

**STATEMENT OF FINDINGS
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR
EMERGENCY REPAIRS TO THE
PORT ARTHUR AND VICINITY HURRICANE/ShORE
FLOOD PROTECTION PROJECT
PORT ARTHUR,
JEFFERSON COUNTY, TEXAS
U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
GALVESTON, TEXAS**

1. Purpose. This document addresses the proposed repairs to the levee system of the Port Arthur and Vicinity Hurricane/Shore Flood Protection Project (HFPP) that was damaged during Hurricane Ike. The project is located in Port Arthur, Jefferson County, Texas. Various sections of the Port Arthur and Vicinity HFPP suffered damage including erosion of the levee toe, erosion at the t-wall, damage to the cover stones, and slope failure along Taylor Bayou. Because the damage has contributed to several potential failure modes and any future storm could involve a unique combination of surge, duration and wave attack, it is nearly impossible to define a single remaining level of protection with the available data. The flooding could result from levee failure due to loss of stability due to toe erosion or erosion under the cover stones, failure of the t-wall, or failure of the slope along Taylor Bayou. 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. Storm surge and wave action from Hurricane Ike caused severe damage to portions of the levee system of the Port Arthur and Vicinity HFPP. Rehabilitation and repairs to the Port Arthur and Vicinity HFPP will include the following actions:

- Erosion at Levee Toe: In order to prevent further erosion, riprap and vegetation would be provided from Station 262+00 to 270+00 along the scarp which has developed.
- Erosion at T-Wall: Along the protected side of the concrete floodwall, the eroded topography would be replaced with a concrete scour pad, in accordance with the “New Orleans Hurricane Katrina Lessons Learned” and the “Performance Evaluation Status and Interim Results Report Series.”

- Cover Stone Damage: At the damaged armor stone locations, the repairs would be based on the type of failure. If it is determined to be a localized erosion failure, then the cover stone or stones would be removed and the void would be filled with riprap. If it is determined to be toe failure, then the toe of the slope would be stabilized by riprap to increase slope stability.
- Taylor Bayou Slope Failure: The repairs would consist of removing and improving the soil within the failed section. This soil would be used to restore the failed section.

3. Coordination. A Public Notice and Notice of Availability was issued to interested parties including Federal and state agencies on April 9, 2009, which described the proposed action and announced the availability of the Draft EA. Comments on the public notice 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 following resources and the effects of the repairs have been identified: wetlands will not be impacted by this project; wildlife may be temporarily affected by minor impacts during repairs; fisheries and EFH would experience minor, temporary impacts, however no mitigation is required for EFH as a result of the project; there would be no effect on federally-listed threatened or endangered species; the proposed repairs have no potential to affect Historic Properties; implementation of the proposed action would result in temporary noise impacts to local residents from construction equipment, however the impacts would not be significant; emissions from the proposed project would not be locally or regionally significant; there would be no long-term impact to water quality from the proposed repairs; there would be no hazardous, toxic, or radioactive waste impacts from the proposed project; the repairs would not impact socioeconomic resources either locally or regionally; there are no prime or unique farmlands in the project area; recreational resources may be temporarily affected by minor noise impacts during repairs; roadways and traffic may be temporarily impacted during repairs; no significant or adverse impacts to environmental resources are expected to occur as a result of implementation of the proposed project. All impacts to 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. 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 proposed repairs to the Port Arthur and Vicinity HFPP were determined to be compliant with the following Federal legislation: the National Environmental Policy Act; Fish and Wildlife Coordination Act of 1958, as amended; National Historic Preservation Act of 1966, as amended; Magnuson-Stevens Fishery

Conservation Management Act; Coastal Zone Management Act of 1972; Endangered Species Act of 1973, as amended; Clean Air Act of 1972, as amended; Clean Water Act of 1977, as amended; Executive Order 11990 – Protection of Wetlands; Executive Order 12898 – Environmental Justice; CEQ Memorandum Dated August 11, 1980 – Prime or Unique Farmlands; and Executive order 11988 – Floodplain Management.

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 Port Arthur and Vicinity HFPP will not have a significant effect on the quality of the human environment. The Galveston District reviewed the project for consistency with the goals and policies of the Texas Coastal Management Plan. 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.

29 MAY 2009

(date)



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