



Finding Of No Significant Impact

Complete Implementation of Life Safety Upgrades

Statue of Liberty National Monument

The National Park Service (NPS) proposes to implement numerous actions to improve the public safety and accessibility of the Statue of Liberty National Monument in a manner that improves the visitor experience while preserving the monument's historic character.

As a universal icon of freedom and democracy, the statue, "Liberty Enlightening the World" (the statue), has become a popular national tourist destination, attracting millions of visitors annually. Due to intensive use over the course of the last century, the NPS has undertaken several rehabilitations to preserve the cultural resources on the island and to enhance visitor experience. The most recent improvements at the monument¹ were completed for the reopening of the crown to visitors on July 4, 2009², and included the addition of handrails on set of two double helical stairs leading to the crown and other less intensive changes to enhance compliance with life safety codes³. Improvements are currently proposed because certain other sections of the monument are currently not compliant with life safety and accessibility codes.

As part of this effort, the NPS prepared an Environmental Assessment and Assessment of Effect (EA/AoE) that evaluated two alternatives and the resultant impacts, or environmental consequences, of implementing either alternative on a variety of resource areas.

The EA/AoE addressed compliance with both the National Environmental Policy Act (NEPA) of 1969, as amended, and Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and was prepared in accordance with the Council on Environmental Quality (CEQ) "Regulations for Implementing the Procedural Provisions of NEPA" (40 Code of Federal Regulations [CFR] 1500-1508) and Department of the Interior Director's Order # 12 (DO-12): Conservation Planning, Environmental Impact Analysis, and Decision Making.

SELECTED ALTERNATIVE

The NPS has selected Alternative 2, the action alternative, for implementation. The selected alternative was described on pages 20 through 22 of the EA/AoE and was presented as the NPS preferred alternative. A few clarifications to the alternative as described in the EA were identified by park staff as necessary for

¹ The term "monument" includes Fort Wood (base), the granite pedestal (pedestal), and the statue.

² Following the events of 9/11 in 2001, Liberty Island and Ellis Island closed for 100 days before reopening to visitors on December 20, 2001, although the monument remained closed at this time. On August 3, 2004, the pedestal re-opened for visitation, following fire safety, evacuation and security improvements. In June 2009, life safety upgrades are initiated and the crown reopened on July 4, 2009.

³ Portions of the monument would still not be fully compliant following the implementation of the selected alternative. Upgrades to infrastructure, circulation, and emergency egress within the monument would allow compliance with applicable codes to the maximum extent possible without compromising the historic fabric of the monument.

the implementation of the selected alternative. They are included in the description of the selected alternative presented below and the changes are further identified in the errata attached to this FONSI. The selected alternative is composed of multiple proposed improvements that are a continuation of life safety upgrades that were initiated in June 2009 as part of the reopening of the crown on July 4, 2009. The range of improvements includes both the renovation of existing elements and the construction of new features in the pedestal to improve fire safety, accessibility, and circulation within the monument.

FIRE SAFETY SYSTEM

Improvements to the fire safety system include the construction of a fire and smoke barrier between Levels 5P and 6P, the highest two levels of the pedestal, just below the statue itself, the installation of a smoke exhaust system to serve portions of the monument not otherwise improved, and the installation of an additional water storage tank to enhance fire suppression immediately adjacent to the existing two underground tanks located in the NPS administrative area of Liberty Island or the installation of multiple smaller tanks and pumps located in areas off limits to the public. A new waterline will be installed to replace the existing waterline to the monument. It will follow the existing water line corridor where feasible.

