

Draft Environmental Assessment  
**McCollum Park Project**

Chambers County, TX

FEMA-1791-DR-TX

*August 2009*



**FEMA**

**U.S. Department of Homeland Security**  
FRC 800 North Loop 288  
Denton, TX 76209-3698

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## LIST OF ACRONYMS

CFR	Code of Federal Regulations
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impacts
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetland Inventory
RCRA	Resource Conservation and Recovery Act
TCEQ	Texas Commission on Environmental Quality
THC	Texas Historical Commission
TPDES	Texas Pollutant Discharge Elimination System
TPWD	Texas Parks and Wildlife Department
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

## **1.0 INTRODUCTION**

### **1.1 Project Authority**

On September 13, 2008, President Bush declared a major disaster as a result of damage due to Hurricane Ike (FEMA-1791-DR-TX). As a direct result of Hurricane Ike's storm surge and intense wave action at McCollum Park, severe erosion and damage occurred resulting in losses to the shoreline along Trinity Bay. Approximately 70 feet of embankment was lost during Hurricane Ike and the shoreline has continued to erode since the storm (Kurt Amundson, engineering consultant representing Chambers County, in-person conversation, June 24, 2009). Chambers County has prepared and submitted an application (PW FG-703) for Federal Emergency Management Agency (FEMA) funding under the Public Assistance program being administered in response to FEMA-1791-DR-TX. FEMA is considering funding a project to repair and protect the eroded embankment located at the edge of McCollum Park under Section 406(e) of the Stafford Act. Hazard Mitigation, Section 406 of the Stafford Act, is a funding source for cost-effective measures that would reduce or eliminate the threat of future similar damage to a facility damaged during a disaster. Without protection against erosion, the park itself and park amenities could be damaged or lost entirely in the next storm event.

In accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended, and implementing regulations at 44 Code of Federal Regulations (CFR) Part 206, FEMA is required to review the environmental effects of the proposed action prior to making a funding decision. In accordance with 44 CFR, Part 10, FEMA has prepared this Environmental Assessment (EA) to meet the requirements of Section 102 of the National Environmental Policy Act of 1969 (NEPA). The purpose of this EA is to analyze the alternatives and assess the potential environmental impacts associated with the proposed project.

### **1.2 Project Location**

The project site is located in Chambers County between Beach City and Anahuac, Texas within McCollum Park. The proposed project would be constructed at the edge of McCollum Park along the Trinity Bay shoreline 10 feet landward of the existing bulkhead over a distance of 812 feet (see *Figure 1* and *Appendix A*).

## **2.0 PURPOSE AND NEED**

McCollum Park is one of 14 public parks located in Chambers County. It is located on approximately 12 acres. Visitors come to McCollum Park for the birding, camping, fishing, covered picnic areas, playground equipment, access to the bay shore and beautiful bay views. As a direct result of the storm surge and intense wave action from Hurricane Ike, McCollum Park experienced severe erosion along its shoreline. The shoreline has continued to erode since Hurricane Ike hit in September 2008. Due to this erosion, the bay shoreline along the park has been fenced off to protect visitors from falling approximately 14 feet down the eroded embankment; therefore the bay is currently inaccessible from the park. In addition, continued erosion places the covered picnic areas, large oak trees and other park amenities at risk of being lost completely. The purpose of the proposed project is to provide protection to McCollum Park and the park amenities landward of the shoreline and to restore bay access for park visitors.



NAIP 2008 Aerial Imagery - Source: TNRIS 2009

0 100 200 400 Feet



**Figure 1**  
 Location Map  
 McCollum Park Slope Stabilization Project  
 Chambers County, Texas  
 FEMA-DR-TX-1791

## 3.0 ALTERNATIVES

### 3.1 No Action

The No Action alternative would not involve any activities to stabilize the eroding embankment. The embankment experienced approximately 70 feet of erosion during Hurricane Ike and has continued to erode since Hurricane Ike. As of June 24, 2009 an additional one to three feet of the embankment has eroded since Hurricane Ike (Kurt Amundson, engineering consultant representing Chambers County, email, July 1, 2009). Consequently, McCollum Park itself and the park amenities landward of the bay would be left unprotected and erosion would continue unabated if no action were taken to protect the embankment from erosion. If the embankment erosion continues at its current rate, McCollum Park and its amenities are at risk during the next storm event.

### 3.2 Proposed Action

Chambers County has prepared and submitted an application for FEMA funding under FEMA's Public Assistance program being administered in response to FEMA-1791-DR-TX. The proposed action is to construct a Cement Stabilized Sand (CSS) wave erosion control wall. The CSS wall would extend for 812 feet along the eroded embankment and would be constructed 10 feet landward of the existing concrete bulkhead along the shoreline. The base of the wall would be keyed into the undisturbed insitu soil at 0.00 feet elevation. The top of the wall would be at 17.1 feet elevation, which is approximately 1.5 feet above the Hurricane Ike storm surge elevation at this location. The landward face of this wall would be vertical. The bayward side of the wall would be stair stepped with 2 feet horizontal and 1.5 feet vertical stair steps to dissipate wave energy. The total width of the wall would be 14 feet. The total quantity of CSS used for this project would be 6,360 cubic yards. The toe of the wall would be hardened with a 3 feet by 10 feet CSS apron and approximately 1,360 cubic yards of broken concrete rip-rap would be placed at the edge of the CSS wall approximately 10 feet landward of the existing concrete bulkhead. The reinforced concrete pipe located at the southwestern end of the project would be replaced and an inlet and outlet structure would be constructed to prevent future damage. The void between the back of the CSS wall and the top of the eroded embankment would be filled with approximately 11,200 cubic yards of compacted locally available sandy clay. The surface of the fill would be protected from erosion by hydro-mulched grass seed. An eight foot wide, V-bottom drainage swale would be constructed along the top of the fill to prevent washout of the fill from sheet flow during heavy rain events. The swale would be drained into three vertical drop inlet 18 inch corrugated metal pipes that connect to gravity drained culverts that would discharge stormwater at the bottom step of the CSS wall. Construction of these facilities would consist of excavation, soil compaction, the placement of CSS; replacement of a reinforced concrete pipe; construction of inlet and outlet structures; the placement of fill and concrete rip rap; construction of a headwall and a discharge structure. The project would require temporary construction access roads located in existing drainage swales at both the southwestern and northeastern ends of the project. *Appendix A* shows a plan view and typical section of the proposed project and *Appendix B* includes site photos.

