ENVIRONMENTAL ASSESSMENT
FOR
TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY
AT NAVAL STATION INGLESIDE, TEXAS

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PREPARED FOR:

DEPARTMENT OF THE NAVY

PREPARED BY:

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DEPARTMENT OF DEFENSE
DEPARTMENT OF THE NAVY

Finding of No Significant Impact (FONSI) for the Transfer and Reuse of the Electromagnetic Reduction Facility at Naval Station Ingleside, Texas

Pursuant to Council on Environmental Quality regulation (40 CFR Parts 1500-1508) implementing the procedural provisions of the National Environmental Policy Act (NEPA), the United States Navy gives notice that an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) have been prepared for the proposed transfer and reuse of the Electromagnetic Reduction Facility (EMR) as part of the Department of Defense's Base Realignment and Closure (BRAC) 2005 recommendation to close Naval Station Ingleside and that an Environmental Impact Statement (EIS) is not required.

Purpose and Need for the Proposed Action
The purpose of the Proposed Action is to implement the decision of the 2005 BRAC Commission with respect to the EMR Facility property at Ingleside, Texas (TX) and to support the Local Redevelopment Authority (LRA) Reuse Plan. The need for the Proposed Action is to help achieve the objectives of the BRAC 2005 legislation, which Congress established to improve the efficiency and operational capacities of the DoD while continuing to maintain skills in support of national defense priorities.

Proposed Action (Preferred Alternative)
The EMR Facility is located off of FM1069 approximately 2 miles south of the center of the main base. It is a 155-acre parcel, including 105.48 acres of submerged land in an area with industrial, commercial, and low-density residential development. The Proposed Action would involve conveyance of the land for the creation of a Multi-Use Marine Business Park and Marina for the redevelopment of the site. The Preferred Alternative focuses on marine-related industrial and service uses as the primary business activity at the site with the inclusion of a commercial component that would include non-marine light industrial and Research and Development (R&D) uses along with limited retail and service businesses that support public access to the waterfront. The Preferred Plan also encourages the development of a marina that utilizes the existing EMR pier structure for both recreational and commercial uses.

Alternatives Considered:
Along with the Proposed Action, the following alternatives were considered: Open Space/Recreation, Single User Industrial Site, and No-Action.

Under *open space/recreation* scenario, the property could be conveyed to the City of Ingleside or San Patricio County through a Public Benefit Conveyance under the Federal Land to Parks Program of the U.S. Department of the Interior's National Park Service. Under this program, the land would transfer at no cost but would need to be used for approved publicly accessible uses forever.

Under the *single user industrial site* scenario, the site could be transferred "as-is" to the end user, who would be responsible for any improvements. The method of conveyance would depend

upon the circumstances and could include an Economic Development conveyance or via Public Sale directly by the Navy. The number of jobs created under this scenario would vary with the user. However, if conveyed by Public Sale, there is no way to assure that new job generation would occur or when development would begin.

The Council on Environmental Quality's regulations require that a No Action Alternative be evaluated. Under the *No Action Alternative*, the EMR Facility site would continue to be owned by the Federal government and the property would be placed in caretaker status for overall maintenance of the property.

Effects of the Alternatives:
No significant short-term, long-term, or cumulative impacts are expected to occur from implementation of either the Preferred Alternative or the other proposed alternatives, provided that applicable local, state, and federal regulations and permits are followed. The conveyance of the EMR facility for the creation of a Multi-Use Marine Business Park and Marina would encourage much needed economic development in the area. The maximum predicted impacts to water resources, biological resources, air quality, noise, and infrastructure are anticipated to be minor. Appropriate mitigation may be required in the future depending on site development direction. There are no significant archeological or historic resources on the EMR property.

The No Action Alternative would have no or negligible impacts to environmental resources, assuming proper maintenance of existing grease traps and above-ground storage tanks.

Finding of No Significant Impact:
Based on the information gathered during the preparation of the EA, the Department of the Navy finds that implementation of the Proposed Action in compliance with all applicable local, state, and federal regulations and permits and implementation of any mitigation that may be required is not a major federal action significantly affecting the quality of the human environment, within the meaning of the National Environmental Policy Act (NEPA) of 1969, 42 United States Code 4321, *et seq*. Accordingly, the preparation of an EIS for this Proposed Action is not warranted and a FONSI is being issued. Interested parties may obtain the EA and FONSI addressing this action from the Department of the Navy, BRAC Program Management Office SE, 4130 Faber Place Drive, Suite 202, North Charleston, SC 29405, Attn: Dale C. Johannesmeyer, 843-743-2128, dale.johannesmeyer.ctr@navy.mil. A limited number of copies of the EA are available to fill single copy requests.

James E. Anderson

James E. Anderson, Director
BRAC Program Management Office, SE

5/11/10
Date

Executive Summary

On September 8, 2005, the Department of Defense's (DOD) Base Closure and Realignment Commission (BRAC) recommended the closure of Naval Station Ingleside and the transfer of the units stationed there to other locations. Naval Station Ingleside has ownership and operating responsibility for the Electromagnetic Reduction Facility (EMR Facility), which is located off of FM1069 approximately 2 miles south of the center of the main base. As part of the 2005 Defense BRAC round of military base closures and realignments; the 576-acre Naval Station Ingleside (NSI) plus the 155-acre parcel EMR Facility were declared surplus by the Navy. The estimated economic impact of the closing of NSI, the EMR Facility, and the realignment of other military bases in the region includes the loss of over 6,600 jobs and payroll losses of over $346 million per year.

When the Navy closes the facility in 2010, ownership of the main NSI property will revert back to the Port of Corpus Christi Authority (PCCA). The EMR Facility, which is the focus of this Environmental Assessment (EA), is subject to current BRAC surplus property disposition and conveyance regulations. These regulations require a Local Redevelopment Authority (LRA) to develop a plan for the reuse of the site. The EMR Facility is located in the City of Ingleside's Extra Territorial Jurisdiction area, and as such does not fall within a zoning description, but is subject to the general recommendations found in the City's master plan. The Ingleside LRA, which includes representatives from the Cities of Ingleside and Corpus Christi and from the Counties of San Patricio and Nueces, was formed in 2007 to oversee the creation of the redevelopment plan for the EMR Facility.

The EMR Facility property was acquired by the Navy in 1997, and the structures and improvements on the site were constructed in 1997-1998. The approximately 155-acre property includes 105.48 acres of submerged land bordering the La Quinta ship channel to the west and the Jewell Fulton canal to the south. There are 46.35 acres of uplands and a 3.64-acre easement and right-of-way for the approximately 2,500-foot access road from FM1069. There are three existing concrete masonry buildings on-site. The structures include a maintenance/storage building (1,400 square feet), an electrical vault building (1,058 square feet) and a two-story operations building with office space on the second floor (1,840 square feet). An existing access walkway and double pier structure (wood on concrete piles) allow water-dependent uses and provide maritime vessel accessibility. The pier structure includes a large metal "cage" structure used exclusively by the Navy as part of its ship testing and calibration activities. Utilities on the pier include electrical service, water for fire protection, and wastewater. An existing concrete bulkhead provides shoreline stability and structural integrity to the walkway and piers. There are two existing lift stations on-site that pump wastewater to the Ingleside wastewater collection system.

The upland portion of the site is generally flat and uniform, sloping very slightly from the property entrance toward the shoreline, with elevations ranging from 12 to 14 feet above mean low water. A small portion of the upland property (along the shoreline) is located in the 100-year floodplain of approximately 9 feet above mean sea level. The shoreline is subject to tides of approximately 1 to 2 feet. The submerged portion of the site naturally slopes gently away from the shoreline to a depth of approximately 7 to 8 feet below mean low water at the property

boundaries along the channel edges. The shoreline is characterized by very shallow waters within 200 to 300 feet of shore. The Navy dredged portions of the submerged lands when constructing the EMR facility. The total dredged area is estimated to be approximately 9 acres. An area of seagrass planting is located at the EMR property and is utilized as a mitigation area for seagrass beds that were destroyed as a result of dredging activities associated with the construction of the main base and EMR properties. This man-made seagrass bed is of special interest to the Texas Parks and Wildlife Department, Texas Coastal Coordination Council (CCC), and the National Marine Fisheries Service (NMFS) as noted in their respective comments to this EA. Any action that might impact this seagrass bed area would require coordination with these agencies.

The Proposed Action preferred by the LRA is the creation of a Multi-Use Marine Business Park and Marina for the redevelopment of the site. The Preferred Alternative focuses on marine-related industrial and service uses as the primary business activity at the site. This would involve a commercial component that would include non-marine light industrial and Research and Development (R&D) uses along with limited retail and service businesses that support public access to the waterfront. The Preferred Plan also encourages the development of a marina that utilizes the existing EMR pier structure for both recreational and commercial uses.

Under the Proposed Action, the waterfront area (approximately 8-10 acres) and pier structure would be utilized for commercial applications including a public marina and related activities. The remainder of the property would be developed as a multi-user business park that emphasizes, but would not necessarily be restricted to, marine-related light industrial and service uses such as boat building and repair, marine electronics, marine transportation and administrative services, design and engineering services, and other uses that would benefit from the proximity to and access to the water.

