



FEMA

**FINDING OF NO SIGNIFICANT IMPACT
ACCUTRANS INC. SECURITY ENHANCEMENTS
Port of CORPUS CHRISTI, TEXAS
PSGP PROJECT # 2011-PU-K00178 (10) (12402)**

BACKGROUND

In accordance with the National Environmental Policy Act (NEPA) of 1969; FEMA's regulations for implementing NEPA at 44 Code of Federal Regulations (CFR) Part 10; and the President's Council on Environmental Quality NEPA implementing regulations at 40 CFR Parts 1500-1508; FEMA prepared a Tiered Site-Specific Environmental Assessment (SEA) to assess the environmental impacts that might result from the construction of the proposed AccuTrans Inc. Security Enhancements. The project has been proposed by the Port of Corpus Christi under application number 2011-PU-K00178 (10) (12402) of the Port Security Grant Program. FEMA provides funds under this program for activities which help to enhance the security and safety of ports in the United States.

This SEA was tiered from, and incorporates by reference, the findings of the Final Programmatic Environmental Assessment (PEA) for Grant Programs Directorate Programs dated July 2010, including the Finding of No Significant Impact (FONSI) for the PEA, which was issued on July 7, 2010. The SEA focused on the area of concern that required additional analysis and was beyond the scope of the PEA. FEMA found that all environmental areas of concern are accounted for in the PEA with the exception of floodplain impacts.

The AccuTrans Inc. Security Enhancements project is located in Corpus Christi, Texas. FEMA determined that the site of the proposed AccuTrans Inc. Security Enhancements project is located within a Zone A18, an area of 100-year flood; base flood elevations and flood hazards factors determined, as depicted on FIRM Community Panel 4854940308C with the effective date March 18, 1985.

Two project alternatives were considered in the SEA: 1) No Action and 2) Preferred Action Alternative. Under the No Action Alternative, no changes would be made to the existing site. As a result of this alternative, the region would continue to lack adequate protection of the hazardous and dangerous cargoes.

The Proposed Action Alternative involves the installation of security fencing, surveillance cameras and lighting on the north side of the Avery Point Turning Basin in Corpus Christi, Texas. This project will enhance the protection of a staging area for vessels containing hazardous and dangerous cargoes. Approximately 1,100 linear feet security fencing will provide a three sided perimeter barrier adjacent to the inner harbor waterway. Security fencing will be 8-foot tall with a three strand barb wire outrigger at the top of the fence and a concrete anchor curb at the bottom. One camera pole with two fixed view cameras and one pan-tilt-zoom camera will be placed in the center

to a security office located in Pasadena, Texas, via a commercial telecommunication line. Nine light poles will be installed along the fence.

In compliance with FEMA regulations implementing Executive Order 11988, Floodplain Management, FEMA is required to carry out the Eight-step decision-making process for actions that are proposed in the floodplain per 44 CFR 9.6. FEMA completed the Eight-step decision-making process and determined that the Preferred Action Alternative meets the requirements of 44 CFR 9.9 to avoid floodplains and wetlands unless there is no practicable alternative. The proposed AccuTrans Inc. Security Enhancements project must be located in the floodplain because the project cannot perform its function without being in close proximity to water. Therefore, no practicable alternative outside of the floodplain exists that would provide adequate protection of the hazardous and dangerous cargoes.

A public notice was posted in *Corpus Christi Caller-Times*, and on FEMA's website (<http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>) on June 12, 2012. Additionally, the draft SEA was available for review for a period of 15 days at the Corpus Christi Public Library and at the FEMA website. The public was invited to comment on the Proposed Action and the draft SEA. No comments were received from the public during the 15-day comment period.

FINDINGS

The Proposed Action as described in the SEA will not impact land use, geology, groundwater, wetlands, threatened and endangered species or critical habitat, cultural resources, minority or low-income populations, or hazardous materials. During the construction period, short-term impacts to soils, surface water, traffic, air quality, noise, and public safety are anticipated. Long-term adverse impacts from flooding risk exist, but the Port of Corpus Christi will incorporate into the design necessary mitigation efforts for building within a 100-year flood plain.

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. Significant change, addition, and/or supplement to the approved scope of work which alters 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.
2. The Port of Corpus Christi is required to comply with the FONSI conditions and mitigation measures that are stated in the PEA FONSI dated July 2010.
3. The Port of Corpus Christi must conclude the consultation with the local floodplain administrator and obtain required permits prior to initiating work. All coordination pertaining to these activities and applicant compliance with any conditions should be

documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.

4. In accordance with 44 CFR §9.12, the Port of Corpus Christi must publish a public notice 15 days prior to the start of construction activities. Documentation of the public notice is to be forwarded to FEMA for inclusion in the permanent project files.
5. 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.
6. Excavated soil and waste materials will be managed and disposed in accordance with applicable local, state and federal regulations. If contaminated materials are discovered during the construction activities, the work could cease until appropriate procedures and permits can be implemented. Hazardous materials discovered, generated, or used during construction must be handled and disposed of in accordance with applicable local, state, and federal regulations.
7. During construction, appropriate erosion control methods will be implemented to prevent erosion and sediment deposits into surface waters. Following construction, areas that were disturbed will be seeded, replanted, or receive an equivalent erosion control protection.
8. Construction contractors will be required to water down construction areas to control dust when necessary. Fuel-burning equipment running times will be kept to a minimum and engines will be properly maintained.
9. In the event that archeological deposits, including Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Applicant shall stop 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 by the Port of Corpus Christi and access to the sensitive area will be restricted by the Port of Corpus Christi. The Applicant will inform the State Administrative Agency and FEMA immediately, and FEMA will consult with the State Historic Preservation Officer. Work in sensitive areas shall not resume until consultation is completed and until FEMA determines that the appropriate measures have been taken to ensure the complete project is in compliance with the National Historic Preservation Act and its implementing regulations.
10. Construction activities will be performed using qualified personnel trained in the proper use of the appropriate equipment, including appropriate safety precautions. Additionally, activities will be conducted in a safe manner and in accordance with the standards specified in the Occupational Safety and Health Administration regulations. The appropriate signage and barriers will be in place prior to construction activities to alert pedestrians and motorists of project activities.
11. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

CONCLUSIONS

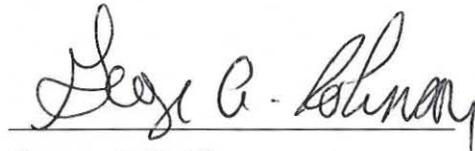
Based on the findings of the SEA, coordination with the appropriate agencies, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, 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
FEMA Region 6

Date 7/2/12



George A. Robinson
Acting Regional Administrator
FEMA Region 6

Date 7/3/12