### 3.3 Alternatives Considered but not Carried Forward

There were a number of alternatives considered but not carried forward. These alternatives were eliminated from consideration due to feasibility and/or the alternative's inability to meet the project purpose. These alternatives are described below:

**Slope Replacement without Mitigation** – This alternative would consist of replacement the lost fill along the embankment and covering the slope with grass seed. This option would require movement,

placement and compaction of fill from the top of the slope down to the bottom which would cause the loss of approximately 60 feet of park property. This option would only be a temporary measure which would most likely lead to similar erosion rates during the next storm event.

**Gabion Baskets** – This alternative would involve construction of rectangular wire baskets filled with stone along the embankment to dissipate the wave energy. The galvanized mesh associated with gabion baskets are known corrode in saltwater environments. This option would require on-going maintenance to replace stones and prevent corrosion.

**Sea Wall** – This alternative would involve the construction of a concrete sea wall along the embankment. This option would not allow park visitors access the bay and therefore would not meet the project purpose.

## **4.0 AFFECTED ENVIRONMENT AND IMPACTS**

### **4.1 Geology and Soils**

The proposed project is located in the southern part of Texas in the physiographic region known as the West Gulf Coastal Plain. The land surface in this region is a nearly flat depositional plain rising from sea level to about 35 feet. Chambers County is drained by the Trinity River and its tributaries. Chambers County has a subtropical, humid climate with hot summers and mild winters. The precipitation averages 55 inches annually (NOAA 2009).

The Geologic Atlas of Texas (GAT), Houston Sheet, indicates the proposed project is underlain by Quaternary-age deposits of the Beaumont Formation. Sediments of the Beaumont Formation consist mostly of clays and mud, with some sand and silt layers. These clays have low permeability, high water-holding capacity, poor drainage, and high shrink-swell potential (Barnes 1976).

The soils on the site are mapped as Acadia silt loam complex 0 to 1 percent slopes. The Acadia series consists of poorly drained soils that form in loamy fluviomarine deposits of the late Pleistocene age (USDA 2009a).

The Farmland Protection Policy Act (FPPA) (P.L. 97-98, Sec. 1539-1549; 7 U.S. Code 4201, et seq.) was enacted to minimize the unnecessary conversion of farmland to non-agricultural uses as a result of federal actions. The Natural Resource Conservation Service (NRCS) is responsible for protecting significant agricultural lands from irreversible conversions that result in the loss of an essential food or environmental resource. Prime farmland is characterized as land with the best physical and chemical characteristics for the production of food, feed, forage, fiber, and oilseed crops. This land is either used for food or fiber crops or is available for those crops, but is not urban, built-up land, or water areas. Unique farmland is land other than prime farmland that is used for production of specific high-value food and fiber crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops when treated and managed according to acceptable farming methods. The proposed site is mapped as Acadia soils which are not classified as prime or unique farmland (USDA 2009a).

Alternative A – No Action: The No Action alternative would have no impacts on the soils or geology of the area.

Alternative B – Construct a Slope Stabilization Structure: Construction of the proposed project would cause some disturbance soils as part of the site preparation work. Exposed soils could be subject to erosion, therefore, silt fence and/or other storm water runoff best management practices would be utilized during construction. Since there are no prime or unique farmland soils mapped on the site, coordination with the NRCS under the FPPA would not be required. The effects to geology and soils would be minor and temporary in nature.

## **4.2 Water Resources**

### **4.2.1 Surface Water**

The project area is located on the shore of Trinity Bay (*Figure 2*). There are no rivers or creeks on the project site. Storm water currently leaves the project site via sheet flow into a narrow drainage ditch located on the south west end of the proposed project. This drainage ditch flows into Trinity Bay. There are no wild and scenic rivers, as designated under the Wild and Scenic Rivers Act, in the project area.

Alternative A – No Action: The No Action alternative would not change the site drainage nor have an effect on the surface water quality of the area.

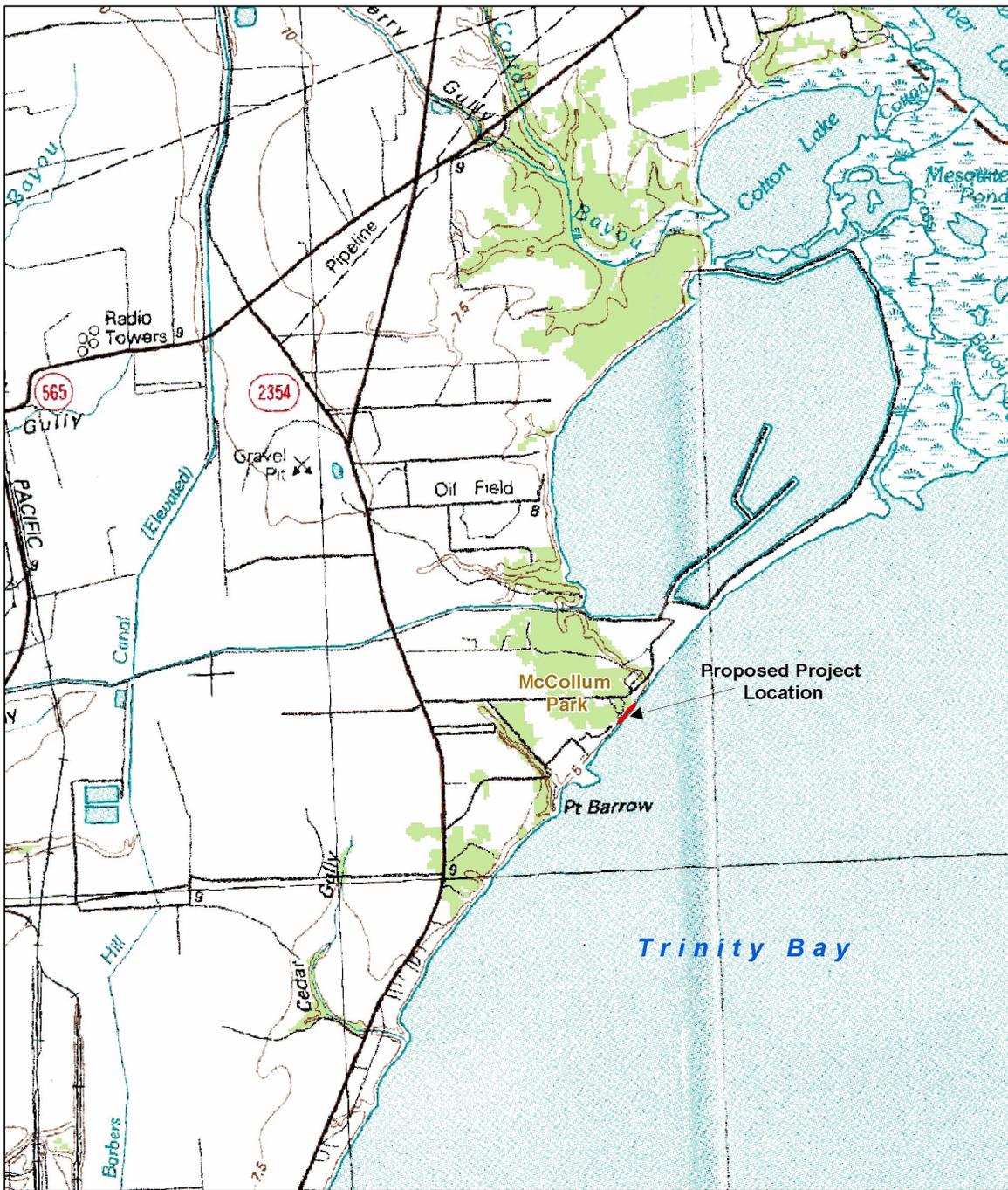
Alternative B – Construct a Slope Stabilization Structure: Potential impacts to surface waters associated with the construction of the proposed project include the potential for erosion and sedimentation during construction. Excavation and grading would be needed as part of the site preparation work. During this period, storm water runoff could carry sediment offsite into receiving waters. A Storm Water Pollution Prevention Plan would be prepared and erosion and sedimentation control measures would be implemented to minimize any detrimental effects to water quality during construction.