The plan envisions that the upland portion of the EMR site would be subdivided into individual lots ranging in size from approximately 1 to 10 acres for either sale or lease and targeted toward end users as well as developers/investors. One or more lots may be developed for multi-tenant buildings, perhaps with flexible space that can accommodate smaller users requiring high-bay shop or fabrication facilities as well as office and sales areas. Areas nearest the shore and pier would be used for marine-related uses requiring direct access.

The existing infrastructure such as the access road, parking area, and buildings is suitable for immediate use by potential users/tenants. Very little new investment in infrastructure would be required other than to bring utilities to individual lots or buildings as they were developed along with driveways, parking areas, and building pads. The existing pier structure is suitable for light to medium duty use as a recreational and commercial marina.

The Proposed Action could entail the removal of most of the on-shore and near-shore habitat in order to construct facilities necessary to support a marine business park and marina. Removal of this habitat would change the character at the site. However, mitigation would not be necessary for most habitats and species affected as many species could migrate to the other similar habitat existing nearby. If this action includes the removal of any portion of the man-made seagrass bed, the required mitigation would be much higher than normal because that bed was created as mitigation for earlier impacts to naturally occurring seagrass beds at the site. It is the Navy's

determination that there are no foreseeable adverse impacts to essential fish habitat (EFH) with the Ingleside Local Redevelopment Authority's Redevelopment Plan. As specified under the Magnuson-Stevens Act, Navy requested concurrence by NMFS, and on January 22, 2010, NMFS concurred via email (Appendix E). Any subsequent action by the ultimate owner of the EMR site that might adversely impact the seagrass beds and EFH would require permitting by the Army Corps of Engineers (USACE) and consultation with NMFS on any possible adverse impacts. While seagrass beds impacts may occur during the reuse plan implementation, any such plans would first require consultations, permitting, and mitigating to make these impacts less than the significance threshold to the viability of the resource at a scale approved by the applicable agencies and regulations. Similarly, if the ultimate user's plans involve impacts to wetlands, consultations, permits (including USACE), and mitigation would be required that would make impacts to wetlands be less than the significance threshold to the viability of the resource at a scale approved by the applicable agencies and regulations.

If initiated, the build-out of the proposed Multi-Use Marine Business Park and Marina is projected to take as much as ten years. The Proposed Action calls for a variety of construction activities. The impact would be throughout the entire property; however, due to the relative size of the property compared to untouched portions of the Coastal Zone, if the construction is within the guidelines established for the Texas Coastal Zone, the Proposed Action would be below the threshold of significance. The Navy has determined that the plans for transfer and reuse of the EMR facility are consistent with the Texas Coastal Management Program. As specified in the CZMA, CCC concurred with the Navy findings by method of expiration of the comment period. However, if coastal resources were impacted by the ultimate reuse, the ultimate user would have to obtain permits with the Army Corps of Engineers and consultation with CCC for compliance with Texas Coastal Zone Management Program. With these consultations, permits, and mitigation, which would be determined once the plans are created by the future owner of the property; the impacts to the coastal resources would be less than the significance threshold on a scale approved by the applicable agencies and regulations.

Based upon the results of this EA, it has been determined that the Proposed Action would not have a significant adverse effect on the environment.

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Acronyms and Abbreviations

A&M	Agricultural and Mechanical
BRAC	Base Closure and Realignment Commission
CAA	Clean Air Act
CCC	Texas Coastal Coordination Council
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
DoN	Department of the Navy
EA	Environmental Assessment
EFH	Essential Fish Habitat
EICAR	Emissions Inventory and Compliance Assessment Report
EIS	Environmental Impact Statement
EMR	Electromagnetic Reduction
ESA	Endangered Species Act
FM	Farm to Market
FONSI	Finding of No Significant Impact
HAP	Hazardous Air Pollutant
Hg	Mercury
LRA	Local Redevelopment Authority
MBTA	Migratory Bird Treaty Act
NAAQS	National Ambient Air Quality Standards
NAVSTA	Naval Station
NEPA	National Environmental Policy Act
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NO_2	Nitrogen Dioxide
NOI	Notice of Interest
NPDES	National Pollutant Discharge Elimination System
NSI	Naval Station Ingleside
O_3	Ozone
OSHA	Occupational Safety and Health Administration
Pb	Lead
PCCA	Port of Corpus Christi Authority
PM	Particulate Matter
ppt	Parts Per Thousand
PVC	Polyvinyl chloride
R&D	Research and Development
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SO_2	Sulfur Dioxide

SWP3	Storm Water Pollution Prevention Plan
SWPP	Stormwater Pollution Prevention Plan
T.A.C.	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
TGLO	Texas General Land Office
THC	Texas Historical Commission
TPDES	Texas Pollutant Discharge Elimination System
TPWD	Texas Parks and Wildlife Department
tpy	Tons Per Year
TX	Texas
USACE	U.S. Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
VOC	Volatile Organic Compounds

1.0 Purpose and Need

1.1 Summary

The Electromagnetic Reduction (EMR) Facility property at Naval Station Ingleside, Texas (TX) is located off of Farm to Market (FM) 1069, also known as South Main Street (See Figure 1). This facility is located on the northeastern shore of Corpus Christi Bay in the City of Ingleside, Texas, approximately 20 miles west of downtown Corpus Christi and approximately 2 miles northwest of the center of the main Naval Station Ingleside in the City of Ingleside. It was acquired by the Navy in 1997, and the structures and improvements on the site were constructed in 1997-1998 (LRA, 2008).

The approximately 155-acre EMR property includes 105.48 acres of submerged land bordering the La Quinta ship channel to the west and the Jewell Fulton canal to the south. There are 46.35 acres of uplands and a 3.64-acre easement and right-of-way for the approximately 2,500-foot access road from FM1069. The upland portion of the property is located within the Extra Jurisdictional limits of the City of Ingleside, while the submerged portion is within the Corpus Christi city limits, which extend to the shoreline of Corpus Christi Bay (LRA, 2008).

There are three existing concrete masonry buildings on-site. The structures include a maintenance/storage building (1,400 square feet), an electrical vault building (1,058 square feet), and a two-story operations building with office space on the second floor (1,840 square feet). An existing access walkway and double pier structure (wood on concrete piles) allow water-dependent uses and provide maritime vessel accessibility. The pier structure includes a large metal “cage” structure used exclusively by the Navy as part of its ship testing and calibration activities. Utilities on the pier include electrical service, water for fire protection, and wastewater. An existing concrete bulkhead provides shoreline stability and structural integrity to the walkway and piers. There are two existing lift stations on-site that pump wastewater to the Ingleside wastewater collection system (LRA, 2008).

Naval Station Ingleside was constructed between 1988 and 1992 by the Navy, originally as a homeport for a carrier and battleship group, then as the homeport of several Mine Warfare squadrons due to a shift in national military priorities and consolidation of naval facilities. The 2005 Defense Base Closure and Realignment Commission (BRAC) round of military base closures and realignments included the 576-acre Naval Station Ingleside (NSI) plus the 155-acre parcel known as EMR Facility. When the Navy closes the facility in 2010, ownership of the main NSI property will revert back to the Port of Corpus Christi Authority (PCCA). The EMR Facility is subject to current BRAC surplus property procedures that require a Local Redevelopment Authority (LRA) to develop a plan for the reuse of the site. The Ingleside LRA, which includes representatives from the Cities of Ingleside and Corpus Christi and from the Counties of San Patricio and Nueces, was formed in 2007 to oversee the creation of the redevelopment plan for the EMR Facility. The primary goal of the LRA is to create new jobs to help replace the 6,600 jobs that will be lost due to the BRAC actions in the region (LRA, 2008).

