

Final Environmental Assessment/Finding of No Significant Impact

# City of Emory/Rains County Tornado Shelter Project

Rains County, Texas

*February 2008*



**FEMA**

**U.S. Department of Homeland Security**  
Federal Emergency Management Agency  
FEMA Region 6 Office – Denton, Texas

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# FEMA

## FINDING OF NO SIGNIFICANT IMPACT

### CITY OF EMORY/RAINS COUNTY TORNADO SHELTER PROJECT RAINS COUNTY, TEXAS PRE-DISASTER MITIGATION PROJECT PDMC-PJ-06-TX-2005-035

#### BACKGROUND

In accordance with 44 Code of Federal Regulations (CFR) for FEMA, Subpart B, Agency Implementing Procedures, Part 10.9, an Environmental Assessment (EA) has been prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The purpose of the proposed project is to provide an emergency facility to protect the citizens of the City of Emory and Rains County during severe weather events, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Rains County (County) has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Disaster Mitigation Project under application number PDMC-PJ-06-TX-2005-035. FEMA grants funds under the Pre-Disaster Mitigation - Competitive (PDM-C) program, under Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, for pre-disaster mitigation activities which reduce overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations.

For the EA, two project alternatives are considered 1) No Action and 2) Construction of a Safe Room/Tornado Shelter. Under the No Action alternative no designated emergency shelter would be constructed in Rains County. Those residents who have accessible underground shelters would use them for protection during severe weather events; however, the general population would continue to be unprotected during these events. The Proposed Action Alternative will construct of a 6,000-square-foot Safe Room/Tornado Shelter on a 0.9-acre site located at 110 Rhodes Drive in Emory, Texas. The proposed project site is the northern portion of a 1.9-acre parcel which was formerly developed and functioned as a Texas Department of Transportation (TxDOT) maintenance and storage facility. The proposed Safe Room/Tornado Shelter will be a 60-foot by 100-foot, single-story, above-ground structure constructed with reinforced masonry designed to withstand 250-mile-per-hour winds. The shelter will be accessible 24 hours per day and is designed to accommodate 800 people during daytime emergencies and 200 people at night. The proposed project would also include the construction of a parking area sufficient to accommodate the shelter's capacity. The required site work will consist of the demolition of all structures and the clearance of vegetation within the 0.9-acre project site to minimize the danger of projectiles in the

event of a tornado. The proposed facility will tie into existing public utilities and infrastructure located on-site.

The County notified the public of the availability of the draft EA through publication of a public notice in a local newspaper. The public notice was published on December 18, 2007, and January 1, 8, and 15, 2008, in the *Rains County Leader*. FEMA conducted a 30-day public comment period commencing on the initial publication date of the public notice and ending on January 17, 2008. No comments were received from the public.

## FINDINGS

The proposed project as described in the EA will not impact geology, groundwater, floodplains, wetlands, environmental justice, threatened and endangered species, cultural resources, hazardous materials, public safety, or socioeconomic resources. Positive impacts to public health and safety are expected. Long-term, minor impacts include temporary increases in local traffic levels around the facility during emergency events and the clearing of grass and trees from a portion of the proposed project site. During the construction period, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated. All short-term impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

## CONDITIONS

The County shall comply with all prescribed conditions set forth in the EA, including but not limited to the following conditions. Failure to comply with these conditions may jeopardize the receipt of Federal funding.

1. Excavated soil and waste materials will be managed and disposed of in accordance to applicable local, state, and federal regulations. If contaminated materials are discovered during the construction activities, the work will cease until the appropriate procedures and permits can be implemented.
2. If the proposed action will require additional excavation to groundwater depths, the applicant would consult with the U.S. Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) to identify appropriate mitigation of contaminated groundwater.
3. A release to groundwater (contaminated groundwater) was identified on the proposed project site based on the findings of the Phase II ESA. Prior to construction, the applicant will need to conduct additional delineation of the TPH identified at the proposed project site and submit an Affected Property Assessment Report (APAR) to the TCEQ. In accordance with Texas Administrative Code (TAC) 30 TAC 350, an APAR is required when addressing a release of Constituents of Concern (COCs) under the TRRP. The APAR provides notification to the TCEQ of the intent to respond to a release. The purpose of the APAR is to document all relevant affected property information to identify all release sources and COCs, determine the extent of all COCs, identify

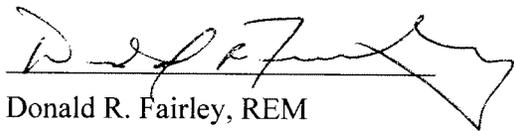
all transport/exposure pathways, and to determine if any response actions are necessary.

4. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted. The applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform FEMA immediately and FEMA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.

### CONCLUSIONS

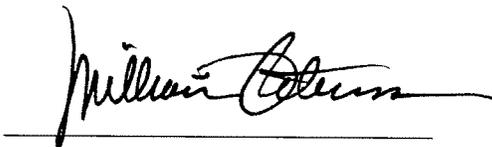
Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major Federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.9) and the proposed project as described in the attached EA may proceed.

### APPROVAL



Donald R. Fairley, REM  
Regional Environmental Officer  
FEMA Region VI

Date 2/28/2008



William Peterson  
Regional Administrator  
FEMA Region VI

Date 02/28/2008

# TABLE OF CONTENTS

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1.0	INTRODUCTION .....	1
1.1	Project Authority.....	1
1.2	Project Location .....	1
1.3	Project Description.....	1
2.0	PURPOSE AND NEED .....	1
3.0	ALTERNATIVES .....	2
3.1	Alternatives Evaluated.....	2
4.0	AFFECTED ENVIRONMENT AND IMPACTS .....	3
4.1	Geology and Soils.....	3
4.2	Water Resources .....	4
4.3	Transportation .....	7
4.4	Environmental Justice.....	8
4.5	Air Quality .....	9
4.6	Noise .....	9
4.7	Biological Resources .....	10
4.8	Cultural Resources .....	10
4.9	Hazardous Materials .....	11
4.10	Safety .....	12
4.11	Summary .....	13
5.0	CUMULATIVE IMPACTS .....	15
6.0	PUBLIC INVOLVEMENT .....	15
7.0	AGENCY COORDINATION AND PERMITS.....	16
8.0	CONCLUSIONS .....	16
9.0	REFERENCES .....	17
10.0	LIST OF PREPARERS.....	19

## TABLE OF CONTENTS

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Appendix A	Figures
Appendix B	Agency Coordination
Appendix C	Public Notice of Draft EA

## ACRONYMS AND ABBREVIATIONS

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ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act of 1990
amsl	above mean sea level
APAR	Affected Property Assessment Report
AST	Aboveground Storage Tank
BMP	Best Management Practice
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFR	Code of Federal Regulations
CO	carbon monoxide
COC	Constituent of Concern
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	decibel
DNL	Day-Night Average Sound Level
EA	Environmental Assessment
EDR	Environmental Data Resources
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FPPA	Farmland Protection Policy Act
FONSI	Finding of No Significant Impact
mg/kg	milligram per kilogram
mg/l	milligram per liter
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NO <sub>2</sub>	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory

## ACRONYMS AND ABBREVIATIONS

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O <sub>3</sub>	ozone
OSHA	Occupational Safety and Health Administration
Pb	lead
PCL	Protective Concentration Limit
PM <sub>2.5</sub>	particulate matter less than 2.5 microns
PM <sub>10</sub>	particulate matter less than 10 microns
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Office
SO <sub>2</sub>	sulfur dioxide
SWPPP	Stormwater Pollution Prevention Plan
TAC	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
THPO	Tribal Historic Preservation Office
TPH	Total Petroleum Hydrocarbons
TPWD	Texas Parks and Wildlife Department
TRRP	Texas Risk Reduction Program
TxDOT	Texas Department of Transportation
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	Underground Storage Tank

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## **1.0 INTRODUCTION**

### **1.1 Project Authority**

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Disaster Mitigation Project under application number PDMC-PJ-06-TX-2005-035. FEMA grants funds under the Pre-Disaster Mitigation - Competitive (PDM-C) program, under Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, for pre-disaster mitigation activities which reduce overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations.

In accordance with 44 Code of Federal Regulations (CFR) for FEMA, Subpart B, Agency Implementing Procedures, Part 10.9, this Environmental Assessment (EA) has been prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The purpose of the EA is to analyze the potential environmental impacts of the proposed project, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

### **1.2 Project Location**

The City of Emory is a rural community located in the center of Rains County in northeast Texas (see Figure 1 in Appendix A). The City of Emory and Rains County are located within FEMA Wind Zone IV, also known as Tornado Alley, which designates areas prone to having winds over 250 miles per hour (FEMA 2006). The FEMA "Tornado and Hurricane Shelter Model" Version 1.0 (FEMA 2000) shows that there have been 456 recorded tornados within 50 miles of Rains County in the last 46 years, with a resulting yearly tornado strike probability within the County of 16%.

### **1.3 Project Description**

The proposed project would construct a Safe Room/Tornado Shelter in the City of Emory to provide shelter during severe weather events to the citizens of the City of Emory and Rains County.

## **2.0 PURPOSE AND NEED**

Despite the high probability of tornado activity in the County, there are currently no designated emergency shelters within Rains County or the City of Emory. The FEMA model predicts the financial benefit of tornado hazard mitigation to be \$100,655 per annum based on lives saved and injuries avoided.

