



**FEMA**

**FINDING OF NO SIGNIFICANT IMPACT  
INSTALLATION OF NINE 100-FOOT HIGH MAST LIGHT POLES  
CORPUS CHRISTI, TEXAS  
PSGP PROJECT # 2008-GB-T8-K129 IJ#7 (3140)**

**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 Installation of Nine 100-foot High Mast Light Poles. The project has been proposed by the Port of Corpus Christi under application number 2008-GB-T8-K129 IJ#7 (3140) 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 Installation of Nine 100-foot High Mast Light Poles project area is located at the Port of Corpus Christi in Corpus Christi, Texas. FEMA determined that the site of the proposed Installation of Nine 100-foot High Mast Light Poles project area is located within a Zone A21, an area of 100-year flood; base flood elevations and flood hazards determined, as depicted on FIRM Community Panel 4854940284C 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 Nueces River Rail Interchange Yard would continue to lack the proper security to protect an area used for staging military equipment and hazardous cargo.

The Proposed Action Alternative would improve security of the Nueces River Rail Interchange Yard by installing nine 100-foot high mast light poles on the north side of Viola Shipping Channel. Each pole will be mounted with ten 1,000 watt lights. The light pole foundations will each be 36 inches in diameter and 30 feet deep. A trench will be dug for a utility line that will supply power to the light poles. The dimensions of the utility trenching will be 1-foot wide by 4 feet deep by 4,800 linear feet. The light poles will be installed adjacent to the existing road and railroad track. The

proposed Installation of Nine 100-foot High Mast Light Poles project site is located at the Port of Corpus Christi, Corpus Christi, Texas.

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 Installation of Nine 100-foot High Mast Light Poles project must be located in the floodplain because no practicable alternative outside of the floodplain exists that would provide adequate protection of the Nueces River Rail Interchange Yard.

A public notice was posted in *The Corpus Christi Caller Times* newspaper and on FEMA's website (<http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>) on July 12, 2011. Additionally, the draft SEA was available for review for a period of 15 days at the Port of Corpus Christi Authority and at the FEMA website. The public was invited to comment on the Preferred 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 conditions that are stated in the PEA FONSI, dated July 7, 2011, for the Preferred Action Alternative
3. The Port of Corpus Christi must conclude the consultation with the local floodplain administrator and obtain required permits prior to initiating work, if required. 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 (SHPO). 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 (NHPA) 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 (OSHA) regulations. The appropriate signage and barriers will be in place prior to construction activities to alert pedestrians and motorists of project activities.

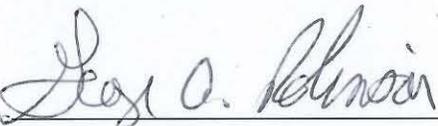
CONCLUSIONS

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  
Regional Environmental Officer  
FEMA Region 6

Date 7/30/12

  
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George A. Robinson  
Acting Regional Administrator  
FEMA Region 6

Date 7/30/12