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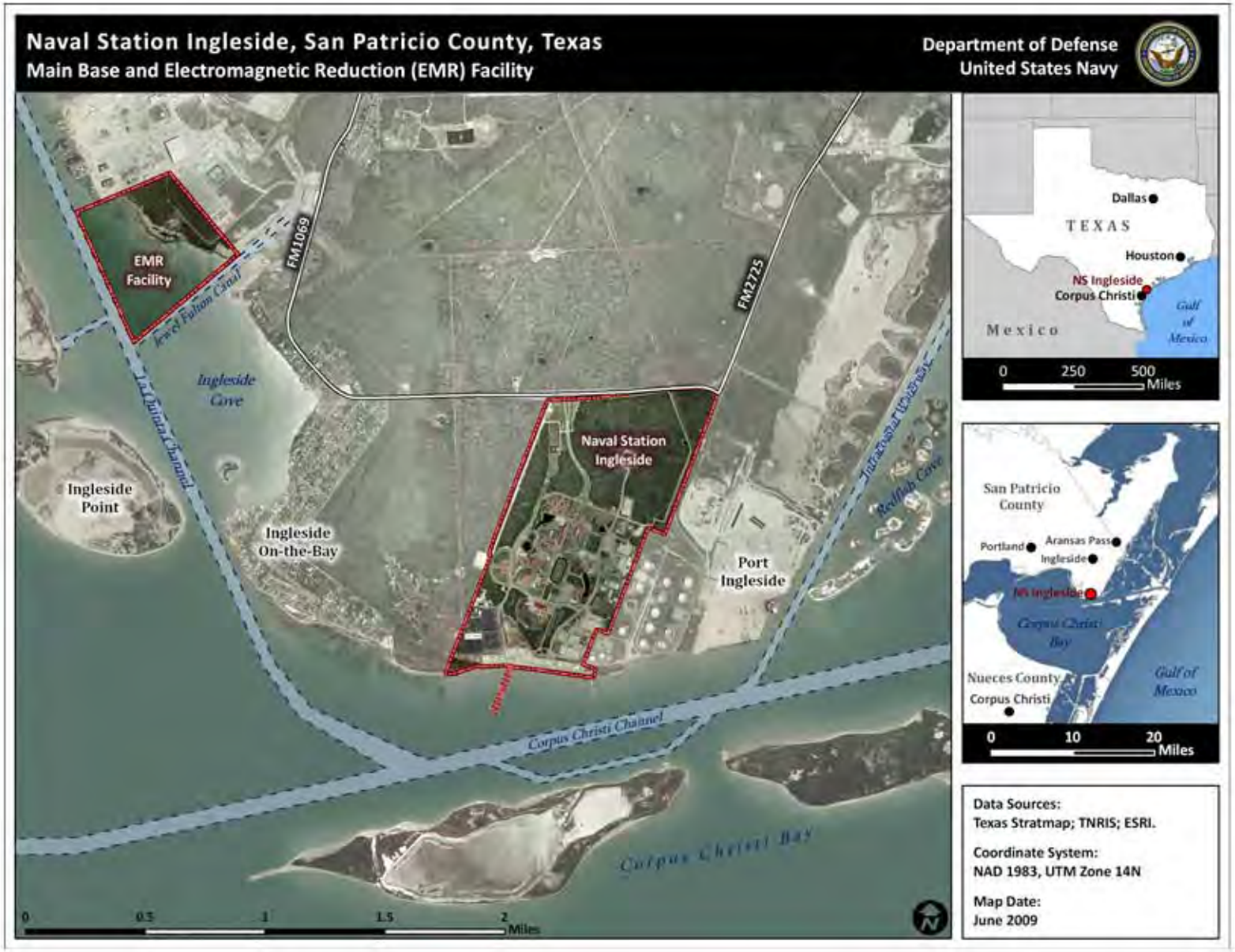

Figure 1. Location of Ingleside EMR Facility

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In compliance with the National Environmental Policy Act (NEPA), the Department of the Navy (DoN) is preparing an Environmental Assessment (EA) addressing the impacts of the probable reuses of the property at the EMR Facility. The EMR Facility is to be closed and transferred from Navy ownership in accordance with the 2005 BRAC decision. The objective of this EA effort is the collection, analysis, and portrayal of data in sufficient depth to allow an unbiased analysis of the natural and human environmental issues associated with the transfer of the property and the alternatives for its reuse. The action alternatives will result in the discontinued Navy management of the property and transfer of ownership from Federal control.

The EA will describe the Proposed Action, the purpose and need for the Proposed Action, and reasonable alternatives to accomplish the purpose and need of the project. The action alternatives will be based on the Ingleside LRA's Redevelopment Plan dated November 2008 (LRA, 2008). Alternatives will involve the proposed land uses and development options within the perimeter of the EMR Facility property. The EA will then discuss the existing environment, particularly those areas that may be affected by the project alternatives. It will provide an analysis of direct, indirect, and cumulative impacts. If the EA concludes that the Proposed Action or alternatives would result in no significant impacts on the environment, the Navy will complete the NEPA process by issuing a Finding of No Significant Impact (FONSI). If, however, the EA concludes that implementation of the Proposed Action or its alternatives would cause significant impacts, then the NEPA process requires that a more detailed study, an Environmental Impact Statement (EIS), be prepared before the Proposed Action can proceed.

1.2 Purpose and Need

In November 2005, Naval Station Ingleside was designated for closure under the 1990 Defense Base Closure and Realignment Act (Public Law 101-510, as amended). This announcement set in motion a series of events and procedures whereby the facility was declared surplus by the federal government, and plans were initiated to shut down operations prior to 2011. Also included in that 2005 decision is the EMR Facility, which is the subject of this EA.

Under BRAC law, the Department of Defense (DoD) first notified other federal agencies of the availability of the property with none showing an interest. It then contacted the local jurisdiction in which the facility is located to begin a localized redevelopment planning effort. This process is to provide for the transfer and redevelopment of surplus military property to productive civilian use. The City of Ingleside, along with the surrounding municipal and county jurisdictions, responded by forming a LRA, which was subsequently approved by DoD's Office of Economic Adjustment as the officially recognized planning agent for the property. Because the closure and disposal of the EMR Facility is included in the 2005 Base Closure and Realignment Law, the **purpose** of the Proposed Action is to implement the decision of the 2005 BRAC Commission with respect to the EMR Facility property at Ingleside, Texas and to support the LRA Reuse Plan. The **need** for the Proposed Action is to help achieve the objectives of the BRAC 2005 legislation, which Congress established to improve the efficiency and operational capacities of the DoD while continuing to maintain skills in support of national defense priorities.

1.3 Legal Framework

Along with the NEPA of 1969 and the Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1500-1508), the most relevant Federal statutes and Executive Orders (E.O.) that apply to this project are summarized below. The DoN will comply with these statutes and Executive Orders during implementation of this project. Further, the EA complies with OPNAVINST 5090.1C Chapter 5; CNO Supplemental Environmental Planning Policy letter N45/N4U732460 of 23 Sept 04; and DON Base Closure and Realignment Implementation Guidance.

Clean Air Act (CAA)

The CAA establishes standards for air quality to protect human safety and welfare. These standards, known as the National Ambient Air Quality Standards (NAAQS), define the concentrations of pollutants that are allowable in air to which the general public is exposed. Section 176(c) of the CAA prohibits Federal agencies from approving any activity that does not conform to an applicable State Implementation Plan (SIP). The SIP establishes how the State will achieve and maintain CAA air quality standards. Actions that occur within attainment areas, and that are not within maintenance areas, for all criteria pollutants are not subject to the requirement of preparing a Declaration of Conformity or a Record of Non-Applicability.

Clean Water Act

The Clean Water Act (CWA), 33 USC § 1251 *et seq.*, establishes a comprehensive framework of standards, technical tools, and financial assistance to address “point source” pollution from municipal and industrial wastewater discharges and “nonpoint source” pollution from urban and rural areas. Applicants for Federal licenses or permits to conduct any activity that may result in a discharge to navigable waters must provide the Federal agency with a state CWA Section 401 certification that the discharge will comply with applicable provisions of the CWA. CWA Section 404 establishes a permit program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands. CWA Section 402 establishes the National Pollutant Discharge Elimination System (NPDES), which requires point sources of pollutants to obtain permits to discharge effluents and stormwater to surface waters. Regulations for implementing relevant CWA programs are found in 33 CFR Parts 320-331 and 40 CFR Parts 400-503. Texas has been delegated CWA authority under Section 303 (d) of *Texas Code.*

Coastal Zone Management Act (CZMA)

The CZMA encourages states to preserve, protect, develop, and where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats. The CZMA and its implementing regulations require Federal agencies proposing actions, whether within or outside of a State’s coastal zone, to determine if the action is reasonably likely to affect any land or water use or natural resource of that coastal zone. It is DoN policy to ensure that its actions are consistent to the maximum extent practicable with the state Coastal Management Plan.

Magnuson – Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act**,** 16 USC, is the principal law governing marine fisheries in the United States. It was originally adopted to extend control of U.S. water to 200 nautical miles; to phase out foreign fishing activities within this zone; to prevent over-fishing; to allow over fished stocks to recover; and conserve and manage fishery resources. The Act explains the rule of regional fishery management councils. With input from these regional councils and stakeholder groups, the National Marine Fisheries Service (NMFS) provides guidance for applying the National Standards of the Act. It is this act that also defines Essential Fish Habitat (EFH) that includes seagrass beds, which gives consultation authority to NMFS on impacts to seegrass beds (Magnuson-Stevens Act, 16. U.S.C. 1801 *et seq*).

National Historic Preservation Act

The National Historic Preservation Act (NHPA), 16 USC § 470 *et seq.*, requires Federal agencies to consult with the State Historic Preservation Officer (SHPO) prior to any undertaking to ensure that no historical properties would be adversely affected by a proposed project. If there is an adverse effect, federal agencies must also afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on the proposed project. Regulations for implementing NHPA are found in 36 CFR 800-812. The Texas Historical Commission (THC), the official state agency for historic preservation, was created in 1953 by the Texas Legislature.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act, 16 USC § 470aa *et seq.*, requires a permit for excavation or removal of archaeological resources from publicly held or Native American lands. The Act requires that excavations further archaeological knowledge in the public interest, and that the resources removed remain the property of the United States. Regulations for implementing the Act are found in 43 CFR 7 and 36 CFR 296. Texas Codes dealing with archaeology are mainly covered by the Texas Administrative Code under Cultural Resources. Chapter 25 outlines the "Office of the State Archaeologist" and Chapter 26 covers "Practice and Procedure." The state's "Criteria for Evaluating Archaeological Sites" can be found at:
13 Tex. Admin. Code 26.8 http://www.sos.state.tx.us/tac/13/II/26/26.8.html

American Indian Religious Freedom Act

The American Indian Religious Freedom Act, 42 USC § 1996, establishes policy to protect and preserve the inherent and Constitutional right of Native Americans to believe, express, and exercise their traditional religions. The law ensures the protection of sacred locations; access of Native Americans to those sacred locations and traditional resources that are integral to the practice of their religions; and establishes requirements that would apply to Native American sacred locations, traditional resources, or traditional religious practices potentially affected by construction and operation of proposed facilities. Regulations for implementing the Act are also found in 43 CFR 7.