The Draft Rains County Hazard Mitigation Plan, which is being revised for resubmission to FEMA, identified the risk of tornadoes and the lack of a community tornado shelter as one of the top emergency related issues facing the County. The report suggests that a tornado shelter centrally located in the City of Emory would reduce the risk of injury and death resulting from tornados and other adverse weather events.

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The purpose of and need for the proposed project is to provide an emergency facility to protect the citizens of the City of Emory and Rains County during severe weather events such as tornados.

### **3.0 ALTERNATIVES**

This section describes the alternatives that were considered in addressing the purpose and need stated in Section 2 above. Two alternatives were evaluated: the No Action Alternative, and the Proposed Action Alternative, which is the construction of a Safe Room/Tornado Shelter at 110 Rhodes Drive in the City of Emory.

The City of Emory was unable to identify any feasible alternative sites for the project which met the benefit/cost ratio of  $>1$ , as required under the PDM-C program.

#### **3.1 Alternatives Evaluated**

##### Alternative 1: No Action

Under the No Action Alternative, no designated emergency shelter would be constructed in Rains County. Those residents who have accessible underground shelters would use them for protection during severe weather events; however, the general population would continue to be unprotected during these events.

##### Alternative 2: Construction of a Safe Room/Tornado Shelter (Proposed Action)

Under the Proposed Action Alternative, the County proposes to construct a 6,000 square-foot Safe Room/Tornado Shelter on a 0.9-acre site located at 110 Rhodes Drive in the City of Emory, north of the intersection of Rhodes Drive and State Highway 19 (see Figure 2 in Appendix A). Coordinates of the proposed project site are latitude N 32.87845, longitude W 95.76295.

The 0.9-acre proposed project site is the northern portion of a 1.9-acre parcel which was formerly developed and functioned as a Texas Department of Transportation (TxDOT) maintenance and storage facility. The 1.9-acre parcel is currently owned by the City of Emory Economic Development Corporation. The 0.9-acre proposed project site contains the laboratory, loading dock, asphalt storage tank, former diesel fueling area, and storage building formerly associated with the TxDOT maintenance facility. The proposed project site is currently used by the City's Water Department for the storage of equipment, parts, and maintenance supplies. The proposed project site is centrally located in a residential area of the City of Emory and is bounded by residential properties on the north, State Highway 19 on the east, the southern portion of the former TxDOT facility on the south, and Rhodes Drive on the west.

The proposed Safe Room/Tornado Shelter will be a 60-foot by 100-foot, single-story, above-ground structure constructed with reinforced masonry designed to withstand 250-mile-per-hour winds according to International Building Code 2003. The proposed structure will consist of five 1,200-square-foot fire bays and restroom facilities. This structure will be accessible 24 hours per day and is designed to accommodate 800 people during daytime emergencies and 200 people at night. The proposed project would also include the construction of a parking area sufficient to accommodate the shelter's capacity. The required site work will consist of the demolition of all structures and the clearance of vegetation within the 0.9-acre proposed project site to minimize

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the danger of projectiles in the event of a tornado. The proposed facility will tie into existing public utilities and infrastructure located on-site.

The project will be designed in accordance with the Americans with Disabilities Act (ADA), providing accessibility to residents of the County's only nursing home, which is located approximately 200 yards from the proposed project site.

#### **4.0 AFFECTED ENVIRONMENT AND IMPACTS**

This section describes the potential impacts of the Proposed Action Alternative and the No-Action Alternative. Where potential impacts exist, conditions or mitigation measures to offset these impacts are detailed. A summary table is provided in section 4.11.

##### **4.1 Geology and Soils**

The Geologic Atlas of Texas, Tyler Sheet (1965) indicates the proposed project site is underlain by the Wilcox Group (undivided) of the Eocene age. The Wilcox Group consists of silty and sandy clay in various shades of gray, which includes local beds of clay, lignite, silt, and quartz sand. Calcareous siltstone and ironstone concretions are common. The Wilcox Group weathers to various shades of gray, brown, yellow and red. Thickness of the Wilcox Group ranges from 500 to 1,000 feet.

The Mexia-Talco Fault Zone crosses through northeast Texas in the area of Rains County, but the area does not typically experience seismic activity. The probability of an earthquake with a magnitude of 4.76 or higher occurring within 50 kilometers (31 miles) of Emory, Texas, in the next 50 years is approximately 1.5 percent (USGS 2007).

A review of the United States Geological Survey (USGS 1980) 7.5-minute topographic map for the Emory North quadrangle indicates that the approximate elevation of the proposed project site is 470 to 485 feet above mean sea level (amsl). Surface topography slopes slightly to the south and east.

According to the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) online Web Soil Survey, the proposed project site contains soils classified as Wolfpen loamy fine sand with slopes ranging from 1 to 5 percent (USDA/NRCS 2007). The Wolfpen Series consists of very deep, well-drained, moderately permeable soils formed in lenticular sands on uplands of the Coastal Plain. Wolfpen soils have very low to low runoff.

The Farmland Protection Policy Act (FPPA) states that federal agencies must "minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses..." The proposed project site does not contain soils classified as prime or unique farmland (USDA 2007); therefore, the FPPA does not apply to this project.

Based upon the findings from the Phase I Environmental Site Assessment (ESA) conducted by URS in September 2006 (URS 2006), a Limited Phase II ESA was subsequently performed in April 2007 at the proposed project site (URS 2007). Analytical laboratory results using method TPH TX 1005 indicated levels of total petroleum hydrocarbons (TPH) in site soils (C6-C12 value of 1100 milligram/kilogram [mg/kg]) that exceeded levels defined by the Texas Risk Reduction Program (TRRP) Tier 1 Residential Protective Concentration Limits (PCLs) at 65 mg/kg. These soils were contained in the northeast corner of the site, north of the former location

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of an above-ground diesel storage tank. A soil sample from this location was subsequently analyzed using analytical method TPH TX 1006 (a more precise method that further fractionates the carbon range). This test found that TPH levels were below TRRP Tier 1 PCLs for all constituents. Therefore, the soils in this area are not considered contaminated.

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to geology or soils.

Proposed Action Alternative – Under the Proposed Action Alternative, construction activities would not be deep enough to impact underlying geologic resources. Soils on the proposed project site would be disturbed to develop the property. The applicant would be required to submit a Storm Water Pollution Prevention Program (SWPPP). Implementation of appropriate Best Management Practices (BMPs) would be required at the construction location including the installation of silt fences to minimize the potential for soil erosion and the revegetation of soils immediately upon completion of construction to stabilize soils. Excavated soil and waste materials will be managed and disposed of in accordance to applicable local, state, and federal regulations. If contaminated materials are discovered during the construction activities, the work will cease until the appropriate procedures and permits can be implemented.

A consultation letter, dated March 23, 2007, was submitted to the NRCS requesting agency review and comments regarding the proposed project. In a response letter dated April 3, 2007, NRCS stated that the project should have no significant adverse impacts on the environment or the natural resources in the area (see Appendix B).

## **4.2 Water Resources**

### **4.2.1 Surface Water**

The Clean Water Act (CWA), as amended in 1977, established the basic framework for regulating discharges of pollutants into the waters of the United States. Surface water at the proposed project site flows east across the site via sheet-flow into an adjacent ditch located along Rhodes Drive, then flows approximately 100 feet south toward Sandy Creek.

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to surface water.

Proposed Action Alternative – Under the Proposed Action Alternative, temporary short-term impacts to downstream surface waters may occur during the construction period due to soil erosion. The applicant would be required to submit a SWPPP and National Pollutant Discharge Elimination System (NPDES) permit application prior to construction. To reduce impacts to surface water, the applicant would implement appropriate BMPs, such as installing silt fences and revegetating bare soils.

### **4.2.2 Groundwater**

The proposed project site is located in an area where groundwater is dominated by the Carrizo-Wilcox aquifer system. The Wilcox Group and the overlying Carrizo Formation of the Clairborne Group form this hydrologically connected system. The City of Emory lies within the aquifer recharge zone, a narrow band that parallels the Gulf Coast. The aquifer then dips

southeast toward the Gulf. Shallow groundwater flow at the proposed project site is likely to flow southeast toward Sandy Creek.

During the URS 2007 Phase II ESA investigation of the proposed project site, groundwater was encountered at 20 feet below the surface. Laboratory analysis of groundwater samples found arsenic, beryllium, chromium, and lead at levels above TRRP Tier 1 Residential PCLs at three sample points across the site (Table 1).

**Table 1:** Heavy metals found in concentrations exceeding TRRP Tier 1 Residential PCLs

Constituent	Range of Measured Values	TRRP Tier 1 Residential PCL
Arsenic	0.011 - 0.0541 mg/l	0.01 mg/l
Beryllium	0.0191 - 0.0637 mg/l	0.004 mg/l
Chromium	0.0564 - 0.222 mg/l	0.1 mg/l
Lead	0.0579 - 0.163 mg/l	0.015 mg/l

Analysis also found TPH above the TRRP Tier 1 Residential PCLs using the TPH TX 1005 method at a single sample point north of the former diesel above-ground storage tank (AST) in the northeast corner of the site (Table 2). The more precise TPH TX 1006 also found TPH values above TRRP Tier 1 PCLs (Table 3).

