

DRAFT FINDING OF NO SIGNIFICANT IMPACT

**SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT
FOR SABINE PASS TO GALVESTON BAY
PORT ARTHUR AND VICINITY CONTRACTS 3B AND 3C
PORT ARTHUR, JEFFERSON COUNTY, TEXAS**

The U.S. Army Corps of Engineers, Galveston District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The Draft Supplemental Environmental Assessment (SEA) for the Sabine Pass to Galveston Bay Port Arthur and Vicinity Contracts 3B and 3C addresses coastal storm risk management opportunities and feasibility in Port Arthur, Jefferson County, Texas.

The Draft SEA, incorporated herein by reference, evaluates the impacts from supplemental work that was not evaluated in the 2017 *Sabine Pass to Galveston Bay, Texas Coastal Storm Risk Management and Ecosystem Restoration Final Integrated Feasibility Report and Environmental Impact Statement* (EIS) and addresses coastal storm risk management. The Port Arthur and Vicinity Contracts 3B and 3C include: a change in levee and floodwall alignment, utility relocation, and installation of staging areas as well as implementation of any required environmental compensatory mitigation, when applicable and appropriate. The mitigation plan is included in Appendix A to the Draft SEA.

For the supplemental work, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aquatic resources/wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Invasive species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fish and wildlife habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species/critical habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic properties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other cultural resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous, toxic & radioactive waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Navigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public infrastructure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socio-economics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tribal trust resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the Draft SEA will be implemented, if appropriate, to minimize impacts.

The supplemental work will result in unavoidable adverse impacts to eight acres of palustrine wetlands. To mitigate for these unavoidable adverse impacts, the U.S. Army Corps of Engineers will purchase palustrine wetland credits from Sea Breeze Wetland Mitigation Bank to compensate for the loss of wetland habitat. The mitigation plan can be found in Appendix A to the Draft SEA, as well as Section 6.4 of the Draft SEA.

There will be a public review of the Draft SEA and FONSI. All comments submitted during the public review period will be responded to in the Final SEA and FONSI.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the supplemental work may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: eastern black rail (*Laterallus jamaicensis ssp. jamaicensis*) and whooping crane (*Grus americana*). Conservation measures described in Appendix B to the Draft SEA will be implemented to ensure the effects of the supplemental work will not adversely affect the species listed above.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the supplemental work has no effect on historic properties.

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the supplemental work has been found to be compliant with Section 404(b)(1) Guidelines (40 CFR 230). The Clean Water Act Section 404(b)(1) Guidelines evaluation is found in Appendix C to the Draft SEA.

A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the Texas Commission on Environmental Quality prior to construction. All conditions of the pending water quality certification will be implemented in order to minimize adverse impacts to water quality.

A determination of consistency with the Texas Coastal Zone Management program pursuant to the Coastal Zone Management Act of 1972 was obtained from the Texas General Land Office for the EIS. The supplemental work does not impact this determination.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials will be completed.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date

Rhett Blackmon
Colonel, Corps of Engineers
District Commander