ACCESSIBILITY AND CIRCULATION

The improvements to accessibility and vertical circulation will improve visitor access and egress to and from the monument and include the replacement of the stairs and elevators within the monument. To accommodate the new configuration of these elements, several portions of the pedestal and base will be affected. Specific actions include:

1. The removal of the existing exterior wood stairs on the terreplein that connect to the ground level. These stairs were installed as a temporary means of descent to ground level and were meant to be removed at some time in the future as a condition of the agreement with the New York State and New Jersey State Historic Preservation Offices (SHPOs).
2. The removal of the existing two sets of interior stairs within the pedestal that connect Levels 3P to 6P. Stairs above Level 6P would remain in place.
3. The construction of two new stairs inside a pressurized, 2-hour fire rated construction that would connect Levels 1P to 6P. One stairwell would be used for ascent and one would be used for descent during normal visitor operation. During an emergency, both could be used for descent. The enclosure would have glass openings placed to maximize visibility to the interior of the pedestal and historic features such as the Eiffel structural elements.
4. The construction of exterior stairs on the south side of the pedestal that transition visitors from Level 3P (where the interior stairs discharge visitors exiting the monument) to ground level. The new stairs would mirror the configuration of exterior stairs on the north side of the pedestal that connect Level 3P and the terreplein. The new stairs would require a penetration through the terreplein and into the American Museum of Immigration (AMI) space to access the sally port, the original entrance to Fort Wood, where visitors would exit the monument. There is currently a storm drain at this location on the terreplein, and under the selected alternative, it would be rerouted.
5. The construction of a new exterior stair on the north side of the terreplein to accommodate visitor egress to the ground level. The new stair would require a penetration through the terreplein but no penetration through the historic walls of Fort Wood and would discharge into the existing main entry vestibule (see Supplemental Design Information in Appendix E).
6. The removal of the existing main elevator and the installation of a new elevator connecting Levels 1P and 5P. The elevator would be situated between the two new interior staircases (see Supplemental Design Information in Appendix E).

7. The removal of the existing emergency elevator that connects Levels 1P and 8S, installation of a new emergency elevator connecting Levels 6P and 7S, and the installation of a new supplemental lift connecting Levels 5P and 6P. The new lift would provide wheelchair accessibility between Levels 5P and 6P. Level 6P will be reconfigured with new stair landing locations and the new supplemental lift in the northeast corner (see Supplemental Design Information in Appendix E of the EA).

OTHER IMPROVEMENTS

Throughout the base and pedestal, the lighting system would be upgraded to enhance energy efficiency, provide better illumination along the stairways, and enable better visibility of the historic Eiffel structural elements.

The restrooms on Level 1P, which are heavily used and therefore require periodic improvement, would be refurbished and made fully accessible.

On Level 7P, the four air handling units would be replaced to provide better ventilation and climate control in the statue.

OTHER ALTERNATIVES CONSIDERED

The EA/AoE also analyzed the no action alternative, which represents a continuation of the existing operations, maintenance, and visitor use within the monument with no changes to the circulation, accessibility, or fire safety. There are currently numerous deficiencies with the monument that present obstacles to achieving full compliance with building codes for fire safety and accessibility.

The fire safety system would continue to lack basic components such as a smoke exhaust system, fire and smoke barriers, and an enclosed or pressurized stairwell that would enable staff and visitors a safe passage for emergency egress during a fire or smoke event. The monument would continue to be non-compliant with the National Fire Protection Association 13 code. In addition, the water supply for the fire suppression system (sprinklers) would continue to operate with low pressure and capacity. During a fire emergency, staff and visitors within the monument would be vulnerable to the effects of smoke.

The existing open staircases between Levels 1P and 7P that wrap around the inside of the interior perimeter walls would continue to be used by visitors for ascent and descent in the monument. There would be no changes to the alignment or configuration of the stairs, which are narrower and steeper than what is allowed by code. The descending stair would continue to discharge visitors from Level 3P to the exterior of the pedestal where they would descend to the terreplein level and then utilize one of two wood staircases to reach ground level (see Figure 2.1). This method of egress is not compliant with the life safety code, which requires two distinct and physically separate methods of egress to the ground level from the point of discharge. Currently, there is only one exterior exit to the terreplein on the north side of the pedestal.

Accessibility in the monument would continue to be limited with only portions of the pedestal up to Level 5P accessible to persons in wheelchairs.