**Table 2:** TPH constituents found in concentrations exceeding TRRP Tier 1 Residential PCLs using method TPH TX 1005

Constituent	Measured Value	TRRP Tier 1 Residential PCL
C6-C12	1400 mg/l	0.98 mg/l
>C12-C28	1800 mg/l	0.98 mg/l
>C28-C35	5.3 mg/l	0.98 mg/l

**Table 3:** TPH constituents found in concentrations exceeding TRRP Tier 1 Residential PCLs using method TPH TX 1006

Constituent	Measured Value	TRRP Tier 1 Residential PCL
>C6-8 Aliphatics	17 mg/l	1.5 mg/l
>C8-10 Aliphatics	79 mg/l	2.4 mg/l
>C10-12 Aliphatics	890 mg/l	2.4 mg/l
>C12-16 Aliphatics	1200 mg/l	2.4 mg/l

Constituent	Measured Value	TRRP Tier 1 Residential PCL
>C16-21 Aliphatics	73 mg/l	49.0 mg/l
>C7-8 Aromatics	16 mg/l	2.4 mg/l
>C8-10 Aromatics	32 mg/l	0.98 mg/l
>C10-12 Aromatics	240 mg/l	0.98 mg/l
>C12-16 Aromatics	460 mg/l	0.98 mg/l
>C16-21 Aromatics	43 mg/l	0.73 mg/l
>C21-35 Aromatics	11 mg/l	0.73 mg/l

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to groundwater.

Proposed Action Alternative – Under the Proposed Action Alternative, construction activities would not reach a sufficient depth to impact existing groundwater. The project site would be paved, preventing the infiltration of rainwater for aquifer recharge. The newly constructed Safe Room/Tornado Shelter would also connect to the public water supply instead of withdrawing groundwater from the aquifer, thereby preventing immediate health hazards to persons utilizing the shelter from the groundwater contaminants described above. If the proposed action will require additional excavation to groundwater depths, the applicant would consult with the U.S. Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) to identify appropriate mitigation.

A release to groundwater (contaminated groundwater) was identified on the proposed project site based on the findings of the Phase II ESA (URS 2007). Prior to construction, the applicant would need to conduct additional delineation of the TPH identified at the proposed project site and submit an Affected Property Assessment Report (APAR) to the TCEQ. In accordance with Texas Administrative Code (TAC) 30 TAC 350, an APAR is required when addressing a release of Constituents of Concern (COCs) under the TRRP. The APAR provides notification to the TCEQ of the intent to respond to a release. The purpose of the APAR is to document all relevant affected property information to identify all release sources and COCs, determine the extent of all COCs, identify all transport/exposure pathways, and to determine if any response actions are necessary.

#### 4.2.3 Floodplains

Executive Order (EO) 11988 (Floodplain Management) requires federal agencies to avoid direct or indirect support of development within the 100-year floodplain whenever there is a practicable alternative. FEMA uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain for the National Flood Insurance Program (NFIP). Consistent with EO 11988, FIRMs were examined during the preparation of this EA. The proposed project site is located outside both the 100-year and 500-year flood zones (FEMA, 1977; Community Panel Number 480975 0002 A).

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No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to the floodplain.

Proposed Action Alternative – The proposed project site was determined to be located outside both the 100-year and 500-year floodplains. Under the Proposed Action Alternative, no impacts to the floodplain are anticipated.

#### 4.2.4 Waters of the U.S. including Wetlands

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or filled material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act (CWA). Additionally, EO 11990 (Protection of Wetlands) requires federal agencies to avoid, to the extent possible, adverse impact of wetlands.

The proposed project site is approximately 100 feet north of Sandy Creek, 8 miles north of Sandy Creek's mouth on the Sabine River, and 300 miles northwest of the Gulf of Mexico. The Coastal Zone Management Act (CZMA) enables coastal states, including Texas, to designate state coastal zone boundaries and develop coastal management programs to improve protection of sensitive shoreline resources and guide sustainable use of coastal areas. According to the National Oceanic and Atmospheric Administration, the proposed project site is located outside of the Texas Coastal Zone (NOAA 2004).

According to the National Wetlands Inventory (NWI) Map, no wetlands are located on or adjacent to the proposed project site (USFWS 2007b). No hydrophytic vegetation, evidence of hydric soils, or hydrologic indicators were observed by a URS biologist during a site walkover.

No Action Alternative – Under the No Action Alternative, there would be no construction and no impacts to waters of the U.S., including wetlands, would occur.

Proposed Action Alternative – Under the Proposed Action Alternative, no impacts to waters of the U.S., including wetlands, would occur because none are present on the proposed project site. A consultation letter, dated March 23, 2007, was submitted to the USACE Fort Worth District requesting agency review and comments regarding the proposed project. In an official response letter dated May 11, 2007, the USACE stated that the project would not impact any wetlands or navigable waters of the United States (see Appendix B).

### 4.3 Transportation

The proposed project site is located north of the intersection of Rhodes Drive and State Highway 19. Access to the site is provided from the west from Rhodes Drive and from the east from State Highway 19.

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to transportation.

Proposed Action Alternative – Under the Proposed Action Alternative, there would be a minor temporary increase in the volume of construction traffic on roads in the immediate vicinity of the proposed project site that could potentially result in a slower traffic flow during the construction phase. To mitigate potential delays, construction vehicles and equipment would be stored on site during project construction and appropriate signage would be posted on affected roadways.

Over the long term, vehicle traffic would increase at the proposed project site only occur during severe weather and other emergency events as residents drive to the shelter. The shelter would be easily accessible by car from both Rhodes Drive and from State Highway 19, so that residents accessing the shelter would not need to use the surrounding neighborhood streets. Cars would park primarily in the shelter parking lot; once the lot is full, some vehicles may need to park on neighboring streets.

A consultation letter, dated March 23, 2007, was submitted to TxDOT requesting agency review and comments regarding the proposed project. No response has been received to date.

#### 4.4 Environmental Justice

EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations.

The City of Emory has a population of 1,021 individuals. According to the 2000 Census, in 1999 the median household income reported in the City of Emory was \$32,785, with 13.7 percent of individuals living below the poverty level. The median household income reported in all of Rains County was \$34,712 with 14.9 percent of individuals living below the poverty level. The median household income in the State of Texas was \$39,927 with 15.4 percent of individuals living below the poverty level (USCB 2000).

Minorities represented 9.5 percent, 8.1 percent, and 29.0 percent, respectively, of the City of Emory, Rains County, and the State of Texas populations. Table 4 shows the specific racial composition of the City of Emory, Rains County, and the State of Texas populations.

**Table 4:** Racial composition of the City of Emory, Rains County, and the State of Texas

<b>Ethnicity</b>	<b>City of Emory</b>	<b>Rains County</b>	<b>State of Texas</b>
White	90.5 %	91.9 %	71 %
Black or African American	5.5 %	2.9 %	11.5 %
American Indian or Native Alaskan	0.4 %	0.8 %	0.6 %
Asian	0.3 %	0.3 %	2.7 %
Native Hawaiian or Other Pacific Islander	0.4 %	< 0.1 %	0.1 %
Other	1.9 %	2.5 %	11.7 %
Source: USCB 2000			

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In the City of Emory, 28.1 percent of citizens over the age of 5 are living with a disability. Comparatively, 25.6 percent of people in Rains County and 19.2 percent of people in the State of Texas are living with a disability.

No Action Alternative – Under the No Action Alternative, all citizens of Rains County and the City of Emory would continue to be at risk of injury and death during severe weather events such as tornados. There would be no disproportionately high or adverse impact on minority or low-income portions of the population – all populations would continue to be at risk.

Proposed Action Alternative – The Proposed Action Alternative would provide a Safe Room/Tornado Shelter that would be accessible by and a benefit to all members of the community. There would be no disproportionately high or adverse impact on minority or low-income portions of the population – all populations would benefit from the protection provided by the facility.

#### **4.5 Air Quality**

The Clean Air Act (CAA) requires that states adopt ambient air quality standards. The standards have been established in order to protect the public from potentially harmful amounts of pollutants. Under the CAA, EPA establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect public welfare by promoting ecosystems health, and preventing decreased visibility and damage to crops and buildings. EPA has set national ambient air quality standards (NAAQS) for the following six criteria pollutants: ozone (O<sub>3</sub>), particulate matter (PM<sub>2.5</sub>, PM<sub>10</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and lead (Pb). According to TCEQ, Rains County is in attainment, meaning criteria air pollutants do not exceed the NAAQS. The adjacent county to the west, Hunt County, is considered in “near nonattainment” due to ozone levels in the Dallas/Fort Worth area.

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to air quality.

Proposed Action Alternative – The proposed Safe Room/Tornado Shelter would not emit any criteria air pollutants. Under the Proposed Action Alternative, no long-term impacts to air quality would occur. Short-term impacts to air quality may occur during construction of the facility. To reduce temporary impacts to air quality, the construction contractors would be required to water down construction areas when necessary. Emissions from fuel-burning internal combustion engines (e.g., heavy equipment and earthmoving machinery) could temporarily increase the levels of some of the criteria pollutants, including CO, NO<sub>2</sub>, O<sub>3</sub>, PM<sub>10</sub>, and non-criteria pollutants such as volatile organic compounds. To reduce the emission of criteria pollutants, fuel-burning equipment running times would be kept to a minimum and engines would be properly maintained.

#### **4.6 Noise**

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of

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sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses such as residences, schools, or hospitals. The proposed project site is located in a mainly residential area.

**No Action Alternative** – Under the No Action Alternative, no construction would occur and there would be no impacts to noise levels.