Endangered Species Act

The Endangered Species Act (ESA), 16 USC 1531 *et seq.*, establishes a national program for the conservation of threatened and endangered species of fish, wildlife, and plants, as well as the preservation of the ecosystems on which they depend. ESA Section 7 requires any Federal agency authorizing, funding, or carrying out any action to ensure that the action is not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat of such species. Regulations implementing the ESA interagency consultation process are found in 50 CFR Part 402. Laws and regulations pertaining to endangered or threatened species are contained in Chapters 67 and 68 of the Texas Parks and Wildlife (TPWD) Code and Sections 65.171 - 65.176 of Title 31 of the Texas Administrative Code (T.A.C.).

Fish and Wildlife Conservation Act/Fish and Wildlife Coordination Act

The Fish and Wildlife Conservation Act, 16 USC § 2901 *et seq.*, encourages Federal agencies to conserve and promote conservation of non-game fish and wildlife species and their habitats. In addition, the Fish and Wildlife Coordination Act, 16 USC § 661 *et seq.*, requires Federal agencies undertaking projects affecting water resources to consult with the U.S. Fish and Wildlife Service and the state agency responsible for fish and wildlife resources. The Texas Parks and Wildlife Department was established by the Fifty-eighth Legislature in 1963, consolidating the operations of the Texas Game and Fish Commission and the State Parks Board.

Pollution Prevention Act

The Pollution Prevention Act, 42 USC § 13101 *et seq.*, establishes a national policy for waste management and pollution control that focuses first on source reduction, and then on environmentally safe waste recycling, treatment, and disposal. Three executive orders provide guidance to agencies to implement the Pollution Prevention Act: Executive Order 12873, "Federal Acquisition, Recycling, and Waste Prevention," Executive Order 13101, "Greening the Government through Waste Prevention, Recycling, and Federal Acquisition," and Executive Order 13148, "Greening the Government through Leadership in Environmental Management."

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (16 USC 703 *et seq.*) restricts the taking, possession, transportation, sale, purchase, importation, and exportation of migratory birds through permits issued by the United States Fish and Wildlife Service (USFWS).

Resource Conservation and Recovery Act (RCRA)

RCRA regulates all aspects of the handling of hazardous waste through RCRA permits issued by the U.S. Environmental Protection Agency (USEPA). The law establishes requirements for facilities that generate, transport, treat, store, or dispose of solid and hazardous wastes

Executive Orders

A number of presidential executive orders, in addition to the regulations noted above, provide additional guidance in developing this EA. The most relevant of them include:

- Executive Order 11514, "Protection and Enhancement of Environmental Quality"
- Executive Order 11988, "Floodplain Management"
- Executive Order 11990, "Protection of Wetlands"
- Executive Order 12372, "Intergovernmental Review of Federal Programs"
- Executive Order 12898, "Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations"
- Executive Order 13045, "Protection of Children From Environmental Health Risks and Safety Risks"

Federal executive orders can be accessed at: http://www.archives.gov/federal-register/codification/.

1.3.1 Permits

The following are potentially applicable Federal and state permitting requirements that, depending on the action chosen, could be needed prior to construction and implementation of an EMR Facility LRA reuse plan. All permitting would be done by the prime contractor or subordinate in coordination with the LRA. The current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. Since the permits are dependent on the actions chosen, which again the plans are currently conceptual, the permitting guidance below should serve only as a baseline for permitting that may be required. Specific and more detailed permitting requirements could be determined once the details of the components of the action are decided by the ultimate user.

Clean Water Act
The final permits that would be required would depend on the final plan. However, Clean Water Act: Section 401 Certification, Section 402 NPDES Permit, and Section 404 Wetlands Permit would likely be required for all but the No Action Alternative (Alternative 4).

Section 401
Section 401 covers discharges to navigable waters. The type of permit required depends on the acreage disturbed. If the project disturbs less than 3 acres of waters of the state or less than 1,500 feet of streams, then the applicant needs only to agree with the best management practices set by the Texas Commission on Environmental Quality (TCEQ). If the project disturbs more than 3 acres, TCEQ and U.S. Army Corps of Engineers would need to review the Tier II Certification Questionnaire and Alternative Analysis Checklist (TCEQ, 2004). This would need to be done prior to activities beginning.

Stormwater (Section 402)
If greater than 5 acres are disturbed (which is likely given the size), this project will likely receive coverage under the Texas Pollutant Discharge Elimination System (TPDES) General Permit. This permit requires a storm water pollution prevention plan (SWP3). The

owner/applicant would be responsible for applying for these permits and associated requirements. This process should begin prior to construction (TCEQ, 2008).

Section 404 (Wetlands)
A Section 404 permit would likely be required if wetlands were disturbed. The type of application would depend on the amount of and type of wetlands disturbed, which is unknown at this time. This process should begin before construction and would be coordinated with TCEQ and U.S. Army Corps of Engineers (TCEQ, 2004).

Permit to Operate Facility/Federal Operating Permit
TCEQ has various operational air permits and a federal operating permit. Depending on the final action taken at this site and assuming such action might require construction activities, preconstruction permits, a permit by rule (which exists for 120 situations), standard permit (for a specific list of operations), flexible permit, and/or a new source review permit could be necessary. The preconstruction permit must be obtained before the facility is built, and the time required before issuance varies by permit from 45 days to almost a year (TCEQ, 2009a). The Federal operating permit occurs after the construction but before operation and can take months depending on the complexity of the project (TCEQ, 2009b). The applicant/owner would be responsible for applying for these to TCEQ.

1.4 Public Involvement Process

In accordance with DoN guidelines and NEPA recommendations, public involvement has been a part of the development of this EA. Following BRAC protocols, on November 11, 2007, the Ingleside LRA published the requisite Public Notice of the availability of surplus Federal property to State and local eligible parties, including homeless providers, in the Corpus Christi's Caller-Times and in the local Ingleside Index on October 31, 2007. The Notice included dates for two then upcoming workshops on November 14 and December 17, 2007 and provided detailed information on the submission of a Notice of Interest (NOI) for Public Benefit Conveyance of property to eligible organizations (LRA, 2008). Subsequently, on March 12, 2009, the LRA received a determination from HUD that the Plan complies with the requirements of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994. The outcome of that effort resulted in the Proposed Action and list of alternatives evaluated in this EA.

This EA reviews the potential environmental impacts from the proposed reuse plan submitted by the LRA for the future use of the EMR Facility. This plan has been written with input and assistance from interested citizens and employees of local, state, and Federal agencies. The participation of these stakeholders and their ideas has been of great value in writing this document. The DoN is very grateful to each one who has contributed time, expertise, and ideas to the planning process.

The planning team for this EA has gathered input from a variety of internal and external sources as to what the key issues, concerns, and opportunities are that need to be addressed in this EA. Internal scoping sources include participation by the LRA. External scoping sources include concerned private citizens; EMR Facility neighbors; members of the community; and Federal, state, Tribal, and local agencies. These various interests are sometimes referred to collectively as

stakeholders or those individuals and groups that have a stake in how the EMR Facility will be used in the future.

The first step in developing this EA was a Kick-Off Meeting that took place in June 2009. The review team included LRA personnel and Navy civilian employees, The Mangi Environmental Group, and non-DoN managers/biologists. The review involved evaluations to help determine the best course of action in fulfilling the purpose and need for the Proposed Action and what environmental impacts the alternatives might entail. A wide range of issues, concerns, and opportunities were identified and addressed during the planning process. The list of recipients of the scoping letters sent out to the stakeholders noted above, along with an example letter can be found in Appendix A. Copies of comments received, as a response to those letters, are in Appendix B. Along with these targeted stakeholders, the general public was given an opportunity to review the draft EA at two local libraries, Ingleside Public Library and La Retama Central Library. Notice of this review opportunity was made through a Notice of Availability published in local papers, The Ingleside Index and the Corpus Christi's Caller-Times.

In addition, prior to initiation of any action on the property that may be suggested by this EA, a Notice of Availability of the EA and the decision of the Navy will be run in the local press to allow further input from the public. The distribution list for the EA, the cover letters that accompanied the draft EA, and all responses received are in the Appendix D. All comments received have been incorporated into this EA.

1.5 Related Environmental Documentation

A number of documents, papers, and reports were utilized in the preparation of this EA. Of particular importance in evaluating potential environmental impacts from the Proposed Action were the following:

- EMR Facility Redevelopment Plan Ingleside, Texas
  This document was prepared by RKG Associates, Inc. and completed in November 2008 for the Ingleside Local Redevelopment Authority. This document provided insight into the environmental conditions and current land use practices at the site. It also provided input to the process of determining alternative uses and the rational for the Proposed Action.