The lighting fixtures would continue to provide relatively low levels of illumination throughout the pedestal, posing potential risks to public safety and inhibiting full visual access to the historic fabric in the pedestal, including the Eiffel structural elements, for persons with low vision.

The restrooms on Level 1P would remain unchanged and would continue to provide adequate service to visitors within the monument. However, the materials and fixtures are nearly 25 years old and the layout is minimally compliant with the Architectural Barriers Act Accessibility Standard (ABAAS).

The four existing air handling units on Level 7P would not be upgraded and would remain inadequate to properly manage the monument's climate control system and mitigate against condensation.

ALTERNATIVES CONSIDERED BUT DISMISSED

There were several other alternatives and options of alternatives considered but rejected, and therefore not carried forward for further analysis because they were determined to be unreasonable, had technical or logistic problems, or greater environmental impacts than similar options included in the analysis.

CONSTRUCTION OPTIONS TO MAINTAIN CONTINUOUS VISITOR ACCESS TO THE STATUE

The NPS analyzed options to maintain visitor access to the statue during construction via an elaborate system of exterior scaffolding. The NPS determined that the cost of the temporary structures would increase the project's estimates far beyond the construction budget. In addition, the NY SHPO concluded that exterior structures would violate the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and constitute an Adverse Effect to the statue. The visual impacts associated with obscuring the monument would affect a national audience and would create adverse impacts to historic fabric. Therefore, these options were dismissed from further analysis.

PHASED AND ACCELERATED CONSTRUCTION

The NPS analyzed phased and accelerated construction options to minimize disruption to visitor use during peak visitation but determined that the mobilization and demobilization of construction activity as well as the required sequence and timing of construction (as dictated by the technical nature of the proposed actions) would provide only a relatively small appreciable advantage over a traditional, single-phased, non-accelerated construction scenario and would be inefficient in terms of cost, staffing, and maintenance. As a result, phased and/or accelerated construction scenarios were dismissed from further analysis.

EXTERIOR STAIRS

The NPS evaluated one alternative option for the new exterior egress stairs on the north side of the terreplein that penetrated the historic wall of Fort Wood. In consultation with the NY SHPO, the NPS determined that the disturbance of Fort Wood would constitute an adverse impact to historic resources. Therefore, this option was dismissed from further analysis.

The NPS evaluated several variations on the preferred alternative for the configuration of new exterior egress stairs on the south side of the pedestal. The NY SHPO determined that, pursuant to the *Secretary of the Interior's Standards*, any new additions or exterior alterations that could compromise the historic character defining features of the monument should be avoided. The NY SHPO stated that the addition of exterior stairs would constitute an adverse effect on the monument as a historic resource. Therefore, the NPS dismissed these options from further analysis.

INTERIOR STAIRS AND ELEVATORS

The NPS evaluated several options for alternative configurations of the new stairs and elevators. Each configuration was constrained by the limited space of the vertical shaft inside the pedestal and structural constraints (such as the Eiffel structural elements at Levels 3P and 5P and the concrete counterweight at Level 2P). The various options that were explored included:

1. Leaving the main elevator in its current location and adding new stairs and an emergency elevator
2. Relocating the main elevator to the location of the current emergency elevator
3. Relocating the main elevator to the west side of the monument shaft
4. Relocating the main elevator to the southwest corner of the monument shaft

Of these options, only the west elevator location was carried forward for further analysis because the other options did not optimally fit the new stairs and new emergency elevator.

STAIR AND ELEVATOR FINISHES

The NPS evaluated several options for alternative finishes for the portion of the new enclosed interior stair between Levels 3P and 5P including metal (bronze or stainless steel) and glass. These options were dismissed from consideration because the NPS, in consultation with the NY SHPO, determined that the metal and glass finishes would be visually inconsistent with the historic character of the monument. In addition, there were concerns associated with the materials since they would be exposed to intense visitor use and would require a high level of maintenance. Therefore, options that utilize extensive glazing or metal cladding were dismissed from further analysis.

