

Draft Environmental Assessment

# Edgewater Temporary Community Housing Site

City of Bacliff, Galveston County Texas

FEMA-1791-DR-TX

*November 22, 2008*



**FEMA**

**U.S. Department of Homeland Security  
FEMA Region 6  
800 N. Loop 288  
Denton, TX 76209-3698**

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**Draft Environmental Assessment**  
**Edgewater Temporary Community Housing Site**  
**Bacliff, Galveston County, Texas**  
**Hurricane Ike**  
**FEMA-1791 DR -TX**

**A. Introduction**

Hurricane Ike, a Category 2 hurricane with a storm surge above normal high tide levels, moved across the Texas coast on September 13, 2008. Maximum sustained winds at landfall were estimated at 125 miles per hour. President Bush declared a major disaster for the State of Texas due to damages from Hurricane Ike signing a disaster declaration (FEMA-1791-DR-TX) on September 13, 2008, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide federal assistance in designated areas. FEMA proposes to administer this disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 408 of the Stafford Act authorizes FEMA's Individual Households Program to provide emergency and temporary housing for eligible disaster victims whose homes are uninhabitable or destroyed as a result of the declared event.

This Draft Environmental Assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA); the President's Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508); and FEMA's regulations implementing NEPA (44 CFR 10.9). The purpose of this Draft EA is to analyze potential environmental impacts of the proposed temporary Edgewater Community Housing Site as part of an expedited review process. FEMA will use the findings in this Draft EA to determine whether to prepare an Environmental Impact Statement (EIS) or issue a Finding of No Significant Impact (FONSI).

**B. Purpose and Need**

Catastrophic damage from Hurricane Ike has resulted in an extraordinary demand for housing assistance in Galveston County. The purpose of this action is to fulfill FEMA's mandate under the Individual and Households Program to expeditiously provide temporary housing for eligible disaster victims. To date, about 70,441 requests for federal assistance have been received for Galveston County. At this time, approximately 691 applications (total Pre-Placement interviews) for temporary housing assistance have been received by the County (FEMA Individual Assistance Program Summary 11/20/2008). The estimated number of applications for direct housing assistance, provision of a manufactured housing unit on an available private site or commercial park location, is 1,100 for Galveston County (FEMA Individual Assistance Program Manufactured Housing Activity Report 11/20/2008). Most of the direct housing demand will be met by placing a mobile home on an applicant's private site or providing them with a mobile home on an available pad leased in a commercial park. Once these options are exhausted, FEMA anticipates applicants in the Bacliff or other areas of the county may still remain in need of direct housing, thus supporting the need to develop a temporary community housing site, hereafter "community site."

**C. Environmental Review Process**

In order to meet the urgent needs of disaster victims in need of temporary housing, FEMA has implemented an expedited environmental review process. The purpose of this document is to assist FEMA in fulfilling its environmental review responsibilities under NEPA and serve as a vehicle to document compliance with other applicable environmental laws. Laws and Executive Orders addressed through this EA include: the Clean Air Act, Clean Water Act, Endangered Species Act, National Historic Preservation Act, Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), Executive Order 12898 (Environmental Justice), and Farmland Protection Policy Act. Other resource areas or issues evaluated in this EA include floodplain, coastal zone, noise, visual resources, traffic, socioeconomics, safety and security, and hazardous and toxic waste. Agency coordination/consultation is being conducted on a site by site basis as necessary.

The scope of FEMA's environmental review includes evaluating project alternatives, characterizing the affected environment, identifying potential environmental impacts, and outlining ways to reduce or minimize adverse affects. This Draft EA examines the site-specific environmental impacts associated with building a proposed FEMA community housing site on privately owned land to be leased by the General Service Administration for this purpose.

This Draft EA was prepared based on a site evaluation, document research, and resource agency information. An electronic version of the Draft EA will be provided to interested agencies prior to and during the public comment period. The public participation period will be brief, as necessitated by the emergency circumstances. Agency coordination and consultation will be deemed complete at the end of the public comment period. FEMA believes that this process will allow for sufficient action analysis and meet the goal of providing timely federal assistance to disaster victims.

#### **D. Site Selection Process and Alternatives**

NEPA requires investigation and evaluation of reasonable project alternatives as part of the project environmental review process. At a minimum, FEMA's NEPA implementing regulations require the No Action and Proposed Action be evaluated. Concurrent to the Proposed Action, federally assisted housing options, including minor home repairs, rental assistance and installing a mobile home or Park model on a private site or in an existing mobile home park, are being exhausted first for those requesting housing assistance in the impacted area. These options rapidly deplete with the high demand; accordingly, a remaining alternative is to build a temporary community housing site when the above options do not satisfy the demand.

In order to expedite the temporary community housing site selection process, FEMA is working closely with local officials to identify potential sites followed by a site reconnaissance and research to determine suitability. Important factors considered in choosing a site include: demand for temporary housing in that area, community acceptance, proximity of community services/amenities (schools, healthcare facilities, public transportation, etc), engineering and construction feasibility, access to utilities, land use compatibilities, property owner terms, costs to develop and maintain site, and environmental/cultural resource sensitivities. FEMA continues to evaluate alternative sites in Galveston County and other counties within coastal southeast Texas. Although various alternatives have been and continue to be identified, the urgent need for housing has limited this Draft EA to analysis of one suitable site alternative. The Edgewater site was selected for further analysis because it meets the basic site feasibility and selection criteria.

#### **Alternative 1- No Action Alternative**

Under the No Action alternative, FEMA would not develop a temporary community housing site for this area. Displaced residents would continue to stay with relatives/friends, in hotels, or other temporary locations until they resolve their own long-term housing needs.

#### **Alternative 2 – Develop the Edgewater Site with Mobile Homes (Proposed Action)**

The Proposed Action would provide temporary housing for eligible disaster victims displaced by Hurricane Ike in Bacliff, Texas. Disaster victims would be temporarily relocated to the site with an expected occupancy up to 24 months (which includes a decommissioning phase) while they resolve their permanent housing solution.

#### **Project Location and Site Description**

The site is located approximately 10 miles east of Interstate 45 and approximately 25 miles north of Galveston on 64 acres of land. The proposed site is bordered on the northeast by filled fishponds, on the southeast by fallow fields, on the southwest by drained fish ponds, and the northwest by residential areas. The current ground cover is Bermuda and to a lesser degree *Paspalum sp.*, bushy bluestem, sedge, cattails and green sprangletop. Forbs identified on site were golden rod, ragweed, croton, rattlebox, smartweed and partridge pea. Woody vegetation consists of shrubs and small trees up to 10 foot in height including *Baccarus sp.*, small

willows and cottonwoods. The area is presently vacant land, but was previously an aquaculture facility. The existing drained ponds to the southwest are approximately five feet in depth. Wildlife identified during the site visit was eastern cottontail, mourning dove, blue jay, mockingbird, gadwalls, great egret and several small shorebirds

## Project Description

The project site is located behind Edgewater Estates on Bayshore Drive off of US 146 in Bacliff, Galveston County, Texas. It is proposed to place up to 312 mobile homes on pads to be developed on the site. In a letter dated November 17, the County Judge indicated that the community site is approved for development.

The following specific site development components would be included with this project:

- Site preparation would include clearing, grading, and removal of woody vegetation and some old construction debris.
- Electrical services would be above ground and connected to existing utilities from the east boundary.
- Potable water will be connected below ground to a water main located along Bayshore Drive. New lines and hydrants will be installed on the property for all units.
- Sewerage discharge will be to the municipal WWTP located near the southwest corner of Section 3 of the proposed design.
- Access to the Park is planned from Bayshore Drive.
- Stormwater drainage will be accommodated by appropriate site preparation.
- Interior roadways and pads would be constructed of asphalt.
- A fence will be constructed around the proposed site for safety of residents.
- Fifteen percent of the units and open space along with 100% of the amenities will be compliant with the Uniform Federal Accessibility Standard.

When the temporary housing need has ended, FEMA expects that the mobile homes would be removed from the site. The site would then be seeded and reasonably restored to its previous conditions or per the lease terms with the landowner.

## **E. Affected Environment and Environmental Consequences**

Table 1 summarizes the results of the environmental review process for the Proposed Action. Potential environmental impacts that were found to be negligible are not evaluated further. Resource areas that have the potential for impacts of minor, moderate, or major intensity are further developed in Section F. When applicable, mitigation measures that would reduce potential adverse effects are incorporated in site development and required as conditions for the project to proceed. Definitions of the impact intensity are described below:

**Negligible:** The resource area (e.g., geology) would not be affected, or changes would be either non-detectable or if detected, would have effects that would be slight and local. Impacts would be well below regulatory standards, as applicable.

**Minor:** Changes to the resource would be measurable, although the changes would be small and localized. Impacts would be within or below regulatory standards, as applicable. Mitigation measures would reduce any potential adverse effects.

**Moderate:** Changes to the resource would be measurable and have both localized and regional scale impacts. Impacts would be within or below regulatory standards, but historical conditions are being altered on a short-

term basis. Mitigation measures would be necessary and the measures would reduce any potential adverse effects.

**Major:** Changes would be readily measurable and would have substantial consequences on a local and regional level. Impacts would exceed regulatory standards. Mitigation measures to offset the adverse effects would be required to reduce impacts, though long-term changes to the resource would be expected.

**Alternative 1- No Action Alternative**

The No Action alternative will not impact the existing environment, as no site preparation or construction would occur for temporary community housing purposes. This alternative would preclude the federal government from adequately addressing the urgency of providing temporary and transient emergency housing. Consequently, displaced disaster victims would have to remain in the temporary housing they have acquired through their own resources and possibly far from their original home. The short and long term recovery of flood victims and their communities would be further compounded by fewer housing options. They would continue to suffer social and economic stresses related to the disaster recovery.

**Alternative 2 - Develop the Edgewater Site with Mobile Homes (Proposed Action)**

The Proposed Action would provide temporary housing for eligible disaster victims displaced by Hurricane Ike in Galveston County, Texas. Disaster victims would be temporarily relocated to the site with an expected occupancy of up to 24 months (which includes a site deactivation period) while they resolve their permanent housing solution. Environmental impacts associated with implementation of Alternative 2 are discussed in Table 1 (Affected Environment and Environmental Consequences) and in Section F.

Table 1. Affected Environment and Environmental Consequences Matrix.

Resource Area	Impact Intensity				Impact Summary	Agency Coordination / Permits	Mitigation
	Negligible	Minor	Moderate	Major			
Geology and Soils	X				The entire site would be classified as Prime Farmlands but the site is within an incorporated area. Potential for localized increase in soil erosion during construction.	Texas Pollutant Discharge Elimination System (PDES) stormwater construction permit to be obtained by construction contractor.	Implement construction Best Management Practices (BMPs). Install silt fences/straw bales to reduce sedimentation. Area soils will be wetted during construction to minimize wind erosion. If fill is stored on site, the contractor would be required to cover it appropriately.
Hydrology and Floodplains (Executive Order 11988)	X				Project area is located in Zone C, outside of the 100-year floodplain per the FEMA Flood Insurance Rate Map 480119 0250B. The nearest floodplain is the beach .5 mi. to the NE. Site development and occupancy is not expected to affect floodplains.	None.	None.
Wetlands (Executive Order 11990)	X				There are no jurisdictional wetlands on this entire 64 acre tract and no permitting will be required to add dredge or fill. Several small areas display some wetland characteristics due to anthropogenic manipulation but these are very small and of low quality and not an issue with E.O. 11990.	Coordination with Galveston District, USACE and their jurisdictional decision of 12/05/2005.	None.
Coastal Zone Management	X				Project site is in the coastal zone but the topography and lack of nearby waterways prevent potential of significant impact.	None.	None
Water Quality	X				There is potential for localized increase in sedimentation as a result of site preparation activities. Potential impact to water quality in downstream swales, ditches, and streams (e.g., turbidity, siltation, biological oxygen demand).	Stormwater permits to be obtained by construction contractor.	Contractor to implement requirements of stormwater permit. These include Best Management Practices such as installation of silt fences, straw bales, etc. to reduce sedimentation. If fill is stored on site, the contractor would be required to cover it appropriately.