**Proposed Action Alternative** – Under the Proposed Action Alternative, temporary short-term increases in noise levels are anticipated during the construction period. To reduce noise levels during that period, construction activities would take place during normal business hours. Equipment and machinery installed at the proposed project site would meet all local, state, and federal noise regulations.

#### **4.7 Biological Resources**

The proposed project site is developed, with most of the area paved or covered in gravel, although some grasses and scattered trees are present. The site is located in an urban area, so wildlife expected to utilize the project site include species adapted to urban areas, such as squirrels, songbirds, and opossums.

The U.S. Fish and Wildlife Service (USFWS) list one federally protected species for Rains County, the endangered Least Tern (*Sterna antillarum*) (USFWS 2007a). Rains County is in the habitat range of the Bald Eagle (*Haliaeetus leucocephalus*) which is federally protected under the Bald and Golden Eagle Protection Act.

**No Action Alternative** – Under the No Action Alternative, there would be no impacts to biological resources.

**Proposed Action Alternative** – Under the Proposed Action Alternative, the proposed project site would be cleared and graded, removing some grasses and scattered trees.

Consultation letters, dated March 23, 2007, were submitted to the USFWS and Texas Parks and Wildlife Department (TPWD) requesting agency review and comments regarding the proposed project. In a response letter dated April 23, 2007, USFWS stated that it is the responsibility of the federal agency to determine whether any protected species would be impacted by the proposed project (see Appendix B). The proposed project site does not contain shoreline habitat that would support Least Tern, and contains no large bodies of water or large trees that could provide habitat for Bald Eagles. Therefore, no listed species and/or designated critical habitats are anticipated to be present in areas affected directly or indirectly by the Proposed Action.

In a response letter dated January 10, 2008, TPWD stated that the Wildlife Habitat Assessment Program does not anticipate significant adverse impacts to rare species, natural communities, or special features (Appendix B).

#### **4.8 Cultural Resources**

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

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comment on federal projects prior to implementation. Historic properties are defined as archeological sites, standing structures, or other historic resources listed in or eligible for listing in the National Register of Historic Places (NRHP).

No Action Alternative – Under the No Action Alternative, no construction would occur and no historic properties would be affected.

Proposed Action Alternative – Under the Proposed Action Alternative, no historic properties would be affected. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted. The applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform FEMA immediately and FEMA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.

A consultation letter, dated December 30, 2005, was submitted to the Texas Historical Commission (THC) requesting agency review and comments regarding the proposed project. In official response letter dated January 5, 2006, THC stated that no historic properties would be affected and the project may proceed (see Appendix B).

The Native American Consultation Database was accessed to determine potential tribal consultation needs (NPS, 2007). No tribes were found to inhabit, have land areas claims, or have areas of special interest listed in Rains County, Texas.

#### **4.9 Hazardous Materials**

Hazardous substances are defined as any solid, liquid, contained gaseous or semisolid waste, or any combination of wastes that pose a substantial present or potential hazard to human health and the environment. Hazardous substances are primarily generated by industry, hospitals, research facilities, and the government. Improper management and disposal of hazardous substances can lead to pollution of groundwater or other drinking water supplies, and the contamination of surface water and soil. The primary federal regulations for the management and disposal of hazardous substances are the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA).

The 0.9-acre proposed project site contains the laboratory, loading dock, asphalt storage tank, former diesel fueling area, and storage building formerly associated with the TxDOT maintenance facility. An Environmental Data Resources (EDR) Radius Search was conducted in September 2006 as part of a Phase I Environmental Site Assessment (ESA) conducted by URS for the proposed project site. Two underground storage tank (UST) sites were identified nearby; one owned by Opal Garrett located 1/8 mile north on State Highway 19, and the other owned by Joe Pete's Station located 1/8 mile south on State Highway 19. Both sites contained gasoline USTs that are reported as "removed from ground" (EDR 2006).

Five additional gasoline USTs are known to have been installed by TxDOT on the overall 1.9-acre parcel in 1956. The EDR report indicates that three 1,000-gallon USTs were removed in

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1991. The locations of the three removed USTs are not known. The two active USTs, each with a capacity of 3,918 gallons, are reportedly in use outside the subject property on the southern portion of the 1.9-acre parcel. Both of the active USTs are identified as single wall tanks with suction pump piping. The active tanks generally correspond to the two tanks registered on the parcel and owned by the City of Emory Economic Development Corporation. No evidence of USTs, including fill ports, manholes, or vent pipes, was observed on the subject property during the site reconnaissance.

An aboveground storage tank (AST) of unknown capacity labeled asphalt was observed on the northwestern portion of the subject property. The asphalt AST is not listed on any registrations or the EDR report. A diesel fuel AST was formerly located on the northeast corner of the subject property. It was installed in 1956, taken out of service in 1991, and removed from the subject property some time after 1991. The fuel pump associated with this tank remains on the subject property.

No visual evidence of hazardous or petroleum-based substances or staining of soil or concrete surfaces was observed on the subject property during the site reconnaissance.

A Phase II ESA performed by URS in April 2007 indicated levels of arsenic, beryllium, chromium, and lead above TRRP Tier 1 Residential PCLs in the groundwater at three sample points across the site and TPH above the Tier 1 Residential PCLs in one groundwater sample located north of the former diesel AST in the northeast corner of the subject property (URS 2007).

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to hazardous materials or waste.

Proposed Action Alternative – Under the Proposed Action Alternative, no hazardous materials or waste impacts are anticipated. Demolition of the laboratory, loading dock, asphalt storage tank, former diesel fueling area, and storage building will remove the remaining petroleum-based substances from the subject property. The proposed project is unlikely to impact the remaining USTs located on the southern portion of the 1.9-acre parcel, outside of the 0.9-acre subject property. Although elevated levels of arsenic, beryllium, chromium, lead, and TPH were found in some groundwater samples on the subject property, the proposed construction activities do not require excavation to groundwater depths and should not expose hazardous materials or produce hazardous wastes. Any hazardous materials discovered, generated, or used during construction would be handled and disposed of in accordance with applicable local, state, and federal regulations.

#### **4.10 Safety**

Safety and security issues considered in this EA include the health and safety of the area residents and the public-at-large, and the protection of personnel involved in activities related to the proposed construction of the Safe Room/Tornado Shelter.

Executive Order 13045, Protection of Children, requires federal agencies to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children.

No Action Alternative – Under the No Action Alternative, there would be no construction and no direct impacts to safety of the population would occur. If an emergency event were to occur,

citizens of Rains County and the City of Emory, including children, would continue to be at risk of injury and death during severe weather events such as tornados.

Proposed Action Alternative – Under the Proposed Action Alternative, the Safe Room/Tornado Shelter would provide protection for residents of Rains County and the City of Emory, including children, during severe weather events. The shelter would accommodate 800 residents during the day and 200 at night.

Construction activities could also present safety risks to those performing the activities. To minimize risks to safety and human health, all construction activities would be performed using qualified personnel trained in the proper use of the appropriate equipment, including all appropriate safety precautions. Additionally, all activities would be conducted in a safe manner in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations. The appropriate signage and barriers should be in place prior to construction activities to alert pedestrians and motorists of project activities. There would be no disproportionate health and safety risks to children.

#### 4.11 Summary

The following table summarizes the potential impacts of the Proposed Action Alternative and conditions or mitigation measures to offset those impacts.

Affected Environment	Impacts	Mitigation
Geology and Soils	No impacts to underlying geology are anticipated. Soils on the project site will be disturbed during construction.	<p>A SWPPP permit must be obtained prior to construction.</p> <p>Implementation of appropriate BMPs would be required at the construction location including the installation of silt fences and the revegetation of soils.</p> <p>Excavated soil and waste materials will be managed and disposed of in accordance with applicable local, state, and federal regulations. If contaminated materials are discovered during the construction activities, the work will cease until the appropriate procedures and permits can be implemented.</p>
Surface Water	Temporary short-term impacts to surface water are possible during construction activities.	A SWPPP and a NPDES permit must be obtained prior to construction; appropriate BMPs, such as installing silt fences and revegetating bare soils, would minimize runoff.

<b>Affected Environment</b>	<b>Impacts</b>	<b>Mitigation</b>
Groundwater	Existing groundwater contamination has been identified; no impacts to groundwater are anticipated.	<p>If the proposed action will require additional excavation to groundwater depths, the applicant will consult with EPA and TCEQ to identify appropriate mitigation.</p> <p>The applicant will submit an APAR to TCEQ regarding existing groundwater contamination.</p>
Floodplains	No impacts to the floodplain are anticipated.	None
Waters of the U.S. including Wetlands	No impacts to wetlands or waters of the U.S. are anticipated.	None
Transportation	Short-term, minor temporary increase in the volume of construction traffic on roads. Long-term minor increases in traffic during emergencies in the immediate vicinity of the proposed project site.	Construction vehicles and equipment would be stored on-site during project construction and appropriate signage would be posted on affected roadways.
Environmental Justice	All populations would benefit from the Proposed Action.	None
Air Quality	Short-term impacts to air quality would occur during the construction period.	Construction contractors would be required to water down construction areas when necessary; fuel-burning equipment running times would be kept to a minimum; engines would be properly maintained.
Noise	Short-term impacts to noise levels would occur at the proposed project site during the construction period.	Construction would take place during normal business hours and equipment would meet all local, state, and federal noise regulations.
Biological Resources/ Threatened and Endangered Species	Long-term, minor impact to grasses and trees on proposed project site, which would be cleared. No impacts to any federally protected species are anticipated.	None

<b>Affected Environment</b>	<b>Impacts</b>	<b>Mitigation</b>
Cultural Resources	No impacts to archeological or cultural resources are anticipated.	None
Hazardous Materials	No hazardous materials or waste impacts are anticipated.	Any hazardous materials discovered, generated, or used during construction would be disposed of and handled in accordance with applicable local, state, and federal regulations.
Safety	Positive impacts to public safety are anticipated, since residents would have an emergency shelter during severe weather events.	All construction activities would be performed using qualified personnel and in accordance with the standards specified in OSHA regulations; appropriate signage and barriers should be in place prior to construction activities to alert pedestrians and motorists of project activities.
Socioeconomic Resources	No adverse socioeconomic impacts are anticipated.	None

## 5.0 CUMULATIVE IMPACTS

According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what 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).” In accordance with NEPA and to the extent reasonable and practical, this EA considered the combined effect of the Proposed Action Alternative and other actions occurring or proposed in the vicinity of the proposed project site.

