



**FEMA**

**FINDING OF NO SIGNIFICANT IMPACT  
CITY OF PASADENA  
STREET DRAINAGE AND FLOOD MITIGATION PROJECT  
PASADENA, HARRIS COUNTY, TEXAS  
HMGP-DR-4332-TX PROJECT #7**

**BACKGROUND**

In accordance with the Federal Emergency Management Agency's (FEMA) Instruction 108-1-1, 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). The purpose of the proposed project is to provide flood mitigation for the City of Pasadena, particularly for flood-prone areas located outside of the floodplain in low-to moderate income neighborhoods. The City aims to reduce or eliminate flood losses to residential and commercial properties and protect the lives of those affected by flooding events. This EA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

The City of Pasadena has applied for Hazard Mitigation Grant Program (HMGP) funding, through the Texas Division of Emergency Management (TDEM), under HMGP-DR-4332-TX Project #7. Through HMGP, FEMA provides grants to states and local governments to implement long-term hazard mitigation measures, including flood mitigation. The purpose of HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Two project alternatives were considered in this EA: 1) No Action; and 2) Drainage/flood mitigation through the lowering of selected roadway elevations to create storm water storage and installation of new stormwater detention ponds within existing City of Pasadena right-of-way (ROW) (Proposed Action). Under the No Action alternative, nothing would be done to improve drainage or minimize flooding in the City of Pasadena. No Action would require more maintenance to keep the drainage facilities intact and functional, while posing a continued increased risk of flooding dangers to government facilities, residential and commercial properties, and individuals.

Under the Proposed Action Alternative, the City of Pasadena proposes to lower the elevations, by one to two feet, of approximately 27 linear miles of various local street segments within existing City ROW. The reconstructed roadway will consist of two 15-foot travel lanes

(including 6-inch curbs along both sides of the roadway) and 5.5-foot wide sidewalks along both sides of the roadway. A new storm sewer system will be installed under the roadway, sized for a 3-year storm event, with culverts ranging in size from 18- to 60-inches in diameter. Lowering the selected roadway segments will create critical storm water storage along these corridors.

The Proposed Action also includes the construction of eight new detention ponds ranging in size from 3 acre-feet to 7 acre-feet. A new app-based, solar-powered notification system with water sensors and LED signage will be installed along the impacted roadways to alert residents to move their vehicles from flood-prone streets in the event of flooding. These proposed improvements, in conjunction with the enforcement of minimum slab elevations for new construction, will lower floodwater surface elevations within the Proposed Action area to below existing structure slab elevations.

A public notice was posted in the local newspaper of record and on FEMA's website. The draft EA was made available for public comment at a local public building and on FEMA's website for 30 days. No comments were received from the public during the comment period.

#### FINDING OF NO SIGNIFICANT IMPACT

The Proposed Action as described in the EA will not significantly impact wetlands, floodplains, migratory birds, threatened or endangered species, historic properties, minority and low-income populations, or hazardous materials sites. During construction, short-term, minor impacts to air quality, noise, and traffic are anticipated. Long-term beneficial impacts to public services and utilities and public health and safety are expected. No long-term adverse impacts are anticipated. 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. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

3. Excavated soil and waste materials will be managed and disposed of in accordance with applicable local, state, and federal regulations. If contaminated materials are discovered during construction activities, then work will cease until appropriate procedures and/or permits can be implemented/obtained.
4. To reduce emissions, fuel-burning equipment running times will be kept to a minimum, and engines will be properly maintained.
5. The City of Pasadena will be required to prepare a Storm Water Pollution Prevention Plan (SW3P) and obtain a National Pollutant Discharge Elimination System (NPDES) permit. Implementation of appropriate erosion and sediment control Best Management Practices (BMPs) would be required during construction. Upon completion of construction activities, unpaved portions of the proposed project area would be revegetated with native seed mix to permanently stabilize soils.
6. The City of Pasadena must coordinate with the local floodplain administrator to obtain required permits prior to initiating work. Coordination pertaining to these activities and applicant compliance with conditions should be retained as part of the project file in accordance with HMGP instructions.
7. The City of Pasadena will limit vegetation management work during the peak migratory bird nesting period of March 15 through September 15, as much as possible, to avoid destruction of individuals, nests, or eggs. If vegetation clearing activities must occur during the nesting season, then the City of Pasadena will implement measures, such as deploying a qualified biological monitor with experience conducting breeding bird surveys to survey vegetation management areas for nests no more than five days prior to construction, to ensure active nests are not present prior to vegetative clearing. No vegetation containing active nests, eggs, or young will be removed if they are present on a project site. If nests are observed during the surveys, then a vegetation buffer area of no less than 150 feet in diameter will remain around the nest until all young have fledged.
8. The City must comply with the Texas Parks and Wildlife Code Chapter 64, which regulates birds. The Proposed Action must not result in the take of birds, nests, or eggs as defined in Sections 64.002 and 64.003 of the Texas Parks and Wildlife Code.
9. In the event that archeological deposits, including Native American pottery, stone tools, or human remains, are discovered during project construction, all work will be stopped in the vicinity of the discovery, and measures will be taken immediately to restrict public access and to avoid or minimize further disturbance of the discovery site. In the event of an unexpected discovery, or if it appears that the project has affected a previously unidentified archeological resource, or if it has affected a known historic property in an unanticipated manner, the City of Pasadena will immediately notify the TDEM, who will immediately notify FEMA of the discovery. Upon notification of the unanticipated

discoveries or effects, FEMA will consult with the Texas State Historic Preservation Office (SHPO) and Tribal representatives who have expressed their cultural affiliation and interest in the project. Work in sensitive areas will not resume until archeological consultation is completed and appropriate measures have been taken to ensure that the project complies with the National Historic Preservation Act. Human burials, both prehistoric and historic-age, are protected under the Texas Health and Safety Code. In the event that human remains or burial objects are inadvertently discovered during construction, use, or ongoing maintenance in the project area, even in previously surveyed areas, all work will stop immediately, and the Texas Historical Commission will be notified of the discovery.

10. Temporary driveways for access to adjacent properties and alternate traffic routing ahead of construction areas will be placed.
11. Noise impacts will be minimized by limiting construction activities to daylight hours and muffling equipment as needed.
12. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction staging area. The use of construction equipment within environmentally sensitive areas would be minimized. Construction materials and equipment used for the project would be removed as soon as work schedules permit.

## CONCLUSION

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, 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 (FEMA Instruction 108-1-1) and the proposed project as described in the attached EA may proceed.

## APPROVAL AND ENDORSEMENT

KEVIN R  
JAYNES

 Digitally signed by KEVIN R  
JAYNES  
Date: 2020.09.11 12:11:18  
-05'00'

---

Kevin Jaynes  
Regional Environmental Officer  
FEMA Region 6

**BRIANNE M** Digitally signed by  
**SCHMIDTKE** BRIANNE M SCHMIDTKE  
Date: 2020.09.15  
08:13:23 -05'00'

---

Brianne Schmidtke  
Hazard Mitigation Assistance Branch Chief  
FEMA Region 6