

October 8, 2002

L7671

Memorandum

To: Regional Director, Northeast Region

From: Superintendent

Subject: Finding of No Significant Impact, Visitor Center, Ferry Terminal, and Headquarters Building as well as Renovation of the PMF Maintenance Building and Replacement of NPS Patchogue River Bulkheading.

INTRODUCTION

This Finding of No Significant Impact (FONSI) is in response to the environmental assessment (EA), public comments received thereon, and replies to those comments attached herein, relating to five proposed National Park Service (NPS) construction projects for Fire Island National Seashore. These projects are: (1) a new visitor center; (2) a new ferry terminal; (3) a new headquarters; (4) a renovated and raised Patchogue Maintenance Facility (PMF) maintenance building; and (5) replacement of bulkheading along the Patchogue River. Park staff believe that there are compelling reasons for each of these projects.

The National Environmental Policy Act (NEPA) requires the National Park Service and other federal agencies to conduct a formal environmental review process on proposed projects prior to decisions on their implementation. This process is designed to disclose and analyze the purposes of and needs for a project, the potential alternatives to and impacts from the project, and provide for public involvement. The benefits of this process are greater public understanding of proposed

projects combined with better implementation decisions. This is because the process helps identify less damaging alternatives and methods to avoid, reduce, or mitigate adverse impacts that may be integrated into the decision.

Under NEPA law and related NPS policies, different proposed projects that are "closely related" or have "similar" geography, timing, or purposes should be captured together and receive combined environmental review. The five projects summarized above fall within both categories. They are closely related and similar in terms of their location, timing, and purposes. Therefore, the EA provided NEPA review for all five projects, and enabled alternatives to be analyzed that combine or differentiate projects and purposes in a manner that would not have been possible through separate reviews.

According to federal law (16 USC 459e), "The boundaries of the national seashore shall extend from ... and, in addition, mainland terminal and headquarters sites, not to exceed a total of twelve acres, on the Patchogue River within Suffolk County, New York, all as delineated on a map identified as "Fire Island National Seashore", numbered OGP-0004, dated May 1978." According to the 1978 Fire Island National Seashore General Management Plan (GMP), "Following the study of 24 potential mainland sites along the Great South Bay and reevaluation of the minimum acreage needed for a headquarters/terminal site, the Park Service is proposing the establishment of permanent seashore headquarters and ferry terminal on a 10-acre site located at the head of the Patchogue River. The site was chosen due to its excellent location adjacent to major arteries, close proximity to the Patchogue Station of the Long Island Railroad, accessibility of the Patchogue River for park boat operations, and availability of land." The GMP further states that this facility could "serve as a stimulus for redevelopment along the Patchogue River." The combination of this legal requirement and still binding GMP recommendation essentially "set the stage" for the EA and this FONSI.

PURPOSE AND NEED FOR ACTION

The National Park Service, Fire Island National Seashore, Patchogue Ferry Terminal Site is an important gateway to a natural and cultural resource of national significance. Although the park currently attracts over 600,000 recreational visits per year, the majority of these visitors utilize the parking lots at either end of Fire Island. The Ferry Terminal Site is adjacent to public transportation and provides the best means of access to the central section of Fire Island. It is clearly an underused resource and is capable of serving a much larger audience. The Site has always lacked appropriate basic visitor amenities, interpretive, administrative and educational facilities. These have been in the National Seashore's General Management Plan for over 20 years but have yet to be acted on.

The 1986 Development Plan for the Patchogue Ferry Terminal Site declared:

"the existing conditions fail to: provide sufficient support facilities to existing and potential ferry operations; provide adequate operational buildings for a central maintenance, warehouse or resource management facility; or contribute to coastal zone riverfront revitalization. The absence of year round visitor facilities continues to undermine efficient and effective park management. Without appropriate facility development, existing and future management objectives for visitors, park service and local interests will not be achieved."

There are a number of problems that have to be addressed by any proposal for this site:

- The existing terminal building is inadequate for the current ferry operation. The terminal was initially constructed as a temporary solution to the problem and has remained in place for almost 20 years.
- The National Park Service plan to expand ferry services from Patchogue to other points on Fire Island. The present arrangement is clearly inadequate for this purpose.