The City of Emory tentatively proposes to construct a police and fire department headquarters on the southern portion of 1.9-acre parcel, adjacent to the proposed project site. This project and the proposed project may have a cumulative temporary impact on air quality in the project area by increasing criteria pollutants during construction activities. No other cumulative impacts are anticipated.

## 6.0 PUBLIC INVOLVEMENT

FEMA is the lead federal agency for conducting the NEPA compliance process for the Safe Room/Tornado Shelter in the City of Emory, Rains County, Texas. It is the goal of the lead agency to expedite the preparation and review of NEPA documents and to be responsive to the needs of the community and the purpose and need of the proposed action while meeting the intent of NEPA and complying with all NEPA provisions.

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The proposed project was presented in a public meeting of the Emory City Council on January 18, 2005. It was also presented in a public meeting to the Rains County Commissioners Court on February 10, 2005. Interagency reviews have been conducted in the form of agency consultation letters sent to agencies listed in Section 7.0.

The City of Emory notified the public of the availability of the draft EA through publication of a public notice in a local newspaper. The public notice was published on December 18, 2007, and January 1, 8, and 15, 2008, in the *Rains County Leader* (Appendix C). FEMA conducted a 30-day public comment period commencing on the initial publication date of the public notice and ending on January 17, 2008. No comments were received from the public.

## **7.0 AGENCY COORDINATION AND PERMITS**

The following agencies and organizations were contacted by letter requesting project review during the preparation of this EA. Responses received to date are included in Appendix B.

- U.S. Department of Agriculture, Natural Resources Conservation Service, Texas State Office
- U.S. Environmental Protection Agency, Region 6 Office
- U.S. Fish and Wildlife Service, Arlington, Texas Ecological Services Field Office
- U.S. Army Corps of Engineers, Fort Worth District
- Texas Commission on Environmental Quality, Region 5 Office
- Texas Historical Commission
- Texas Parks and Wildlife Department
- Texas Department of Transportation, Paris District

In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.

## **8.0 CONCLUSIONS**

No impacts to geology, groundwater, floodplains, wetlands, environmental justice, threatened and endangered species, cultural resources, hazardous materials, public safety, or socioeconomic resources are anticipated with the Proposed Action Alternative. Positive impacts to public health and safety are expected. Long-term, minor impacts include temporary increases in local traffic levels around the facility during emergency events and the clearing of grass and trees from a portion of the proposed project site. During the construction period, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated. All short-term impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

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## 9.0 REFERENCES

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## **10.0 LIST OF PREPARERS**

### **Donald Fairley**

Regional Environmental Officer  
Federal Emergency Management Agency  
Denton, Texas

### **Brian Mehok**

Project Manager  
URS Corporation  
Houston, Texas

### **Sara Redmond-Neal**

Environmental Specialist  
URS Corporation  
Houston, Texas

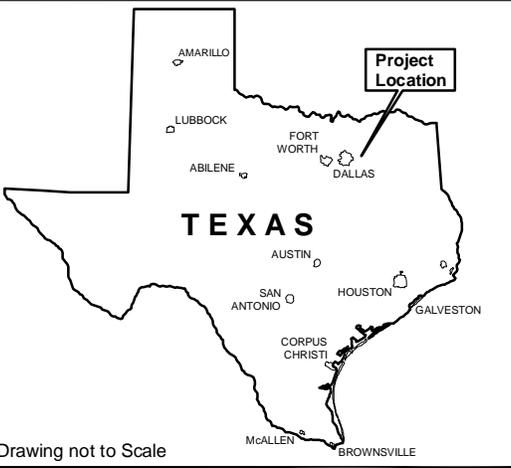
### **Jeff Pollock**

Staff Biologist  
URS Corporation  
Houston, Texas

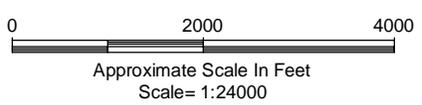
## Appendix A

### Figures

File: K:\ELM\25009206.Tracts 6 8 9.Jacintoport.06\Dwgs\Acad\15702306 Emory\Emory FEMA.dwg Layout: EA - Safe Room and Tornado Shelter User: Norris\_Brown Plotted: Nov 29, 2007 - 10:22am



Drawing not to Scale

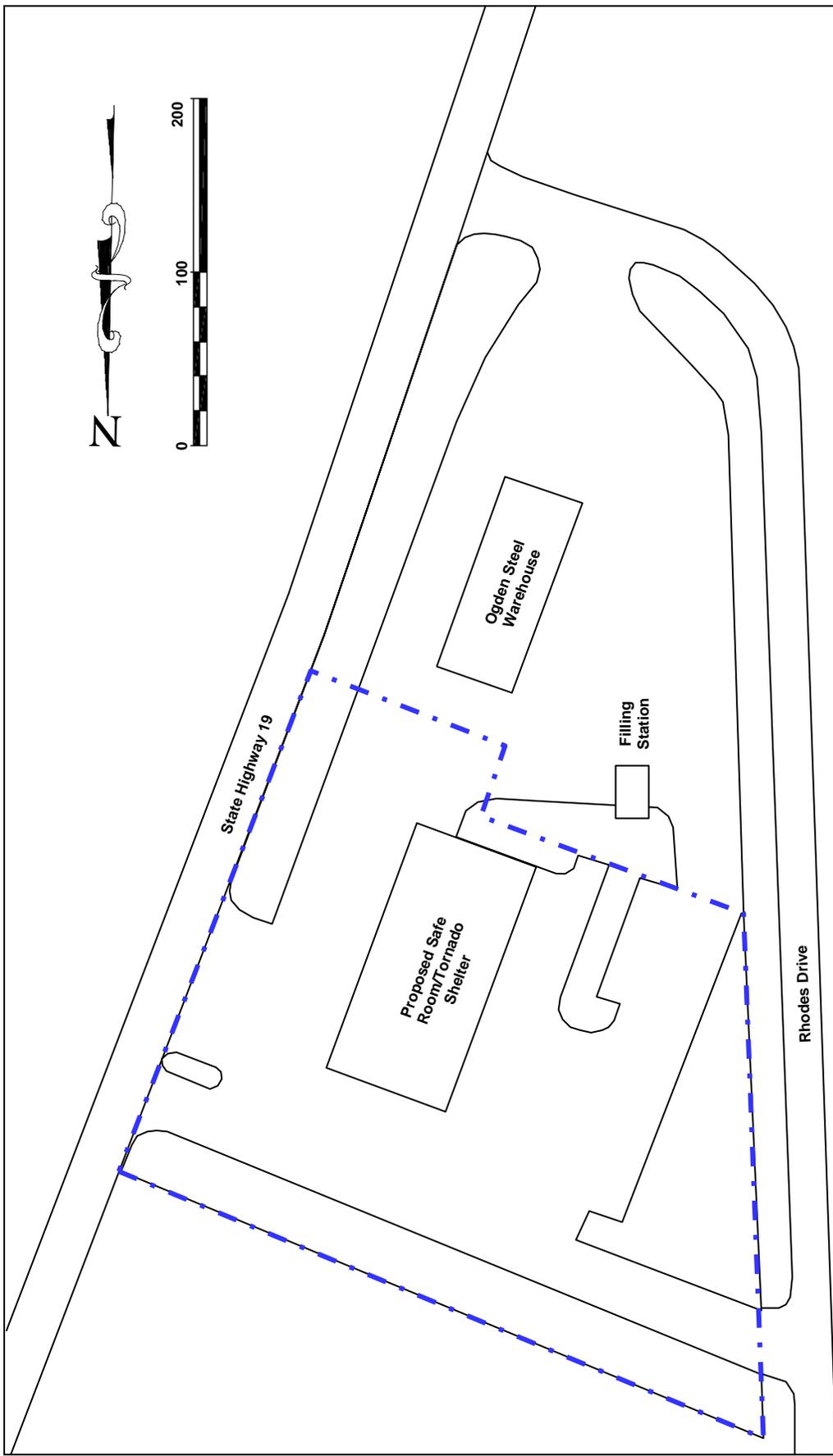
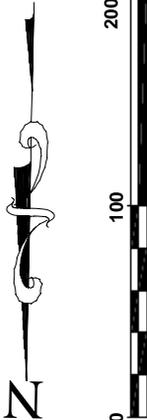


Source: U.S.G.S. 7.5-minute Series Topographic Maps Emory North (1980) and Emory South (1980), Texas Quadrangles.