ELEVATOR TYPES

The NPS evaluated a range of different types of elevators, all of which had different spatial requirements for the mechanical equipment (motors, hoists, hydraulics, etc.) directly above or below the elevator cab. The parameters of the required equipment restricted the levels that each elevator could access. To maintain optimal access to as many floors as possible, the NPS dismissed hydraulic and rack and pinion elevator types and opted to utilize an elevator that does not require a machine room and is very energy efficient.

EMERGENCY EGRESS OPTIONS

Options that directed visitors down the interior stairs through the main lobby for emergency egress were dismissed from consideration because using the main lobby as a primary egress path would require extensive modifications for code compliance. The lobby would have to be fully enclosed for adequate pressurization, requiring glass panels to enclose the balcony on Level 1P. In addition, life safety code would have mandated two distinct paths of egress from the lobby, which would have required extensive modification of the space on Level 0P, thus possibly affecting the historic fabric.

THE ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The NPS is required to identify the environmentally preferred alternative in its NEPA documents for public review and comment. The NPS, in accordance with the Department of the Interior policies contained in the Departmental Manual (516 DM 4.10) and the Council on Environmental Quality's (CEQ) NEPA's Forty Most Asked Questions, defines the environmentally preferred alternative (or alternatives) as the alternative that best promotes the national environmental policy expressed in NEPA (Section 101(b) (516 DM 4.10). In its Forty Most Asked Questions, CEQ further clarifies the identification of the environmentally preferred alternative, stating "Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Q6a).

Based on the analysis of environmental consequences of each alternative, the NPS determined that the selected alternative is the environmentally preferable alternative. Implementation of the selected alternative has negligible effects on natural resources in the project area and would best protect public safety while enhancing visitor use and experience and preserving the historic resources in the monument.

MITIGATION MEASURES

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the following protective measures will be implemented as part of the selected alternative. The NPS will implement an appropriate level of monitoring throughout the construction process to help ensure that protective measures are being properly implemented and to achieve their intended results. The following table outlines appropriate mitigations that will be employed to minimize impacts to Park resources.

<i>VISITOR USE AND EXPERIENCE</i>	<ol style="list-style-type: none"> 1. The majority of Liberty Island will remain open to the public for the duration of construction. 2. Public information will be made available on the Park website and on signs in the Park to inform visitors of the closure of the monument during construction. 3. Construction will not commence until after October 28, 2011—the 125th anniversary of the opening of the statue.
<i>PUBLIC SAFETY</i>	<ol style="list-style-type: none"> 1. The entire monument will be closed during construction to minimize risk to visitors and staff. 2. Construction workers and employees will follow an approved health and safety plan which incorporates all applicable regulations. 3. Barriers and signs will be used around the monument construction sites to divert the public away from potentially dangerous situations on Liberty Island. 4. Public announcements will be made on the Park website and in the media to alert the public to the closure of the monument.
<i>CULTURAL RESOURCES</i>	<p>Pursuant to the conditions of the Programmatic Agreement (PA) between the NPS and NY SHPO, as mitigation for any adverse effects to historic properties realized during the project, the NPS will at a minimum:</p> <ol style="list-style-type: none"> 1. consult with the NY SHPO on a process for mitigating the adverse effects, 2. if it is determined that Native American archeological resources will be adversely affected, consult with the Indian tribes on a process for mitigating the adverse effects, 3. complete standard documentation of construction activities and data recovery as necessary, and 4. commit to continued exploration of long-term and comprehensive possibilities for future interpretation.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

The NPS has determined that the selected alternative can be implemented with no significant effects. As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts that require analysis in an Environmental Impact Statement (EIS): Visitor use and experience, public safety, and historic structures will experience beneficial impacts as a result of implementing the selected alternative. No significant impacts were identified that will require analysis in an EIS.

