposed new utility corridor is located along various roadways in both the Towns of Schoharie and Cobleskill and is bordered by primarily rural residential and agricultural uses within these Towns.

5.9.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would have no impact on land use, zoning, visual resources or community character.

Proposed Action

The Proposed Action would have no impact on zoning or land use. While the use of the land associated with the proposed new facility will change from mown field and vacant fill land to a correctional and public safety facility, the proposed action is consistent with local planning goals, zoning laws. Project development has taken place with full awareness of and respect for the requirements of the local zoning and land use laws, and will accommodate and comply with those requirements to the maximum extent practicable. The County is cooperating with both the Towns of Schoharie and Cobleskill to keep them informed of details of Project design, construction and operation. The proposed PSF is compatible with the mix of uses found in the vicinity of the site, and no changes to land use would occur as a result of the installation of the proposed new utilities.

The proposed action would have minor impacts to visual resources and would not affect the community character of the area. While visual impacts are expected as a result of the conversion of undeveloped vegetated area into a developed lot with a relatively large institutional structure, the site is not prominent visually in the landscape, and the proposed facility is compatible with the mix of uses present in the surrounding area. The facility's location at the center of a relatively isolated lot, nearly ¼ mile back from any road frontage, diminishes visual impacts. The five single family homes on Spenello Drive are at approximately the same elevation as the proposed facility (700-720 feet) with a small hill and hedgerows adjacent to the homes and the proposed facility. Vegetation and topography will block or moderate views from the houses to the facility. The building will be two stories in height, and its design incorporates architectural details that soften its appearance and help to blend the proposed new facility in the surrounding landscape (see architectural renderings, Appendix A.5). An antenna approximately 120 feet in height may be included in the Project to facilitate 911 communications. The antenna will be discernable from nearby highways; however, it will appear against the backdrop of the nearby ridge and mining areas and will not degrade views or the general character of the area.

The utility corridor will pass through an area with mixed land uses consisting of productive agricultural fields, vacant land, residences, small businesses, Doc Reilly Park, and a transfer station operated by the Montgomery-Otsego-Schoharie Solid Waste Management Authority. The

installation of the proposed new utility corridor would have minor, temporary impacts on land use and visual resources during construction. Following construction, there would be no impacts on land use or visual resources as the utilities will be located underground.

5.10 Socioeconomic Resources and Environmental Justice

Under EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, federal agencies must identify and address disproportionately high and adverse human health or environmental effects its activities may have on minority or low income populations. These populations are known as Communities of Concern. Per USEPA Region 2's Guidelines for Conducting Environmental Justice (EJ) Analyses, for New York, a community would be considered an EJ community if the minority population was 34.73 percent or higher in rural areas (51.51 percent in urban areas), or if 23.59 percent or more of the population was considered low-income.

5.10.1 Existing Conditions

The U.S. Census Bureau's American Community Survey (ACS) 2011-2015 averaged estimate for the population of Schoharie County is 31,913, down from 32,749 in 2010. The Town of Schoharie has an estimated population 3,094 for the same time period. The median household income for 2015 in the county was estimated to be $51,195 while the median household income for the town was estimated at $51,821. The project site is located in census block group 360957401003, one of three census block groups that comprise the town. The ACS estimate for median household income in 2015 in this block group is $50,481.

USEPA's tool, EJScreen indicates that the town and the block group each have a minority population of 3%, while the county as a whole has a minority population of 6%. This is significantly lower than the statewide minority population of 43%. EJScreen reports that the block group has a low-income population of approximately 12%; the town has a low income population of approximately 16%, and the county has a low-income population of approximately 16%. By comparison, the statewide low-income population is approximately 32%. Using EJScreen, FEMA mapped concentric circles around the approximate center of the proposed project site at 0.5 miles, 1 mile and 2.5 miles in order to better characterize the project area and capture information about the demographics of the areas near the site in the Town of Cobleskill. These geographies have similar characteristics to the town and county, with 3%-4% minority populations and 12%-17% low-income populations. According to USEPA's guidance, none of these locations would be considered Communities of Concern because the minority population is below the 34.73 percent threshold and the low-income population is below the 23.59 percent threshold. The PSF had employed 31 corrections officers when fully staffed before flood damage occurred, while only 22 such positions currently exist.