9801 WESTHEIMER, SUITE 500  
HOUSTON, TEXAS 77042  
PH: (713) 914-6699  
FAX: (713) 789-8404

Title: <b>Site Vicinity Map</b>		
Project: Environmental Assessment City of Emory Safe Room/Tornado Shelter Pre-Hazard Mitigation Application Emory, Rains County, Texas		
Client: <b>FEMA</b>		
Scale: As Shown	Drawn by: NAB Chk'd by: JDK	Date: 5 Oct 2006 Date: 5 Oct 2006
Project No.: 15702306	File Name: Emory FEMA.dwg	Figure: <b>1</b>



	
9801 Westheimer Rd, Suite 500 Houston, TX 77042 PH: (713) 914-6699 Fax: (713) 789-8404	
Figure: <b>2</b>	Title: <b>Site Layout Map</b>
Project: Environmental Assessment City of Emory Safe Room/Tornado Shelter Pre-Hazard Mitigation Application Emory, Rains County, Texas	
Client: <b>FEMA</b>	
Project Number: <b>15702306</b>	

## Appendix B

### Agency Coordination

SHPO Letter  
from Emory  
and "no historic  
properties"

*cy*

# City of Emory



75440 903-473-2465 / 903-473-2110 fax

Stamp

Mayor: Gay F.B. Brown  
Trevia Lee Yotts  
Lisa Lusk  
Cathy Hill

Secretary: Judy Ransom  
City Clerk: Donna Raper  
Police Chief: Bruce Feagin  
Director of Planning: Clyde Smith

December 30, 2005

Texas Historical Commission  
Attn: Ms. Cynthia Guillen  
Section 106 Coordinator  
P.O. Box 12276  
Austin, Texas 78711-2276

JAN - 5 2006

RE: DR-1606 (Hurricane Rita) HMGP FEMA Application - NEPA Coordination  
"City of Emory / Rains County Tornado & Severe Wind Shelter and Regional Evacuation & Emergency Operations Center"

Dear Ms. Guillen:

The City of Emory is requesting assistance from FEMA in order to construct a dual use Community Tornado Shelter and Fire Station / Regional Emergency Operations Center on a 1.9 acre abandoned Texas Department of Transportation (TxDOT) maintenance facility site. This facility is located off of State Highway 19 and within the corporate limits of the City of Emory as shown in Figure #1.

The site is not located within the limits of the 100-yr floodplain. The existing site consists primarily of asphalt paving with several small abandoned maintenance buildings. These structures shall be removed and replaced with the architectural site plan for Phase I of this project shown in Figure A1.0.

Pursuant to the National Environmental Policy Act the City wishes to know if you have any interest in this project. If you have any comments, concerns, or wish to review this project further kindly let me know within thirty (30) days so that the City can work with your office to address your concerns.

Thank you for your time in this matter. If you have any questions or need further information, I may be reached at 903-473-2465.

Sincerely,

Clyde Smith  
Director of Economic Development  
City of Emory

NO HISTORIC  
PROPERTIES AFFECTED  
PROJECT MAY PROCEED

William A. Mead  
State Historic Preservation Officer

1/5/06



March 23, 2007

Tom Cloud  
U.S. Fish and Wildlife Service  
Arlington, Texas Ecological Services Field Office  
711 Stadium Drive, Suite 252  
Arlington, Texas 76011

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Mr. Cloud,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/ Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

URS Corporation (URS) has been retained by FEMA to prepare an Environmental Assessment (EA) for the proposed project. In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, URS requests that your agency review the proposed project and provide comments and any available information on resources under your agency's jurisdiction within the project area. If you have any questions or need additional information please contact me by telephone at 713.914.6490 or by electronic mail at [brian\\_mehok@urscorp.com](mailto:brian_mehok@urscorp.com).

Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404

Sean\_Edwards@fws.gov

04/23/2007 08:51 AM

To: brian\_mehok@urscorp.com

Cc:

Subject: Fish & Wildlife Service Consultation

Mr. Mehok:

This responds to URS Corporation's letter received by our office on March 30, 2007, requesting comments on the proposed City of Emory Safe Room/Tornado Shelter to be constructed in Rains County, Texas.

Due to budget and staffing constraints, this office is no longer able to review and respond to each individual request for information on impacts to listed species resulting from proposed actions. Instead, we are providing the following information to assist the action agency (FEMA in this case), or their designated representative, in meeting their requirements under the Endangered Species Act.

An updated county-by-county list of federally threatened, endangered, and candidate species, critical habitat designations, as well as information on the general biology of these species can be found at our website at <http://www.fws.gov/southwest/es/arlingtontexas/>. A qualified person, preferably a biologist, should use this information along with other current available information to evaluate project sites and adjacent areas for the presence of suitable habitat for the listed species occurring in a specific Texas County. If this assessment indicates that there is the potential for a proposed action to affect listed species (i.e., suitable habitat for listed species is present within or adjacent to the action area), you should contact this office for further evaluation. If the assessment concludes that a proposed project would have no effect on listed species, section 7 consultation is not required and contact with this office would not be necessary. Your determination of "no effect" and the rationale to support it would then be provided to the appropriate federal agency (FEMA in this case). Please refer to our website for any future need for species lists or questions regarding the section 7 consultation process.

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Please contact me if you are in need of further assistance.

Kind Regards,

Sean Patrick Edwards  
U.S. Fish & Wildlife Service  
Ecological Services Field Office  
711 Stadium Drive, Suite 252  
Arlington, TX 76011  
817-277-1100  
sean\_edwards@fws.gov



March 23, 2007

Lori Valadez  
NRCS, TEXAS STATE OFFICE  
101 S Main St.  
Temple, TX 76501-7602

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Ms. Valadez,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/ Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

URS Corporation (URS) has been retained by FEMA to prepare an Environmental Assessment (EA) for the proposed project. In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, URS requests that your agency review the proposed project and provide comments and any available information on resources under your agency's jurisdiction within the project area. If you have any questions or need additional information please contact me by telephone at 713.914.6490 or by electronic mail at [brian\\_mehok@urscorp.com](mailto:brian_mehok@urscorp.com).

Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404

United States Department of Agriculture



USDA- Natural Resources Conservation Service  
101 South Main  
Temple, TX 76501  
254.742.9805

---

April 3, 2007

Mr. Brian Mehok  
Environmental Specialist  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042

Dear Mr. Mehok:

We have reviewed the information relative to the Federal Emergency Management Agency (FEMA) Pre-Hazard Mitigation Project for the construction of a new Safe Room/Tornado Shelter in the City of Emory, Texas.

NRCS does not have any objection to this project. This project should have no significant adverse impacts on the environment or the natural resources in the area. We do not require any permits, easements, or approvals for these activities.

Thank you for the opportunity to provide comments on this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter W. Douglas", is written over a large, faint circular stamp or watermark.

WALTER W. DOUGLAS  
Acting State Conservationist

*Helping People Help the Land*

An Equal Opportunity Provider and Employer





March 23, 2007

Ms. Jessica Napier  
U.S. Army Corps of Engineers  
Regulatory Branch; Forth Worth District (ATTN: CESWF-PER-R)  
819 Taylor Street  
Fort Worth, TX 76102

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Ms. Napier,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

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Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404



**DEPARTMENT OF THE ARMY**  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

REPLY TO  
ATTENTION OF:

May 11, 2007

Planning, Environmental, and Regulatory Division  
Regulatory Branch

SUBJECT: Project Number SWF-2007-128

Mr. Brian Mehok  
Environmental Specialist  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, Texas 77042

Dear Mr. Mehok:

Thank you for your letter of March 23, 2007, concerning a proposal by Rains County to construct a Safe Room/Tornado Shelter located at 110 Rhodes Drive in the City of Emory, Rains County, Texas. This project has been assigned Project Number SWF-2007-128. Please include this number in all future correspondence concerning this project. Failure to reference the project number may result in a delay.

We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. The USACE responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, other information available to us, and current regulations and policy, we have determined that this project will not involve any of the above activities. Therefore, it will not require Department of the Army authorization under the above laws. However, it is incumbent upon you to remain informed of any changes in USACE Regulatory Program regulations and policy as they relate to your project.

The USACE based this decision on a preliminary jurisdictional determination (JD) that there are no waters of the United States on the project site. This preliminary JD is valid for a period of no more than five years from the date of this letter unless new information warrants revision of the delineation before the expiration date. It is incumbent upon the applicant to remain informed of changes in the Department of the Army regulations.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Ms. Kelly Allen at the address above or telephone (817)886-1732.

Sincerely,

  
for Mr. Wayne A. Lea  
Chief, Regulatory Branch

Enclosure



March 23, 2007

Richard Greene  
Regional Administrator  
EPA Region 6  
1445 Ross Ave., Suite 1200  
Dallas, TX 75202

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Mr. Greene,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

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Sincerely,

URS Corporation

**Brian Mehok**  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404



March 23, 2007

Leroy Biggers  
Regional Director  
TCEQ- Region 5 Office  
2916 Teague Dr.  
Tyler, TX 75701-3734

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Mr. Biggers,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/ Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

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Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404



March 23, 2007

Ms. Celeste Brancel-Brown  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Ms. Brancel-Brown,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/ Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

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Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404

**URS**

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March 23, 2007

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Ms. Celeste Brancel-Brown  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Ms. Brancel-Brown,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

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Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

Based on the project description, the Wildlife Habitat Assessment Program does not anticipate significant

**TEXAS  
PARKS &  
WILDLIFE**

adverse impacts to rare species, natural communities, or special features.