Because the project would disturb more than one acre, a Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) storm water permit would be required. This permit would require that a copy of the Storm Water Pollution Prevention Plan is kept on the construction site and that all sediment control measures identified in this plan are maintained. Any effects to water quality associated with the construction of the new facility would be short term and minimized by the use of best management practices. No long-term effects to water quality are expected as a result of the proposed project.

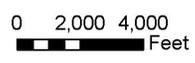
### **4.2.2 Waters of the United States (U.S.) Including Wetlands**

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act. Wetlands are identified as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. In addition, Executive Order 11990, Protection of Wetlands, directs federal agencies to take actions to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands on federal property.

Under Section 404 of the Clean Water Act, a permit is required from the USACE for any activities involving the discharge of dredged or fill material into waters of the U.S., including wetlands and tidally influenced waters. Dependent on the scope and type of impacts to waters of the U.S.,



1980 USGS Topographic Map (Umbrella Point)  
 Source: TNRS 2009



**Figure 2**  
 USGS Topographic Map  
 McCollum Park Slope Stabilization Project  
 Chambers County, Texas  
 FEMA-DR-TX-1791

authorizations may be in one of three primary forms: general permit, a letter of permission, or a standard individual permit.

A review of the U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) map of the area was conducted to identify the potential for wetlands and/or other waters of the U.S. This review indicated there was no presence of wetlands located within the project site (USFWS 1998). A site visit of the project area verified that there were no potential wetlands or waters of the U.S. subject to Section 404 in the immediate project vicinity. Since the project site is located on the bay shore there are potential Section 10 impacts, however no work will be performed above the mean high tide line.

Alternative A – No Action: The No Action alternative would have no effect on wetlands or other waters of the U.S. and would not require a Section 404 permit.

Alternative B – Construct a Slope Stabilization Structure: A site visit on June 24, 2009, determined the edge of the bulkhead to be the jurisdictional boundary of waters of the U.S. Therefore, the USACE jurisdictional limits extend from the bulkhead bayward. There was no evidence of high water or a high tide line above or behind the bulkhead. The proposed project is located outside of USACE jurisdictional limits. There would be no impacts to jurisdictional waters of the U.S. or navigable waters.

#### 4.2.3 Floodplains

Executive Order 11988 (Floodplain Management) requires federal agencies to avoid or minimize development in the floodplain except when there are no practicable alternatives. According to the National Flood Insurance Program's Flood Insurance Rate Map (Community-Panel Number 480121 0007 B), the project site is located within the 100-year floodplain and is designated as Zone V21, which is a coastal floodplain with a velocity of hazard of (wave action) with a base flood elevation of 19 feet. *Appendix C* discusses the floodplain planning process, includes a floodplain map and a coordination letter from the Chambers County Floodplain Administrator.

The construction of this project would take place within the 100-year floodplain. To comply with Executive Order 11988, Floodplain Management, FEMA is required to follow the procedure outlined in 44 CFR Part 9 to assure that alternatives to the proposed action have been considered. This process, also known as the "Eight Step Planning Process," has been applied to the proposed action and is described in *Appendix C*. For the purposes of this study, there are no practicable alternatives to the proposed action.

No adverse effects to the floodplain are expected as a result of the construction of this project. Coordination with the Chambers County floodplain administrator has been performed (see letter in *Appendix C*). The Chambers County floodplain administrator had no objection to the proposed action. The final design of the proposed project would undergo review for floodplain and drainage issues through the Chambers County development review process.

Alternative A – No Action: The No Action alternative would not result in impacts to the 100-year or 500-year floodplain.

Alternative B – Construct a Slope Stabilization Structure: The proposed project is located within the 100-year floodplain. Construction of this project is not anticipated to have any impacts on the base

floodplain elevation, but since it is located in the coastal floodplain it would require a review under the Executive Order 11988.

### 4.3 Biological Resources

#### 4.3.1 Flora and Fauna

The project area is located in the Gulf Coast Prairies and Marshes natural region of Texas, as depicted in *Preserving Texas' Natural Heritage* (LBJ School of Public Affairs 1978). The prairies and marshes of the Texas Gulf Coast are among the richest grazing lands in the state. This region is also an excellent habitat for upland game and waterfowl and an important recreational hunting and fishing area (Hatch 1999).