5.10.2 Potential Impacts and Proposed Mitigation

No Action Alternative

This alternative may have adverse impacts on the socioeconomic resources of the County. Taking no action to replace the current PSF means that Schoharie County inmates would continue to be sent to and held at the Albany County correctional facility, an annual expense of approximately $1

million or more, that is only partly reimbursed by FEMA. Various public safety services would be conducted from different locations which may lead to increased travel by staff and may also increase redundancy of actions, which wastes tax revenue.

The no action alternative would have no impact to existing socioeconomic conditions, and minor negative impact when compared to the pre-disaster local and regional socioeconomic conditions. The no action alternative would not allow for restoring corrections officer positions. The Subrecipient has not undertaken a cost/benefit analysis of continuing the practice of boarding out inmates, but has determined that the expenses are not sustainable and that the practice is not consistent with New York State law.

Proposed Action

The proposed action would have minor beneficial socioeconomic impacts to the locality. The proposed project site is in a location with lower minority and low-income populations than the county as a whole, and therefore does not disproportionately affect Communities of Concern.

FEMA anticipates short-term minor positive impacts to the local economy during the nine to 15 months of construction, and negligible to minor positive long-term impacts during operation. The Subrecipient estimates that there will be 35 corrections officer positions, which is an increase of four compared to pre-disaster conditions and 13 compared to current conditions. When completely operational, the other offices and departments at the PSF will operate at staffing levels comparable to pre-disaster conditions.

5.11 Contaminated Materials

5.11.1 Existing Conditions

LaBella Associates conducted a Phase I Environmental Site Assessment on each of the two parcels in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Standard Practice E 1527-13 (See Appendix B.8).

At the Berlin Site, the records search of federal, state and local government databases of known or suspected inactive hazardous waste sites; petroleum and chemical bulk storage tank sites; reported spills, including leaking underground storage tanks (USTs); and hazardous waste generation sites did not reveal any of these conditions on the site or on adjacent sites. The report noted railroad tracks located on the northern adjacent property which often contain railroad ties treated with chemicals (e.g. creosote) and ballast which may contain elevated concentrations of heavy metals. Although these chemicals have been known to impact soil and groundwater, no information was indicated that the adjacent railroad tracks have impacted the soil and groundwater at the Berlin Site. The report also notes that the county had used the western adjacent property (FTC Site) as a commercial mining operation and mine dump, as well as its current use as the Schoharie County Fire Training Facility, which indicates a potential for the migration of residual subsurface impairment to the Berlin Site.

LaBella's Phase I Environmental Site Assessment for the Berlin Site identified no "Recognized Environmental Conditions" (RECs). LaBella observed four gallons of waste oil between the storage units on the southeastern portion of the Berlin Site during a site visit. Although there was

no apparent evidence of release in the vicinity of the containers, investigators recommended that they be removed and properly disposed of before development of the site.

At the FTC Site, the records search of federal, state and local government databases of known or suspected inactive hazardous waste sites; petroleum and chemical bulk storage tank sites; reported spills, including leaking underground storage tanks (USTs); and hazardous waste generation sites did not reveal any of these conditions on the site or on adjacent sites. The report noted railroad tracks located on the northern adjacent property which often contain railroad ties treated with chemicals (e.g. creosote) and ballast which may contain elevated concentrations of heavy metals.

Although these chemicals have been known to impact soil and groundwater, no information was indicated that the adjacent railroad tracks have impacted the soil and groundwater at the FTC Site. One REC was identified at the FTC Site based on its historical use as a mine, a mine dump and a fire training center. Specifically:

- The FTC Site was historically used as a commercial mining operation (crushed stone) between about 1943 to 1946 and appears to have been used as a mine dump from about 1961 until 1994. The Phase I report does not identify the content of the material dumped at the mine.

- Investigators observed mounding potentially associated with former mine operations on the eastern and northern portions of the FTC parcel. Mounding was also observed throughout a large, elevated area located in the northwestern corner. Solid waste consistent with dumping was observed throughout the elevated area and to the east of the elevated area, including rusty 55-gallon drums, cans, buckets, car parts, piping, metal and various other items.

- The FTC Site has reportedly been used as the Schoharie County Fire Training Facility since approximately 2008.

The Phase I report concluded that further investigation at the FTC site appears warranted. La Bella Associates initiated a Phase II investigation in April 2017 and issued a report in October 2017 (see Appendix B.8). The Phase II investigation included soil borings, test pit excavation and monitoring, sampling of groundwater wells, and laboratory analysis of soil and groundwater samples. The test pits, groundwater wells and soil borings were concentrated in and around the AD of the primary building area (at the end of the existing access road).

