

**STATEMENT OF FINDINGS
AND
FINDING OF NO SIGNIFICANT IMPACT**

**REHABILITATION OF DAMAGED FLOOD CONTROL WORKS
CLEAR CREEK SECOND OUTLET STRUCTURE, TEXAS
FEDERAL FLOOD CONTROL PROJECT**

**CLEAR CREEK
HARRIS COUNTY, TEXAS**

1. Purpose. This document addresses the proposed repairs to areas of the Second Outlet of the Clear Creek Flood Control Project (FCP) that were damaged during Hurricane Ike. The Second Outlet (Figure 1) is located between Clear Lake and Galveston Bay, immediately upstream of State Highway (SH) 146 in Seabrook, in Harris County, Texas. The purpose of the Second Outlet structure and channel were to provide an additional outlet for flood flows associated with upstream channel improvements for the Clear Creek FCP to continue into Galveston Bay without aggravating flooding problems within Clear Lake. Various sections of the Second Outlet appear to have suffered damaged from high winds and water levels associated with Hurricane Ike. These damages, if not repaired, could potentially prevent the opening of the gates, resulting in flood damages during rainfall events. This Environmental Assessment (EA) was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and Council on Environmental Quality (CEQ) regulations to document findings concerning the environmental impacts of the proposed action.

2. Proposed Action. Following the storm's landfall, the Second Outlet was found to have significant damage at three main areas: the gate structure, access roadway, and facility building. The combined storm surge, wave action, storm debris, and persistent high winds from Hurricane Ike were identified as the primary cause of damage. The Second Outlet would be repaired to return the facilities and structure to pre-storm conditions. All repairs would be made to current engineering design standards as follows:

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| Erosion of the Access Roadway | <ul style="list-style-type: none">• Repair road base and surface by replacing geotextile and coarse aggregate surface material |
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Facility Building

- Repair building foundation by replacing geotextile and coarse aggregate surface material
- Replace 350-gallon solid waste container
- Replace electrical weatherhead, conduit and wires on the side of the building to restore power to the facility building.

Gate Stem Covers, Handrails, and Catwalk

- Replace damaged handrails and catwalk supports and anchors
- Clean and regrease all gate stems
- Replace all gate stem covers

All repairs would be performed within the existing footprint of the project.

3. Coordination. A Notice of Availability was issued to interested parties including Federal and state agencies on May 29, 2009, which described the proposed action and announced the availability of the Draft EA. Comments on the Notice of Availability and Draft EA and the District's responses are included in Appendix A of the Final EA.

4. Environmental Effects. Galveston District has taken every reasonable measure to evaluate the environmental, social and economic impacts of the proposed project. Based on information provided in the EA and coordination with Federal, state, and local agencies, temporary and permanent effects resulting from the proposed project have been identified and can be found in Section 4 of the Final EA. The Second Outlet repair work is expected to have minor temporary local impacts to recreation and wildlife from construction related noise, and traffic due to increased construction equipment. These resources are expected to recover to pre-project conditions after the work is completed. The proposed project is expected to contribute beneficially to public health and safety and is not expected to contribute negative cumulative impacts to the area. The project has been found to be consistent with the Texas Coastal Management Plan. The Texas Commission on Environmental Quality has issued a waiver of Section 401 certification for the project. It is the District's conclusion that the proposed project will not have a significant impact on the environment or to the surrounding human population.

5. Determinations. The analysis of the environmental impacts of the proposed project is based on the accompanying Final EA. Factors considered in the review were impacts to vegetation, wildlife, aquatic resources including Essential Fish Habitat (EFH), threatened and endangered species, cultural resources, socioeconomic resources, Environmental Justice, Prime and Unique Farmlands, Hazardous, Toxic, and Radioactive Wastes, air, noise, water quality, as well as alternative courses of action and cumulative impacts. The proposed project was found to be compliant with the Endangered Species Act, Clean Air Act, Clean Water Act, the Memorandum of Agreement with the FAA to Address Aircraft-Wildlife Strikes; and the Texas Coastal Management Plan (TCMP).

6. Findings. Based on my analysis of the Final EA and other information pertaining to the proposed project, I find that the proposed repairs to the Second Outlet will not have a

significant effect on the quality of the human environment. Galveston District reviewed the project for consistency with the goals and policies of the TCMP. Based on this analysis, I find that the proposed plan is consistent with the goals and policies of the TCMP. After consideration of the information presented in the Final EA, I have determined that an environmental impact statement is not required under the provisions of NEPA, Section 102, and other applicable regulations of the U.S. Army Corps of Engineers, and that the proposed project may be constructed.

6 July 2008

(date)



David C. Weston
Colonel, U.S. Army Corps of Engineers,
District Engineer