Resource Area	Impact Intensity				Impact Summary	Agency Coordination / Permits	Mitigation
	Negligible	Minor	Moderate	Major			
Air Quality	X				Galveston County is designated an area of Non-Attainment per the US Environmental Protection Agency due to 8-hour ozone levels. Residential site development and occupancy is consistent with the State Implementation Plan. Negligible impact would be anticipated from vehicle exhaust emissions and increased dust during construction.	EPA Region 6 designation.	All vehicles used in site development and home delivery must meet state emission standards.
Vegetation and Wildlife	X				The proposed site was developed as a fish farm that has since been abandoned. There is some ponding water and this is used intermittently by various species of wildlife. Vegetation is a combination of upland and wetland species, both native and non-native.	None.	Once the temporary housing need has ended, the site would be seeded and restored to previous conditions to the extent practical and/or used by the landowner in a manner consistent with local zoning.
Threatened and Endangered Species (Endangered Species Act, Section 7)	X				No threatened or endangered species or designated critical habitat occurs at the site. No effect is anticipated to threatened or endangered species or their habitat as a result of site development and occupancy.	USFWS has been notified of this proposal.	None.
Cultural Resources (National Historic Preservation Act, Section 106)	X				Through site pedestrian survey and review of the Texas Historical Commission's Atlas database, FEMA has determined that there are no National Register listed or eligible historic properties in the Area of Potential Effect (APE). Site is previously disturbed.	SHPO concurrence letter on 11/19/08.	None.
Socioeconomics	X				Site occupancy is expected to be about 1000 people [400 nits x estimated 2.5 people per unit] maximum. It is expected the site residents are currently displaced residents of Chambers County. See Section F.	None	None.
Environmental Justice (Executive Order 12898)	X				The proposed action is not expected to pose disproportionately high and adverse public health or environmental effects on minority and low-income populations. See Section F.	None.	None.

Resource Area	Impact Intensity				Impact Summary	Agency Coordination / Permits	Mitigation
	Negligible	Minor	Moderate	Major			
Noise	X				During the construction period residents immediately adjacent to the project site may temporarily experience elevated ambient noise levels. Due to the urgency of the situation, construction may occur on a 24-hour schedule until the site is completed. Construction noise impacts would be short-term and limited to the duration of construction activities.	None.	If necessary, the following noise reduction measures should be considered: (1) restricting the 24-hour schedule to the first two weeks of construction; (2) using a 7 a.m. to 7 p.m. construction schedule; (3) completing construction closest to adjoining residents first; and (4) completing noisier activities during the day if a 24-hour schedule is used.
Safety and Security	X				No site safety or security concerns were observed during site reconnaissance.	None.	The contractor would post appropriate signage and fencing to minimize potential adverse public safety concerns, including placing fencing around the site perimeter. Appropriate signage and barriers should be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes
Hazardous Materials and Toxic Wastes	X				A Phase I Environmental Site Assessment has been completed through direct field observation and review of existing records and databases for potential site or adjacent site hazardous materials contamination. No potential problems were visually detected during site visit. A search of the Texas Railroad Commission database identified one, in-service, 16 inch diameter, oxygen pipeline operated by Praxair, INC located within 1/4 mile to the southeast of the project site. Additionally, 6 oil dry holes and 1 plugged oil well within 1.5 miles. No environmental conditions were observed during fieldwork or noted during research. See Section F	GeoPlus report, job # 788, completed November 10, 2008.	None.
Traffic and Transportation	X				Traffic volumes on the local road network in the immediate project area would increase during construction and occupancy. The existing infrastructure would be able to accommodate these increases without impacting local traffic patterns.	None.	None.

## **F. Additional Impact Analysis**

### **Socioeconomics**

The project site is located in the 77518 zip code area of Galveston County. According to the 2000 Census, this zip code area had 7084 residents, and 3016 housing units. The median household income was estimated at about \$32,382 (based on 1999 dollars) (Census 2000). The primary employment sectors were equally divided among management and professional, service, sales and office, construction, production, transportation and moving materials. According to the 2000 census, about 5.2 percent of the zip code area's civilian labor force is unemployed (Census 2000).

With the establishment of the site, up to approximately 750 residents would be temporarily relocating to the Bacliff area (300 units x estimated 2.5 people per unit), although some of the potential site residents may be residents of the area currently displaced from their homes. The local community is aware of this action and would experience an increase in the need for public services, such as schools, fire and police services, child care, and medical services. However, the demand for public and commercial services is not expected to be greater than the pre-hurricane demand and potential impacts would be minimal.

### **Environmental Justice**

Executive Order (EO) 12898 requires that each Federal agency identify and address the effects of its programs, policies, and activities on minority and low-income populations. The function of the EO is to avoid disproportionately high and adverse public health or environmental impacts to the target populations. Further, EO 12898 also tasks Federal agencies to ensure that public notifications regarding environmental issues are concise, understandable, and readily accessible.

The population within zip code area 77518 is comprised of about 1.8 percent African American, 82.6 percent Caucasian, and approximately 16.4 percent of the families are living below the poverty level. In comparison to Galveston County and Texas, the zip code has a 16.4 percentage of families below the poverty level, a 1.8 percentage of African American residents and 15.6 percent other minorities (Table 2) (Census 2000).

Table 2: Minority and Low Income Populations Summary Statistics

<b>Subject</b>	<b>City</b>	<b>Galveston County</b>	<b>Texas</b>
Demographics			
Caucasian	82.6	72.7	71
African American	1.8	15.4	11.5
Other	15.6	11.9	17.2
Families below poverty	16.4	13.2	12

Source: U.S. Census Bureau, Census 2000

The proposed action is not expected to pose disproportionately high and adverse public health or environmental effects on minority and low-income populations. The availability of Federal assistance, including temporary housing for displaced individuals, is consistent with EO 12898. All forms of FEMA disaster housing assistance are available to any affected household that meets the conditions of eligibility and demographics are not among the eligibility requirements.

The specific demographics of community site occupants are not available at this time because specific individuals or families are in the process of being identified for this site. However, the demographic makeup of the future Park residents is expected to be similar to the community as a whole. Further, the availability of temporary housing would result in a positive impact to displaced individuals, regardless of whether they are minority and/or low income.

### Hazardous Materials and Wastes

A database review of reported hazardous waste contaminated sites and generators; a records review with the Texas Commission on Environmental Quality and Texas Railroad Commission; and independent search by GeoPlus, Inc., yielded no known on-site or nearby location concerns related to historical contamination (November 11, 2008). No environmental conditions such as distressed vegetation and historical soil contamination were observed during field reconnaissance. Accordingly, no on-site soil sampling was deemed necessary.

### **G. Cumulative Impacts**

Cumulative impacts are defined as environmental effects that are greater in magnitude, extent, or duration than the direct and indirect effects of the proposed FEMA-associated action when combined with the effects of other current and future actions, regardless of the proponent. Given the Proposed Action is temporary, long-term (up to 18 months) cumulative affects to the area surrounding the site as a result of site development and occupancy are not anticipated.

### **H. Public Involvement**

Public involvement is being performed in compliance with NEPA, FEMA's regulations implementing NEPA at 44 CFR 10.9(c), and Executive Orders 12898, 11988, and 11990. A Public Notice will be published in the *Galveston County Daily News* beginning on November 24, 2008. Due to the emergency nature of this action, the public comment period will be brief, from November 24 to November 26, 2008. Written comments on the DEA and Draft Finding of No Significant Impact (FONSI) can be faxed to FEMA's Joint Field Office in Austin at (512) 465-3764. Verbal comments are being accepted at (866) 568-1260, and TTY for hearing or speech-impaired at (800) 462-7585; between 8:00 A.M. and 5:00 P.M. The Draft EA and FONSI are available for public review at the Kemah City Hall located at 1401 Highway 146, Kemah, TX 77565, and the Helen Hall Library, 100 West Walker Street, League City, Texas 77573. The Kemah City Hall hours are Monday to Thursday, 7:30 a.m. to 5:30 p.m.; Friday, 8 a.m. to 12 noon; and the Helen Hall Library hours are Monday to Thursday, 10 a.m. to 9 p.m.; Friday to Saturday, 10 a.m. to 6 p.m.; Sunday, 1 p.m. to 5 p.m. The Draft EA and FONSI are also available for viewing and download from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>

If no substantive comments are received relative to the proposed action's environmental effects, the Draft DEA and FONSI will become final and the initial Public Notice will also serve as the final Public Notice. Substantive comments will be addressed as appropriate in the Final documents.

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### **I. Conclusion**

This Draft EA was written to evaluate the potential impacts to the environment from the No Action and Proposed Action alternatives. The Draft EA has also addressed the compliance requirements of the National Historic Preservation Act, Endangered Species Act, Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), and other related environmental statutes along with considering issues such as hazardous and toxic wastes, infrastructure, and socioeconomics. Based on fieldwork, proposed action scope of work and mitigation measures, research, and consultations; the findings of this EA indicate that an Environmental Impact Statement is not required. A Draft FONSI has been prepared and is attached.

Figure 1. Area Map



Figure 2. Vicinity Map in Bacliff, Texas

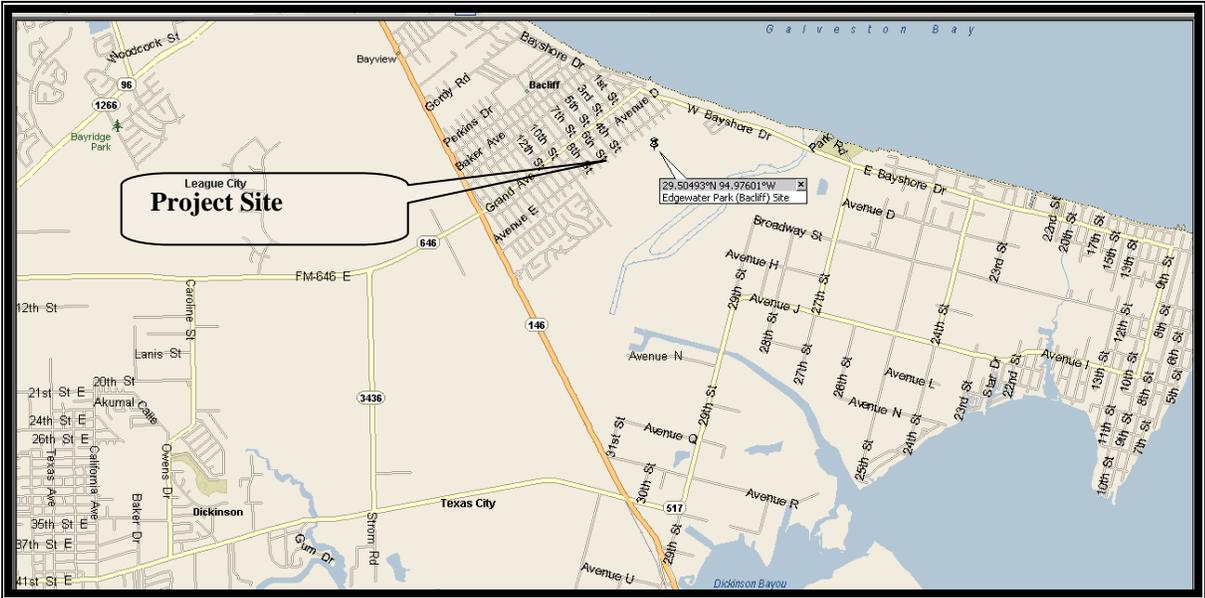


Figure 3. Typical groundcover in flat topography.



Figure 4. Groundcover on dry fish pond area.