The faunal communities in the Gulf Coast Prairies and Marshes natural region typically include coyote, ringtail, hog-nosed skunk, ocelot, and collared peccary. Smaller mammals include Mexican ground squirrel, Texas pocket mouse, northern pygmy mouse, and southern Plains woodrat. Birds of freshwater marshes, lakes, ponds, and rivers include reddish egret, white-faced ibis, black-billed whistling duck, white-fronted goose, and olivaceous cormorant. Reptiles and amphibians include eastern spadefoot toad, Gulf coast toad, American alligator, diamondback terrapin, spiny-tailed iguana, Texas horned lizard, Texas spotted whiptail, and indigo snake (USDA 2009b). Due to the disturbed nature of the project area there is little habitat for faunal communities within the project area.

The project area is highly disturbed and the herbaceous community is dominated by Bermuda grass (*Cynodon dactylon*), giant cane (*Arundinaria gigantea*), ragweed (*Ambrosia trifida*), thistle (*Cirsium texanum*), and other weedy species. The trees and shrubs include sugarberry (*Celtis laevigata*), tallow (*Myrica cerifera*), and several large live oaks (*Quercus fusiformis*) at the top of the eroded slope. The continued erosion of the embankment has exposed the roots of these large trees.

#### 4.3.2 Threatened and Endangered Species

As shown in *Table 1*, the USFWS lists four species in Chambers County as being endangered (USFWS 2009). These species are the brown pelican (*Pelecanus occidentalis*), hawksbill sea turtle (*Eretmochelys imbricata*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), and the leatherback sea turtle (*Dermochelys coriacea*). Although currently listed as endangered, as a result of recovery efforts the brown pelican has made a strong comeback and has been proposed to be "delisted" throughout its range. The bald eagle has also staged a remarkable rebound and has recovered to the point that they no longer need protection under ESA. The USFWS lists three species as being threatened, the green sea turtle (*Chelonia mydas*), the loggerhead sea turtle (*Caretta caretta*) and the piping plover (*Charadrius melodus*).

The Endangered Species Act (ESA) of 1973 provides for the protection of all listed threatened and endangered species from take as defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Harm is further defined by the USFWS to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering. Harass is defined by USFWS as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering.

**Table 1  
Federal Listed Threatened/ Endangered Species in Chambers County**

<b>Species</b>	<b>Status</b>	<b>Comments</b>
<b>Birds</b>		
Bald Eagle	Delisted, Recovered	migratory/ transient species
Brown Pelican	Proposed for Delisting, Endangered	no preferred habitat present in project area
Piping Plover	Threatened	no preferred habitat present in project area, migratory/ transient species
<b>Reptiles</b>		
Green Sea Turtle	Threatened	no habitat present in project area
Hawksbill Sea Turtle	Endangered	no habitat present in project area
Kemp's Ridley Sea Turtle	Endangered	no habitat present in project area
Leatherback Sea Turtle	Endangered	no habitat present in project area
Loggerhead Sea Turtle	Threatened	no habitat present in project area

Source: USFWS 2009

The following description for each species is based on information provided by the USFWS, Texas Parks and Wildlife Department (TPWD) and the National Park Service (NPS).

Listed as threatened in 1995, the bald eagle is the second largest North American bird of prey with an average seven foot wingspan. Its white head and tail offset against its dark brown body and wings. They prefer fish but are opportunistic feeders. The range of the bald eagle includes all of the conterminous U. S, and Alaska and is especially common in areas with large expanses of aquatic habitat. Effective August 8, 2007, the bald eagle was delisted from the USFWS list of threatened and endangered species. The bird will still be protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Both laws prohibit killing, selling or otherwise harming eagles, their nests, or eggs. Breeding occurs primarily in the eastern third of Texas, and wintering occurs wherever open water exists. In Texas, eagles nest in areas along river systems, reservoirs or lake shores with large tall trees for nesting and roosting, which are not present in the project area. As of 2005, the closest known Bald Eagle nest to the proposed project is located more than 10 miles away north of I-10 and east of Lake Charlotte (phone conversation with TPWD Biologist Chris Gregory, July 22, 2009).

Listed as threatened in 1970, the eastern brown pelican is a large dark gray-brown water bird with white around the head and neck. Immature pelicans are gray-brown above and on the neck, with white under parts. Adults may reach up to eight pounds and larger individuals have wingspans of over seven feet. They feed primarily on fish, mostly menhaden and mullet fish. The eastern brown pelican can be found along the entire Texas coastline. Nesting occurs in early spring or summer in colonies on small coastal islands and rookeries, with peak egg-laying in March through May. Due to recovery efforts, the brown pelican has made a strong comeback and was proposed to be "delisted" throughout its range on February 20, 2008 (Federal Register 2008). Pelicans nest on small, isolated coastal islands with small bushes where they are safe from predators and away from people. Sand spits and offshore sand bars are used extensively as daily loafing and nocturnal roost areas. The project area is highly disturbed and would not be preferred by this species. While brown pelicans do roost and feed on or near the bay shores in Chambers County, there is sufficient adjacent habitat to support this species should they be temporarily displaced as a result of project activities.

Listed as threatened in 1985, the piping plover is a small, stocky, sandy-colored bird with orange legs resembling the sandpiper. The piping plover blends well into the pale background of open, sandy habitat on outer beaches where it feeds and nests. The piping plover migrates annually between its breeding and wintering grounds. The piping plover winters in Texas from approximately September to late March or early April, inhabiting sand and gravel beaches, bay shores, sandflats, mudflats, algal mats and dunes. The project area is highly disturbed and continuously eroding. It consists of Bermuda grass interspersed with large live oaks on top of the slope and a very narrow bay shoreline adjacent to a bulkhead with weedy secondary vegetation mixed with concrete remnants of the damaged portions of the bulkhead at the bottom of the slope. The project area lacks the habitat preferred by this species.

Five species of sea turtles are found in the Gulf of Mexico that might nest on Texas beaches. They are the leatherback, hawksbill, loggerhead, green and Kemp's Ridley sea turtles. Although all five have been known to nest in Texas, the hawksbills and leatherbacks are rare nesters in the southeastern U.S. but offshore waters are important for feeding, resting and as migratory corridors. These sea turtles range in size from 2 feet up to six feet in length and weight can range from 75 to over 1,000 pounds. The turtles are found in the Gulf of Mexico and during nesting season along the Texas coast from March 15 through October 15. The project area lacks the nesting beach habitat preferred by this species. No sea turtle nests have ever been recorded in the project vicinity (phone conversation with Donna Shaver Padre Island National Seashore [National Park Service], July 20, 2009).

Alternative A - No Action: The No Action alternative would have no effect on threatened and endangered species.