Preliminary analysis of soil and groundwater samples did not detect any substances exceeding regulatory thresholds, including arsenic, lead, mercury, pesticides, and semi-volatile organic compounds (SVOC's). No volatile organic compounds (VOC's) exceeding regulatory thresholds were detected in soil or groundwater samples with one exception. Samples from two groundwater wells located at least 250 feet away from the limits of the proposed building site contained levels of the VOC tolulene that are above the NYSDEC regulatory standard. La Bella's report recommends that the Subrecipient take the following steps to minimize potential contamination:

- An Environmental Management Plan should be developed and implemented to provide guidance for the proper handling, relocation and disposal of fill materials during construction.

- An environmental monitor should be present during ground-disturbing construction activities as a precautionary measure in case higher concentrations of volatile organic compounds are encountered at previously untested areas of the site.

- The Subrecipient should coordinate with NYSDEC to ensure appropriate disposal of excavated fill materials in accordance with applicable regulations.

5.11.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact or be impacted by contaminated materials.

Proposed Action

FEMA anticipates moderate impacts at the proposed construction site as a result of contaminated materials identified at the FTC site. The Subrecipient will implement the three recommendations indicated in the Phase II investigation and noted in the Existing Conditions.

In the event of petroleum or other hazardous material leak during construction, the Subrecipient's contractors will implement BMPs to minimize impacts. The Subrecipient and their contractors must report any spills to NYSDEC. If hazardous materials are unexpectedly encountered during construction, the Subrecipient will contact NYSDEC appropriate safety precautions will be implemented. Contractors are responsible for ensuring responsible action on the part of construction personnel and must adhere to OSHA standards during construction to avoid impacts to public health.

5.12 Noise

The Noise Control Act of 1972 required the USEPA to create a set of noise criteria. In response, the USEPA published Information On Levels Of Environmental Noise Requisite To Protect Public Health and Welfare With An Adequate Margin Of Safety in 1974 which explains the impact of noise on humans. Sound pressure level (SPL) is used to measure the magnitude of sound and is expressed in decibels (dB or dBA), with the threshold of human hearing defined as 0 dBA. The SPL increases logarithmically, so that when the intensity of a sound is increased by a factor of 10, its SPL rises by 10 dB, while a 100-fold increase in the intensity of a sound increases the SPL by 20 dB. Equivalent noise level (Leq) is the average of sound energy over time, so that one sound occurring for 2 minutes would have the same Leq of a sound twice as loud occurring for 1 minute. The day night noise level (Ldn) is based on the Leq, and is used to measure the average sound impacts for the purpose of guidance for compatible land use. It weights the impact of sound as it is perceived at night against the impact of the same sound heard during the day. This is done by adding 10 dBA to all noise levels measured between 10:00 pm and 7:00 am. For instance, the sound of a car on a rural highway may have an SPL of 50 dBA when measured from the front porch of a house. If the measurement were taken at night, a value of 60 dBA would be recorded and incorporated into the 24-hour Ldn.

Leq and Ldn are useful measures when used to determine levels of constant or regular sounds (such as road traffic or noise from a ventilation system). However, neither represents the sound

level as it is perceived during discrete events, such as fire sirens and other impulse noises. They are averages that express the equivalent SPL over a given period of time. Because the decibel scale is logarithmic, louder sounds (higher SPL) are weighted more heavily; however, loud infrequent noises (such as fire sirens) with short durations would not significantly increase Leq or Ldn over the course of a day.

The USEPA report found that keeping the maximum 24-hour Ldn value below 70 dBA will protect the majority of people from hearing loss. The USEPA recommends an outdoor Ldn of 55 dBA. According to published lists of noise sources, sound levels, and their effects, sound causes pain starting at approximately 120 to 125 dBA (depending on the individual) and can cause immediate irreparable damage at 140 dBA. OSHA has adopted a standard of 140 dBA for maximum impulse noise exposure. The USEPA recommends taking additional care with noise generating activities near sensitive receptors, which are areas where occupants may be more susceptible to impacts from noise. Sensitive receptors may include but are not limited to, hospitals, schools, daycare facilities, elderly housing and convalescent facilities.