Reviewer

Date 17 Jan 08

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404

12 Nov 07 - Was still needed - he is sending link to EA via email



March 23, 2007

Bobby Littlefield, P.E.  
Texas Department of Transportation (Paris District)  
1365 N Main St.  
Paris, Texas 75460

**Re: Request for Project Review – Construction of Safe Room / Tornado Shelter,  
Emory, Rains County, Texas**

Dear Mr. Littlefield,

Rains County has applied to the Federal Emergency Management Agency (FEMA) for assistance with a Pre-Hazard Mitigation Project for the construction of a new Safe Room/ Tornado Shelter at 110 Rhodes Drive in the City of Emory, Texas (Site location is shown in Figure 1).

Rains County is in within FEMA Wind Zone IV, also known as tornado alley, but currently has no tornado shelters for its population of over 11,305. The County has proposed constructing a 6,000-square foot shelter on the northern portion of a former TX DOT facility at a central location within the City of Emory. The location currently has various sheds used for storage by the City of Emory. The site plan for the shelter is shown in Figure 2.

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Sincerely,

URS Corporation

Brian Mehok  
Environmental Specialist

URS Corporation  
9801 Westheimer, Suite 500  
Houston, TX 77042  
Tel: 713.914.6699  
Fax: 713.789.8404

Appendix C

Public Notice of Draft EA

**Federal Emergency Management Agency  
PUBLIC NOTICE**

**Notice of Availability of the Draft Environmental Assessment (DEA)  
for the City of Emory/Rains County Tornado Shelter Project  
Rains County, Texas  
Pre-Disaster Mitigation Project PDMC-PJ-06-TX-2005-035**

Interested persons are hereby notified that Rains County, Texas has applied for Pre-Disaster Mitigation - Competitive (PDM-C) program funding under Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Federal Emergency Management Agency (FEMA) grants funds under this program for pre-disaster mitigation activities which reduce overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations.

FEMA proposes to assist Rains County in the construction of a 6,000 square-foot Safe Room/Tornado Shelter on a 0.9-acre site located at 110 Rhodes Drive in Emory, Texas. The 0.9-acre proposed project site is the northern portion of a 1.9-acre parcel which was formerly developed and functioned as a Texas Department of Transportation (TxDOT) maintenance and storage facility. The proposed Safe Room/Tornado Shelter will be a 60-foot by 100-foot, single-story, above-ground structure constructed with reinforced masonry designed to withstand 250-mile-per-hour winds. The shelter will be accessible 24 hours per day and is designed to accommodate 800 people during daytime emergencies and 200 people at night. The proposed project would also include the construction of a parking area sufficient to accommodate the shelter's capacity. The required site work will consist of the demolition of all structures and the clearance of vegetation within the 0.9 acre project area to minimize the danger of projectiles in the event of a tornado. The proposed facility will tie into existing public utilities and infrastructure located on-site.

In accordance with the National Environmental Policy Act (NEPA) of 1969, National Historic Preservation Act (NHPA), Executive Order 11988, Executive Order 11990, and the implementing regulations of FEMA, an Environmental Assessment (EA) was prepared to assess the potential impacts of the Proposed Action on the human and natural environment. The Draft EA summarizes the purpose and need, alternatives, affected environmental, and potential environmental consequences for the proposed action. The Draft EA is available for comment and can be viewed and downloaded from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm> or viewed at the following locations:

- Rains County Library - 150 Doris Briggs Parkway, Emory, Texas 75440
- Emory City Hall – 399 N. Texas Street, Emory, Texas 75440

The comment period will end 30 days from the initial notice publication date of **December 18, 2007**. Written comments on the Draft EA can be mailed or faxed to the contact below. If no substantive comments are received, the Draft EA will become final

and a Finding of No Significant Impact (FONSI) will be issued for the project. Substantive comments will be addressed as appropriate in the final documents.

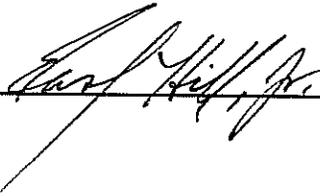
Brian Mehok  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, Texas 77042  
FAX – (713) 789-8404

STATE OF TEXAS

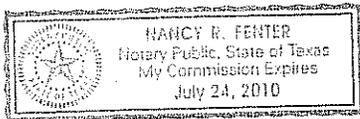
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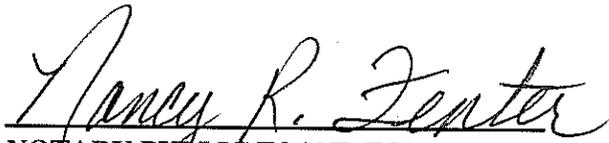
BEFORE ME, the undersigned authority, on this day personally appeared EARL C. HILL, JR., the PUBLISHER of the RAINS COUNTY LEADER which has general circulation in EMORY, RAINS COUNTY TEXAS, AND SURROUNDING COUNTIES, who being by me duly sworn, deposes and says that the foregoing attached notice was published in said newspaper once each week for (4) consecutive week/weeks, to wit:

December 16, January 1, 8, 15, 2008

  
\_\_\_\_\_

Subscribed and sworn to, before me, this the 31<sup>ST</sup> day of JANUARY, 2008, to certify which witness my hand and seal of office.



  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

SEAL

Tuesday December 18 2007

# PUBLIC NOTICES

## FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLIC NOTICE NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL ASSESSMENT (DEA) FOR THE CITY OF EMORY/RAINS COUNTY TORNADO SHELTER PROJECT RAINS COUNTY, TEXAS PRE-DISASTER MITIGATION PROJECT PDMC-PJ-06-TX-2005-035

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FEMA proposes to assist Rains County in the construction of a 6,000 square-foot Safe Room/Tornado Shelter

on a 0.9-acre site located at 110 Rhodes Drive in Emory, Texas. The 0.9-acre proposed project site is the northern portion of a 1.9-acre parcel which was formerly developed and functioned as a Texas Department of Transportation (TxDOT) maintenance and storage facility. The proposed Safe Room/Tornado Shelter will be a 60-foot by 100-foot, single-story, above-ground structure constructed with reinforced masonry designed to withstand 250-mile-per-hour winds. The shelter will be accessible 24 hours per day and is designed to accommodate 800 people during daytime emergencies and 200 people at night. The proposed project would also include the construction of a parking area sufficient to accommodate the shelter's capacity. The required site work will consist of the demolition of all structures and the clearance of vegetation within the 0.9 acre project area to minimize the danger of projectiles in the event of a tornado. The proposed facility will tie into existing public utilities and infrastructure located on-site.

In accordance with the National Environmental Policy Act (NEPA) of 1969, National Historic Preservation

Act (NHPA), Executive Order 11988, Executive Order 11990, and the implementing regulations of FEMA, an Environmental Assessment (EA) was prepared to assess the potential impacts of the Proposed Action on the human and natural environment. The Draft EA summarizes the purpose and need, alternatives, affected environmental, and potential environmental consequences for the proposed action. The Draft EA is available for comment and can be viewed and downloaded from FEMA's website at <http://www.fema.gov/plian/ehp/envdocuments/ea-region6.shtm> or viewed at the following locations:

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Substantive comments will be addressed as appropriate in the final documents.

Brian Mehok  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, Texas 77042  
FAX (713) 789-8404

## PUBLIC NOTICE

Pursuant to Local Government Code 232.009, Notice of Application to Revise Lot #17 and Lot #18 of Pinson Springs Subdivision is hereby given. This matter will be brought before the Rains County Commissioners Court on January 10, 2008, at 10:00 a.m. at the Rains County Courthouse Annex.

Rains County Judge  
Joe R. Dougherty  
On behalf of Commissioners Court,  
Rains County Texas

## PUBLIC NOTICE

NOTICE TO ALL PERSONS BUYING PROPERTY IN THE VICINITY OF THE SHIRLEY WATER SUPPLY CORP. Shirley Water Supply Corp. urges any prospective buyer to verify with the manager at the office, located on FM 1567, east of Hwy. 19, north of Emory, Tex., or south of Sulphur Springs, Tex., whether or not water is available at the tract of land in question.