Alternative B – Construct a Slope Stabilization Structure: The site visit conducted on June 24, 2009 did not indicate the presence of habitat suitable for the endangered or threatened species listed in Chambers County. The project area is highly disturbed and continuously eroding. It consists of Bermuda grass interspersed with large live oaks on top of the slope and a very narrow bay shoreline adjacent to a bulkhead with weedy secondary vegetation mixed with concrete remnants of the damaged portions of the bulkhead at the bottom of the slope. The proposed project would have no effect on threatened and endangered species.

#### **4.4 Air Quality**

The Clean Air Act requires that states adopt ambient air quality standards. The standards have been established in order to protect the public from potentially harmful amounts of pollutants. The U.S. Environmental Protection Agency (EPA) has established National Ambient Air Quality Standards (NAAQS) for six air pollutants. These pollutants include sulfur dioxide (SO<sub>2</sub>), particulate matter with a diameter less than or equal to ten micrometers (PM<sub>10</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), and lead (Pb). The EPA has designated specific areas as NAAQS attainment or non-attainment areas. Non-attainment areas are any areas that do not meet (or that contribute to ambient air quality in a nearby area that does not meet) the quality standard for a pollutant. Attainment areas are any areas that meet ambient air quality standards. According to the TCEQ, Chambers County is part of the Houston-Galveston-Brazoria (HGB) non-attainment region which is currently classified as severe for the eight-hour ground-level ozone standard. The USEPA has set the HGB's area's attainment date for the eight-hour ground-level ozone standard "as expeditiously as practicable, but no later than June 15, 2019" (TCEQ 2009).

Alternative A – No Action: The No Action alternative would have no effect on air quality.

Alternative B – Construct a Slope Stabilization Structure: Pollutant emissions from construction equipment may result in minor, temporary effects to air quality in the area immediately surrounding the construction activity. Vehicular exhaust emissions would be produced by the operation of diesel engines and other construction equipment. These effects would be localized and of short duration. The contractor would be required to keep all equipment in good working order to minimize air pollution.

#### **4.5 Transportation**

The proposed project is located at the end of McCollum Park Road along Trinity Bay in Chambers County, Texas. A park access road makes a loop through the park. FM 2354, is located west of the project, is a rural highway that runs along the Baytown city limits from I-10 to Trinity Bay and south west along the bay shore to Houston.

Alternative A – No Action: The No Action alternative would have no effect on transportation in the area.

Alternative B – Construct a Slope Stabilization Structure: Construction of the proposed project may have a temporary effect on transportation by increasing the number of vehicles on McCollum Road and the park access road within the park. The increase would be expected to be minor and would be due to contractors traveling to and from the proposed site during construction. There would be no road closures during the construction of the proposed project.

#### **4.6 Noise**

Noise is generally defined as unwanted sound. The closest noise receivers to the proposed project site would be McCollum Park itself and a few residences located adjacent to the park. Noise levels within and adjacent to the project area would increase during the proposed construction activities as a result of construction equipment and vehicular traffic. The noise levels generated would be limited to workday daylight hours for the duration of the construction work. There are no local noise ordinances that would apply to the proposed project.

Alternative A – No Action: The No Action alternative would not result in impacts to noise receivers in the area.

Alternative B – Construct a Slope Stabilization Structure: Construction of the proposed project would result in a slight increase in noise during the construction of the facility. The increase in noise is expected to be minor and would not affect any sensitive noise receivers.

#### **4.7 Cultural Resources**

Section 106 of the National Historic Preservation Act of 1966, as amended requires federal agencies “to take into account” the “effect” that an undertaking would have on “historic properties”. Historic properties are those included or eligible for inclusion to the National Register of Historic Places (NRHP) and may include archeological sites, buildings, structures, sites, objects, and districts. In accordance with the Advisory Council on Historic Places regulations pertaining to the protection of historic properties (36 CFR 800.4), federal agencies are required to identify and evaluate historic-age resources for NRHP eligibility and assess the effects that the undertaking would have on historic properties.

The Texas Historical Commission's (THC) online database was consulted prior to conducting an inspection of the project area. One previously identified archeological site and the Barrow-McCollum Park Cemetery were identified from this research.

An archeological survey of the project area was conducted on August 27-29, 2009. No evidence of historic or prehistoric materials was identified in any of the surface and subsurface investigations in and around the project area.

An archeological survey report is currently underway which will include detailed information on the survey findings and a recommendation to the Texas Historical Commission (THC) to concur with a determination of No Historic Properties Affected.

Alternative A – No Action: The No Action alternative would have no effect on cultural resources in the area.

Alternative B – Construct a Slope Stabilization Structure: The results of the archeological survey and THC coordination will be documented in more detail once additional information becomes available. Should any historic or archaeological materials be discovered during construction, all activities on the site would be halted immediately and the contractor and/or the Town of Combes would contact the THC for further guidance.

#### **4.8 Socioeconomic**

The project is located southeast of Baytown, northeast of Beach City, south of Cove and west of Anahuac City in Chambers County. According to Census 2000, Baytown, located in Harris County, had a population of 66,430 and a per capita income of \$17,641. Cove City had a population of 323 and a per capita income of \$24,514 (USCB 2000). Beach City and Anahuac City are both small coastal communities located within Chambers County. Beach City had a population of 1,645 and a per capita income of \$28,421; and Anahuac City had a population 2,210 and per capita income of \$17,056 (USCB 2000). In comparison, Chambers County had a population of 26,031 and a per capita income of \$19,863. The primary industries in Chambers County are related to chemical plants, agribusiness, and fish and oyster processing (Alvarez 2008).

Alternative A – No Action: The No Action alternative would entail no improvements to the park. Consequently, McCollum Park would be left unprotected from possible erosion and storm surge during the next storm event.

Alternative B – Construct a Slope Stabilization Structure: All residents in the area are expected to benefit from the proposed project. The communities of Beach City, Cove City, Anahuac City, and Baytown would directly benefit from access to the parks recreational areas used for birding, camping, fishing, and access to the beach and bay area. The area would also benefit monetarily from the visitors that McCollum Park would attract once bay access is reestablished. In addition, the construction of the proposed project is expected to create jobs for construction activities in the short term.

#### **4.9 Environmental Justice**

Executive Order 12898, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs

on minority and low-income populations. This Executive Order also tasks federal agencies with ensuring that public notifications regarding environmental issues are concise, understandable, and readily accessible. Socioeconomic and demographic data were studied to determine if a disproportionate number of minority or low-income persons have the potential to be adversely affected by the proposed project.