5.12.1 Existing Conditions

The ambient noise level in the vicinity of the proposed Project is consistent with a sparsely developed rural area. The proposed Project site and its immediate surroundings is a mix of wooded land, agricultural land, the County's FTC, and some scattered residential uses. The primary source of noise in the area is traffic traveling on nearby County and State highways. Ambient noise levels in and near the FTC/Berlin site would be expected to be consistent with the typical Ldn for a rural/residential areas of about 45 dBA.

The proposed new utility corridors will be located within the Towns of Schoharie and Cobleskill, where it is expected that ambient noise levels are consistent with the typical Ldn for a rural/residential area of 45 dBA. Noise issues are not relevant to underground utility lines.

5.12.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact ambient noise levels.

Proposed Action

This alternative would have a short-term, minor impact to ambient noise levels during the construction phase of Project. The Subrecipient will ensure that contractors follow the Town's noise ordinance during construction to the extent possible. The Subrecipient may implement mitigation measures by implementing a typical work-day schedule, such as limiting heavy machinery use to between the hours of 7:00 a.m. and 5:00 p.m.

FEMA anticipates minor long-term impacts to ambient noise levels as a result of the operation of the new public safety facility. The primary new sources of noise will be sounds generated by the buildings's mechanical systems (HVAC, emergency generator) and truck deliveries. HVAC noise will be perceived as a steady drone or hum, audible only within a certain distance of the infrastructure. The Subrecipient will use physical design and siting features to limit noise

associated with operation of mechanical systems and with vehicles accessing the site. The Project will not include any siren or alarm system. Given the above, and the relatively isolated location of the site with very few neighboring sensitive receptors, FEMA anticipates no long-term noise impacts as a result of the operation of the new facility.

5.13 Traffic

5.13.1 Existing Conditions

The proposed Project is accessed from a dead-end driveway located off Howe's Cave Road (County Route 8) in the Town of Schoharie, approximately 0.1 mile from its intersection with Sagendorf Corners Road (Appendix A.1, site location and vicinity map). Although the site's street address is on Howe's Cave Road, some maps indicate that this portion of the road (on which the FTC site has frontage) is an extension of Sagendorf Corners Road. For clarity, this section will refer to this road as County Route 8. County Route 8 intersects with NYS Route 7 approximately one-half mile to the southeast of the existing FTC driveway. Lester Lane is immediately opposite the existing FTC driveway. County Route 8 is classified as a "Rural Local" road. Traffic counts taken by the NYSDOT in 2011 indicate an average daily traffic volume of 964 vehicles per day on County Route 8 in the vicinity of the Project area.

The proposed new utility corridor is located along the rights-of-way of NYS Route 7 and County Route 8. Traffic counts taken by the NYSDOT in 2015 indicate an average daily traffic volume of 3,819 vehicle trips on NYS Route 7 in the vicinity of the Project area. These roadways support automobile, truck and agricultural traffic.

5.13.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact traffic volume.

Proposed Action

FEMA anticipates short-term, minor impacts to traffic during the construction phase of the Project. The Subrecipient will obtain work permits for construction within road rights-of-way from State and County agencies, as necessary. The Subrecipient will ensure that their contractors use construction signage and other appropriate measures to direct traffic around work areas.

The Subrecipient anticipates that long-term impacts on traffic volume would be negligible as a result of the operation of the new public safety facility (see Appendix B.9). The Project will improve the existing driveway maintaining site access on the east side of County Route 8. The access driveway will contain one lane in each direction for entering and exiting traffic. There will be a stop sign facing westbound at the end of the facility's driveway to control traffic exiting the facility onto County Route 8. The Subrecipient expects traffic volumes on County Route 8 near the proposed Project will increase slightly, but intersections will continue to function with slight to no delay. Trip generation estimates determined that at the peak hour, 7:00 – 8:00 AM, traffic to the site would consist of 35 entering trips and 8 exiting trips, with the majority of the traffic to and from the facility coming from the south. The existing highway network, primarily Howe's Cave

Road and NYS Route 7, has the capacity to accommodate traffic generated by the proposed Project and to maintain acceptable traffic operations without improvements or modifications.

5.14 Infrastructure and Utilities

5.14.1 Existing Conditions

The FTC/Berlin site is located on rural properties that have access to some existing infrastructure, including roads, electrical supply and telecommunication; however, public water and sanitary sewer does not currently serve the site. Existing distribution lines end on Route 7, approximately one and a half miles from the site (Appendix A.3).