Shirley Water Supply Corp.  
6684 FM 1567 W  
Sulphur Springs, Texas 75482  
Phone: 1-903-485-5811

Know a good cook? Call  
Bonnie for "Kitchen Scents"  
903-473-2653

## LEGAL NOTICE:

These Texas Lottery Commission Scratch-Off games will close on December 31, 2007. You have until June 28, 2008, to redeem any tickets for these games: #764 Aces High (\$1) overall odds are 1 in 4.65, #804 Diamond Mine (\$2) overall odds are 1 in 4.72, #807 Lucky Numbers (\$2) overall odds are 1 in 4.33, #831 John Wayne™ "The Duke"™ (\$5) overall odds are 1 in 3.82. The odds listed here are the overall odds of winning any prize in a game, including break-even prizes. Lottery retailers are authorized to redeem prizes of up to and including \$599. Prizes of \$600 or more must be claimed in person at a Lottery Claim Center or by mail with a completed Texas Lottery claim form; however, annuity prizes or prizes over \$999,999 must be claimed in person at the Commission Headquarters in Austin. Call Customer Service at 1-800-37LOTTO or visit the Lottery Web site at [www.txlottery.org](http://www.txlottery.org) for more information and location of nearest Claim Center. The Texas Lottery is not responsible for lost or stolen tickets, or for tickets lost in the mail. Tickets, transactions, players, and winners are subject to, and players and winners agree to abide by, all applicable laws, Commission rules, regulations, policies, directives, instructions, conditions, procedures, and final decisions of the Executive Director. A Scratch-Off game may contain all the top prizes have



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Tuesday January 1 2008

## PUBLIC NOTICES

### PUBLIC NOTICE

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Shirley Water Supply Corp.  
6684 FM 1567 W  
Sulphur Springs, Texas 75482  
Phone: 1-903-485-5811

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PDMC-PJ-06-TX-2005-035

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Brian Mehok  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, Texas 77042  
FAX (713) 789-8404

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Rains County Judge  
Joe R. Dougherty  
On behalf of Commissioners Court,  
Rains County Texas

### GRANT MANAGEMENT SERVICES AND ENGINEERING SERVICES PUBLIC NOTICE

The City of East Tawakoni has recently received a Contract award from the Office of Rural Community Affairs (ORCA) for water system improvements. Accordingly, the City is seeking to contract with a qualified individual/management firm to administer the contract and engineer engineering firm registered to practice in the State of Texas to prepare a preliminary and final design plans and specifications, and to conduct all necessary interim and final inspection. The same firm can not be awarded both contracts.

Please submit your proposal of services and a statement of qualification for these proposed services to the address below:

City of East Tawakoni, City Hall  
288 Briggs Blvd., East Tawakoni, Texas 75472. Proposals must be received by the City no later than 3:00 p.m. on the 14th day of January, 2008 to be considered. The City reserves the right to negotiate with any and all individuals, engineers or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards.

The City of East Tawakoni is an Affirmative Action/Equal Opportunity Employer.

### HEAD START PROGRAM PUBLIC NOTICE

The Head Start Program is a Federal program for preschool children from low-income families. The Head Start Program is operated by a local non-profit organization which is Northeast Texas Opportunities, Inc. in our community. Children who attend Head Start participate in a variety of educational activities. The Head Start Program offers: full-day quality care and education from 7:30-3:30 Monday through Friday, comprehensive services to children with disabilities, nutritious breakfast, lunch and snacks, social emotional, physical and cognitive education, mental health, dental, hearing vision and speech screenings and case management services for children at no cost to the families.

At this time the NETO Head Start Program has slots available for children who are three or four years of age on or before September 1. Interested applicants can obtain an application for the program at the NETO office located at 208 Taylor St., Mt. Vernon

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Tuesday Jan 9 2009

# PUBLIC NOTICES

## PUBLIC NOTICE

### NOTICE TO ALL PERSONS BUYING PROPERTY IN THE VICINITY OF THE SHIRLEY WATER SUPPLY CORP.

Shirley Water Supply Corp. urges any prospective buyer to verify with the manager at the office, located on FM 1567, east of Hwy. 19, north of Emory, Tex., or south of Sulphur Springs, Tex., whether or not water is available at the tract of land in question.

Shirley Water Supply Corp.  
6684 FM 1567 W  
Sulphur Springs, Texas 75482  
Phone: 1-903-485-5811

## FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLIC NOTICE

### NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL ASSESSMENT (DEA) FOR THE CITY OF EMORY/RAINS COUNTY TORNADO SHELTER PROJECT RAINS COUNTY, TEXAS PRE-DISASTER MITIGATION PROJECT

PDMC-PJ-06-TX-2005-035

Interested persons are hereby notified that Rains County, Texas has applied for Pre-Disaster Mitigation-Competitive (PDM-C) program funding under Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Federal Emergency Management Agency (FEMA) grants funds under this program for pre-disaster mitigation activities which reduce overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations.

FEMA proposes to assist Rains County in the construction of a 6,000 square-foot Safe Room/Tornado Shelter on a 0.9-acre site located at 110 Rhodes Drive in Emory, Texas. The 0.9-acre proposed project site is the northern portion of a 1.9-acre parcel which was formerly developed and functioned as a Texas Department of Transportation (TxDOT) maintenance and storage facility. The proposed Safe Room/Tornado Shelter will be a 60-foot by 100-foot, single-story, above-ground structure constructed with reinforced masonry designed to withstand 250-mile-per-hour winds. The shelter will be accessible 24 hours per day and is designed to accommodate 800 people during daytime emergencies and 200 people at night. The proposed project would also include the construction of a parking area sufficient to accommodate the shelter's capacity. The required site work will consist of the demolition of all structures and the clearance of vegetation within the 0.9 acre project area to

minimize the danger of projectiles in the event of a tornado. The proposed facility will tie into existing public utilities and infrastructure located on-site.

In accordance with the National Environmental Policy Act (NEPA) of 1969, National Historic Preservation Act (NHPA), Executive Order 11988, Executive Order 11990, and the implementing regulations of FEMA, an Environmental Assessment (EA) was prepared to assess the potential impacts of the Proposed Action on the human and natural environment. The Draft EA summarizes the purpose and need, alternatives, affected environmental, and potential environmental consequences for the proposed action. The Draft EA is available for comment and can be viewed and downloaded from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtml> or viewed at the following locations:

Rains County Library, 150 Doris Briggs Parkway, Emory, Texas 75440  
Emory City Hall, 399 N. Texas Street, Emory, Texas 75440

The comment period will end 30 days from the initial notice publication date of December 18, 2007. Written comments on the Draft EA can be mailed or faxed to the contact below. If no substantive comments are received, the Draft EA will become final and a Finding of No Significant Impact (FONSI) will be issued for the project.

Substantive comments will be addressed as appropriate in the final documents.

Brian Mehok  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, Texas 77042  
FAX (713) 789-8404

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on or before September 1. Interested applicants can obtain an application for the program at the NETO office located at 208 Taylor St., Mt. Vernon, Tx. 75457 or by calling (903) 532-2256. Rains County applicants can call 903-473-4320 or pick up application at the school. If there is no answer, please leave a message and phone number and we will call you back.

Please forward your application to the address indicated above, or drop it off at one of our schools, along with these items which are needed to process your child's application: verification of your household income, include your 2006 1040 or one month of current check stubs for each family member in the household that is employed or receiving income benefits such as unemployment, TANF or Social Security etc., official birth certificates, current immunization records and social security cards for one parent and the child.

## PUBLIC NOTICE

### NOTICE TO ALL PERSONS BUYING PROPERTY IN THE VICINITY OF THE CITY OF EMORY WATER SYSTEM

The City of Emory understands that property is sometimes sold with title representation that water is available to the property from the City of Emory water system. Such is not always the case, and the City of Emory urges any prospective buyer to verify with the City of Emory at 399 North Texas Street, or call 903-473-2465 that water is in fact available at the particular tract in question.

City of Emory  
P.O. Box 100  
Emory, Texas 75440

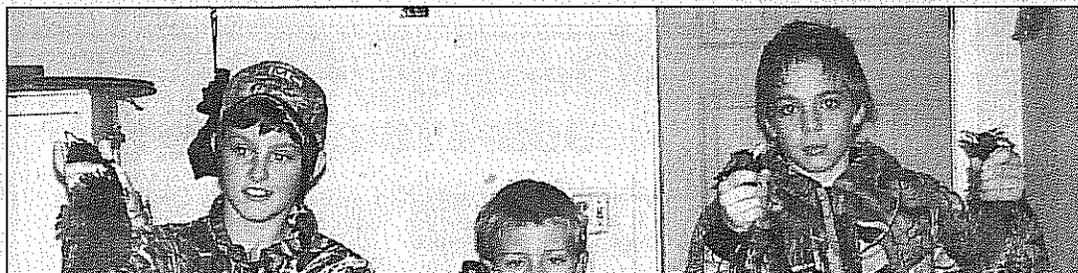
## PUBLIC NOTICE

### NOTICE TO ALL PERSONS BUYING PROPERTY IN THE CERTIFIED SERVICE AREA OF SOUTH RAINS WATER SUPPLY CORPORATION

South Rains WSC urges all prospective land buyers to verify with the manager whether or not water service is available. South Rains Water has limited the amount of new services in the south part of Rains County. Prospective buyers can contact our office located at 121 N. Dunbar Lane, Emory, or by calling 903-473-2122.

## NOTICE TO CONTRACTORS OF PROPOSED TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) CONTRACTS

Sealed proposals for contracts list



# PUBLIC NOTICES

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Brian Mehok  
URS Corporation  
9801 Westheimer, Suite 500  
Houston, Texas 77042  
FAX (713) 789-8404

## NOTICE TO ALL PERSONS HAVING CLAIM AGAINST THE ESTATE OF MARVIN LEON BERRY, DECEASED

Notice is hereby given that the original Letters Testamentary for the Estate of Marvin Leon Berry, Deceased, were issued on January 9, 2008, in Cause No. 2536, pending in The County Court of Rains, County, Texas, to: Dolores Braeunig Berry, Independent Executor

The address of such Executor in Rains County, Texas, is: 409 Harborview Road, Point, Texas 75472-9713. Claims may be filed with the Executor at this same address.

All persons having claims against this Estate which is currently being administered are required by law to present them within the time and in the manner prescribed by law.

Dated this 9th day of January, 2008.

Donald G. Williamson  
Attorney for the Executor  
3102 Oak Lawn Avenue  
Suite 700, L.B. 135  
Dallas, Texas 75219

PUBLIC NOTICE

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