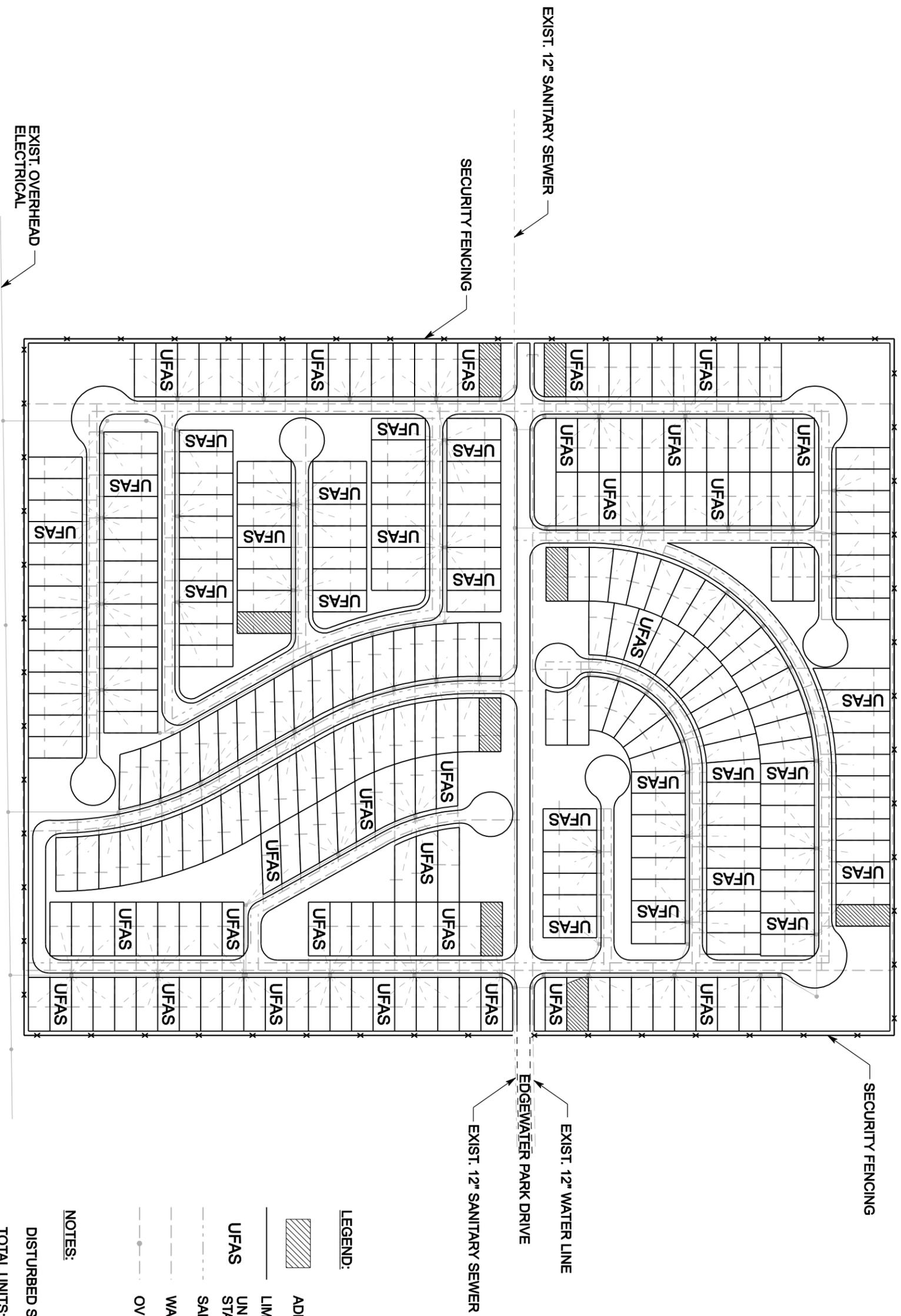
Figure 5. Road and abandoned fish raising ponds.



Figure 6. Fish ponds and berms present in project area.



Figure 7. Proposed Site Layout



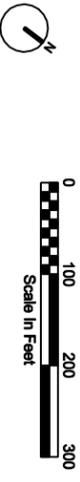
**LEGEND:**

- ADMIN/ MAINTENANCE/ MAIL
- LIMITS OF PAVEMENT
- UNIFORM FED. ACCESS STANDARD UNITS
- SANITARY SEWER
- WATER LINE
- OVERHEAD ELECTRIC

**NOTES:**

DISTURBED SOIL AREA= 49.7 ACRES

TOTAL UNITS: 312



\*THIS # IS LOCATION SPECIFIC\*

CALL 1-800-245-4646 BEFORE DIGGING

FILENAME: \$FILES\$ PLOT DATE: \$DATES\$ PLOT TIME: \$TIMES\$

	7800 WEST TIDWELL ROAD SUITE 600 HOUSTON, TEXAS 77040 PH: 713.462.0161		CIVIL EDGEWATER SITE OVERALL SITE LAYOUT		GROUP SITE TEMPORARY HOUSING FEMA		NO. DATE DESCRIPTION APVR N NO. DATE REVISION BY APVD	
	VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING.		ENGINEER DR DRAWN-BY CHK CHECKED-BY APVD					
	DATE PROJ DWG SHEET		PLOT TIME: \$TIMES\$					

## **Appendix A**

# **Record of Environmental Consideration**

# Record of Environmental Consideration

REVISED FOR FEMA TEMPORARY HOUSING – TEXAS- 2008

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Edgewater Community Mobile Home Park UEI: 0383

**Project Location:** 5000 block of West Bayshore Drive at Edgewater Park Drive, Town of Bacliff, Galveston County, TX 77518.

Lat/Long: 29.504950N / -94.975310W

**Project Description:** This proposal is to construct a community site and place mobile homes on approximately 312 pads located behind Edgewater Estates on Bayshore Drive near US 146 in Bacliff, Galveston County, Texas. The site is located approximately 10 miles east of Interstate 45 and approximately 25 miles north of Galveston and is of approximately 64 usable acres, bordered on the north, east and west by single family residences, and on the south by vacant land. The current ground cover is Bermuda and to a lesser degree *Paspalum sp.*, bushy bluestem, sedge, cattails and green sprangletop. Forbs identified on site were golden rod, ragweed, croton, rattlebox, smartweed and partridge pea. Woody vegetation consists of shrubs and small trees up to 10 foot in height including *Baccarus sp.*, small willows and cottonwoods. The area is presently vacant land, but was previously an aquaculture facility producing one million pounds of redfish per year. The area's northwest side of the site are still bermed fish ponds of an approximate 5 foot depth. The area's on the north side of the parcel is being utilized as a dump for old concrete containing rebar. Wildlife identified during the site visit was eastern cottontail, mourning dove, blue jay, mockingbird, gadwalls, great egret and several small shorebirds.

The perimeter of the site has security fence, but additional cross fencing will be required adjacent to the fish ponds for protection of the residents. Road access is good from Bayshore Drive.

## Documentation Requirements

- (Short version) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. **(Review Concluded)**
- (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC and/or included in project files, as applicable.

## National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA Review **(Review Concluded)**
- Programmatic Categorical Exclusion **(Review Concluded)**
- Categorical Exclusion - Category
  - No Extraordinary Circumstances exist  
Are project conditions required  Yes (See section V)  No **(Review Concluded)**
  - Extraordinary Circumstances Exist (See section IV)
    - Extraordinary Circumstances mitigated (See section IV comments)

- Extraordinary Circumstances mitigated (See section IV comments)  
Are project conditions required  Yes (See section V)  No (**Review Concluded**)
- Environmental Assessment
- Supplemental Environmental Assessment (Reference EA or PEA in comments)
- Environmental Impact Statement

### Reviewer and Approvals

- Project is Non-Compliant (See attached documentation justifying selection)

Prepared By: Don Pitts, NEPA Compliance Specialist, USACE

Signature <sup>For</sup> Alex Hernandez Date 11/22/08

FEMA Environmental Reviewer:

Name: Cathy Ambler

Signature Cathy Ambler Date 11/22/08

FEMA Regional Environmental Officer or Delegated Approving Official:

Name: Donald R. Fairley, REO, Regional Environmental Officer, FEMA Region VI

Signature \_\_\_\_\_ Date \_\_\_\_\_

## I. Compliance Review for Environmental Laws (other than NEPA)

### A. National Historic Preservation Act (NHPA)

- Not type of activity with potential to affect historic properties.
- Activity meets Programmatic Agreement, December 3, 2004. Appendix A: Allowance No.  
Are project conditions required?  Yes (see Section V)  No
- Programmatic Agreement not applicable, must conduct standard Section 106 Review.

### HISTORIC BUILDINGS AND STRUCTURES

- No historic properties that are listed or 45/50 years or older in project area. (**Review Concluded**)
- Building or structure listed or 45/50 years or older in project area and activity not exempt from review.
  - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
  - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
    - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
    - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
    - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
      - Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required  Yes (see Section V)  No (**Review Concluded**)

### ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. (**Review Concluded**)
- Project affects undisturbed ground.
  - Project area has no potential for presence of archeological resources
  - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). (**Review Concluded**)

- Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required  Yes (see Section V)  No (**Review Concluded**)
- Determination of historic properties affected
  - NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).  
Are project conditions required  Yes (see Section V)  No (**Review Concluded**)
  - NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)
    - No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
    - Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
      - Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)

UEI 0383 Edgewater Park meets Part III-B of the FEMA-1791-DR-TX Disaster Specific Agreement between the Texas State Historic Commission and FEMA dated September 30, 2008. The Texas Historic Commission Archeological Sites Atlas was searched on November 11, 2008 which indicated no historic properties were listed in the APE.

An NHPA effect determination was made by Jodi Lee Carpenter, who meets the Secretary of the Interior Professional Qualifications for Archaeology and Historic Preservation. The SHPO concurrence was received November 19, 2008

## B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. (**Review Concluded**)
- Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
  - No effect to species or designated critical habitat. (See comments for justification)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
  - May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) (**Review Concluded**)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
  - Likely to adversely affect species or designated critical habitat
    - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)  
Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

### Comments:

Project is located in an urban or previously developed area. Neither listed species or their habitat occur in or near this site, thus FEMA finds there will be no effect to threatened or endangered species.

### Correspondence/Consultation/References:

Field observations were made during site visit on 11/09/08. USFWS has provided concurrence on 11/17/08 that agrees this site does not appear to contain suitable habitat for federally listed species.

## C. Coastal Barrier Resources Act

- Project is not on or connected to CBRA Unit or Otherwise Protected Area (**Review Concluded**).
- Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
  - Proposed action an exception under Section 3505.a.6 (**Review Concluded**)
  - Proposed action not excepted under Section 3505.a.6.  
Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

### Comments:

Project is not within a CBRA zone.

### Correspondence/Consultation/References:

Texas Coastal Barrier Resource System Maps referenced 11/09/2008.

## D. Clean Water Act

- Project would not affect any waters of the U.S. (**Review Concluded**)
- Project would affect federal designated jurisdictional waters.
- Proposed action covered under Nationwide Permit. (**Review Concluded**)
  - Project requires Section 404/401/or Section 10 (Rivers and Harbors Act) individual permit.
- Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

### Comments:

The construction site associated with the proposed action will result in ground disturbance greater than one acre, the contractor is required to prepare and submit a request for a NPDES Construction Permit to the TCEQ and comply with any provisions included within.

### Correspondence/Consultation/References:

Site visit conducted by Heath McLane on 11/09/2008.

USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on 11/21/2008.

## E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area (**Review concluded**)
- Project is located in a coastal zone area and/or affects the coastal zone
- State administering agency does not require consistency review. (**Review Concluded**).
  - State administering agency requires consistency review.
- Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

### Comments:

Project is located in a Coastal Zone but the action is consistent with individual grants under FEMA's Individual Assistance Program as defined in 44 CFR Section 206.2 (15)

**Correspondence/Consultation/References:** E-mail of November 3, 2008 from Tammy S. Brooks, Consistency Review Coordinator, Coastal Protection Division, Texas General Land Office.

## F. Fish and Wildlife Coordination Act

- Project does not affect, control, or modify a waterway/body of water. (**Review Concluded**)
- Project affects, controls or modifies a waterway/body of water.
- Coordination with USFWS conducted
    - No Recommendations offered by USFWS. (**Review Concluded**)
    - Recommendations provided by USFWS.
- Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

### Comments:

No streams or water bodies are located in the project area.

### Correspondence/Consultation/References:

Site visit conducted on 11/09/08.

## G. Clean Air Act

- Project will not result in permanent air emissions. (**Review Concluded**)
- Project is located in an attainment area. (**Review Concluded**)
- Project is located in a non-attainment area.
- Coordination required with applicable state administering agency.
- Are project conditions required?  YES (see section V)  NO (**Review Concluded**)

**Comments:**

Galveston County is designated an area of Non-Attainment per the US Environmental Protection Agency. Residential site development and occupancy is consistent with the State Implementation Plan. Negligible impact would be anticipated from vehicle exhaust emissions and increased dust during construction.

**Correspondence/Consultation/References:**

EPA Region 6 Non-attainment Map

## H. Farmland Protection Policy Act

- Project does not affect designated prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of designated prime or unique farmland.
  - Coordination with Natural Resource Conservation Commission required.
  - Farmland Conversion Impact Rating, Form AD-1006, completed.
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments:**

The project site is in a developed urbanized area and FPPA is precluded.