- Final ECP Report NAVSTA Ingleside
  This survey was performed in 2006 to provide a baseline for the Proposed Action.

- Integrated Natural Resources Management Plan, Naval Station Ingleside, Texas
  This 2001 document outlines the environmental resources at the installation (including the EMR facility) and the management actions planned.

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2.0 Proposed Action and Alternatives

The 2005 BRAC Commission recommended closing NSI property including the EMR Facility. This recommendation became law in November 2005 and must be implemented as provided in the Defense Base Closure and Realignment Act of 1990 (as amended). Thus, the EMR Facility became excess to Navy, and since no other Federal Agencies expressed interest in the property, it became surplus to the Federal Government. While the relevant federal action is disposal (i.e. conveyance) of this property, the environmental impacts of the conveyance method are non-existent since all methods transfer the property from Federal ownership. However, associated with that action (i.e. conveyance) would be reuse after conveyance. This EA focuses its analysis on the impacts of reuse alternatives. Any conveyance information is provided for informational purposes only to assist in explaining the reuse. As the plans of the ultimate owner are uncertain, this EA brackets the probable reuses based on LRA proposals to allow for maximum flexibility to the ultimate reuse while still analyzing any potential environmental impacts.

2.1 Background

In conjunction with a regional Economic Diversification Strategy conducted for the Ingleside LRA, an analysis of the regional supply and demand for real estate was undertaken with specific focus on waterfront property similar to the EMR Facility. This analysis revealed that there is a substantial amount of both traditional (non-waterfront) and water front land suitable for industrial use available for development in the region with most of the maritime related land owned or controlled by the Port of Corpus Christi Authority. The demand for water front industrial land is intermittent, focused on the needs of bulk commodity producers or shipper, petrochemical, and specialty users. Much of the available land areas have direct water access on dredged channels and existing bulkheads (most of which is located along the Corpus Christi ship channel upstream of the Harbor Bridge), allowing for relatively easy development. These parcels are listed for sale (or lease) at $100,000 to $150,000 per acre; however, the ultimate price is dependent on the type of user and its economic benefit to the Port Authority (which prefers to lease land). Most of these parcels are relatively large and aimed at industrial or bulk-commodity users. There are few existing sites in the market with water access suitable for small-scale industrial or commercial development (under 5 acres), although some of the larger tracts could be subdivided (LRA, 2008).

The redevelopment of NSI by the Port Authority and its Master Developer will bring a substantial amount of new property onto the market within the next two years. This will include fully developed waterfront industrial land and facilities as well as a wide range of light industrial, office, institutional, and residential properties. Any reuse of the EMR Facility must take into account this new supply (LRA, 2008).

The highest valued waterfront land in the region is for residential or mixed-use development with a few parcels located in or near the more active “resort” areas listed for sale in excess of $700,000 per acre. The actual number of sales over the past several years has been modest, however, with most waterfront sales consisting of relatively small parcels with limited development capacity. Commercial properties in other locations within San Patricio County, including some with superior locations directly on major highway routes, typically have sold for

under $50,000 per acre. Larger undeveloped tracts of land, appropriately zoned or capable of being rezoned, are valued at $10,000 to $20,000 per acre. As another indicator of market value of waterfront property, if the $2.6 million purchase price of the EMR facility site in 1997 is averaged over only the upland acreage (rather than the entire 150 acres including submerged land), the price per acre worked out to be just under $58,000. There is no evidence of significant price appreciation in the market since that transaction (LRA, 2008).

The EMR Facility site is located adjacent to other industrial uses and outside of the commercial center of Ingleside. While technically not zoned, it is within the City's Industrial District that earmarks land uses for economic development purposes. Without direct deep water access (other than via the 800-foot wooden pedestrian walkway), the site does not directly compete with the abundant amount of acreage available from the Port Authority. Extensive dredging and filling would be required to permit deep draft vessels proximity to the upland areas of the site for more traditional water-dependent activities. Limited dredging and improvements to the existing EMR pier structures may allow for less intensive waterfront industrial and commercial uses. The site benefits from its close proximity to the Gulf of Mexico and lack of height restrictions from bridges or other obstructions. The ability of the limited upland area (approximately 45 acres) to support an intensive enough use to warrant the cost of dredging (assuming that such use would be permitted under Federal, State, and local regulations) is questionable. As such, the highest and best use of the EMR Facility property would be for water-dependent light industrial or commercial uses that can cost-effectively utilize the exiting pier structure and dredged areas, and that do not have the need for moving large amounts of cargo to and from berthed ocean-going ships. These uses could include businesses that provide support service to the region's petrochemical industries such as those that service off-shore oil rigs or that provide tug or barge services. It could also include smaller-scale ship and boat building and repair, provided that access to the water for launching or hauling was potentially available either on the site or nearby (LRA, 2008).

The EMR Facility could also be used for commercial or recreational marina activity including the in-water berthing of small boats as well as maintenance, repair, and re-fueling. Although a detailed study of the demand for marina services (slips, moorings, etc.) was not conducted, an assessment of the market indicated that while there is a relatively large supply of marinas in and around Corpus Christi Bay and the Aransas Pass/Port Aransas/Rockport area, demand continues to increase by recreational boaters, many of whom have moved to seasonal homes on or near the water. At least two large facilities are in the planning stages in the region, one in Aransas Pass and another in Ingleside.

There is also potential for expanding the region's growing research and development (R&D) activity, including marine research and alternative energy. A major federally funded wind energy research facility for testing large wind turbine blades is being developed directly across the Jewell Fulton canal from the EMR site. In addition, the University of Texas' Marine Sciences Institute, a graduate research facility, is located on a 70-acre campus in nearby Port Aransas. The EMR site could accommodate any number of public and private research or product development efforts that require smaller vessel access to the Gulf of Mexico or the large bay and estuary systems around the region. The growing importance of bio-fuels and the potential for using algae or other ocean plant life for energy is another area of potential research and

development that could be supported by the EMR site (LRA, 2008).

To date, three potential users have indicated an interest in the EMR Facility property (LRA, 2008):

- Kiewit Offshore Services informally indicated that it might have an interest in acquiring the site in order to support the growth of its on-going operations on the abutting parcels. No specific details have been provided.

- The LRA received a letter from Signet Marine Services, which operates a marine services facility on the adjacent Jewell Fulton canal, indicating that they would like to use the EMR site to expand their operations and hire 8-10 additional workers.

- A private boat builder is seeking to construct a facility for the fabrication of large luxury yachts along with providing on-going maintenance and repair services. This company currently produces its yachts overseas and is interested in moving the bulk of its operations to this country. It believes the workforce is available in the region and that the site would be ideal for their needs, resulting in the eventual creation of up to 500 skilled jobs.

With the above as background and baseline information, the LRA selected (through public input) the following list of alternatives. Alternative 1 was chosen as the preferred option in moving forward.

2.2 Alternative 1 – Proposed Action: Multi Use Marine Business Park and Marina

Alternative 1, the Proposed Action, focuses on marine-related industrial and service uses as the primary business activity at the site. This would involve a commercial component that would include non-marine light industrial and R&D uses along with limited retail and service businesses that support public access to the waterfront. This alternative also encourages the development of a marina that utilizes the existing EMR pier structure for both recreational and commercial uses (LRA, 2008).

This alternative addresses the needs of the market for light-industrial and commercial space for a variety of users desiring access to the water and for the utilization of the existing piers. The redevelopment concept would be to have a development entity create individual land parcels for subsequent resale or lease that can accommodate a wide variety of potential users. The pier structure would be owned and managed by the development entity or ultimately be put into joint ownership among parcel owners, which would allow for its continued use by tenants, owner, and/or others. This scenario would also allow for recreational boating and commercial fishing use of the waterfront along with the development of a more traditional industrial/business park on the upland portion of the property (LRA, 2008).

Potential types of uses that could be tenants in a multi-use marine business park and marina include (LRA, 2008):

- Boat building, maintenance, fueling, and repair
- Ship’s chandlery services

- Marine electronics repair, installation, testing, and service
- Offshore oil rig services
- Barge and tug companies
- Component fabrication and testing
- Research and development companies or institutions, including alternative energy or marine sciences
- Marine related educational services
- Marine safety services
- Pilot boats operations and administration
- Recreational marina
- Commercial fishing port

Not all users would necessarily be marine-dependent, and the plan could include a mix of more traditional light-industrial uses with maritime ones. The subdivision of the 45 acres of upland area could be done to accommodate individual firms or subsequent developers for the construction of one or more multi-user flex-style buildings designed to serve smaller businesses. Supporting uses such as a restaurant or a shipping/copy center could also be developed on the site, if allowed by zoning (that will be developed by the City of Ingleside) (LRA, 2008).

Figure 2 provides a simple graphic illustration of how the site could be subdivided into individual parcels of 2–5 acres each. The existing buildings would remain and be converted to use as shops or offices for tenants, including the marine manager's office (LRA, 2008).

