



FEMA

**FINDING OF NO SIGNIFICANT IMPACT
CITY OF HOUSTON
INWOOD FOREST STORMWATER DETENTION BASIN PROJECT
HOUSTON, HARRIS COUNTY, TEXAS
HMGP-DR-4332-TX PROJECT #20**

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 reduce the risk of flooding and to reduce flood damage within the Inwood Forest community of Houston, Texas. 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 Houston (City) has applied for Hazard Mitigation Grant Program (HMGP) funding, through the Texas Division of Emergency Management (TDEM), under HMGP-DR-4332-TX Project #20. The City and Harris County Flood Control District (HCFCD) have entered into an Interlocal Agreement in which the City authorized HCFCD to manage and complete the design and permitting activities, as well as manage construction for this HMGP project. 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) Build Alternative 1: Inwood Forest Stormwater Detention. Two additional action alternatives, Build Alternative 2: Maximum Detention and Build Alternative 3: Albonsen Park were considered but dismissed from further evaluation in the EA due to their increased adverse environmental impacts. Under the No Action Alternative, the City would not improve stormwater detention in the proposed project area. This alternative would not meet the stated need for increased flood control and the area would continue to be flood prone.

Under the Proposed Action Alternative, the City proposes to construct a series of eleven interconnected stormwater detention basins with associated inflow and outfall structures at the Inwood Forest Golf Course. The project would create approximately 1,300 acre-feet of storage within the approximately 226-acre project area. The project would utilize in-stream design

techniques including variable channel widths and depths, a bankfull bench along the floodplain, native vegetation streambank plantings, and a lay-back stream bank to enhance the existing stream channel conditions of unnamed Ditch 1 and HCFCU Unit #E121-02-00. Excavated soil will be utilized on-site for fill material (e.g., maintenance berm structures, fill of existing channel). The balance will be hauled off site for use as fill in local projects or to permitted landfills and sandpits. The project area will be revegetated with a variety of native tree, shrub, and wetland plantings immediately following construction to provide stabilization and prevent erosion.

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 for 30 days on FEMA's website and upon request in hard or electronic copy from FEMA. 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 geology, soils, groundwater, floodplains, migratory birds, threatened and endangered species or their critical habitat, coastal zone resources, hazardous materials, zoning and land use, minority and low-income populations, public health and safety, or cultural or historic resources. During construction, short-term, minor impacts to surface water quality, air quality, noise, utilities, and traffic, are anticipated. The project will result in permanent impacts to jurisdictional waters of the U.S.; however, these impacts were mitigated utilizing stream enhancement features in project design. 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. The applicant must prepare a Storm Water Pollution Prevention Plan and file a Notice of Intent (NOI) with the Texas Commission on Environmental Quality (TCEQ) prior to the start of construction. Monitoring and maintenance of emplaced Best Management Practices (BMPs) for storm water management will be conducted on a regular basis as prescribed by the Texas Pollutant Discharge Elimination System (TPDES) General Permit.
4. The applicant will employ dust control techniques, such as covering or treating disturbed areas, sprinkling, and other dust abatement controls. Emissions will be minimized by use of EPA-required cleaner diesel fuels, limits on idling, increasing use of cleaner-burning diesel engines, and other emission limitation techniques, as appropriate.
5. The applicant must coordinate with the local floodplain administrator and obtain required permits prior to initiating work, including any necessary certifications that encroachments within the adopted regulatory floodway would not result in any increase in flood levels within the community during the occurrence of the base flood discharge. The applicant must comply with any conditions of the permit and all coordination pertaining to these activities should be retained as part of the project file in accordance with the respective grant program instructions.
6. Excavated soils that are taken off site for use as fill for local projects must be staged outside of the 100-year floodplain, wetlands, and National Register of Historic Places (NRHP)-listed or eligible historic sites. Soil staging areas must not be graded or otherwise excavated for the sole purpose of placement of fill.
7. The applicant must comply with Clean Water Act Section 404 Permit SWG-2017-00335 and obtain and comply with any Section 401/402 Permit(s) from the State prior to initiating work.
8. The applicant will limit vegetation management work during the peak migratory bird nesting period of March through August as much as possible to avoid destruction of individuals, nests, or eggs. If vegetation clearing must occur during the nesting season, HCFCD will deploy a qualified biological monitor with experience conducting breeding bird surveys to survey the project area for nests prior to conducting work. The biologist will determine the appropriate timing of surveys in advance of work activities. If an occupied migratory bird nest is found, work within a buffer zone around the nest will be postponed until the nest is vacated and juveniles have fledged. The biological monitor will determine an appropriate buffering radius based on species present, real-time site conditions, and proposed impacts to vegetation. If avoidance of the nests is not possible, a professional with ornithological experience will monitor the nests during construction and/or coordinate the relocation of the bird and nest. Relocation activities will be coordinated with the USFWS.

9. During all ground disturbing activities within 50 meters of site 41HR1238, the applicant shall place temporary construction fencing around the portion of the site recommended for additional testing (see USACE permitted plans) and identify the site with signs reading "No Entry, Environmentally Sensitive Area." The fencing and signs shall be removed when all work within 50 meters of the site is completed.
10. 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 all reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured by the applicant, and access to the sensitive area will be restricted. The applicant will inform FEMA immediately, and FEMA will consult with the 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 complete project compliance with the National Historic Preservation Act (NHPA) and its implementing regulations.
11. To reduce noise levels during construction, construction would be timed to occur during the daylight hours.
12. If hazardous constituents are encountered in the project area prior to or during construction operations, appropriate measures for the proper assessment, remediation, and management of the contamination would be initiated in accordance with applicable federal, state, and local regulations. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction and staging areas.

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 Jaynes
Regional Environmental Officer
FEMA Region 6

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Finding of No Significant Impact
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Brianne Schmidtke
Hazard Mitigation Assistance Branch Chief
FEMA Region 6

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