**Correspondence/Consultation/References:**

Site visit conducted on 11/09/08. USDA Web soil survey

## I. Migratory Bird Treaty Act

- Project not located within a flyway zone. **(Review Concluded)**
- Project located within a flyway zone.
  - Project does not have potential to take migratory birds. **(Review Concluded)**
    - Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
  - Project has potential to take migratory birds.
    - Contact made with USFWS
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments**

The entire state of Texas is in the Central Flyway; however, the construction and utilization of a temporary housing project does not have potential for take. The site has very little value to migratory birds and would not be included in the USFWS migratory bird management program

**Correspondence/Consultation/References:**

Site visit conducted on 11/09/08. USFWS has provided concurrence on 11/17/08 that agrees this site does not appear to contain suitable habitat for migratory birds

## J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat. **(Review Concluded)**
- Project located in or near Essential Fish Habitat.
  - Project does not adversely affect Essential Fish Habitat. **(Review Concluded)**
    - Are project conditions required?  Yes (see Section V)  No **(Review Concluded)**
  - Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
    - NOAA Fisheries provided no recommendation(s) **(Review Concluded)**
      - Are project conditions required?  Yes (see Section V)  No **(Review Concluded)**
    - NOAA Fisheries provided recommendation(s)
      - Written reply to NOAA Fisheries recommendations completed.
- Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:**

Project is not located in or near any surface waters with the potential to affect EFH species

**Correspondence/Consultation/References:**

Site visit conducted on 11/09/08.

## K. Wild and Scenic Rivers Act

- Project is not along and does not affect Wild or Scenic River (WSR) - **(Review Concluded)**
- Project is along or affects WSR
  - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation on file) **(Review Concluded)**
  - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)  
Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:**

There are no Wild and Scenic Rivers located in or near potential project site. The only designated river in the State of Texas is a portion of the Rio Grande River near Big Bend National Park located the SW portion of the State.

**Correspondence/Consultation/References:**

National Wild and Scenic Rivers <http://www.nps.gov/rivers/wildriverslist.html>.

## L. Other Relevant Laws and Environmental Regulations

None

## II. Compliance Review for Executive Orders

### A. E.O. 11988 - Floodplains

- No Effect on Floodplains/Flood levels and project outside Floodplain - **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels
  - No adverse effect on floodplain and not adversely affected by the floodplain. **(Review Concluded).**  
Are project conditions required?  Yes (see Section V)  No **(Review Concluded)**
  - Beneficial Effect on Floodplain Occupancy/Values **(Review Concluded).**
  - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
    - 8 Step Process Complete - documentation on file  
Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments**

The site is located in Zone C outside the 500-year floodplain

**Correspondence/Consultation/References:**

FEMA Flood Insurance Rate Map, Community Panel No. 485470 0035 C, revised May 2, 1983. The Galveston County Commissioners have agreed to the placement of manufactured home and readily fabricated dwelling at this site in a memo dated 11/17/08

### B. E.O. 11990 - Wetlands

- No Effects on Wetland(s) and project located outside Wetland(s) - **(Review Concluded)**
- Located in Wetland or effects Wetland(s)
  - Beneficial Effect on Wetland - **(Review Concluded)**
  - Possible adverse effect associated with constructing in or near wetland
    - Review completed as part of floodplain review
    - 8 Step Process Complete - documentation on file  
Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:**

This site has extensive anthropogenic disturbance and is in a developed area. USACE Compliance Chief has determined there are no jurisdictional wetlands on this site.

**Correspondence/Consultation/References:**

Field observation conducted on 11/09/08

**C. E.O. 12898 - Environmental Justice For Low Income and Minority Populations**

- No Low income or minority population in, near or affected by the project - **(Review Concluded)**  
 Low income or minority population in or near project area  
 No disproportionately high and adverse impact on low income or minority population- **(Review Concluded)**  
 Disproportionately high or adverse effects on low income or minority population  
Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:**

The population within the 77518 zip code is 1.8 percent African American, 82.6 percent Caucasian, 15.6 percent mixed and other race, 23.3 Hispanic or Latino of all races, and 16.4 percent of the families are living below the poverty level. In comparison to Galveston County and Texas, the zip code has a higher percentage of families below the poverty level, and a lower percentage of African American residents and other minorities (Census 2000). Implementation of the proposed action would result in beneficial impacts to minority and low income displaced residents by providing equal access to temporary emergency housing, usually within the general area of their pre-disaster places of residences. Although the community site's resident demographics are not part of the occupancy selection criteria, the residents are generally expected to be representative of the demographics of the surrounding community. Furthermore, site area demographics are not part of the site selection criteria and sites with potential adverse environmental and public health concerns are avoided.

**Correspondence/Consultation/References:**

U.S. Census bureau 2000 data at <http://factfinder.census.gov>, referenced 11/04/08.

**III. Other Environmental Issues**

**Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).**

**Hazardous Materials and Toxic Wastes:** None visually detected during site visit. Hazmat record searched conducted indicated no hazardous waste generators nearby, no underground storage tanks (USTs) within 1-mile. One remediated CERCLIS archive file was identified at 146 Donna Lane within 1/2 of a mile from the site in the GeoSearch report, job # 788, dated November 10, 2008. A search of the Texas Railroad Commission database identified one, in-service, 16 inch diameter, oxygen pipeline operated by Praxair, INC located within 1/4 mile to the southeast of the project site. Additionally, there are 6 oil dry holes and 1 plugged oil well within 1.5 miles. No potential environmental conditions are anticipated.

**Correspondence/Consultation/References:**

Environmental GeoSearch Report, 11/10/08. Pipeline check on Texas Railroad Commission website. Hazmat review and final health and safety determinations made by Don Pitts

**IV. Extraordinary Circumstances**

**Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.**

\* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

**Yes**

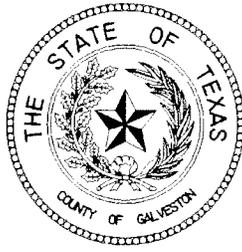
- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

**Comments:**

**V. Environmental Review Project Conditions**

**Project Conditions:**

- Removal of vegetation may result in direct and indirect impacts to existing water resources and/or associated downstream drainage systems. In order to minimize impacts to any waters of the U.S., the contractor is required to implement Best Management Practices (BMPs) that meet the Texas Commission on Environmental Quality’s permitting specifications for stormwater discharge. This includes designing the site with specific construction measures to reduce or eliminate run-off impacts. With these measures in place, it is unlikely the proposed action would have a significant effect on the quality of surface waters.
- In order to convey stormwater runoff, the contractor will be required to design drainage features so that flows will not cause nuisance flooding on the site or surrounding properties during significant rain events. The drainage system will be required to meet local, county and State requirements, including the acquisition of easements, if applicable. All permit conditions will be incorporated into the project design and implementation.



## COUNTY OF GALVESTON

**JAMES D. YARBROUGH**  
COUNTY JUDGE

November 17, 2008

Mr. Michael Gerber,  
Executive Director  
Texas Department of Housing and Community Affairs  
c/o FEMA/State JFO  
6001 Airport Blvd., Suite D-200  
Austin, TX 78752

Sandy Coachman,  
Federal Coordinating Officer  
Federal Emergency Management Agency  
c/o FEMA/State JFO  
6001 Airport Blvd., Suite D-200  
Austin, TX 78752

Dear Mr. Gerber and Ms. Coachman,

This letter is written on behalf of the Galveston County Commissioners' Court to advise you that Galveston County has provided consent to the Federal Emergency Management Agency (FEMA) for the placement of manufactured homes and readily fabricated dwellings in the group site locations named herein (all of which are located in unincorporated areas of Galveston County). Galveston County understands these are targeted community site locations and wishes to express its support for the use of the locations. The following are the targeted group site locations:

**Bacliff location:** known as the Red Fish Farm Site. This property is located between West Bayshore Drive and 10<sup>th</sup> Street in Bacliff. The property consists of Phase 2 and Phase 3 of the Edgewater Park single family housing development. It is estimated that this site is over 100 acres and thus may potentially provide housing to an estimated 500 families from Galveston and surrounding areas;

**Bayview location:** this property is located off of Pecan Drive and Park Lane and is estimated at 6-1/2 acres. It is estimated that this site could provide housing to 40 families from Galveston and surrounding areas. The description on file with the Central Appraisal District shows the legal description as Abstract 153 page 1 lots 1 thru 17 & lots 1 thru 9 Reading Place;

**High Island location:** this property is estimated to be an approximate 25 acre lot, and the targeted site is for use of approximately 20 acres and would be located behind the High Island High School baseball field. It is estimated that this site could house 100 families from Bolivar Peninsula. This property is owned by the High Island Independent School District, and the address for the property is 2127 7<sup>th</sup> Street, High Island, Texas 77623; and

**Crystal Beach location:** this property is at Gregory Park and is estimated to be 15 acres. It is estimated that this site could house between 50 to 75 families from Bolivar Peninsula. The property is located off of State Highway 87 at Barbados Drive on Bolivar Peninsula, with the address of 900 Barbados Drive, Crystal Beach, Texas 77650.

On October 29, 2008, Galveston County authorized the placement of manufactured homes and readily fabricated dwellings on 100-year floodplains within unincorporated areas of Galveston County, which is applicable to individual site placement.

Today's correspondence pertains to group site locations and is issued to provide consent for the placement of manufactured homes and readily fabricated dwellings within the group site locations named above.

Consistent with the Commissioners' Court October 29<sup>th</sup> authorization, the consent for placement of the manufactured homes/readily fabricated dwellings in the group sites named herein is effective until and through midnight of May 31, 2010. Thus, the consent provided herein is temporary and shall no longer be in effect on June 1, 2010.

As well, and also consistent with the October 29<sup>th</sup> authorization, the temporary housing group sites must be used solely to house victims of Hurricane Ike as allowed under FEMA's temporary housing direct assistance program.

Galveston County understands that FEMA's ability to place manufactured homes and readily fabricated dwellings within Galveston County is and continues to be restricted by Executive Order 11988, Floodplain Management, as implemented by 44 C.F.R. Part 9. Galveston County acknowledges that FEMA will not, under any circumstances, place a manufactured home or readily fabricated dwelling within a floodway or coastal high hazard area (accordingly, for example, no placement is authorized within a V zone and no placement is authorized within a Coastal Barrier Resources Act zone).

Galveston County hereby advises FEMA of its consent for the placement described herein and further requests that FEMA undertake all actions necessary to provide these

temporary dwellings in compliance with the requirements of 44 C.F.R. Part 9 (specifically, §§ 9.6 and/or 9.13, as appropriate).

This request for temporary housing community sites is made due to the urgent and compelling need for temporary housing in Galveston County, Texas. Accordingly, the Commissioners' Court of Galveston County provides consent for FEMA to begin providing this temporary housing assistance at the locations named herein at the earliest feasible time and to the fullest extent allowable by law.

Finally, this authorization and consent is issued due to the extraordinary circumstances faced by Galveston County in the aftermath of Hurricane Ike and with the understanding that the temporary authorization provided herein will not adversely impact Galveston County's participation in the National Flood Insurance Program. As FEMA oversees the National Flood Insurance Program, we request that FEMA please advise if anything further is required of Galveston County to assure that its citizens will continue to be able to participate in the National Flood Insurance Program.

Respectfully,

James D. Yarbrough,  
County Judge

Cc: Mr. Michael Gerber,  
Executive Director  
Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, Texas 78711-3941

U.S. Department of Homeland Security  
Federal Emergency Management Agency  
FEMA-1791-DR-LA  
Austin Joint Field Office  
6001 Airport Blvd., Suite 200  
Austin, Texas 78752



FEMA

RECEIVED

NOV 14 2008

History Programs Division

November 13, 2008

F. Lawrence Oaks  
State Historic Preservation Officer  
Texas Historical Commission  
P.O. Box 12276  
Austin, TX 78711-2276

NO HISTORIC  
PROPERTIES AFFECTED  
PROJECT MAY PROCEED

By   
for F. Lawrence Oaks  
State Historic Preservation Officer  
Date 14 November 2008

RE: Section 106 Review Consultation, FEMA-1791-DR-TX, Hurricane Ike  
Individual Assistance- Community Site for Temporary Housing  
Bacliff (UEI 0383)  
Edgewater Park Drive, Bacliff, Texas  
Coordinates: N 29.50495, W -94.97531

Dear Mr. Oaks:

The Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, in response to the major Disaster Declaration for FEMA-1791-DR-TX, dated September 7, 2008, as amended. FEMA is initiating Section 106 review for the above referenced property in accordance with the Programmatic Agreement between FEMA, the Texas Historical Commission (SHPO), and the Governor's Division of Emergency Preparedness (GDEM) dated August 30, 2005.

Severe storm damage to numerous private residential properties within the County of Galveston has resulted in the need for Temporary Housing on Community Sites to provide shelter for the displaced citizens in the community. It is proposed that federal funding through FEMA's Individual Assistance program be provided for Galveston County for the Temporary Housing Community Sites.

On November 12, 2008, FEMA Historic Preservation Specialist Jodi Lee Carpenter conducted a pedestrian survey of the proposed area affected. The survey area was once a commercial fish farm. The area was heavily impacted by the trenching of the artificial ponds and surrounding berms. Shell and gravel were observed on the berms but were likely from fill during construction of the fish ponds. The NW boundary fence line was paralleled by a drainage ditch. The area was very wet with areas of standing water from previous day's rainfall. No historic or prehistoric cultural resources were observed within the survey boundary. No subsurface testing was conducted for this survey.