The 2000 Census listed 67.9 percent of Baytown residents as white, and therefore 13.4 percent as a minority consisting of Black or African Americans, Asians, American Indian and Alaska Natives, Native Hawaiians and Other Pacific Islanders. Of the 66,430 residents, 34.2 percent population identified themselves as Hispanic or Latino, and the median family income in 1999 was \$40,559 with 13 percent of families living below the poverty level (USCB 2000).

Cove residents were listed as 92.3 percent white and therefore 7.7 percent as a minority. Of the 323, residents 4.6 percent identified themselves as Hispanic or Latino. The median family income in 1999 was \$49,286 and 6.7 percent of families were living below the poverty level (USCB 2000).

In comparison, Census 2000 listed Beach City residents as 95.6 percent white and therefore 4.4 percent as a minority. Of the 1,645 residents, 4.7 percent identified themselves as Hispanic or Latino. The median family income in 1999 was \$75,439 with 2.8 percent of families living below the poverty level (USCB 2000).

Anahuac residents were listed as 68.3 percent white and therefore 31.7 percent as a minority. Of the 2,210 residents, 13.0 percent identified themselves as Hispanic or Latino. The median family income in 1999 was \$46,750 and 11.1 percent of families were living below the poverty level (USCB 2000).

In comparison, the 2000 Census listed 81.9 percent of Chambers County's residents as white and therefore 18.1 percent as a minority. Of the 26,031 residents, 10.8 percent identified themselves as Hispanic or Latino. The median family income in 1999 was \$47,964 and 8.3 percent of families were living below the poverty level (USCB 2000).

Alternative A – No Action: The No Action alternative would not have disproportionate impacts on minority or low-income populations.

Alternative B – Construct a Slope Stabilization Structure: The proposed action is not expected to have adverse or disproportionate impacts on minority or low-income populations. The benefits of the proposed project are expected to be proportional to all residents in the area.

#### **4.10 Safety**

Safety and security issues that were considered in this environmental assessment include the health and safety of area residents, the public at-large, and the protection of personnel involved in activities related to the implementation of the proposed project.

Alternative A – No Action: The No Action alternative could have a negative effect on the general safety of the McCollum Park visitors. As a direct result of the storm surge and intense wave action from Hurricane Ike, McCollum Park has experienced severe erosion along its shoreline. The shoreline has continued to erode since Hurricane Ike hit in September 2008. Due to this erosion, the shoreline along the park has been fenced off to protect visitors from falling approximately 14 feet down the eroded embankment; therefore the bay is currently inaccessible from the park.

Alternative B – Construct a Slope Stabilization Structure: This project would restore and stabilize the embankment at McCollum Park which would remove the current safety hazard and restore bay access for park visitors.

#### **4.11 Hazardous Materials**

Hazardous wastes, as defined by the Resource Conservation and Recovery Act (RCRA), are defined as “a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may; (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or; (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.”

Hazardous materials and wastes are regulated in Texas by a combination of federal laws and state laws. Federal regulations governing the assessment and disposal of hazardous wastes include RCRA, the RCRA Hazardous and Solid Waste Amendments, Comprehensive Environmental Response, Compensation and Liability Act, Solid Waste Act, and Toxic Substances Control Act.

Visual observation of the project area did not reveal obvious existing or potential hazardous materials, substances, or conditions. No drums or other sources of potential hazardous materials were observed in the project area.

The following is a list of the federal and state databases reviewed for this project: EPA, National Priorities List, EPA Comprehensive Environmental Response, Compensation and Liability Information System List, EPA Resource Conservation and Recovery Information System List, TCEQ Superfund Registry, TCEQ Leaking Petroleum Storage Tank List, and TCEQ Petroleum Storage Tank List. The databases were searched by zip code, county, and street name. No facilities or properties in the project area were listed on the databases reviewed.

Alternative A – No Action: The No Action alternative would not disturb any hazardous materials or create any potential hazard to human health.

Alternative B – Construct a Slope Stabilization Structure: Construction of the proposed project would not disturb any known hazardous materials or create any potential hazard to human health. If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination would be initiated in accordance with applicable federal, state, and local regulations. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction staging area.

### **5.0 CUMULATIVE IMPACTS**

Cumulative impacts are those effects on the environment that result from the incremental effect of the action when added to past, present and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time. There are no known projects planned within the vicinity of the proposed project (conversation with Don Brandon, Chambers County Engineer, June 29, 2009) There are no other known projects that, when added to the sewer system repairs and the planned drainage system improvements, would have a cumulative impact on the human or natural environment.

## **6.0 PUBLIC INVOLVEMENT**

The public was invited to comment on the proposed action and the Draft Environmental Assessment. A legal notice was posted in the *Anahuac Progress* on August 19 2009, and on FEMA's website (<http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>). Additionally, the Draft Environmental Assessment was made available for review for a period of 30 days at the Chambers County Annex located at 201 Airport Road, Anahuac, Texas. A copy of the notice is attached in *Appendix E*.

## **7.0 AGENCY COORDINATION AND PERMITS**

As part of the development of this Environmental Assessment federal and state resource protection agencies were contacted. It is anticipated that no permits or approvals would be needed from any of the other regulatory agencies; however, the following agencies have been contacted and asked to comment on the proposed project:

- Texas Historical Commission

Agency response letters are attached in *Appendix D*.

## **8.0 CONCLUSION**

The findings of this Environmental Assessment conclude that the proposed project would result in no significant environmental impacts to the human or natural environment; therefore, the proposed action meets the requirements of a Finding of No Significant Impact (FONSI) under NEPA and the preparation of an Environmental Impact Statement (EIS) will not be required.

## 9.0 REFERENCES

- Alvarez, Elizabeth. 2008. Texas Almanac 2008-2009. Dallas: Dallas Morning News, Inc.
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- U.S. Fish and Wildlife Service (USFWS). 2009. Chambers County Endangered Species List. <http://www.fws.gov/southwest/es/EndangeredSpecies/lists/ListSpecies.cfm> (viewed in July 2009).

## **10.0 LIST OF PREPARERS**

### **Government Contributors:**

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### **Document Preparers:**

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*Principal Investigator*

**Tricia Bruck**, AECOM, Austin, Texas

**Kate Turner**, AECOM, Austin, Texas

## **APPENDICES**

**APPENDIX A    SITE PLANS**



**APPENDIX B    SITE PHOTOS**



Photo 1 – Taken from the damaged bulkhead along the Trinity Bay shore looking at the eroded embankment.



