



FEMA

**FINDING OF NO SIGNIFICANT IMPACT
MIMS VFD GUYED TOWER CONSTRUCTION
MARION COUNTY, TEXAS
HOMELAND SECURITY GRANT PROGRAM
PROJECT # 2010-SS-TO-0008 (9110)**

BACKGROUND

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

The proposed project is to construct a hundred fifty (150) foot new communications tower with a twenty (20) foot antenna. The proposed tower is to be located in Marion County, Texas (32.82013 Latitude and -94.61031 Longitude). This communications tower will enhance the interoperable communications among all first responder disciplines during times of natural or man-made disasters as part of the state-wide interoperability communications project under the Department of Homeland Security (DHS)-Federal Emergency Management Agency's (FEMA) Homeland Security Grant Program. The Texas Department of Public Safety submitted the project under application number 2010-SS-TO-0008 (9110) of the Homeland Security Grant Program. FEMA provides funds under this program for activities that build capabilities at the state and local levels and to implement the goals and objectives included in state homeland security strategies and initiatives in the State Preparedness Report.

Two project alternatives were considered in this EA: 1) No Action; and 2) Construction of a hundred fifty (150) foot new communications tower with a twenty (20) foot antenna (Proposed Action). Under the No Action alternative, the tower would not be constructed. Losing the function of the communication tower would jeopardize public safety. The Mims Volunteer Fire Department (VFD) would be greatly affected due to the lack of a good signal; thus losing the imperative communications needed to conduct their emergency responses. The No Action Alternative would not address the needs for Marion County and surrounding areas.

The Proposed Action Alternative will involve the construction of a hundred fifty (150) foot new communications tower with a twenty (20) foot antenna. The proposed tower is to be located at 12728 FM 729 in Avinger, Texas 75630 at coordinates 32.82013 Latitude and -94.61031 Longitude. The site of the proposed tower is adjacent to the Mims VFD. The site consists of grassed land. To allow for the guyed wires, one tree at the front of the building will be cut down. Another tree on the other side of the building will be trimmed as well as some bushes at the back

of the building and property. The equipment compound will be located in the Mims VFD building. Adjacent undeveloped areas are not expected to be impacted. Appropriate signage will be installed as required by local, state and federal laws.

A public notice was posted in The Jefferson Jimplecute newspaper on April 5, 2012, and the draft EA was made available for comment at the Mims Water Supply Corporation, located at 12688 FM 729, Avinger, TX 75630, and on the FEMA website for a 15-day public comment period. No comments were received from the public during the 15-day comment period.

FINDINGS

The Proposed Action as described in the EA will not adversely impact geology, soil, seismicity, water resources, wetlands, floodplains, coastal resources, wild and scenic rivers, threatened or endangered species, historic properties, American Indian or religious sites, air quality, noise, infrastructure, utilities, transportation, or waste management, or socioeconomic resources. Positive long-term impacts to socioeconomic and environmental justice are anticipated since the project will provide better emergency support to the community. During the construction period, short-term impacts to soils, air quality, water quality, waste management, noise, traffic, and health and safety are anticipated. All populations, including minority and low-income populations, will benefit from the Proposed Action. All adverse impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

CONDITIONS

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

1. This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.
2. Best available techniques to control erosion and sedimentation must be used. Best Management Practices (BMPs) can include spraying water to minimize dust, limiting the area of uncovered soil to the minimum needed for each activity, and the siting of staging areas to minimize fugitive dust.
3. Excavated soil and waste materials must be managed and disposed of in accordance with applicable local, state, and federal regulations. If contaminated materials are discovered during the construction activities, the work will cease until the appropriate procedures can be implemented and permits obtained. Any hazardous materials discovered,

generated, or used during construction will be handled and disposed of in accordance with applicable local, state, and federal regulations.

4. Construction will take place during daytime hours and equipment will meet all local, State, and Federal noise regulations.
5. During construction-related activities, precautions will be taken to avoid damage to existing utility lines. All potential modifications to utility services will be evaluated. Coordination with potentially affected local and regional utility service providers will occur to avoid unnecessary damage or interruption of service.
6. Construction contractors will be required to comply with the federal and state health and safety regulations. All activities will be conducted in a safe manner and in accordance with standards specified in OSHA regulations.
7. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform FEMA immediately and FEMA will consult with the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act (NHPA).
8. Changes, additions, and/or supplements to the approved scope of work which alter the existing use and function of the structure, including additional work not funded by FEMA but performed substantially at the same time, will require re-submission of the application prior to construction to FEMA for re-evaluation under the National Environmental Policy Act.

CONCLUSIONS

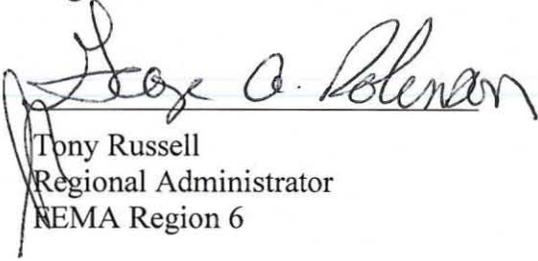
Based on the findings of the EA, coordination with the appropriate agencies, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment,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

APPROVAL



Kevin Jaynes, CHMM
Regional Environmental Officer

Date 4/23/12



Tony Russell
Regional Administrator
NEMA Region 6

Date 4/23/12