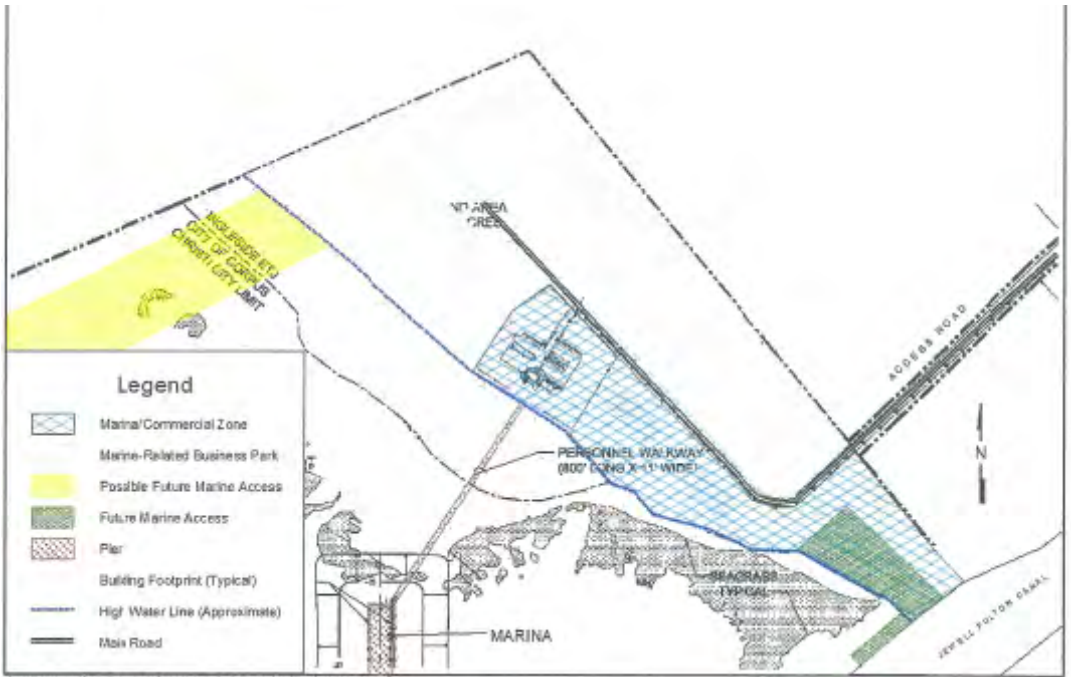

Figure 2. Proposed Alternative Possible Subdivision

Shared use of piers would require some additional capacity in the form of ships and/or floating docks, depending on the needs of the users and the size of the vessels docked there. Additional dredging may also be required, and a launching area or boat ramp would be needed. A more

thorough engineering evaluation of the pier will also be needed in order to evaluate the number and size of vessels that could be accommodated. Under this scenario, the EMR "cage" structure could either stay in place or be removed if necessary. Removal may or may not have a cost depending on the scrap value of the metal (LRA, 2008).

The conveyance of the property from the Navy could be accomplished via direct public sale or by Economic Development Conveyance to the LRA, although under the former method there would be no guarantee that the desired development would occur and jobs created. Appropriate zoning (or mutually acceptable development agreement) would need to be put in place by the LRA and the City of Ingleside to govern the types of uses allowed (LRA, 2008).

The cost of developing a multi-use marine business park and recreational/commercial marina would include engineering and planning for land subdivision; possible extension of the street or addition of driveways into individual building sites; extension of utilities to the sites; upgrading of existing buildings, if needed; on-going maintenance of the pier system; and construction of new slips, docks, and other waterside improvements. Order of magnitude capital costs would be in the $500,000 to $1.5 million range while annual operating costs, including marketing and management, would be in the $250,000 to $750,000 range, which would be offset in whole or in part by revenues from land sales or leases (assuming tenants built their own facilities) and pier rental income (LRA, 2008).

With a recreational/commercial fishing marina as a component of this alternative, the waterfront location would be a major attraction for related businesses to locate here. A marina would also permit public access to the waterfront for a variety of activities, including launching, boat storage, kayaking, fishing, site seeing, bird watching, etc., which would enhance tourism in the region (LRA, 2008).

Other tourism-related uses that could potentially be accommodated under this scenario include berthing for one or more offshore gambling boats that take customers outside the state limits (7 miles) and operate casino-style games of chance along with supporting food, beverage, and entertainment activities. The marina could also host recreational fishing boats, including individual charters as well as larger "party" fishing boats that operate on a regular schedule. If successful and the marina/business park becomes a destination, the potential for a hotel on the site might also develop in the future. It is hoped that these activities would result in significant "spill over" economic benefits to the local communities (LRA, 2008).

Public access to the site could eventually result in a demand for retail including restaurants and other tourism-related activities. This alternative could also result in the property being connected to downtown Corpus Christi and to the redeveloped Naval Station Ingleside by way of a water taxi, thereby increasing its accessibility (LRA, 2008).

2.3 Alternative 2 – Open Space/Recreation

Under this reuse scenario, the property could be conveyed to the City of Ingleside or San Patricio County through a Public Benefit Conveyance under the Federal Land to Parks Program of the U.S. Department of the Interior's National Park Service. Under this program, the land would

transfer at no cost but would need to be used for approved publicly accessible uses forever (LRA, 2008).

This alternative could take the form of a City (or County) park and recreational facility including use of the pier for public access and fishing. The City and/or County would need to incur capital costs for re-furbishing or removal of the buildings, improvements to the utilities and infrastructure serving the site, and for providing suitable public facilities such as picnic areas, a boat ramp, marina slips, handicap accessible sanitary facilities, etc. The City/County would also incur on-going maintenance and staffing costs as well as be required to provide for public safety. A portion of the operating costs could be recouped from user fees including park entrance and use charges, boat slip rentals, space rentals to concessionaires, etc. Typically, user revenues only offset a portion of the annual operating costs for such facilities. The balance would need to come from the hosting jurisdiction's tax base (LRA, 2008).

Very few new jobs would be created under this alternative. The City and/or County would need to add personnel for day-to-day operations and management, which might range from 1 – 5 new positions. Order of magnitude costs for the conversion of the EMR site to a public park would be in a range of $1 to $5 million for capital expenditures (upland area and pier) plus on-going annual costs of $300,000 to $500,000 net of revenues (LRA, 2008).

2.4 Alternative 3 – Single User Industrial Site

The property's location adjacent to heavily developed industrial facilities suggests that a marine-industrial user might be interested in the site. If direct access to the La Quinta ship channel were required, then some dredging and filling would be needed, depending on the needs of the user. The market data suggests that there is a relatively large supply of waterfront industrial land in the region, much of which is controlled by the Corpus Christi Port Authority and located along the Corpus Christi Ship Channel upstream of the Harbor Bridge. In addition, the redevelopment of NSI will bring additional fully developed and fully serviced maritime-accessible industrial and commercial land onto the market within two years (LRA, 2008).

Under this scenario, the site could be transferred "as-is" to the end user, who would be responsible for any improvements. The method of conveyance would depend upon the circumstances and could include an Economic Development Conveyance or via Public Sale directly by the Navy. The number of jobs created under this scenario would vary with the user. However, if conveyed by Public Sale, there is no way to assure that new job generation would occur or when development would begin (LRA, 2008).

2.5 Alternative 4 – No Action: Federal Ownership Continues

The CEQ's regulations require that a No Action Alternative be evaluated. Under the No Action Alternative, the EMR Facility site would continue to be owned by the Federal government, and the property would be placed in caretaker status for overall maintenance of the property. This would not satisfy the 2005 BRAC requirement to dispose of the property.

2.6 Summary of Impacts by Alternative and Identification of Proposed Alternative

2.6.1 Summary Table of Impacts

Table 2-1. Summary Table of Impacts

Affected Resource	Alternative 1 (Proposed Action/ Multi-Use)	Alternative 2 (Open Space/ Recreation)	Alternative 3 (Single User Industrial Site)	Alternative 4 (No Action)
Air Quality	Some short-term insignificant impacts from equipment use and other project activities.	Similar to Alternative 1	Through design engineering that assures compliance with state and federal air quality regulations, impacts should be less than the significance threshold.	Negligible impact due to care taker status.
Cultural Resources	No impact due to "No Effect" determination	Less risk than Alternative 1	More risk than Alternative 1 for possibly impacting unknown cultural resources due to larger project area but less than significance threshold	No impact
Environmental Justice	No adverse impacts	Same as Alternative 1	Less than the significance threshold impact because not disproportional	No change
Human Health and Safety	With proper Best Management Practices (BMPs), minimal risk	Similar to Alternative 1	Same as Alternative 1	Similar as Alternative 1
Waste Management	Less than the significance threshold with existing surplus capacity	Same as Alternative 1	As long as BMPs and regulations compliance, impacts less than significant	Same as Alternative 1
Geology and Soils	With BMPs, less than the significance threshold	Similar to Alternative 1	Most impact of the alternatives but with proper BMPs, less than the significance threshold	No impact
Coastal Zone	With a CZM Consistency Determination in place along with BMPs and any appropriate mitigation that may be required, such as for seagrass beds, impacts should be less than the significance threshold	Similar to Alternative 4	Same as Alternative 1	No impacts
Water Resources	With proper BMPs, less than the significance threshold	Similar to Alternative 1	Similar to Alternative 1	No impacts
Wetlands	Through any appropriate mitigation that may be required, less than significant	Similar to Alternative 4 but potential for enhancement through active resource management.	Same as Alternative 1	No impacts
Seagrass Beds	While seagrass beds impacts may occur during the reuse plan implementation, any such plans would first require consultations, permitting, and mitigating to make these impacts less than the significance threshold to the viability of the resource at a scale approved by the applicable agencies and regulations.	Similar to Alternative 4 but potential for enhancement through active resource management.	Same as Alternative 1	No impacts