Photo 2 – Taken from the edge of the eroded embankment looking toward at the damaged bulkhead along the Trinity Bay shore.



Photo 3 – Taken from the northeast end of the project looking at the fence currently present to project park visitors, the large live oaks overlooking Trinity Bay and covered picnic areas currently inaccessible to park visitors.



Photo 4 – Taken from the southwest end of the project looking toward the park at the drainage ditch which runs along the southwest edge of the park.



Photo 5 – Taken from the northeast end of the project looking south west at the highly disturbed shore, remnants of the damaged bulkhead and weedy vegetation.

**APPENDIX C    FLOODPLAIN PLANNING PROCESS  
AND FLOODPLAIN MAP**

## **Floodplain Planning Process for the Proposed Revetment - Summary Report**

The purpose of this discussion is to document the decision-making process used to comply with Executive Order 11988, Floodplain Management, and Executive Order 11990, Protection of Wetlands. Procedures to comply with these Executive Orders are outlined in 44 CFR Part 9.

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## *Eight Step Planning Process*

*(44 CFR §9.6)*

***Step 1. Determine whether the proposed action is located in a wetland and/or the 100-year floodplain (500-year floodplain for critical actions); and whether it has the potential to affect or be affected by a floodplain or wetland.***

The project site is located within a 100-year floodplain. According to the National Flood Insurance Program's Flood Insurance Rate Map for Beach City, Texas (Community Panel Map Number 480121 0007 B effective date January 19, 1983), the project site is located within an area designated as Zone V21. A figure showing the project location is attached. Zone V21 designates coastal flood areas with a velocity hazard (wave action) with a base flood elevation of 19 feet. The project site is not located in, nor would the project affect, any wetlands.

***Step 2. Notify the public at the earliest possible time of the intent to carry out an action in a floodplain or wetland, and involve the affected and interested public in the decision-making process.***

The public has been notified and given a chance to comment on the project through the public notice process for the EA. A notice was posted in a local newspaper announcing the availability of the EA and the location of the project within the 100-year floodplain. The EA was made available at a local library. Public comments on the project were accepted for 30 days after the notice.

***Step 3. Identify and evaluate practicable alternatives to locating the proposed action in a floodplain or wetland (including alternative sites, actions and the "no action" option). If a practicable alternative exists outside the floodplain or wetland FEMA must locate the action at the alternative site.***

The purpose of the proposed project is to provide protection to McCollum Park and the park amenities landward of the shoreline and to restore bay access for park visitors. This would be accomplished by stabilizing the embankment located along Trinity Bay. As shown on the attached floodplain map the McCollum Park bayshore and embankment are located entirely within the 100-year floodplain and in Zone V21; therefore an alternative location outside the floodplain would not meet the purpose of the proposed project. The No Action alternative would also not meet the project purpose.

***Step 4. Identify the potential direct and indirect impacts associated with the occupancy or modification of floodplains and wetlands and the potential direct and indirect support of floodplain and wetland development that could result from the proposed action.***

The potential effects of the proposed action have been evaluated in the EA. Construction this project is not anticipated to have any impacts on the base flood elevation or any wetlands; therefore, no significant effects to the human or natural environment are expected, nor are any adverse effects to the floodplain expected.

***Step 5. Minimize the potential adverse impacts and support to or within floodplains and wetlands to be identified under Step 4, restore and preserve the natural and beneficial values served by floodplains, and preserve and enhance the natural and beneficial values served by wetlands.***

As discussed in Step 4, no adverse impacts to the floodplain are expected and no wetlands are present in the project area.

***Step 6. Reevaluate the proposed action to determine first, if it is still practicable in light of its exposure to flood hazards, the extent to which it would aggravate the hazards to others, and its potential to disrupt floodplain and wetland values and second, if alternatives preliminarily rejected at Step 3 are practicable in light of the information gained in Steps 4 and 5. FEMA shall not act in a floodplain or wetland unless it is the only practicable location.***

Based on the reevaluation, the proposed action is still practicable based on the minimal exposure to flood hazards and minimal effect to the floodplain.

***Step 7. Prepare and provide the public with a finding and public explanation of any final decision that the floodplain or wetland is the only practicable alternative.***

As part of the public notice for the EA, a statement was included to address the decision to locate the project in the floodplain. The statement appeared, as follows, in the public notice advertised in a local newspaper.

The proposed action is located in the FEMA-designated 100-year floodplain. Because of the project's location in the floodplain and in accordance with Executive Order 11988, an evaluation was performed to identify other practicable alternatives outside the floodplain. No other practicable alternatives to construction of the project in the floodplain were identified.

