



FEMA

**FINDING OF NO SIGNIFICANT IMPACT
PORT OF CORPUS CHRISTI, PERMIAN STORAGE YARD SECURITY
ENHANCEMENTS
CORPUS CHRISTI, TEXAS
PSGP PROJECT # 2009-PU-T9-K049 (06) (9098)**

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 Port of Corpus Christi, Permian Storage Yard Security Enhancements Project. The project has been proposed by the Port of Corpus Christi Authority under application number 2009-PU-T9-K049 (06) (9098) 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 Port of Corpus Christi, Permian Storage Yard Security Enhancements Project is located in Corpus Christi, Texas. FEMA determined that the site of the proposed Port of Corpus Christi, Permian Storage Yard 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 4854940309C, 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, the proposed Port of Corpus Christi, Permian Storage Yard Security Enhancements would not occur. As a result of this alternative, the Port of Corpus Christi would have limited ability to protect the port and associated commercial and military infrastructure from potential terrorist attacks.

The Preferred Action Alternative is the Port of Corpus Christi, Permian Storage Yard Security Enhancements that would provide security fencing, area lighting, and perimeter camera surveillance of a storage yard used for military equipment staging, and other high value cargo. The proposed site is located in Corpus Christi, Texas.

This project involves installing 4,006 linear feet of perimeter fencing with gates. The security fencing will be 8 feet high with a concrete curb along the base of the fence that is 12 inches wide and 6 inches deep. The fencing will also include barbed wire outriggers. Six 100-foot light poles, 36 inches in diameter and 60 feet deep, will be installed along the storage yard perimeter. The proposed stadium lighting will be designed to provide a minimum 2-foot candles illumination. The proposed light poles will require 4,200 linear feet of trenching that will be 12 inches wide and 4 feet deep. Four camera poles, 24 inches in diameter 30 feet deep, will be installed along the storage yard perimeter. The camera poles will require 2,000 linear feet of trenching that will be 12 inches wide and 4 feet deep. Each pole will have a camera that will be color/thermal and either fixed for detection or PTZ for interrogation. Camera signals will be transmitted to an existing security command center via port owned fiber. The signals will be integrated into an existing video analytics system for automatic target identification and tracking.

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 security fencing, area lighting, and perimeter camera surveillance project must take place in the floodplain because the project would be considered as functionally dependent use. Therefore no practicable alternative outside of the floodplain exists that would protect the port and associated commercial and military infrastructure from potential outside threats.

A public notice was posted in *Corpus Christi Caller Times* and on FEMA's website (<https://www.fema.gov/environmental-documents-and-public-notice-in-region-vi>) and Port of Corpus Christ Authority website at portofcorpuschristi.com on August 23, 2012. Additionally, the draft SEA was available for review for a period of 15 days at the Port of Corpus Christ Authority, Administration Building, the Port of Corpus Christ Authority website, and at the FEMA website. The public was invited to comment on the Preferred Action and the draft SEA.

FINDINGS

The Preferred 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 Authority 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 Authority 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 Authority 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 Authority 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. If required by the Texas Commission on Environmental Quality (TCEQ), a Storm Water Pollution Prevention Plan (SWPPP) will be prepared by the Port of Corpus Christi Authority, which will include implementation of appropriate Best Management Practices (BMPs) at the construction location.
8. 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.
9. 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.
10. 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 Authority and access to the sensitive area will be restricted by the Port of Corpus Christi Authority. 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.

11. 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 _____

George A. Robinson
Acting Regional Administrator
FEMA Region 6

Date _____