F. Lawrence Oaks  
November 3, 2008  
Page 2

FEMA has determined that there are no buildings on the proposed Bacliff Community Site and no adjacent structures eligible for the National Register of Historic Places, nor is it located within a National Register of Historic Places listed or eligible district. A review of the archeological data in the Texas Historic Sites Atlas indicates that there are no previously identified sites located on or directly adjacent to the property. As a result, FEMA has determined that there will be No Historic Properties Affected as a result of the proposed undertaking. Photographs, aerial map and a USGS Topographic map showing the project location are attached.

Your prompt review of this project is greatly appreciated. Should you need additional information please contact Jodi Lee Carpenter, Historic Preservationist Specialist, at (703) 254-8068.

Sincerely,

A handwritten signature in cursive script that reads "Jodi Lee Carpenter". The signature is written in black ink and is positioned above the printed name.

Jodi Lee Carpenter  
Historic Preservationist Specialist  
FEMA-1791-DR-TX

Attachments:

Arial Map of Location  
Texas Archaeological Sites Atlas Map  
Photographs of site

## **Appendix B**

### **GeoSearch Radius Report**



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## **Radius Report**

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<http://www.geo-search.net/QuickMap/index.htm?DataID=Standard0000000788>

*Click on link above to access the map and satellite view of current property*

*Target Property:*

**Bacliff**

**Galveston County, Texas 77518**

*Prepared For:*

**ECS-Houston**

**Order #: 390**

**Job #: 788**

**Date: 11/10/2008**

## TARGET PROPERTY SUMMARY

**Bacliff**

**Galveston County, Texas 77518**

Centroid County: **Galveston**

Centroid Zipcode: **77518**

Centroid State: **TX**

USGS Quadrangle: **Bacliff, TX**

Target Property Geometry: **Point**

Target Property Longitude(s)/Latitude(s):

**(-94.975310, 29.504950)**

County/Countries Covered:

**Galveston (TX)**

Zipcode(s) Covered:

**Bacliff TX: 77518**

**Dickinson TX: 77539**

State(s) Covered:

**TX**

**\*Target property is located in Radon Zone 3 (Galveston County, TX). Zone 3 counties have a predicted average indoor radon screening level less than 2 pCi/L.**

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**GeoSearch**

2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

## DATABASE FINDINGS SUMMARY (SOURCE)

DATABASE	ACRONYM	LOCA- TABLE	UNLOCA- TABLE	SEARCH RADIUS (miles)
<b><u>FEDERAL</u></b>				
AEROMETRIC INFORMATION RETRIEVAL SYSTEM / AIR FACILITY SUBSYSTEM	AIRSAFS	0	0	Target Property
BIENNIAL REPORTING SYSTEM	BRS	0	0	Target Property
CLANDESTINE DRUG LABORATORY LOCATIONS	CDL	0	0	Target Property
EPA DOCKET DATA	DOCKETS	0	0	Target Property
FEDERAL ENGINEERING CONTROLS	EC	0	0	Target Property
EMERGENCY RESPONSE NOTIFICATION SYSTEM	ERNS	0	0	Target Property
FACILITY REGISTRY SYSTEM	FRS	0	0	Target Property
HAZARDOUS MATERIALS INCIDENT REPORTING SYSTEM	HMIRS	0	0	Target Property
INTEGRATED COMPLIANCE INFORMATION SYSTEM (FORMERLY DOCKETS)	ICIS	0	0	Target Property
INTEGRATED COMPLIANCE INFORMATION SYSTEM NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM	ICISNPDES	0	0	Target Property
MATERIAL LICENSING TRACKING SYSTEM	MLTS	0	0	Target Property
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM	NPDES	0	0	Target Property
PCB ACTIVITY DATABASE	PADS	0	0	Target Property
PERMIT COMPLIANCE SYSTEM	PCS	0	0	Target Property
CERCLIS LIENS	SFLIENS	0	0	Target Property
SECTION SEVEN TRACKING SYSTEM	SSTS	0	0	Target Property
TOXICS RELEASE INVENTORY	TRI	0	0	Target Property
TOXIC SUBSTANCE CONTROL ACT INVENTORY	TSCA	0	0	Target Property
NO LONGER REGULATED RCRA GENERATOR FACILITIES	NLRRCRAG	0	0	Target Property and Adjoining
RESOURCE CONSERVATION & RECOVERY ACT - GENERATOR	RCRAG	0	0	Target Property and Adjoining
BROWNFIELDS MANAGEMENT SYSTEM	BF	0	0	0.5000
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY INFORMATION SYSTEM	CERCLIS	0	0	0.5000
LAND USE CONTROL INFORMATION SYSTEM	LUCIS	0	0	0.5000
NO FURTHER REMEDIAL ACTION PLANNED- CERCLIS ARCHIVES	NFRAP	1	0	0.5000
NO LONGER REGULATED RCRA NON-CORRACTS TSD FACILITIES	NLRRCRAT	0	0	0.5000

## DATABASE FINDINGS SUMMARY (SOURCE)

DATABASE	ACRONYM	LOCA- TABLE	UNLOCA- TABLE	SEARCH RADIUS (miles)
OPEN DUMP INVENTORY	ODI	0	0	0.5000
RESOURCE CONSERVATION & RECOVERY ACT - TREATMENT, STORAGE & DISPOSAL	RCRAT	0	0	0.5000
DELISTED NATIONAL PRIORITIES LIST	DNPL	0	0	1.0000
DEPARTMENT OF DEFENSE SITES	DOD	0	0	1.0000
FORMERLY USED DEFENSE SITES	FUDS	0	0	1.0000
NO LONGER REGULATED RCRA CORRECTIVE ACTION FACILITIES	NLRRCRAC	0	0	1.0000
NATIONAL PRIORITIES LIST	NPL	0	0	1.0000
PROPOSED NATIONAL PRIORITIES LIST	PNPL	0	0	1.0000
RESOURCE CONSERVATION & RECOVERY ACT - CORRECTIVE ACTION	RCRAC	0	0	1.0000
RECORD OF DECISION SYSTEM	RODS	0	0	1.0000
<b>SUB-TOTAL</b>		<b>1</b>	<b>0</b>	

### STATE (TX)

GROUNDWATER CONTAMINATION CASES	GWCC	0	0	Target Property
HISTORIC GROUNDWATER CONTAMINATION CASES	HISTGWCC	0	0	Target Property
TCEQ LIENS	LIENS	0	0	Target Property
MUNICIPAL SETTING DESIGNATIONS	MSD	0	0	Target Property
NOTICE OF VIOLATIONS	NOV	0	0	Target Property
STATE INSTITUTIONAL/ENGINEERING CONTROLS	SIEC01	0	0	Target Property
SPILLS LISTING	SPILLS	0	0	Target Property
DRY CLEANER REGISTRATION	DCR	0	0	0.2500
INDUSTRIAL AND HAZARDOUS WASTE	IHW	0	0	0.2500
PERMITTED INDUSTRIAL HAZARDOUS WASTE SITES	PIHW	0	0	0.2500
PETROLEUM STORAGE TANKS	PST	0	0	0.2500
AFFECTED PROPERTY ASSESSMENT REPORTS	APAR	0	0	0.5000
BROWNFIELDS SITE ASSESSMENTS	BSA	0	0	0.5000

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## DATABASE FINDINGS SUMMARY (DETAIL)

ACRONYM	Target Property	SEARCH						Total
		RADIUS (miles)	1/8 Mile (> TP)	1/4 Mile (> 1/8)	1/2 Mile (> 1/4)	1 Mile (> 1/2)	> 1 Mile	
<b><u>FEDERAL</u></b>								
AIRSAFS		.0200	0	0	0	0	0	0
BRS		.0200	0	0	0	0	0	0
CDL		.0200	0	0	0	0	0	0
DOCKETS		.0200	0	0	0	0	0	0
EC		.0200	0	0	0	0	0	0
ERNS		.0200	0	0	0	0	0	0
FRS		.0200	0	0	0	0	0	0
HMIRS		.0200	0	0	0	0	0	0
ICIS		.0200	0	0	0	0	0	0
ICISNPDES		.0200	0	0	0	0	0	0
MLTS		.0200	0	0	0	0	0	0
NPDES		.0200	0	0	0	0	0	0
PADS		.0200	0	0	0	0	0	0
PCS		.0200	0	0	0	0	0	0
SFLIENS		.0200	0	0	0	0	0	0
SSTS		.0200	0	0	0	0	0	0
TRI		.0200	0	0	0	0	0	0
TSCA		.0200	0	0	0	0	0	0
NLRRCRAG		.1250	0	0	0	0	0	0
RCRAG		.1250	0	0	0	0	0	0
BF		.5000	0	0	0	0	0	0
CERCLIS		.5000	0	0	0	0	0	0
LUCIS		.5000	0	0	0	0	0	0
NFRAP		.5000	0	0	1	0	0	1
NLRRCRAT		.5000	0	0	0	0	0	0
ODI		.5000	0	0	0	0	0	0
RCRAT		.5000	0	0	0	0	0	0

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## DATABASE FINDINGS SUMMARY (SOURCE)

DATABASE	ACRONYM	LOCA- TABLE	UNLOCA- TABLE	SEARCH RADIUS (miles)
CLOSED & ABANDONED LANDFILL INVENTORY	CALF	0	0	0.5000
INNOCENT OWNER / OPERATOR	IOP	0	0	0.5000
LEAKING PETROLEUM STORAGE TANKS	LPST	0	0	0.5000
MUNICIPAL SOLID WASTE LANDFILL SITES	MSWLF	0	0	0.5000
RAILROAD COMMISSION VCP AND BROWNFIELD SITES	RRCVCP	0	0	0.5000
RADIOACTIVE WASTE SITES	RWS	0	0	0.5000
TIER II CHEMICAL REPORTING PROGRAM	TIERII	0	0	0.5000
VOLUNTARY CLEANUP PROGRAM	VCP	0	0	0.5000
RECYCLING FACILITIES	WMRF	0	0	0.5000
STATE SUPERFUND	SF	0	0	1.0000
<b>SUB-TOTAL</b>		<b>0</b>	<b>0</b>	

### TRIBAL

UNDERGROUND STORAGE TANKS ON TRIBAL LANDS	USTR06	0	0	0.2500
LEAKING UNDERGROUND STORAGE TANKS ON TRIBAL LANDS	LUSTR06	0	0	0.5000
OPEN DUMP INVENTORY ON TRIBAL LANDS	ODINDIAN	0	0	0.5000
INDIAN RESERVATIONS	INDIANRES	0	0	1.0000
<b>SUB-TOTAL</b>		<b>0</b>	<b>0</b>	

TOTAL

1 0

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## DATABASE FINDINGS SUMMARY (DETAIL)

ACRONYM	Target Property	SEARCH						Total
		RADIUS (miles)	1/8 Mile (> TP)	1/4 Mile (> 1/8)	1/2 Mile (> 1/4)	1 Mile (> 1/2)	> 1 Mile	
DNPL		1.000	0	0	0	0	0	0
DOD		1.000	0	0	0	0	0	0
FUDS		1.000	0	0	0	0	0	0
NLRRCRAC		1.000	0	0	0	0	0	0
NPL		1.000	0	0	0	0	0	0
PNPL		1.000	0	0	0	0	0	0
RCRAC		1.000	0	0	0	0	0	0
RODS		1.000	0	0	0	0	0	0
<b>SUB-TOTAL</b>			<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>

### STATE (TX)

GWCC	.0200	0	0	0	0	0	0
HISTGWCC	.0200	0	0	0	0	0	0
LIENS	.0200	0	0	0	0	0	0
MSD	.0200	0	0	0	0	0	0
NOV	.0200	0	0	0	0	0	0
SIEC01	.0200	0	0	0	0	0	0
SPILLS	.0200	0	0	0	0	0	0
DCR	.2500	0	0	0	0	0	0
IHW	.2500	0	0	0	0	0	0
PIHW	.2500	0	0	0	0	0	0
PST	.2500	0	0	0	0	0	0
APAR	.5000	0	0	0	0	0	0
BSA	.5000	0	0	0	0	0	0
CALF	.5000	0	0	0	0	0	0
IOP	.5000	0	0	0	0	0	0
LPST	.5000	0	0	0	0	0	0
MSWLF	.5000	0	0	0	0	0	0

