

U.S. Department of Homeland Security
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FEMA

FINDING OF NO SIGNIFICANT IMPACT
KIOWA COUNTY FAIRGROUNDS
GREENSBURG, KIOWA COUNTY, KANSAS
FEMA-1699-DR-KS

The Federal Emergency Management Agency (FEMA) is working with partners at the local and state levels and with other federal agencies to coordinate the response to a devastating tornado that struck Greensburg, Kiowa County, Kansas, on May 4, 2007. The tornado, which topped the measurement scale at an Enhanced Fujita Scale F5 designation with wind in excess of 200 miles per hour, moved across Greensburg and damaged approximately 90 percent of the city's houses and structures. It was the strongest U.S. tornado recorded in more than nine years, leaving the Greensburg area without housing, businesses, emergency services, or utilities.

FEMA was authorized under a Presidential disaster declaration (FEMA-1699-DR-KS) to provide Federal disaster assistance to Greensburg, Kiowa County, Kansas, as a result of damages incurred on May 4, 2007. Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121-5206, as amended (Stafford Act, Public Law 93-288. The National Environmental Policy Act (NEPA) requires that Federal agencies evaluate the environmental effects of their proposed and alternative actions before deciding to fund an action. The President's Council on Environmental Quality (CEQ) has developed a series of regulations for implementing the NEPA. These regulations are included in Title 40 of the Code of Federal Regulations (CFR), Parts 1500-1508. They require the preparation of an Environmental Assessment (EA) that includes an evaluation of alternative means of addressing the problem and a discussion of the potential environmental impacts of a proposed Federal action. An EA provides the evidence and analysis to determine whether the proposed Federal action will have a significant adverse effect on the human environment. An EA, related to a FEMA program, must be prepared according to the requirements of the Stafford Act and 44 CFR, Part 10. This section of the Federal Code requires that FEMA take environmental considerations into account when authorizing funding or approving actions. This EA was conducted in accordance with both CEQ and FEMA regulations for the NEPA to serve as a vehicle to document compliance with applicable state and federal laws and regulations, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

The proposed project is to replace and upgrade the Kiowa County Fairgrounds Facility in response to a devastating tornado that struck Greensburg, Kiowa County, Kansas, on May 4, 2007. Kiowa County Fairgrounds would consist of approximately 64,842 square feet of new construction split among a multipurpose neighborhood facility, livestock pavilion, animal wash bays, horse stalls, holding facility for small animals, and a commercial exhibit building. The new Kiowa County Fairgrounds will be built to all the current codes and standards. Approximately 22.32 acres of was purchased for the construction of the Kiowa County Fairgrounds. Utility services such as power and telephone exist at the site. Sanitary sewer and water service will need to be provided to the site. Kiowa County has submitted a permit application to extend sanitary sewer service to the Kiowa County Fairgrounds.

The EA was evaluated for any potential significant impacts to air quality, biological resources, cultural resources, geology, land use and planning, noise, public health and safety, socioeconomic, traffic, and water quality. It was also evaluated for disproportionately high and adverse effects on minority or low income populations.

CONDITIONS

The following conditions are to mitigate this projects potential adverse impact. The Applicant/Sub-applicant must meet these conditions as part of the project. Failure to comply with these conditions may jeopardize Federal funds:

1. In the event that threatened or endangered species are observed in the project area, the FEMA Regional Environmental Officer shall request a Section 7 consultation with the USFWS (section 5.2.1.2, Protected Species and Habitats)
2. If cultural resources (particularly human remains) are unexpectedly discovered during construction, activities would cease in the immediate area and the North Dakota State Historic Preservation Officer and the FEMA Regional Environmental Officer would be notified before work would continue (section 5.3.1.2, Cultural Resources)
3. Best management practices as recommended by the Kansas Department of Health would be implemented during and after construction to control erosion, with the selection of the Proposed Action (section 5.4.2, Geology and Soils)
4. A General NPDES Permit, or a waiver of the permit, could be required to be obtained from the Kansas Department of Health and Environment and if required in consultation with the USACE a Section 404 permit would be obtained (section 5.10.1.2)

FINDING

FEMA makes the following determinations from the information contained in the EA for the construction of the Kiowa County Fairgrounds:

Construction of the Kiowa County Fairgrounds will not result in any significant adverse impacts related to air quality, biological resources, cultural resources, geology, land use and planning, noise, public health and safety, socioeconomic, traffic, and water quality, and for disproportionately high and adverse effects on minority or low income populations. The proposed action has been reviewed and, to the best of our knowledge, does not have the potential for significant cumulative effects when combined with past, present, and reasonably foreseeable future actions in accordance with 44 CFR Part 10.8 (d)(3)(x). As a result of this FONSI, an Environmental Impact Statement will not be prepared.

Kenneth Sessa
Regional Environmental Officer
Federal Emergency Management Agency, Region VII