U. S. Department of Homeland Security
FEMA Region 6
800 North Loop 288
Denton, Texas 76209

FEMA

FINDING OF NO SIGNIFICANT IMPACT
GOMEZ PEAK COMMUNICATION TOWER
JEFF DAVIS COUNTY, TEXAS
HOMELAND SECURITY GRANT PROGRAM
PROJECT # 2010-SS-T0-0008 (12394)

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 involves the deployment and field equipment installation of a 120-foot self-support Rapid Deployment Tower communications tower and associated equipment to be located at 656 Deer Camp Road, on privately owned property, approximately 8.5 miles east of Kent, Texas (31.035833 Latitude and -104.081944 Longitude). The Permian Basin Regional Planning Commission has been awarded funding for this project under the 2010 Homeland Security Grant Program (HSGP) number 2010-SS-T0-0008 (12394). This program provides funding to public safety agencies to construct and implement equipment and programs that will increase and protect critical communications infrastructure in the event of a natural disaster, terrorism event, as well as during routine operations.

Two project alternatives were considered in this EA: 1) No Action; and 2) Construction of a 120-foot self-support Rapid Deployment Tower communications tower (Proposed Action). Under the No Action alternative, Jeff Davis County would continue to rely on existing communication infrastructure which does not provide sufficient coverage throughout the area or county. This would leave emergency response unchanged, leaving Jeff Davis County reduced level of overall public safety. This lack of adequate communication directly impacts command, control, rescue, event analysis, and other critical operations. The No Action Alternative would not address the needs for Jeff Davis County and surrounding areas.

The Proposed Action, referred to as the Gomez Peak Communication Tower, is the deployment and field equipment installation of a 120-foot self-support Rapid Deployment Tower communications tower with a pre-formed base and associated equipment to be located on an existing approximately 25-foot by 25-foot grassland covered mountaintop lease parcel. The proposed project would utilize the existing equipment shelter and existing concrete pad to mount a backup generator. A trailer-mounted 250-gallon propane tank would be positioned near the shelter to provide emergency power. The area surrounding the proposed undertaking is primarily

a mountainous area of Jeff Davis County, Texas. The proposed Gomez Peak Communication Tower Site will be a part of a trunking system within the Permian Basin Regional Planning Commission Regional Trunked System associated with other towers in the neighboring counties of Ector, Upton, Pecos and Brewster Counties. The proposed project will improve the coverage area for emergency responders within the region.

A public notice was posted in the Jeff Davis County News newspaper on June 12, 2012, and the draft EA was made available for comment at the Jeff Davis County Library, located at 205 W. Court Avenue, Fort Davis, TX 79734, 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, wildlife and fish, threatened or endangered species, migratory birds, historic properties, American Indian or religious sites, air quality, noise, infrastructure, utilities, traffic, waste management or socioeconomic resources. Positive long-term impacts to socioeconomic and environmental justice are anticipated since the project will provide better communication between emergency and first responders in the event of an emergency, natural disaster or terrorist action. 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) such as silt fencing and/or straw bales, and proper staging of equipment will be utilized. All BMPs must follow the National Pollutant Discharge Elimination System guidelines.

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. Best available techniques to manage air quality must be used. These BMPs include spraying water to minimize dust, limiting the area of uncovered soil to the minimum needed for each activity, siting of staging areas to minimize dust, limiting vehicle speed on site, and covering trucks hauling dirt. BMPs for construction vehicle and equipment emissions include limiting vehicle idling time, and conducting proper vehicle maintenance.

5. Construction contractors will be required to comply with the federal and state health and safety regulations. All site contractors will be required to submit and adhere to a Construction Safety and Health Plan.

6. 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).

7. 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 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

Date 7/30/12

Kevin Jaynes
Regional Environmental Officer
FEMA Region 6

Date 7/30/12

George A. Robinson
Acting Regional Administrator
FEMA Region 6