There will be long-term overall beneficial impacts to visitor use and experience resulting from the implementation of the selected alternative. The enhancements to the fire safety system would have no effect on visitor use or experience following construction since they would not be perceptible or visible to the public. The enhanced climate control, lighting system, and refurbished restrooms would improve visitor comfort and accessibility, creating a long-term beneficial impact on visitor use and experience. The proposed improvements to the vertical circulation would provide mobility to impaired visitors with a new opportunity to appreciate historic components of the monument that are currently unavailable to them, expanding accessibility and increasing the reliability of the elevators, thus creating beneficial impacts on visitor use. On the exterior of the pedestal, the design of the new stairs would be refined pursuant to the conditions of the Programmatic Agreement (PA) to ensure visual consistency with the aesthetic of the existing historic features so long-term adverse impacts would be minor.

There would be short-term minor adverse impacts during construction resulting from the closure of the monument and portions of Liberty Island for up to 12 months.

There will be long-term overall beneficial impacts to historic resources resulting from the implementation of the selected alternative. The improvements to the fire safety system and vertical circulation modifications in the monument would create long-term beneficial impacts to historic structures and features at Liberty Island. Most notably, the upgraded fire safety system would enhance the protection and preservation of the monument. Further design refinement would be undertaken pursuant to the conditions of the PA to ensure consistency with the existing historic features. Construction activities will be undertaken in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and would limit and ideally not cause new impacts to historic features and, therefore, result in negligible short-term adverse effects to historic fabric or structures.

The degree to which public health and safety are affected

As stated in the EA/AoE, the improvements to the fire safety system and the vertical circulation modifications would create long-term beneficial impacts to public safety by introducing new code-compliant features that would enhance visitor comfort, emergency response, and safe egress from the monument, dramatically reducing risks to visitors and staff. New lighting fixtures and an enhanced climate control system and ventilation would increase visitor comfort and safety, reducing the risks associated with trips, falls, and fatigue in the monument. During construction, risks to public safety would be dramatically reduced since the monument would be closed. Therefore, there would be short-term negligible adverse impacts to public safety.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, wetlands, prime farmlands, wild and scenic rivers, or ecologically critical areas: No wetlands, prime farmlands, wild and scenic rivers, or ecologically critical areas occur within or adjacent to the project area, and none will be impacted by implementing the selected alternative.

Floodplains

Although the project area is within the 100-year floodplain, there would be no modification of the floodplain because the majority of construction would be contained within the interior of the monument. The proposed actions would not increase the flood risks and there would be no adverse impacts to existing development from flooding. As a result, floodplain functions, values, and flood flows would not be affected.

Historic or cultural resources

There are no ethnographic resources⁴ in the project area and the project will have temporary negligible impacts to any eligible cultural landscapes that may exist within the project area. The museum objects at the monument will be packed and stored at Ellis Island during the durations for the project. Those objects that are too large to move will be carefully protected in place. Therefore, museum collections in storage or on display at the monument will not be affected by the implementation of the selected alternative.

While there are historic structures and archeological resources in the project area, which is also the Area of Potential Effect, none will be adversely affected by the implementation of the selected alternative.

Compliance with Section 106 of the National Historic Preservation Act has been ongoing throughout the planning process. A PA has been prepared between the NPS and NY SHPO to enhance consultation and ensure that the design refinements will be consistent with the existing historic features in the monument. The PA states that the implementation of the selected alternative will have no significant adverse effects on cultural resources. The PA was sent to the NY SHPO for signature and will be in effect prior to implementation of the selected alternative.

⁴ Although Liberty Island has been inventoried by the NPS cultural landscape program, due to the extensive redesign of the grounds undertaken in 1986, the significance of the cultural landscape is still unclear and is currently under study as a component of the update to the National Register listing for the monument.