- There are currently no interpretive or educational facilities at the site. The park has three visitor centers on the island, only one of which is currently open all year round. There is a need for facilities at the site, which can take advantage of the proximity of the park headquarters and the expertise of its staff members.
- The park headquarters are currently housed in a converted residential property located approximately 1/3 mile from the existing ferry terminal and maintenance operations. It is far more remote than is desirable for efficient management functions.
- If the park is going to attract more visitors it will require a closer visual relationship to both the railway station and the commercial center of the village.

OBJECTIVES OF THE PROPOSED ACTIONS

- Provide a new ferry terminal, capable of adequately coping not only with current ferry traffic, but also with the proposed future expansion of the ferry service to other destinations on Fire Island.
- Provide an appropriate facility to greet visitors to the National Seashore, transfer them to the ferries in season, and interpret the story of Fire Island throughout the year.
- Provide new educational opportunities on the site for both local schools and higher education institutes.
- Provide a new park headquarters more closely related to the existing maintenance facilities and the new ferry terminal.
- Improve the visual environment between the site and the railway station and village commercial center.

OBJECTIVES DESCRIBED IN MISSION STATEMENT AND ENABLING LEGISLATION

These objectives are all consistent with the aims stated in the National Park Service's Fire Island National Seashore Mission Statement:

"The National Park Service is committed to preserving Fire Island National Seashore's cultural and natural resources, its values of maritime and American history, barrier island dynamics and ecology, biodiversity, museum collection objects, and wilderness. The National Park Service is committed to providing access and recreational and educational opportunities to Fire Island National Seashore visitors in this natural and cultural setting close to densely populated urban and suburban areas, and to maintaining and exemplifying the policies of the National Park Service."

The following relevant objectives are also described in National Park Service enabling legislation and management documents:

To administer mainland ferry terminal and headquarter sites not to exceed 12 acres on Patchogue River.

To provide for public access, use and enjoyment.

To work with the communities within the park to mutually achieve the goals of both the park and the residents.

LOCATION

The Ferry Terminal Site is located in the Village of Patchogue on the south shore of Long Island, between the Patchogue River and West Avenue, with direct access to Fire Island National Seashore. The Ferry Terminal Site is the primary operational and transportation center on Long Island for Fire Island National Seashore.

The site is approximately 50 miles east of New York City. It is easily accessed by car via the Montauk Highway, the Sunrise Highway and the Long Island

Expressway. Buses travel along the Montauk Highway, which becomes Main Street in Patchogue. The Site is also linked to New York City via the Long Island Railroad. The Patchogue Station is diagonally across from the Site, less than $\frac{1}{4}$ mile from the Ferry Terminal.

The Ferry provides the most direct connection across Great South Bay to Fire Island National Seashore, depositing passengers in the middle of Fire Island. The Site is 7.5 miles across the water from Sunken Forest and 4.5 miles from both Talisman and Watch Hill.

CURRENT LAND HOLDINGS

The National Park Service currently holds several parcels of land in the immediate vicinity of the Ferry Terminal Site.

The predominant holding is a 6.66-acre parcel, which contains the existing Ferry Terminal, its associated parking lot and retention pond.

Immediately adjacent and to the south of this parcel are 2 further parcels totaling 1.54 acres which contain the bulk of National Park Service functions related to the supervision and maintenance of Fire Island National Seashore, including some staff offices, a maintenance/trans-shipment facility serving Fire Island, 2 large multi-boat slips, and a small office building known as the "deli" because it used to house a delicatessen. The boat slips are irreplaceable, as current environmental laws do not allow the construction of new boat slips on the river. Therefore the maintenance facility cannot be relocated.

The final parcel of 0.78 acres includes the existing headquarters building, a converted 2 story private residence, located approximately $\frac{1}{3}$ mile south of the ferry terminal.

PREFERRED ALTERNATIVE

The existing Ferry Terminal will be demolished; the "deli" building facing on to West Avenue will also be demolished. The new Ferry Terminal and Visitor Center will be built in the vicinity of the existing ferry terminal. The new Headquarters building will be built in

the vicinity of the current "deli" building adjacent to the maintenance facility. The maintenance/trans-shipment facility remains in its current location in all the alternatives, as the existing slipways must be maintained. These are irreplaceable, as current environmental laws do not allow the construction of new boat slips on the Patchogue River. The maintenance building will be rehabilitated. There will also be repairs to the bulkhead system. The existing headquarters facility may be leased out to provide revenue for the Park.