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**DATABASE FINDINGS SUMMARY (DETAIL)**

ACRONYM	Target Property	SEARCH					Total	
		RADIUS (miles)	1/8 Mile (> TP)	1/4 Mile (> 1/8)	1/2 Mile (> 1/4)	1 Mile (> 1/2)		> 1 Mile
RRCVCP		.5000	0	0	0	0	0	0
RWS		.5000	0	0	0	0	0	0
TIERII		.5000	0	0	0	0	0	0
VCP		.5000	0	0	0	0	0	0
WMRF		.5000	0	0	0	0	0	0
SF		1.000	0	0	0	0	0	0
<b>SUB-TOTAL</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**TRIBAL**

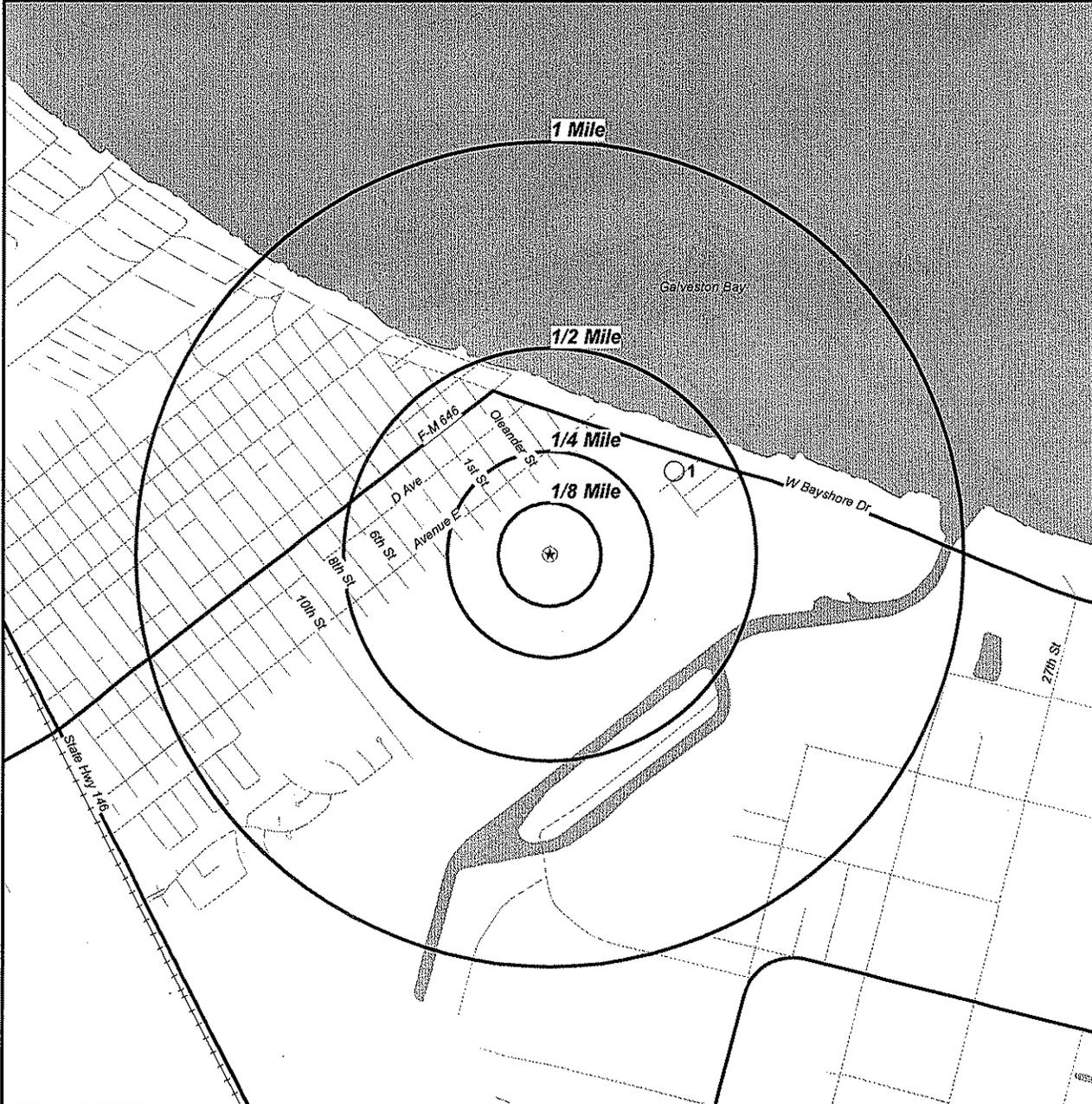
USTR06		.2500	0	0	0	0	0	0
LUSTR06		.5000	0	0	0	0	0	0
ODINDIAN		.5000	0	0	0	0	0	0
INDIANRES		1.000	0	0	0	0	0	0
<b>SUB-TOTAL</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>TOTAL</b>			<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
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**GeoSearch**

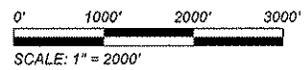
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# RADIUS MAP



- ★ Target Property (TP)
- NFRAP

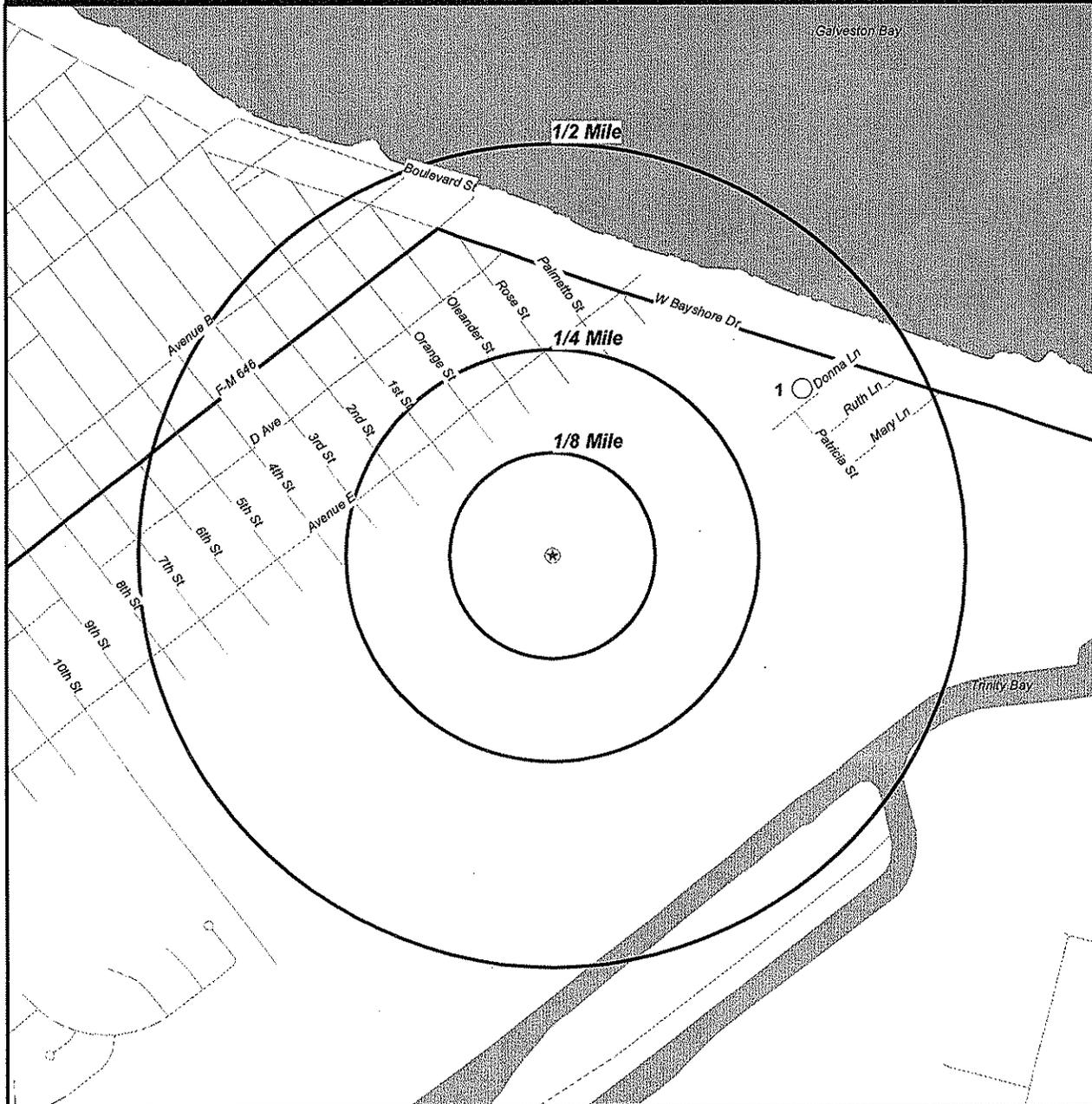
**Bacliff**  
**Galveston County, Texas**  
**77518**



**GeoSearch**

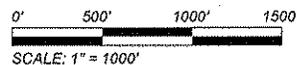
2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

# RADIUS MAP



- ⊛ Target Property (TP)
- NFRAP

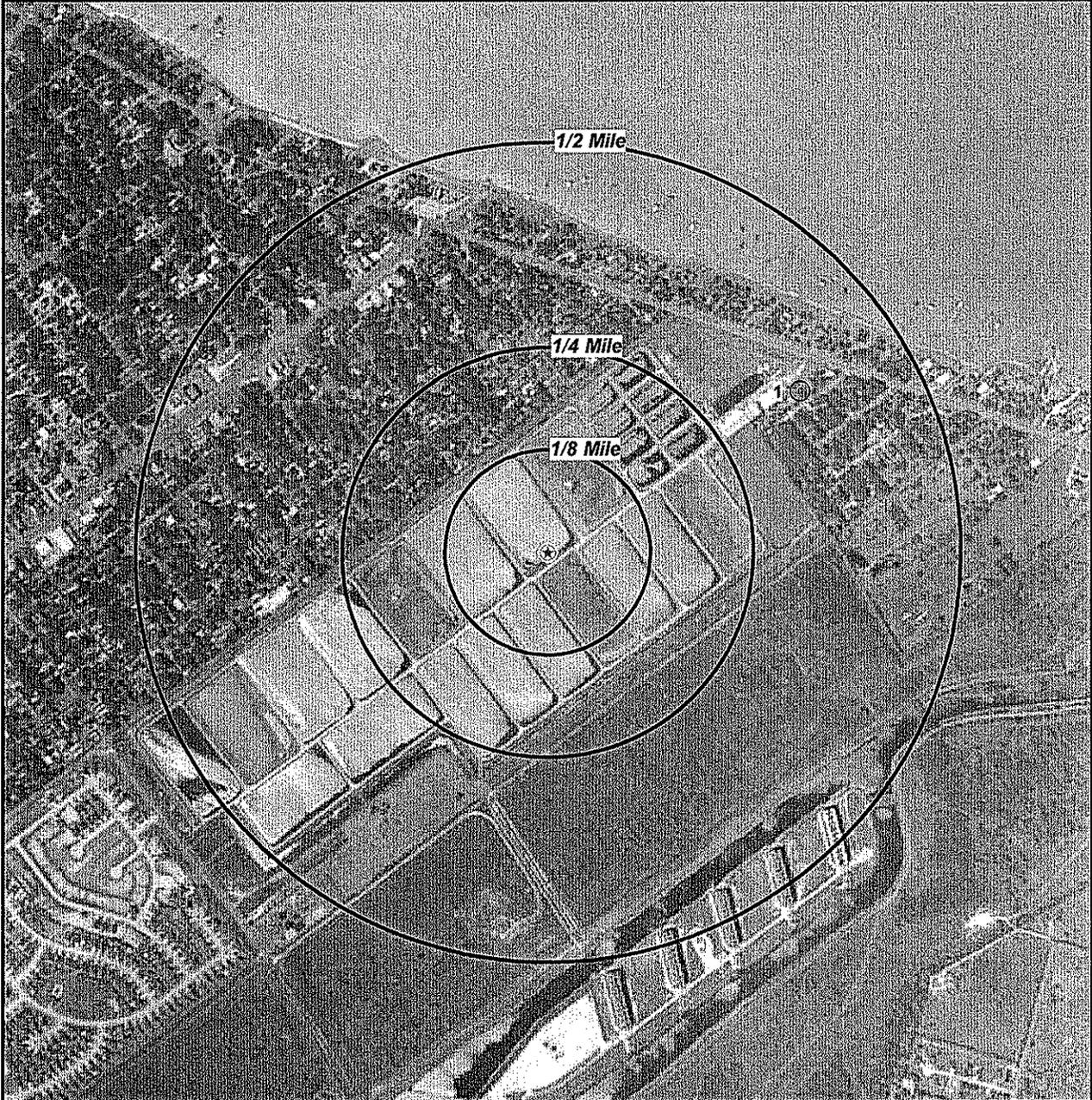
**Bacliff**  
Galveston County, Texas  
77518