The Town of Cobleskill's existing wastewater treatment facility is rated for 1.8 million gallons per day (MGD), and recent current usage has resulted in average demands of 0.651 MGD, with a peak demand of 1.1 MGD; therefore, the existing facility has a demonstrated reserve capacity of 0.7 MGD on a peak usage day, and approximately 1 MGD on a typical day. (Appendix B.10, Draft Feasibility Report).

The Village of Cobleskill operates a 2 MGD water treatment plant within the Village using raw water from the Dow and Smith Reservoirs. The Town of Cobleskill has established a water district to service the NYS Route 7 corridor and Howe Caverns via a 12-inch main along NYS Route 7 that terminates at the Cobleskill/Schoharie town line. The Town of Cobleskill's existing water supply treatment plant is rated for 2.0 MGD and had an average demand of 0.715 MGD in 2016, resulting in excess treatment capacity of approximately 1.28 MGD. The town's raw water supply has a safe yield of approximately 1.15 MGD.

Average water usage at the former facility, which was slightly larger than the proposed facility, has been calculated at approximately 5,500 GPD, with peak usage of approximately 7,000 GPD.

Telecommunications and electrical lines are present along Howe's Cave Road/County Route 8.

5.14.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative would not impact existing infrastructure.

Proposed Action

FEMA anticipates minor impacts to the existing wastewater and water supply systems. Using industry-standard estimates for daily water usage, and given a capacity of 75 inmates and an estimated 86 employees (including three shifts for round-the-clock corrections staff), water usage is estimated at 14,165 gallons per day (GPD). Use of water-saving fixtures would decrease demand to 11,332 GPD. These figures includes daily usage by inmates and staff, as well as food service and laundry demands. Based on experience with similar facilities, the Subrecipient's consultant notes that actual inmate and staff daily water usage is significantly lower in smaller detention facilities such as the proposed Project (Appendix B.10), and estimates that the actual usage at the facility will be approximately 6,300 GPD.

The new facility will use propane for use at kitchen and laundry facilities. Propane may also be used for mechanical systems, however, the Subrecipient may consider using fuel oil for mechanical systems. Telecom and electricity will be pulled from the pole nearest to the site and extended along the access road to the Project. The design for the proposed facility's heating, cooling and electrical systems will use up-to-date, energy-efficient components. The energy use/demand associated with the new replacement structure is expected to be lower than the energy demand at the former facility as a result, in accordance with the New York State Energy Code (NYSEC).

5.15 Public Health and Safety

5.15.1 Existing Conditions

The damaged facility at 157 Depot Lane experienced flood damage that rendered the facility unsuitable and unsafe for its intended purpose. As a result of the flood damage, the Subrecipient currently does not operate its own correctional facility and inmates are currently sent to and held at the Albany County correctional facility. Meanwhile, other important public safety operations, such as portions of the Sheriff's Office, corrections staff, the Probation Department, and the District Attorney's Office, continue to be located on the second floor of the damaged facility, despite the fact the majority of the building remains uninhabitable. The Schoharie County 911 Emergency Operations Center, which was located in the former facility on Depot Lane, was rendered inoperable during the emergency flooding event and is permanently relocated to the Town of Cobleskill, approximately 1.5 miles west of the proposed Project site.

5.15.2 Potential Impacts and Proposed Mitigation

No Action Alternative

The No Action Alternative will continue to have a moderate negative impact on public health and safety. Under the No Action Alternative, Schoharie County may have to obtain permission from the Commission of Corrections to continue boarding inmates in other counties. Furthermore, various public safety and corrections operations which were once in one central location are now scattered throughout Schoharie County including within the damaged facility, in temporary facilities and in the nearby Town of Cobleskill.

Proposed Action

FEMA anticipates moderate positive impacts on public health and safety for the county as a whole, as well as for occupants and users of the new facility. Code and safety upgrades included in new construction will promote the safety of staff and inmates, and the County would once again have its own jail facility. Many of the now-scattered public safety and corrections operations would be located in one central location outside of the flood hazard areas.

5.16 Cumulative Impacts

In accordance with NEPA, this EA considers the overall cumulative impact of the Proposed Action Alternative and other actions that are related in terms of time or proximity. According to the CEQ regulations, cumulative impacts represent the "impact on the environment which results from the incremental impacts of the action when added to other past, present and reasonably foreseeable

future actions, regardless of what federal agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (40 CFR 1508.7).

