

**FEMA**  
**FINDING OF NO SIGNIFICANT IMPACT**  
**HHC Metropolitan Hospital Hazard Mitigation**  
**New York City, New York County, NY**  
**New York City Health and Hospitals Corporation (HHC)**  
**FEMA-4085-DR-NY**

**BACKGROUND**

On October 29, 2012, Hurricane Sandy caused storm damage to several areas of New York State including Metropolitan Hospital in New York City, New York County, New York. President Barack Obama declared Hurricane Sandy a major disaster on October 30, 2012. The declaration authorized federal public assistance to affected communities and certain non-profit organizations per Federal Emergency Management Agency (FEMA) 4085-DR-NY and in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5172) as amended; the Sandy Recovery Improvement Act (SRIA) of 2013 and the accompanying Disaster Relief Appropriations Act, 2013. SRIA amended Title IV of the Stafford Act, adding Section 428 which authorizes alternative procedures for permanent work funding under FEMA's Public Assistance Program. The New York City Health and Hospitals Corporation (HHC) (Subgrantee), which operates the city's public healthcare system has applied to FEMA for financial assistance with a comprehensive flood mitigation project for Metropolitan Hospital Center (MHC), its healthcare campus located in the East Harlem neighborhood of Manhattan. The New York State Division of Homeland Security and Emergency Services is the Grantee partner for the proposed action.

Hurricane Sandy flooded the MHC campus with contaminated floodwaters, causing damage to critical electrical systems. HHC is seeking funding from FEMA pursuant to sections 406 and 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act for the Proposed Project, which would prevent damage to the hospital from future storm or flooding events by providing a flood barrier around the hospital campus and improved stormwater management systems.

An 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 or a Finding of No Significant Impact (FONSI). In accordance with above referenced regulations and FEMA's regulations for NEPA compliance found at 44 CFR Part 10, FEMA is required, during decision making, to fully evaluate and consider the environmental consequences of major federal actions it funds or undertakes.

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**PROJECT DESCRIPTION**

The proposed project would consist of a perimeter flood protection system around the MHC campus; strengthening of the basement walls of the Mental Health Building; installing watertight manhole covers, submersible flood pump stations, sump pumps, and floodproof doors; and relocating certain facilities within the campus.

**SUMMARY OF POTENTIAL IMPACTS AND MITIGATION**

The Subgrantee identified that the proposed project is the best-suited alternative to repair, rehabilitate, and increase the resiliency of MHC and to minimize damage to the critical facility's infrastructure and ensure the hospital remains fully operational during and after future storm or flooding events. The perimeter boundary protection system and other mitigation measures would provide a defense against flooding, thus minimizing risk of future damage to the hospital's critical assets and minimizing future disruption of function and service to the community. The continuous functionality of the hospital is critical to minimize deleterious public health, economic, and environmental consequences that could arise as a result of a disruption in the hospital's service.

This EA concludes that the construction and operation of the perimeter boundary system and other mitigation measures would have no significant adverse impact on the human environment. While there are numerous ongoing projects throughout New York City and near the MHC site related to restoring roads, buildings, recreational facilities, and public utilities to pre-disaster conditions, including the proposed restoration of the nearby Draper Hall and renovation of the building into a senior housing facility, the proposed project is not anticipated to impact these projects. The proposed project is subject to certain design, regulatory compliance, and/or best management practices under New York City and state regulatory frameworks, including permitting and required reviews. Additional impacts not addressed through these existing local and state means are predominantly temporary, incremental, and not a significant impact to the human or natural environment.

**PUBLIC INVOLVEMENT**

An electronic copy of the EA was made available by email request and for download from <http://www.nyc.gov/html/hhc/html/about/About-PublicNotice-MetropolitanEA.shtml>. The public was invited to submit written comments by mail to: FEMA NY Sandy Recovery Office, Attn: EHP-Metropolitan Hospital Hazard Mitigation EA Comments, 118-35 Queens Blvd., Forest Hills, NY 11375, or [FEMA-4085-Comment@fema.dhs.gov](mailto:FEMA-4085-Comment@fema.dhs.gov). This EA reflects the evaluation and assessment of the federal government, the decision-maker for the federal action; however,

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FEMA has taken into consideration any substantive comments received during the public review period to inform the final decision regarding grant approval and project implementation.

**PERMITS & PROJECT CONDITIONS**

The Subgrantee is responsible for obtaining all applicable Federal, State, and local permits and other authorizations for project implementation prior to construction and adherence to all permit conditions. Any substantive change to the approved scope of work will require re-evaluations by FEMA for compliance with NEPA and other laws and EOs. The Subgrantee must also adhere to the following conditions during project implementations and consider the below conservation recommendations. Failure to comply with grant conditions may jeopardize Federal funds:

1. The Best Available Data (BAD) must be used to determine the 500-year floodplain elevation for final engineering design in accordance with 44 CFR Part 9. At the time of this publication, the Preliminary Flood Insurance Rate Map Community-Panel Number 3604970087G dated January 30, 2015 is the BAD.
2. Any proposed construction in the floodplain must be coordinated with the local floodplain administrator and must comply with Federal, state and local floodplain laws and regulations.
3. Excavated soil and waste materials shall be managed and disposed of in accordance with applicable Federal, state, and local regulations. Solid waste haulers will be required to have a New York State Department of Environmental Conservation (NYSDEC) waste hauler permit and all waste will need to be disposed of or processed at a permitted facility.
4. Threatened or endangered species are likely to not be found in the area of the proposed project site. As a result, pursuant to section 7(a)(4) of the Endangered Species Act (ESA) and implementing regulations at 50 CFR §402.02 and 50CFR §402.10, FEMA has determined that the proposed action would not be likely to jeopardize endangered or threatened species, or destroy or adversely modify critical habitat. If any threatened or endangered species are to be found in project area, work will cease and consultation with the United States Fish and Wildlife Service (USFW) and other appropriate agencies will be conducted.
5. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the Subgrantee and its contractors will immediately halt construction activities in the vicinity of the discovery, secure the site, and take reasonable measures to avoid or minimize harm to the finds. The Subgrantee will inform the Grantee, NYSHPO and FEMA immediately. The Subgrantee must secure all archaeological findings and shall restrict access to the area. Work in sensitive areas may not resume until consultations are completed or until an archaeologist who meets the Secretary of the Interior's Professional Qualification

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Standards determines the extent and historical significance of the discovery. Work may not resume at or around the delineated archaeological deposit until the Subgrantee is notified by the Grantee to proceed.

6. A Construction Protection Plan may be required for this site to identify the coordination needed to limit potential impacts to the environment, protected resources and communities within and abutting the Project area.
7. The Subgrantee and its contractor are required to use best management practices for construction not limited to sedimentation and erosion control measures, dust control, noise abatement and restriction of work areas to limit vegetation removal and habitat impacts.
8. Occupational Safety and Health Administration (OSHA) standards shall be followed during construction to avoid adverse impacts to worker health and safety.
9. The Subgrantee shall submit copies of all obtained permits to the Grantee/FEMA at or prior to final closeout of the public assistance grant.
10. Subgrantee shall not initiate construction activities until fifteen (15) days after the date that the FONSI has been signed as "APPROVED."

**FINDINGS**

In accordance with NEPA and 44 CFR Part 10, FEMA has determined that the proposed action will have no significant adverse impact on the quality of the human environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared, and the proposed project as described in the Final EA may proceed. This FONSI will adopt the EA as final and serves as the final public notice for the proposed project.

**APPROVED:**

John Dawson  
FEMA Region II  
Regional Environmental Officer Representative

November 10, 2015