**GeoSearch**

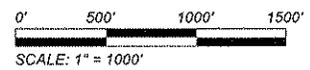
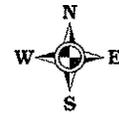
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**ORTHOPHOTO MAP**



- ★ Target Property (TP)
- NFRAP

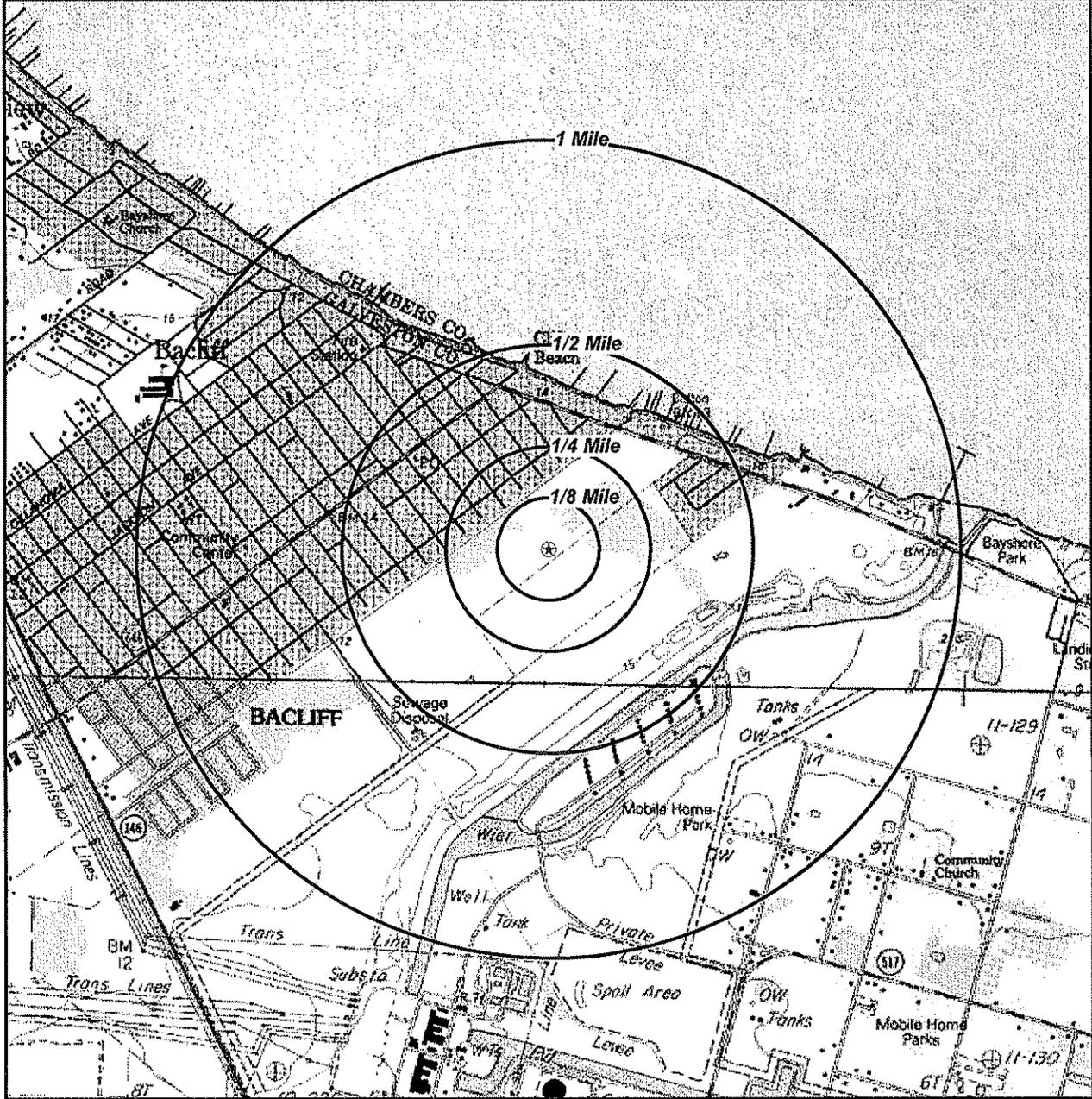
**Quadrangle(s): Bacliff**  
**Source: USDA (2004)**  
**Bacliff**  
**Galveston County, Texas**  
**77518**



**GeoSearch**

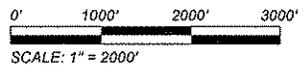
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TOPOGRAPHIC MAP



⊛ Target Property (TP)

Quadrangle(s): Bacliff  
Source: USGS, 1994  
Bacliff  
Galveston County, Texas  
77518



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## REPORT SUMMARY OF LOCATABLE SITES

MAP ID#	DATABASE NAME	SITE ID#	DISTANCE FROM SITE	SITE NAME	ADDRESS	CITY, ZIP CODE	PAGE #
1	NFRAP	TXD980696546	0.364 NE	HOFFMAN DISPOSAL CO	146 DONNA LANE	BACLIFF, 77518	1

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**NO FURTHER REMEDIAL ACTION PLANNED- CERCLIS ARCHIVES (NFRAP)**

**MAP ID# 1**

Distance from Property: 0.36 mi. NE

**FACILITY INFORMATION**

EPA ID#: TXD980696546

SITE ID#: 0602680

NAME: HOFFMAN DISPOSAL CO

ADDRESS: 146 DONNA LANE

BACLIFF, TX 77518

COUNTY: GALVESTON

FEDERAL FACILITY CLASSIFICATION: N - NOT A FEDERAL FACILITY

NON-NPL STATUS: NF - NFRAP

PHYSICAL CLASSIFICATION OF SITE / INCIDENT: NOT REPORTED

**ACTIONS**

START DATE COMPLETION DATE TYPE

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## ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

**AIRSAFS** Aerometric Information Retrieval System / Air Facility Subsystem (3/2008)

The EPA modified the Aerometric Information Retrieval System (AIRS) to a database that exclusively tracks the compliance of stationary sources of air pollution with EPA regulations: the Air Facility Subsystem (AFS). Since this change in 2001, the management of the AIRS/AFS database was assigned to EPA's Office of Enforcement and Compliance Assurance.

**BF** Brownfields Management System (10/2008)

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. The EPA maintains the activities, including grantee assessment, cleanup and redevelopment, of the various Brownfield grant programs through the Brownfields Management System database.

**BRS** Biennial Reporting System (1/2003)

The United States Environmental Protection Agency (EPA), in cooperation with the States, biennially collects information regarding the generation, management, and final disposition of hazardous wastes regulated under the Resource Conservation and Recovery Act of 1976 (RCRA), as amended. The purpose of this report is to communicate the findings of EPA's Biennial Reporting System (BRS) data collection efforts to the public, government agencies, and the regulated community.

Currently, the EPA states that data collected between 1991 and 1997 was originally a part of the defunct Biennial Reporting System and is now incorporated into the RCRAInfo data system.

**CDL** Clandestine Drug Laboratory Locations (7/2008)

The U.S. Department of Justice ("the Department") provides this information as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments. The Department does not establish, implement, enforce, or certify compliance with clean-up or remediation standards for contaminated sites; the public should contact a state or local health department or environmental protection agency for that information.

**CERCLIS** Comprehensive Environmental Response, Compensation & Liability Information System (10/2008)

CERCLIS is the repository for site and non-site specific Superfund information in support of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This database contains an extract of sites that have been investigated or are in the process of being

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## ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

investigated for potential environmental risk.

**DNPL** Delisted National Priorities List (10/2008)

This database includes U.S. Environmental Protection Agency (EPA) Final National Priorities List sites where remedies have proven to be satisfactory or sites where the original analyses were inaccurate, and the site is no longer appropriate for inclusion on the NPL, and final publication in the Federal Register has occurred.

**DOCKETS** EPA Docket Data (12/2005)

EPA Docket data lists Civil Case Defendants, filing dates as far back as 1971, laws broken including section, violations that occurred, pollutants involved, penalties assessed and superfund awards all by facility and geographically.

**DOD** Department of Defense Sites (12/2005)

This information originates from the National Atlas of the United States, publication date October 2005. Army DOD, Army Corps of Engineers DOD, Air Force DOD, Navy DOD and Marine DOD areas of 640 acres or more are included.

**EC** Federal Engineering Controls (6/2008)

A listing of site locations where Engineering Controls are in effect, such as a cap, barrier, or other device engineering to prevent access, exposure, or continued migration of contamination. Used in conjunction with Institutional Controls.

**ERNS** Emergency Response Notification System (12/2007)

This database contains data on reported releases of oil and hazardous substances. The data comes from spill reports made to the EPA, U.S. Coast Guard, the National Response Center and/or the Department of Transportation.

**FRS** Facility Registry System (4/2008)

The EPA's Office of Environmental Information (OEI) developed the Facility Registry System (FRS) as the centrally managed database that identifies facilities, sites or places subject to environmental regulations or of environmental interest. The Facility Registry System replaced the Facility Index System or FINDS database.

**FUDS** Formerly Used Defense Sites (9/2008)

The 2007 FUDS inventory includes properties previously owned or leased to the United States and under Secretary of Defense jurisdiction. The remediation of these properties is the responsibility of the Department of Defense.

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## ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

**HMIRS** Hazardous Materials Incident Reporting System (7/2008)

The HMIRS database contains unintentional hazardous materials release information reported to the US Department of Transportation.

**ICIS** Integrated Compliance Information System (formerly DOCKETS) (3/2008)

ICIS is a case activity tracking and management system for civil, judicial, and administrative federal EPA enforcement cases. ICIS contains information on federal administrative and federal judicial cases under the following environmental statutes: the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Emergency Planning and Community Right-to-Know Act - Section 313, the Toxic Substances Control Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Comprehensive Environmental Response, Compensation, and Liability Act, the Safe Drinking Water Act, and the Marine Protection, Research, and Sanctuaries Act.

**ICISNPDES** Integrated Compliance Information System National Pollutant Discharge Elimination System (3/2008)

ICIS-NPDES is an information management system maintained by the Office of Compliance to track permit compliance and enforcement status of facilities regulated by the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act. ICIS-NPDES is designed to support the NPDES program at the state, regional, and national levels.

**LUCIS** Land Use Control Information System (9/2006)

The LUCIS database is maintained by the US Navy and contains information for former Base Realignment and Closure (BRAC) properties across the United States.

**MLTS** Material Licensing Tracking System (3/2008)

MLTS is a list of approximately 8,100 sites which have or use radioactive materials subject to Nuclear Regulatory Commission (NRC) licensing requirements.

**NFRAP** No Further Remedial Action Planned- CERCLIS Archives (7/2008)

This database includes sites, which have been determined by the EPA, following preliminary assessment, to no longer pose a significant risk or require further activity under CERCLA. After initial investigation, no contamination was found, contamination was quickly removed or contamination was not serious enough to require Federal Superfund action or NPL consideration.

**NLRRCRAC** No Longer Regulated RCRA Corrective Action Facilities (8/2008)

This database includes RCRA Corrective Action facilities that are no longer regulated by the EPA or do not meet other RCRA reporting requirements.

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## ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

**NLRRCRAG** No Longer Regulated RCRA Generator Facilities (8/2008)

This database includes RCRA Generator facilities that are no longer regulated by the EPA or do not meet other RCRA reporting requirements. This listing includes facilities that formerly generated hazardous waste.

**NLRRCRAT** No Longer Regulated RCRA Non-CORRACTS TSD Facilities (8/2008)

This database includes RCRA Non-Corrective Action TSD facilities that are no longer regulated by the EPA or do not meet other RCRA reporting requirements. This listing includes facilities that formerly treated, stored or disposed of hazardous waste.

**NPDES** NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (4/2007)

Information in this database is extracted from the (PCS) Water Permit Compliance System database which is used by EPA to track surface water permits issued under the Clean Water Act. Refer to the PCS and/or ICIS-NPDES database as source of current data.

**NPL** National Priorities List (10/2008)

This database includes U.S. Environmental Protection Agency (EPA) National Priorities List sites that fall under the EPA's Superfund program, established to fund the cleanup of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action.

**ODI** Open Dump Inventory (6/1985)

Information on facilities or sites where solid waste is disposed of which is not a sanitary landfill which meets the criteria promulgated under section 6944 of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) and which is not a facility for disposal of hazardous waste.