Cumulative impacts are those impacts "… which result from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions…" (40 CFR 1508.7). The statutory basis for considering cumulative impacts of federal actions is NEPA 1969, 42 USC 4321 et seq. In the context of evaluating the scope of a proposed action, direct, indirect and cumulative impacts must be considered.

In addition to NEPA, other statutes require federal agencies to consider cumulative impacts. These include the CWA section 404 (b)(1) guidelines; regulations implementing the conformity provisions of the CAA; regulations implementing Section 106 of the NHPA; and regulations implementing section 7 of the ESA.

The Schoharie County Recovery Coordinator and the Schoharie County Planning Department report there are no development projects presently proposed or in the approval process within the project vicinity. This includes the NYS Route 7 corridor between its intersection with NYS Route 145 (just east of the Village of Cobleskill) and its intersection with NYS Route 30/30A (east of the Hamlet of Central Bridge).

The Village of Cobleskill projected growth in the Village and along the Route 7 corridor east and west of the Village in a 2012 engineering master plan. This growth may increase demand within the existing sanitary sewer system by 0.67 MGD. Even if this projected demand is added to the most conservative estimate of 14,165 GPD (0.014 MGD) for the proposed Project, the increase is within the wastewater system's reserve capacity. The 2012 master plan projects that future usage may increase demand for water by approximately 0.4 MGD. The daily demand from the Project would not represent a significant increase in demand.

6.0 PERMITS AND PROJECT CONDITIONS

The Subrecipient, is responsible to obtain all applicable Federal, state, and local permits for Project implementation prior to construction, and to adhere to all permit conditions. The Subrecipient has completed a SEQRA documentation process with forms provided in Appendix B.2. Any substantive change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other laws and executive orders. The Subrecipient must also adhere to the following conditions during Project implementation:

1. The Subrecipient is responsible for obtaining all applicable state and local floodplain permits.

2. The Subrecipient is responsible for coordination with the local floodplain manager for any future plans for the damaged facility.

3. Excavated soil and waste materials will be managed and disposed of in accordance with applicable Federal, state and local regulations.

4. The Subrecipient will incorporate recommendations made in the Phase II Environmental Site Assessment for the Fire Training Facility Site:

    - Implement an Environmental Management Plan to provide guidance for the proper handling, relocation and disposal of fill materials during construction.

    - Provide an environmental monitor during ground-disturbing construction activities as a precautionary measure in case higher concentrations of volatile organic compounds are encountered at previously untested areas of the site.

    - The Subrecipient must coordinate with NYSDEC to ensure appropriate disposal of excavated fill materials in accordance with applicable regulations.

5. The Subrecipient must 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. Subrecipient shall provide NYSDHSES and FEMA a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent Form or a copy of any obtained permit (if an individual permit was needed), at grant project close-out or other time identified by NYSDHSES and FEMA PA per grant administrative documentation guidance requirements.

6. The United States Army Corps of Engineers (USACE) may require a permit for the project associated with wetlands. The work may be authorized by a general permit or a nationwide permit. The Subrecipient is responsible for obtaining all necessary permits and complying with all conditions of the permit including but not limited to notification and signature requirements to insure validation of permits.

7. The Subrecipient will coordinate with Schoharie County Department of Health and/or the New York State Department of Health regarding compliance with all regulations regarding public water supply and sanitary sewer system modifications.

8. The damaged facility has been rendered safe and secure. Subrecipient must notify FEMA if demolition of the existing facility becomes necessary as a FEMA-funded action, prior to demolition. FEMA will determine if demolition of the damaged facility requires further evaluation under Section 106 of the National Historic Preservation Act and federal regulations at 36 CFR Part 800.

9. The potentially-eligible National Register Howe's Cave site, located in the southern portion of the Project site, must be avoided and protected from any impact of the construction activities. If the site cannot be avoided, a Phase 2 Archaeological Site Investigation will be necessary to determine NRHP eligibility and potential mitigation of adverse effects to historic properties. See Archeological Site Impact Avoidance Plan prepared by PAF in June 2017 for details.