Degree to which effects on the quality of the human environment are likely to be highly controversial:

No highly controversial effects in terms of scientific uncertainties as a result of implementing life safety upgrades at the Statue of Liberty National Monument were identified during the preparation of the EA/AoE or the public comment period.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks: No highly uncertain, unique, or unknown risks were identified during either preparation of the EA/AoE or the public comment period.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration: The selected alternative neither establishes a NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration. While the selected alternative does require the closure of the monument for up to one year, the NPS is consolidating life safety upgrades to minimize the duration and ensure the public safety for visitors and staff during construction.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts: Implementation of the selected alternative will have no significant cumulative impacts. As described in the EA/AoE, future projects within the project area that could affect these resource areas include the expansion of museum exhibits and improvements of other buildings on Ellis Island including the deteriorated Baggage and Dormitory Building and Powerhouse, and new Immigration Building.

These projects at Ellis Island could affect visitor use and experience at the Park including infrastructure and facilities enhancements. In relation to this project, future cumulative projects would serve to enhance the overall visual quality and visitor amenities within the Park and enhance visitor comfort in the monument and increased life safety, thereby creating a beneficial long-term impact on visitor use and experience. These projects at Ellis Island would not affect public safety, nor would they impact contributing structures and features associated with the monument through infrastructure, and facilities enhancements. Construction from other proposed projects in combination with the construction from the proposed project will result in short-term negligible to minor adverse impacts to visitor use and experience due to the presence of construction equipment and closures of certain areas of the Park.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places (NRHP) or may cause loss or destruction of significant scientific, cultural, or historical resources:

Implementation of the selected alternative will have no significant impacts to historic structures. The project will be undertaken in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and will limit impacts to historic features, thereby creating long-term beneficial impacts to the historic structures and features at Liberty Island.

A PA has been prepared between the NPS and the NY SHPO to enhance consultation and ensure consistency with the existing historic features in the monument.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat: In accordance with Section 7 of the Endangered Species Act, consultation letters were sent to the U.S. Fish and Wildlife Service (USFWS), the New Jersey Fish and Wildlife Service (NJ FWS), and the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA NMFS). The New York State Department of Environmental Conservation (NYSDEC) was also consulted.

The USFWS responded on March 24, 2010 and instructed the NPS to verify which federally listed species may occur in the project area. After reviewing a database of federally listed species within the project area's municipality of Jersey City, New Jersey, the NPS verified that the proposed project has a no effect determination for federally listed species because there are no extant, historic, or potentially occurring

federally listed species within the project area. The NYSDEC responded on March 29, 2010 stating that there were “no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of [the] site.” NOAA NMFS responded on March 26, 2010 stating that “none of the proposed actions will affect New York Harbor or any waters of the United States.” In addition, this letter explained that although a population of federally endangered shortnose sturgeon (*Acipenser brevirostrum*) occurs in the Hudson River, the proposed actions will occur in the upland areas where no federally endangered species occur.

Whether the action threatens a violation of federal, state, or local environmental protection law: The selected alternative violates no federal, state, or local environmental protection laws. The implementation of Life Safety Upgrades at the Statue of Liberty National Monument will be consistent with all laws, regulations, and requirements.

IMPAIRMENT OF PARK RESOURCES OR VALUES

According to *NPS Management Policies 2006*, an action constitutes an impairment when an impact

“would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values” (NPS 2006).

Whether an impact meets this definition depends on the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts. An impact on any park resource or value may constitute an impairment, but an impact would be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park;
- key to the natural or cultural integrity of the park or to the opportunity for enjoyment of the park; or
- identified as a goal in the park’s general management plan or other relevant NPS planning documents

Impairment may result from NPS activities in managing the Park, visitor activities, or activities undertaken by concessioners, contractors, and others operating in the Park. A determination on impairment has been prepared for the selected alternative described on pages 27 through 29 of the EA (see attachment). An impairment determination is made for all resource impact topics analyzed for the selected alternative. An impairment determination is not made for visitor experience and public safety because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values.

PUBLIC INVOLVEMENT

In addition to internal and agency scoping, public scoping for the Statue of Liberty National Monument Implementation of Life Safety Improvements EA/AoE began on March 29, 2010 and concluded on April 12, 2010. During this time, no public comments were received.