OTHER ALTERNATIVES CONSIDERED

The three other alternatives considered were:

The "no action" alternative - this assumed that all facilities would remain as they presently exist with no changes in location or use.

The "single building" alternative - this is very similar to the preferred alternative, with the exception that the Ferry Terminal and Visitor Center would be combined with the Headquarters building in a single larger structure, located in the vicinity of the existing Ferry Terminal. The "deli" building would not be demolished in this alternative but will be refurbished to accommodate some of the maintenance facilities. The existing headquarters facility may be leased out to provide revenue for the Park.

The "bowling alley" alternative - the adjacent bowling alley site would be acquired, and the existing building demolished. The Ferry Terminal is built in the vicinity of the existing terminal and the headquarters building is built on land currently occupied by the bowling alley. A large area of this site is also to be landscaped to provide increased visibility from Patchogue railway station and the center of the village.

A number of other alternatives were considered but rejected for various reasons of cost or impracticality. A number of these involved the relocation of the maintenance facility, which were ruled out due to the inability to construct new boat slips on the Patchogue River. Others involved moving the headquarters, visitor center, and/or ferry terminal functions to

distant locations closer to the western or eastern ends of Fire Island. These were also ruled out because of the high cost of acquiring new NPS lands, the inefficiencies of further fragmenting park functions and facilities, and (if on Fire Island) the risk of putting key permanent structures on an inherently unstable barrier island subject to hurricanes, storms, flooding, and erosion.

THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

The analysis of effects described in the EA and a finding that none of these effects will be significant are crucial components to approving a FONSI pursuant to 40 CFR 1508.13. The criteria for determining significance are defined in 40 CFR 1508.27. These include the need to consider direct, indirect, and cumulative impacts as well as the context, duration, and intensity of impacts. Mitigation measures described in the EA for the preferred alternative are needed to reduce impacts, and these measures must be implemented under this decision.

The EA addressed potential direct, indirect, and cumulative impacts. The public comments on the EA raised questions and concerns about parking, neighborhood character, septic treatment capacity, and water pollution in the Patchogue River.

Context

This measure of significance considers the setting within which an impact was analyzed, such as the affected region, interests, and/or locality. In this case, the proposed actions would be located on Long Island in a local area dominated by commercial and residential land uses. There are little or no natural habitat values in this area. The potential increase in public visitation could cause adverse effects in the neighborhood, including potential problems with street parking, traffic congestion, noise, and crime. Due to the localized setting, and the ability to contain most public visitation within park buildings and the park parking lot, these problems should be minor.

Duration

This measure of significance refers to the length of time that an impact may occur. In this case, the construction activities themselves may last over a period of months, while the uses of the new or improved structures should continue for decades. In both instances, mitigation measures will be implemented. During construction, this will mean installation and maintenance of best management practices for erosion control. During the life of the public buildings, this will mean implementing the recommendations in the attached parking analysis.

Intensity

This measure of significance refers to the severity of impacts and considers measures that could avoid or minimize these impacts.

The following criteria are used to evaluate significance:

Degree of effect on public health or safety.

Implementing the proposed actions would improve public health and safety. The new buildings would be safer than the existing ones. The visitor center/ferry terminal building would also provide restroom and security features that are not currently available.

Degree of effect on unique characteristics of the potentially affected area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

None of these unique characteristics are present. Although the structures are located on "park lands", these lands were acquired to facilitate public access to Fire Island itself, and to house park staff and equipment. The lands themselves do not possess park-quality resources or values.

The degree to which effects on the quality of the human environment are likely to be highly controversial.

While some public concerns were expressed on the EA, these did not rise to the level of being "highly controversial." There is generally strong support for the proposed actions, and the concerns will be addressed through design and mitigation measures.

The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The proposed actions involve normal construction activities with impacts that are well established. There are no unique or unknown risks.

The degree to which the actions may establish a precedent for future actions with significant impacts.

The proposed actions reflect the types of construction activities and buildings that are relatively common elsewhere. Many other parks have visitor centers, and most parks have headquarters and/or maintenance buildings.