10. Construction of the utility corridor must follow the impact avoidance plan to protect three archaeological sites.

11. In the event that unmarked graves, burials, human remains or archaeological deposits be uncovered, the Subrecipient will immediately halt construction activities in the vicinity of the discovery, secure the site and restrict access to the area, and take reasonable measures to avoid or minimize harm to the finds. As soon as possible, the Subrecipient will contact: local law enforcement and the country coroner/medical examiner (for human remains), NYSDHSES, SHPO and FEMA. FEMA will immediately coordinate with the SHPO, notify Participating Tribal Nations and any other consulting parties that may have an interest in the discovery, and consult to evaluate the discovery and determine how to proceed in accordance with 36 CFR 800.13, Post-review Discoveries. Work in sensitive areas may not resume until consultations are completed.

12. The Subrecipient must avoid cutting or destroying trees during the conservation cutting window for the Northern Long-eared Bat (April 1 - October 31).

13. The Subrecipient must immediately report to FEMA and USFWS New York Field Office in Cortland any changes to the proposed scope of work; the results of any surveys conducted; the presence of any colonies of bats of any species; and the presence of any dead, injured, or sick bats of any species found during the undertaking.

14. If the Subrecipient has not completed this project within one year of the consultation dated October 26, 2017, the Subrecipient must notify FEMA so that FEMA may update this determination and resubmit the required information to USFWS.

15. FEMA recommends that the Subrecipient install orange construction fence to demarcate clearing limit lines and incorporate downward-facing (dark-sky compliant) lighting for all exterior and site lighting applications.

16. FEMA recommends that woody tree and shrub material removed during work 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 EO 13112 Invasive Species, Federal regulations at 7 CFR Parts 301.53-1 through 301.53-9 and State regulations at 1 NYCRR Part 141.

17. FEMA recommends that the Subrecipient restore disturbed construction areas of the site with native seed and/or plant species to the extent practicable.

18. The Subrecipient must ensure that Occupational Safety and Health Administration (OSHA) standards are followed during construction for worker health and safety.

19. Subrecipient will not initiate construction activities until fifteen (15) days after the date that the Finding of No Significant Impact (FONSI) has been signed as “APPROVED.”

7.0 PUBLIC INVOLVEMENT

In accordance with NEPA, FEMA will release this EA for a 30-day public review and comment period. FEMA will announce availability of the EA for comment will be advertised in the Times Journal, The News of Schoharie County and The Mountain Eagle newspapers. The Subrecipient will make a hard copy of the EA available for review at the Schoharie County Offices, Clerk of the Board of Supervisors, 3rd Floor, 284 Main Street, Schoharie, NY 12157. An electronic copy of the EA is available for download from the FEMA website at https://www.fema.gov/resource-document-library.

This EA reflects the evaluation and assessment of the Federal government, the decision-maker for the Federal action; however, FEMA will take into consideration any substantive comments received during the public review period to inform the final decision regarding grant approval and Project implementation. The public is invited to submit written comments by mail to FEMA, Office of Environmental Planning & Historic Preservation, Leo O'Brien Federal Building, 11A Clinton Avenue, Suite 742, Albany, New York 12207, or E-mail to: FEMA4020-4031Comment@fema.dhs.gov.

If substantive comments are received from the public during the public review and comment period, comments will be evaluated and addressed as part of Final Environmental Assessment documentation prior to the anticipated issuance of a FONSI by FEMA. If no substantive comments are received, FEMA will adopt this EA as final with issuance of a FONSI.

Copies of the EA will be sent to:

NYSDHSES
1220 Washington Avenue, Building 7A, Floor 4
Albany, NY 12242

NYSDEC Region 4
1130 North Westcott Road
Schenectady, NY 12306-2014

The following will receive electronic notice of the Environmental Assessment's availability:

U.S. Army Corps of Engineers – Regulatory Program - Watervliet, NY, Mr. John Connell

U.S. Environmental Protection Agency Region II - Strategic Planning and Multi-Media Programs, Chief of NEPA Section, 309/NEPA Compliance Coordinator, Ms. Grace Musumeci.

New York State Department of Environmental Conservation - Division of Waters, Floodplain Management

New York State Office of Parks, Recreation, and Historic Preservation, Mr. John Bonafide and Mr. Larry Moss

Saint Regis Mohawk Tribe, Arnold Printup

8.0 LIST OF PREPARERS

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FEMA Region II, 26 Federal Plaza, New York, New York 10278

9.0 REFERENCES

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