Table 2-1. Summary Table of Impacts

Affected Resource	Alternative 1 (Proposed Action/ Multi-Use)	Alternative 2 (Open Space/ Recreation)	Alternative 3 (Single User Industrial Site)	Alternative 4 (No Action)
Terrestrial Vegetation	With proper BMPs, individuals, but not the viability of the species, may be affected by activities.	Similar to Alternative 4 but potential for enhancement through active resource management.	Similar to Alternative 1	No impacts
Wildlife	With proper BMPs, individuals, but not the viability of the species, may be affected by activities.	Similar to Alternative 4 but potential for enhancement through active resource management.	Similar to Alternative 1	No impacts
Threatened, Endangered, and Other Sensitive Species and Species of Special Concern	Through any appropriate mitigation that may be required, impacts less than the significance threshold	Same as Alternative 1	Same as Alternative 1	No impacts
Land Use	Beneficial impacts but less than the significance threshold	Similar to Alternative 1	Less than significant	No impacts
Population	Beneficial impacts but less than the significance threshold	Similar to Alternative 1	Less than Alternative 1	No change
Employment/ Income	Beneficial impacts but less than the significance threshold	Less than Alternative 1 with the possibility of increased taxes	Uncertain level and timing of beneficial impacts; however, expected to be less than the significance threshold.	No change
Infrastructure/ Utilities	Some planned increase in demand but less than the significance	Less than the significance threshold	Less than the significance threshold with proper design and compliance	No impact

2.6.2 Preferred Alternative

The Proposed Action was selected based on the potential to meet the purpose, need, and objectives of the decision of the 2005 BRAC Commission with respect to the EMR Facility property at Ingleside, TX and to support the LRA Reuse Plan while minimizing possible environmental impacts. Objectives and selection criteria used by the Ingleside LRA in identifying alternatives included (LRA, 2008):

- Develop a plan that would enhance the local economy and increase local tax revenues;
- Develop a plan that will replace and/or increase civilian jobs and payroll;
- Build community support and excitement through an open planning process;
- Strive to be responsive to the social needs of the local community;
- Carry out the planning process in a timely fashion; and
- Capitalize on opportunities and remain flexible throughout the process.

Using the above criteria, the Proposed Action - Multi Use Marine Business Park and Marina appeals to the broadest market groups, supports marine-related companies, provides public access to the water, and allows for commercial and/or tourism related uses while providing the greatest potential for jobs creation (LRA, 2008).

2.7 Alternatives Considered but Eliminated from Detailed Analysis

In earlier reviews of possible alternatives by the LRA, two alternatives: Multi-User Marine-Related Business Park (without a recreational marina component), and Recreational Marina & Commercial Business Park were combined by the LRA to create the Proposed Action, the Multi Use Marine Business Park and Marina. It was felt that each of these alternatives, standing alone, were not reasonable alternatives. They were not economically or politically feasible. They did not offer adequate opportunities to provide long-term socioeconomic benefits for a community that faces the loss of hundreds of jobs through local military base closings.

2.8 Issues Considered but Dismissed from Further Analysis

Protection of Children
Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, requires Federal agencies to address actions that may present environmental and safety risks to children. Specifically, the Executive Order requires identification of high populations of children (e.g., schools and childcare facilities). No high populations of children are known to occur adjacent to the site. Therefore, the Proposed Action would not affect any high populations of children, so this impact topic was dismissed from further analysis.

2.9 Issues Studied in Detail

Air Quality
Air emissions are regulated by the CAA, discussed in Section 1.3. All of the action alternatives require some construction/demolition. These activities and the associated machines create air pollution. Therefore, impacts to air quality are analyzed in this EA.

Cultural Resources
Cultural resources are protected through various laws/regulations as described in Section 1.3, such as NHPA. Although no cultural resources have been found at the EMR facility to date, the possibility exists that cultural resources could be found during construction or use of the EMR facility under the action alternatives. Therefore, impacts to cultural resources are analyzed in this EA.

Environmental Justice
Executive Order 12898 (See Section 1.3) requires consideration of environmental justice impacts. While the project occurs in a heavily industrialized area, impacts from the reuse may occur beyond the project boundary as the action alternatives could promote increased recreation/economic activity. Therefore, impacts to environmental justice are analyzed in this EA.

Human Health and Safety
Both the workers (construction and operation) and visitors (either shoppers or recreationists) would be exposed to health and safety risks by implementation of the action alternatives. Therefore, impacts to human health and safety are analyzed in this EA.

Waste Management
Since waste would be created in the action alternatives, impacts to waste management are analyzed in this EA.

Geology and Soils
Since ground disturbance could occur during the action alternatives, geology and soils could be affected; therefore, impacts to geology and soils are analyzed in this EA.

Coastal Zone
The Coastal Zone Management Act of 1972 (P.L. 92-583, 16 USC Sections 1451-1464) states that "it is national policy (a) to preserve, protect, develop, and where possible, to restore or enhance, the resources or the nation's coastal zone" and requires all Federal or federally supported activities affecting the zone to be carried out in a manner consistent with State Coastal Zone Management Programs. The EMR Facility is entirely within the Texas Coastal Zone. Therefore, impacts to coastal zone management are analyzed in this EA and a CZMA consistency determination will be required.

Water Resources
The entire site is either in or adjacent to water. Thus, site activities could impact water resources. Further, Executive Order 11988, Floodplain Management, requires Federal agencies to reduce the risk of flood loss; to minimize the impact of floods on human safety, health, and welfare; and to restore and preserve the natural and beneficial values served by floodplains in carrying out its responsibilities. A small portion of the site is in the 100-year floodplain. Therefore, impacts to water resources and floodplains are analyzed in this EA.

Wetlands
Under Executive Order 11990, Protection of Wetlands, 1977 (42 Federal Register 26961), agencies are required to avoid adverse effects to wetlands wherever there is a practicable alternative. Much of this site is classified as coastal wetlands. Therefore, impacts to wetlands are analyzed in this EA.

Terrestrial Vegetation
Any change in land use has the potential to impact habitat. The extent of this potential impact will be evaluated in this EA.

Wildlife
Any change in land use has the potential to impact wildlife. The extent of this potential impact will be evaluated in this EA.

Threatened, Endangered, and Other Sensitive Species and Species of Special Concern
Studies indicate that two endangered species and one species of special concern may or do occur at this site. Any reuse of this facility must consider potential impacts to these species.

Land Use
Construction and operation of the Proposed Action at the EMR Facility would involve some degree of change to land use. Depending on proximity to other existing structures and roadways,

such a change could create conflicts in resource uses.

Socioeconomics

Socioeconomics addresses the potential for positive and negative impacts to occur in the local economy. The Proposed Action is likely to have a beneficial socioeconomic impact. This EA quantifies impacts to employment, income, and population as well as infrastructure/utilities. These potential issues are assessed in this EA.

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3.0 Description of the Affected Environment

3.1 Air Quality

The United States Environmental Protection Agency (USEPA) regulates six air pollutants for which standards for safe levels of exposure have been set under the CAA: ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter (PM), sulfur dioxide (SO_2) and lead (Pb). These pollutants are referred to as "criteria pollutants." Hazardous and other toxic air pollutants, including mercury (Hg), are regulated under the CAA Amendments of 1990. In addition to the six criteria pollutants outlined in the CAA, several other substances raise concerns with regard to air quality.

These substances include metals, nitrogen oxides, and volatile organic compounds (VOCs). For each criteria pollutant, the maximum concentration above which adverse effects on human health may occur is called a NAAQS. Attainment means that the air quality in a particular area is less than the NAAQS. Non-attainment means that the air quality is at or above the NAAQS in an area. Non-attainment designations are further categorized as severe, serious, or marginal non-attainment. A Maintenance Area is an area which has attained the NAAQS for a particular pollutant and has been redesignated to attainment. These areas must submit and implement a maintenance plan in accordance with section 175A of the CAA, to ensure continued attainment. Within the State of Texas, the TCEQ is responsible for classifying air quality within each county according to the NAAQS. Actions that occur within attainment areas for all criteria pollutants, and that are not within a maintenance area, are not subject to the requirement of preparing a Conformity Determination or a Record of Non-Applicability (RONA).

The State of Texas takes into account the effects of all past, present, and reasonably foreseeable emissions during the development of the State Implementation Plan (SIP). The State of Texas accounts for all significant stationary, area, and mobile emission sources in the development of this plan. The Counties of San Patricio and Nueces are in attainment (TCEQ, 2007).

Air emissions at the EMR Facility site are and will continue to be regulated under the CAA. An Emissions Inventory and Compliance Assessment Report (EICAR) was prepared by MACTEC Engineering and Consulting in December 2003. The EICAR stated that Naval Station (NAVSTA) Ingleside's (including the EMR Facility) potential to emit regulated air pollutants is well below the major source thresholds (i.e., 100 tons per year [tpy]) for each of the criteria pollutants. The EICAR also states that the potential hazardous air pollutant (HAP) emissions are below major source thresholds (i.e., 10 tpy for any single HAP or 25 tpy for a combination of HAPs). As a result of this EICAR and the conditions on the ground, NAVSTA Ingleside, including the EMR Facility is considered a minor source and is not subject to Title V permitting requirements; however, any reuse of the site will be subject to Federal and state rules and regulations on air emissions (LRA, 2008).