Whether the actions are related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming actions temporary or by breaking them down into smaller parts.

As described in the EA, the new visitor center/ferry terminal facility could increase the prospects for lateral ferry service from this Patchogue River location to places other than Watch Hill on Fire Island, such as Sailors Haven and Barrett Beach. The new facilities may also spawn a gradual increase in overall public visitation to Fire Island. While these factors could add to existing levels of public uses and impacts, this addition would not be significant. In addition, the park general management plan will be revised in the next few years, and this revision process is the best vehicle for addressing visitation issues and impacts.

The degree to which the actions may adversely affect items listed or eligible for listing in the National Register of Historic Places, or other significant scientific, cultural, or historic resources as indicated under Section 106 of the National Historic Preservation Act.

There are no items listed or eligible for listing in the National Register of Historic Places, nor any other significant scientific, cultural, or historic resources.

The degree to which the actions may adversely affect an endangered or threatened species or its critical habitat.

As confirmed in the attached U.S. Fish and Wildlife Service letter, the proposed actions would have no effect on endangered or threatened species or critical habitat.

Whether the actions threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed actions would not violate any laws or requirements to protect the environment.

NO IMPAIRMENT WILL OCCUR TO PARK RESOURCES OR VALUES

Under NPS law and policies, Fire Island National Seashore and other units of the National Park System are to be managed to preserve their scenery and natural and historic resources and values by such means as will leave them unimpaired for the enjoyment of future generations. This established a "non-impairment" standard that prohibits NPS officials from allowing any project or use that would impair park resources or values. The determination of what constitutes impairment is left to the professional judgement of NPS managers, consistent with park laws and policies as well as that particular park's specific enabling legislation, authorized purposes, and general management plan.

For Fire Island National Seashore, Park managers believe that none of the alternatives would constitute impairment of park resources or values. This is because the alternatives are generally consistent with relevant

federal laws and the 1978 General Management Plan. In fact, none of these alternatives should harm Park scenic, natural, or historic resources or values. Indeed, the construction of new visitor center, ferry terminal, and headquarters buildings at this Patchogue River location has been a longstanding goal. These improved facilities should enhance opportunities to educate the public on the importance of preserving Park resources and values.

PUBLIC INVOLVEMENT

In late February, well over a hundred of the environmental assessments were sent to relevant federal, state, and local agencies and public officials, residents in the neighborhood immediately surrounding the project sites, and to known interested parties. A letter accompanied this mailing that announced a March 11th public meeting at the Patchogue-Medford Library, and explained how to submit comments by the postmark deadline of March 30th. A news release was distributed on February 28th to media contacts. This release announced the availability of the environmental assessment for public comment, and the March 11th public meeting.

The March 11th public meeting was well-attended. The meeting room was filled to capacity and 52 people signed the attendance sheets. Constantine Dillon, park superintendent, ran the meeting with help from Derek Watson, the consultant, and several NPS employees. The notes from this public meeting are attached. Some questions raised during the meeting are answered in these notes. Other questions, generally on more significant topics, are elaborated upon in the attached summary of NPS replies to EA comments.

Seven letters were received in response to the environmental assessment (Priolo, McInerney, Reich, Lund, Stoner, Siemers, and surname uncertain) within the public comment period. Copies of these letters, the bracketed specific comments or topics identified within them, and the NPS responses are provided in the attached summary of NPS replies.

Finding of No Significant Impact

The preferred alternative is hereby selected and its implementation will not constitute actions that normally require the preparation of an environmental impact statement (EIS), and the selected alternative will not have a significant effect on the human environment. There are no unmitigated adverse impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the area. In addition, no highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence have been identified, and implementing the selected alternative will not violate any federal, state, or local environmental protection law.

Based on the foregoing, the NPS has determined the selected alternative will not have a significant effect on the human environment, and an EIS will not be prepared.

Recommended: _____ Date _____

Superintendent, Fire Island National Seashore

Approved: _____ Date _____

Northeast Regional Director

Enc.

Public Comments and Responses

List of Attendees of March 11, 2002 Public Scoping Meeting

USFWS Endangered Species Clearance

Letter of Distribution February 27, 2002

Press Release for Review of EA