**PADS** PCB Activity Database (12/2007)

The PCB Activity Database System (PADS) is used by the EPA to monitor the activities of polychlorinated biphenyls (PCB) handlers.

**PCS** Permit Compliance System (3/2008)

The Permit Compliance System is used in tracking enforcement status and permit compliance of facilities controlled by the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act and is maintained by the Office of Compliance. PCS is designed to support the NPDES program at the state, regional, and national levels.

**PNPL** Proposed National Priorities List (10/2008)

This database contains sites proposed to the National Priorities List (NPL) in the Federal Register. The EPA investigates these sites to determine if they may present long-term threats to public

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## ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

health or the environment.

<b>RCRAC</b>	Resource Conservation & Recovery Act - Corrective Action	(8/2008)
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This database includes hazardous waste sites listed with corrective action activity in the RCRAInfo system. The Corrective Action Program requires owners or operators of RCRA facilities (or treatment, storage, and disposal facilities) to investigate and cleanup contamination in order to protect human health and the environment. The EPA defines RCRAInfo as the comprehensive information system which provides access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS).

<b>RCRAG</b>	Resource Conservation & Recovery Act - Generator	(8/2008)
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This database includes sites listed as generators of hazardous waste (large, small, and exempt) in the RCRAInfo system. See RCRA Description page for more information. The EPA defines RCRAInfo as the comprehensive information system which provides access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS).

<b>RCRAT</b>	Resource Conservation & Recovery Act - Treatment, Storage & Disposal	(8/2008)
--------------	--	----------

This database includes Non-Corrective Action sites listed as treatment, storage and/or disposal facilities of hazardous waste in the RCRAInfo system. The EPA defines RCRAInfo as the comprehensive information system which provides access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS).

<b>RODS</b>	Record of Decision System	(7/2008)
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These decision documents maintained by the U.S. EPA describe the chosen remedy for NPL (Superfund) site remediation. They also include site history, site description, site characteristics, community participation, enforcement activities, past and present activities, contaminated media, the contaminants present, and scope and role of response action.

<b>SFLIENS</b>	CERCLIS Liens	(9/2008)
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A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases



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## ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties. This database contains those CERCLIS sites where the Lien on Property action is complete.

<b>SSTS</b>	Section Seven Tracking System	(12/2006)
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SSTS is the system that EPA uses to track pesticide producing establishments and the amount of pesticides they produce. SSTS records the registration of new establishments and records pesticide production at each establishment. It is a repository for information on the establishments that produce pesticides.

<b>TRI</b>	Toxics Release Inventory	(12/2006)
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This EPA database includes information about releases and transfers of toxic chemicals from manufacturing facilities.

<b>TSCA</b>	Toxic Substance Control Act Inventory	(12/2002)
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The TSCA Chemical Substance Inventory contains information on the production amount of toxic chemicals from each manufacturer and importer site.

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## ENVIRONMENTAL RECORDS DEFINITIONS - STATE (TX)

<b>APAR</b>	Affected Property Assessment Reports	(4/2008)
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As regulated by the TCEQ, an Affected Property Assessment Report is required when a person is addressing a release of chemical of concern (COC) under 30 TAC Chapter 350, the Texas Risk Reduction Program (TRRP). 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. The Texas Administrative Code Title 30 §350.4(a)(1) defines affected property as the entire area (i.e. on-site and off-site; including all environmental media) which contains releases of chemicals of concern at concentrations equal to or greater than the assessment level applicable for residential land use and groundwater classification.

<b>BSA</b>	Brownfields Site Assessments	(9/2008)
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The BSA database includes relevant information on contaminated Brownfields properties that are being cleaned.

<b>CALF</b>	Closed & Abandoned Landfill Inventory	(11/2005)
-------------	---------------------------------------	-----------

TCEQ, under a contract with Texas State University, and in cooperation with the 24 regional Council of Governments in the State, has located over 4,000 closed and abandoned municipal solid waste landfills throughout Texas. This listing contains "unauthorized sites". Unauthorized sites have no permit and are considered abandoned. The information available for each site varies in detail.

<b>DCR</b>	Dry Cleaner Registration	(5/2008)
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The DCR listing includes dry cleaning drop stations and facilities registered with the Texas Commission on Environmental Quality.

<b>GWCC</b>	Groundwater Contamination Cases	(12/2007)
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This report contains a listing of groundwater contamination cases which were documented for the 2007 calendar year. Texas Water Code, Section 26.406 requires the annual report to describe the current status of groundwater monitoring activities conducted or required by each agency at regulated facilities or associated with regulated activities. The agencies reporting these contamination cases include the Texas Commission on Environmental Quality, Railroad Commission of Texas, Texas Alliance of Groundwater Districts, and Department of State Health Services.

<b>HISTGWCC</b>	Historic Groundwater Contamination Cases	NR
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This historic report contains all agency groundwater contamination cases documented from 1994 to

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## ENVIRONMENTAL RECORDS DEFINITIONS - STATE (TX)

2006. The agencies that reported these contamination cases included the Texas Commission on Environmental Quality, Railroad Commission of Texas, Texas Alliance of Groundwater Districts, and Department of State Health Services.

**IHW** Industrial and Hazardous Waste (4/2008)

Owner and facility information is included in this database of permitted and non-permitted industrial and hazardous waste sites. Industrial waste is waste that results from or is incidental to operations of industry, manufacturing, mining, or agriculture. Hazardous waste is defined as any solid waste listed as hazardous or possesses one or more hazardous characteristics as defined in federal waste regulations.

**IOP** Innocent Owner / Operator (9/2008)

Texas Innocent Owner / Operator (IOP) provides a certificate to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination.

**LIENS** TCEQ Liens (10/2008)

Liens filed upon State and/or Federal Superfund Sites by the TCEQ.

**LPST** Leaking Petroleum Storage Tanks (6/2008)

The Leaking Petroleum Storage Tank listing is derived from the Petroleum Storage Tank (PST) database and is maintained by the Texas Commission on Environmental Quality (TCEQ). This listing includes aboveground and underground storage tank facilities with reported leaks.

**MSD** Municipal Setting Designations (9/2008)

TCEQ defines an MSD as an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records. The MSD property can be a single property, multi-property, or a portion of property.

**MSWLF** Municipal Solid Waste Landfill Sites (8/2008)

Sites listed within a solid waste landfill database may include active landfills and inactive landfills, where solid waste is treated or stored.

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## ENVIRONMENTAL RECORDS DEFINITIONS - STATE (TX)

**NOV** Notice of Violations (3/2008)

This database containing Notice of Violations (NOV) is maintained by the Texas Commission on Environmental Quality. An NOV is written notification that documents and communicates violations observed during an inspection to the business or individual inspected.

**PIHW** Permitted Industrial Hazardous Waste Sites (4/2008)

Owner and facility information is included in this database of all permitted industrial and hazardous waste sites. Industrial waste is waste that results from or is incidental to operations of industry, manufacturing, mining, or agriculture. Hazardous waste is defined as any solid waste listed as hazardous or possesses one or more hazardous characteristics as defined in federal waste regulations. Permitted IHW facilities are regulated under 30 Texas Administrative Code Chapter 335 in addition to federal regulations.

**PST** Petroleum Storage Tanks (7/2008)

The Petroleum Storage Tank database is administered by the TCEQ (Texas Commission on Environmental Quality). Both Underground storage tanks (USTs) and Aboveground storage tanks (ASTs) are included in this report. Petroleum Storage Tank registration has been a requirement with the TCEQ since 1986.

**RRCVCP** Railroad Commission VCP and Brownfield Sites (10/2008)

According to the Railroad Commission of Texas, their Voluntary Cleanup Program (RRC-VCP) provides an incentive to remediate Oil & Gas related pollution by participants as long as they did not cause or contribute to the contamination. Applicants to the program receive a release of liability to the state in exchange for a successful cleanup.

**RWS** Radioactive Waste Sites (7/2006)

This TCEQ database contains all sites in the State of Texas that have been designated as Radioactive Waste sites.

**SF** State Superfund (2/2008)

The state Superfund program mission is to remediate abandoned or inactive sites within the state that pose an unacceptable risk to public health and safety or the environment, but which do not qualify for action under the federal Superfund program (NPL - National Priority Listing). Information in this database includes any recent developments and the anticipated action for these sites.

**SIEC01** State Institutional/Engineering Controls (9/2008)

The Texas Risk Reduction Program (TRRP) requires the placement of institutional controls (e.g., deed notices or restrictive covenants) on affected property in different circumstances as part of

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## ENVIRONMENTAL RECORDS DEFINITIONS - STATE (TX)

completing a response action. In its simplest form, an institutional control (IC) is a legal document that is recorded in the county deed records. In certain circumstances, local zoning or ordinances can serve as an IC. This listing may also include locations where Engineering Controls are in effect, such as a cap, barrier, or other engineering device to prevent access, exposure, or continued migration of contamination.

**SPILLS** Spills Listing (1/2008)

This Texas Commission on Environmental Quality (TCEQ) database includes releases of hazardous or potentially hazardous materials into the environment.

**TIERII** Tier II Chemical Reporting Program (12/2006)

The Texas Tier II Chemical Reporting Program in the Department of State Health Services (DSHS) is the state repository for EPCRA-required Emergency Planning Letters (EPLs), which are one-time notifications to the state from facilities that have certain extremely hazardous chemicals in specified amounts. The Program is also the state repository for EPCRA/state-required hazardous chemical inventory reports called Texas Tier Two Reports. This data contains those facility reports for the 2006 and 2005 calendar years.

**VCP** Voluntary Cleanup Program (9/2008)

The Texas Voluntary Cleanup Program (VCP) provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Since all non-responsible parties, including future lenders and landowners, receive protection from liability to the state of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate transactions at those sites are eliminated. As a result, many unused or underused properties may be restored to economically productive or community beneficial uses.

**WMRF** Recycling Facilities (3/2008)

This listing of recycling facilities is maintained by the Texas Commission on Environmental Quality.

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## ENVIRONMENTAL RECORDS DEFINITIONS - TRIBAL

**INDIANRES** Indian Reservations (1/2000)

The Department of Interior and Bureau of Indian Affairs maintains this database that includes American Indian Reservations, off-reservation trust lands, public domain allotments, Alaska Native Regional Corporations and Recognized State Reservations.

**LUSTR06** Leaking Underground Storage Tanks On Tribal Lands (5/2008)

Leaking underground storage tanks on Tribal lands located in Region 6 include the following states: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

**ODINDIAN** Open Dump Inventory on Tribal Lands (11/2006)

Information on facilities or sites on Tribal lands where solid waste is disposed of which is not a sanitary landfill and meets the criteria promulgated under section 6944 of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) and is not a facility for disposal of hazardous waste.

**USTR06** Underground Storage Tanks On Tribal Lands (4/2008)

Underground storage tanks on Tribal lands located in Region 6 include the following states: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.



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## RCRA DESCRIPTIONS

### Acronyms

- RCRAG - Generator
- RCRAT - Treatment, Storage & Disposal (Non-Corrupts)
- RCRAC - Corrective Action

### Generator Types

#### Large Quantity Generators

- Generate 1,000 kg or more of hazardous waste during any calendar month; or
- Generate more than 1 kg of acutely hazardous waste during any calendar month; or
- Generate more than 100 kg of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, or acutely hazardous waste during any calendar month; or
- Generate 1 kg or less of acutely hazardous waste during any calendar month, and accumulate more than 1kg of acutely hazardous waste at any time; or
- Generate 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulated more than 100 kg of that material at any time.

#### Small Quantity Generators

- Generate more than 100 and less than 1000 kilograms of hazardous waste during any calendar month and accumulate less than 6000 kg of hazardous waste at any time; or
- Generate 100 kg or less of hazardous waste during any calendar month, and accumulate more than 1000 kg of hazardous waste at any time.

#### Conditionally Exempt Small Quantity Generators

- Generate 100 kilograms or less of hazardous waste per calendar month, and accumulate 1000 kg or less of hazardous waste at any time; or
- Generate one kilogram or less of acutely hazardous waste per calendar month, and accumulate at any time:
  - 1 kg or less of acutely hazardous waste; or
  - 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, or acutely hazardous waste; or
- Generate 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, or acutely hazardous waste during any calendar month, and accumulate at any time:
  - 1 kg or less of acutely hazardous waste; or
  - 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste.

Note: Descriptions also apply to No Longer Regulated RCRA sites  
(NLRRCRAG, NLRRCRAT, and NLRRCRAC)

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