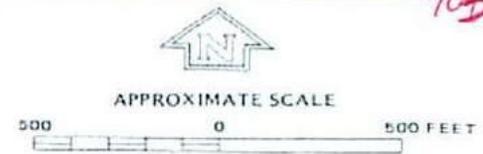
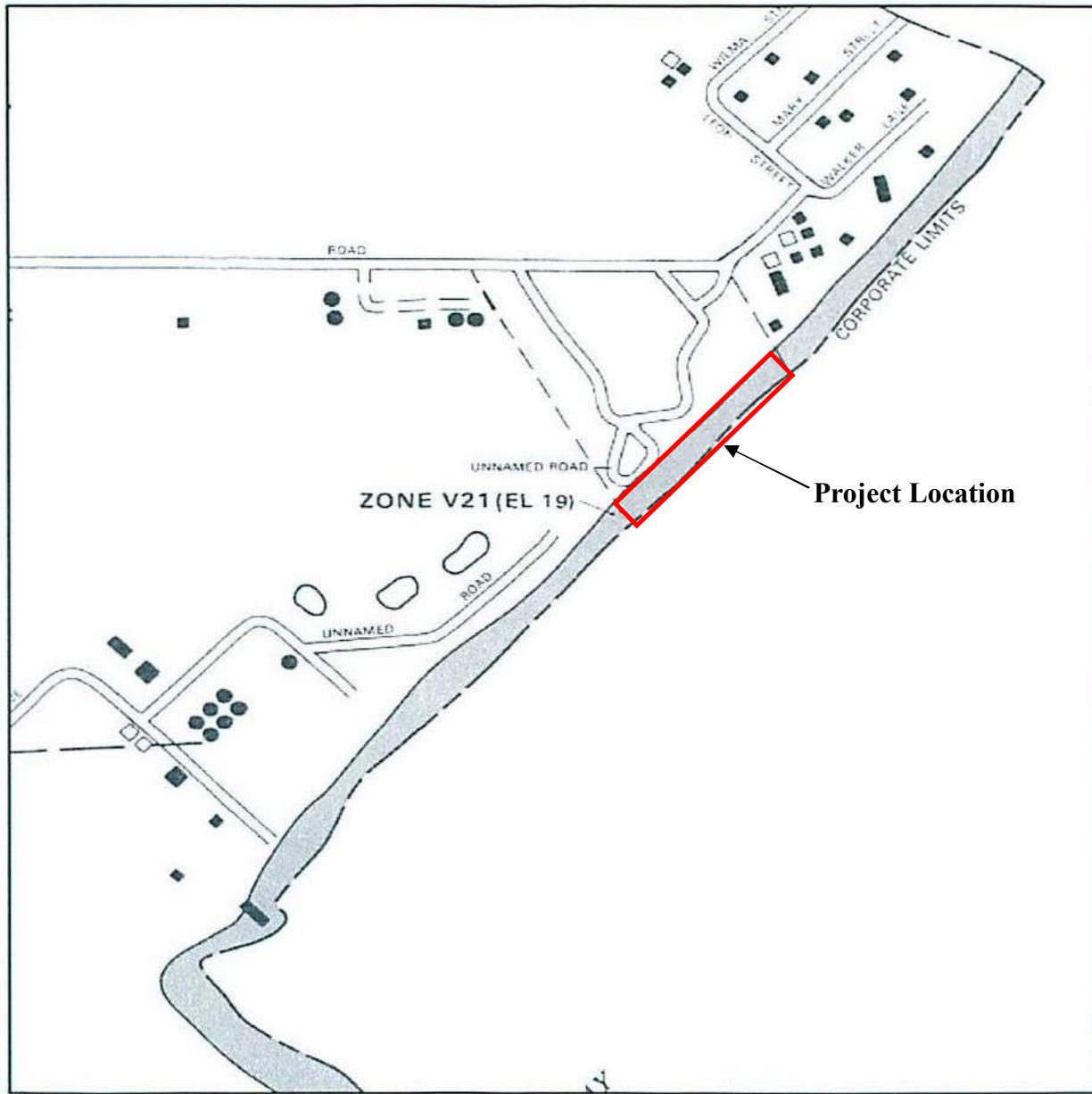
***Step 8. Review the implementation and post-implementation phases of the proposed action to ensure that the requirements are fully implemented.***

The commitment to implement the requirements of this process would be incorporated into the Finding of No Significant Impact (FONSI) of the proposed action as part of the NEPA process.

FEDERAL EMERGENCY MANAGEMENT AGENCY

**FIRMETTE**

APPLICANT:	Chambers (County)	DATE:	03/09/09
FIPS NO.	071-99071-00	PW REF NO.	FG-701



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

CITY OF  
BEACH CITY, TEXAS  
CHAMBERS COUNTY

PANEL 7 OF 16

COMMUNITY-PANEL NUMBER  
480121 0007 8

EFFECTIVE DATE:  
JANUARY 19, 1983



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



# CHAMBERS COUNTY ENVIRONMENTAL HEALTH

*POST OFFICE BOX 1180/ 201 AIRPORT RD*

*ANAHUAC, TEXAS 77514*

*TELEPHONE: (409) 267-8392 ~ FAX: (409) 267-3623*

***SIDNEY LEE LEWIS, JR.***  
***DIRECTOR***

March 18, 2009

Mr. Don Brandon, P.E., R.P.L.S.  
County Engineer  
Chambers County

Don,

After reviewing the Chambers County Guidelines for Flood Plain Management Regulations, and 44 CFR, subpart 60.3, Flood Plain Management Criteria for flood prone areas, I have determined that the proposed restoration project for McCollum Park does not conflict with local or federal regulations and guidelines. I have further determined that the damages to the park are a result from the Category IV storm surge from Hurricane Ike.

The restoration effort will only be allowed landward of the Mean High water Line (MHL). It is my understanding that the project will provide storm surge protection to the 100 year elevation of 12.9 ft Mean Sea Level (MSL) plus one foot for an average elevation of 14 ft MSL. Therefore, the minimum design elevation for the project is EL. = 14 ft MSL.

If you have any questions, please feel free to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "Sidney Lewis".

Sidney Lewis  
Floodplain Administrator

**APPENDIX D    AGENCY CORRESPONDENCE**

**APPENDIX E - PUBLIC NOTICE**

**Federal Emergency Management Agency  
PUBLIC NOTICE**

Notice of Availability of the Draft Environmental Assessment  
for the Construction of a Slope Stabilization Structure  
McCollum Park, Chambers County, Texas  
FEMA-1791-DR-TX

Interested persons are hereby notified that Chambers County has applied to the Federal Emergency Management Agency (FEMA) for assistance with the construction of a slope stabilization structure to be located at the end of McCollum Park Road along Trinity Bay in Chambers County, Texas. The proposed project would be constructed at the edge of McCollum Park along the Trinity Bay shoreline 10 feet landward of the existing bulkhead over a distance of 812 feet. The purpose of the proposed project is to provide protection from erosion caused by Hurricane Ike to McCollum Park and the park amenities landward of the shoreline and to restore bay access for park visitors.

In accordance with the National Environmental Policy Act (NEPA) of 1969 and the implementing regulations of FEMA, an Environmental Assessment (EA) was prepared to assess the potential impacts of the proposed action on the human and natural environment. The Draft EA summarizes the purpose and need, alternatives, affected environmental, and potential environmental consequences for the proposed action. The Draft EA is available for comment and can be viewed and downloaded from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm> or viewed at the following location between August 20, 2009 and September 18, 2009:

Chambers County Annex  
201 Airport Road  
Anahuac, Texas

The comment period will end 30 days from the initial notice publication date of August 20, 2009. Written comments on the Draft EA can be mailed or faxed to the contact listed below. If no substantive comments are received by 5:00 pm on September 18, 2009, the Draft EA will become final and a Finding of No Significant Impact (FONSI) will be issued for the project. Substantive comments will be addressed as appropriate in the final documents.

AECOM  
c/o Kate Turner  
400 West 15<sup>th</sup> Street, Suite 500  
Austin, TX 78701  
FAX – 512-472-7519