The Section 106 consulting process was conducted concurrently with the EA/AoE. The process was initiated by the NPS with letters to the New York SHPO, New Jersey SHPO, and the Advisory Council on Historic Preservation (ACHP) sent on March 11, 2010. Letters were sent to the Delaware Tribe, Delaware Nation, Stockbridge-Munsee Community on May 27, 2010.

The EA/AoE was made available for public review and comment on August 13, 2010 and was followed by a 30-day public review period. A notice was sent via e-mail to the agencies that were consulted through the Section 106 process including the signatories of the PA. A digital copy of the EA/AoE was also placed on the Planning, Environment, and Public Comment (PEPC) website at: <http://parkplanning.nps.gov/STLI>.

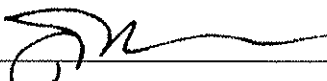
The comment period on this EA/AoE concluded on September 13, 2010. During the public comment period, two comments were received from State of New York Department of State, Office of Coastal, Local Government, and Community Sustainability and the Advisory Council on Historic Preservation (ACHP). The NY Department of State concurred with the negative determination that the implementation of the proposed actions within this EA/AoE will not result in any reasonably foreseeable effects to land and water uses or natural resources of the coastal area. The commenter also noted that further review of this project by the New York Department of State is not necessary. The ACHP concluded that its regulations, "Protection of Historic Properties," 36 CFR Part 800, does not apply to the proposed actions within this EA/AoE and that its further involvement in consultation to resolve adverse effects is not necessary. No other public comments were received; thus, no changes were made to the NPS preferred alternative or the impact analysis presented in the EA/AoE.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis presented in the EA/AoE, the selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are minor or moderate in intensity. There are no significant 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 region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected alternative will not violate any federal, state, or local environmental protection law. The selected alternative will not result in impairment of park resources or values.

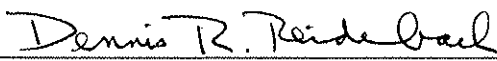
Based on the foregoing, it has been determined that an EIS is not required for this action and thus will not be prepared.

Recommended:


David Luchsinger, Superintendent
Statue of Liberty National Monument

11/11/2010
Date

Approved:


Dennis R. Reidenbach
Regional Director, Northeast Region

11/29/2010
Date

ERRATA SHEET COMPLETE IMPLEMENTATION OF LIFE SAFETY UPGRADES AT THE STATUE OF LIBERTY NATIONAL MONUMENT

This errata sheet documents additions and changes to the Complete Implementation of Life Safety Upgrades at the Statue of Liberty National Monument Environmental Assessment (EA) as the result of internal NPS technical discussions since the document was released on August 13, 2010. The design team determined that the installation of the additional water storage tank would entail construction of an embankment up to 8 feet in height in an area visible by the public. The NPS is currently identifying less visually intrusive locations for the water tank. Additionally, volume of water needed for fire safety would require a new water line to bring water from the water tanks to the monument.

No substantive comments were received during the public review period. The combination of the EA and the errata sheets form the complete and final record on which the FONSI is based.

Page 20, the first sentence of the first paragraph under “Alternative 2: Action: Implement Life Safety and Fire safety Upgrades for the Monument” was revised to:

The range of actions proposed for implementation at the monument is complex and involves both the renovation of existing elements and the construction of new features in the pedestal to improve fire safety, accessibility, and circulation within the monument.

Page 21, “Fire Safety System” was revised to:

3. Install an additional water storage tank immediately adjacent to the existing two underground tanks located in the NPS administrative area of Liberty Island or install multiple smaller tanks and pumps in non-public areas of the Island and in areas deemed to have little archeological potential.

4. Install a new water line to replace the existing water line from the water tanks to the monument following the alignment of the existing water line corridor where feasible.

Page 25, “Cultural Resources”, add after item 4:

The provisions of the PA would be carried out in locating the water storage tanks and associated water lines and the installation would be monitored by an archeologist meeting the Secretary of the Interior’s Standards.