3.2 Cultural Resources

A report "Archeological Testing at NAVSTA Ingleside, Texas" dated August 2005 details the results of field studies conducted in April 2004 at site 41SP183 located on the north shore of Ingleside Cove (Welder Point) at the EMR property. This site was part of a parcel of land owned

by the Welder Family, a prominent south Texas ranching family. Structural remains present at 41SP183 include a standing garage, two concrete picnic tables, a possible concrete wading pool, a collapsed corral, a possible cattle dipping vat, a boat ramp with stairs, and three collapsed structures; the foundation contained a metal bathtub. The archeological study consisted of an intensive pedestrian survey and 12 shovel-test transects. The results of the study revealed that site 41SP183 did not contain significant standing structures or archeological deposits. All artifacts on the site were dated to the mid to late twentieth century. Based on correspondence from the Texas Historical Commission (THC) associated with this report, concurrence of a "No Effect" finding was granted by the THC in August 2005 (USN, 2006a). NAVSTA Ingleside did not have an Integrated Cultural Resource Management Plan, but studies, such as the one above, cleared NSI of the presence of substantial archaeological resources (USN, 2006b). If any cultural resources were found during the redevelopment, activities would be stopped and appropriate authorities contacted for determination of appropriate mitigation that would occur.

3.3 Environmental Justice

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires Federal agencies to identify and address actions that may disproportionately impact low-income or minority communities. The Proposed Action would be implemented entirely within a heavily industrialized area and is not expected to have any adverse social impacts to the surrounding communities. Therefore, minority and low-income populations would not be subject to disproportionally adverse impacts from the Proposed Action; however, this analysis will review the possibility for positive community benefits to minority and low-income populations.

3.4 Human Health and Safety

There would be minimal risk to human health and safety at this facility while it is in "care-taker" status, which it would remain under the No Action Alternative. The risks introduced by the action alternatives would depend on the final uses, which are unknown at this time, and the current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. Thus, only general types of risks are covered in this EA.

Air pollution causes human health problems. Air pollution can cause breathing problems; throat and eye irritation; cancer; birth defects; and damage to immune, neurological, reproductive, and respiratory systems (USEPA, 2009). National and state ambient air quality standards represent the maximum allowable atmospheric concentrations that may occur while still protecting public health and welfare with a reasonable margin of safety (See Section 4.1). In addition, Occupational Safety and Health Administration (OSHA) regulations specify appropriate protective measures for all employees.

Spills from the construction and operation of the EMR facility reuse could also be a source of possible impacts to human health and safety. Spills can introduce soil contamination and allow exposure pathways to workers and the public. The risks and effects of a spill depend on its

composition. Similarly, waste management also is a source of possible human health and safety risks from exposure to contaminants (See Section 4.5).

A primary concern to human health and safety within the project area would be accidents. The construction and operation likely to occur in all action alternatives should not present unusual risks for the workers and the public due to the BMPs and the similar nature to the activities already occurring nearby. Thus, the workers on the project would be subject to the same types of health risks that are generally associated with their professions and activities.

The most fatalities of any industry in the private sector in 2008 occurred in the construction industry with 404 deaths in 2008 (BLS, 2009a). The construction incident rate of total recordable cases of non-fatal occupational injuries and illnesses in 2008 was 4.7 per 100 full-time workers (BLS, 2009b).

Visitors, either recreational or shoppers, would be exposed to the typical risks present during those activities (tripping, sunburn, etc.). Industry standards and BMPs could reduce these risks as described in Section 4.4.

3.5 Waste Management

Infrastructure related waste management (i.e., sewage treatment) is discussed under Section 3.14.3. Domestic waste management at this facility is currently adequate for its current status. Solid waste is of a nonhazardous nature and is handled by a private waste management company (LRA, 2008). The current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. Thus, only general types of risks are covered in this EA.

3.6 Geology and Soils

The upland portion of the EMR site is generally flat and uniform, sloping very slightly from the property entrance toward the shoreline with elevations ranging from 12 to 14 feet above mean low water. The EMR Facility is on the La Quinta Channel, which is part of the Pleistocene Fluvial-Deltaic System. Deposits created this system including the late Wisconsin Interglacial Period. The soils at the EMR Facility are Monteola association, which are gently sloping, clayey soils that formed in thick beds of clay and shaley clay sediments, and Victoria A association further upland, which are nearly level and gently sloping, clayey soils that formed in calcareous clayey marine sediments (USN, 2001).

3.7 Coastal Zone

Bureau of Economic Geology Texas Coastal Zone definition is “the area of land ‘from the inner Continental Shelf to about 40 miles inland’ which includes ‘all estuaries and tidally influenced streams and bounding wetlands” (Foegelle, 2001). A quarter of Texas’ population and a third of the economic resources are along the approximately 360 miles of its coast (Foegelle, 2001). All of the EMR Facility is within the Texas Coastal Zone (See Figure 3) (CCC, No date).

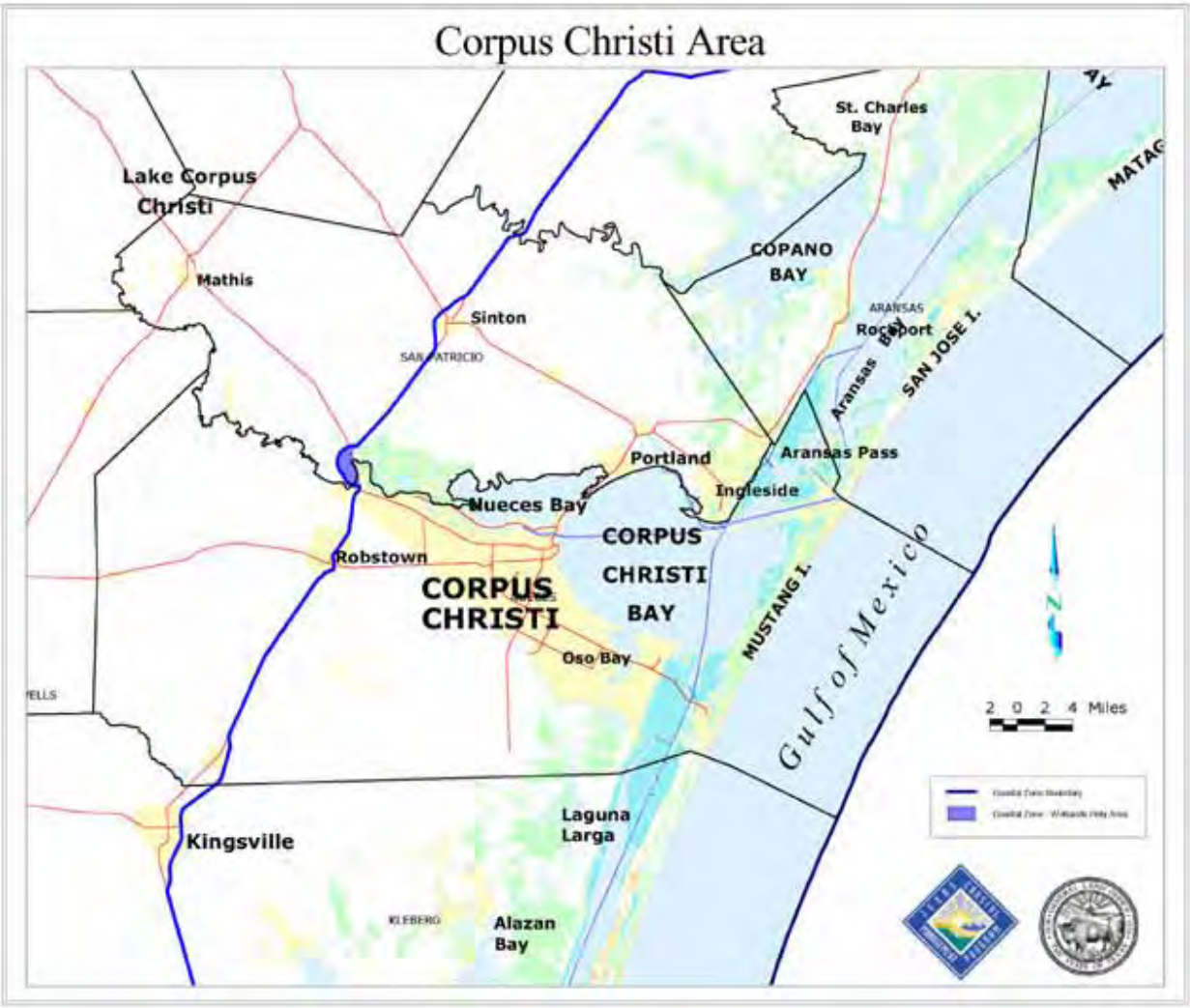

Figure 3. Texas Coastal Zone

3.8 Water Resources

3.8.1 Surface Water

This site does not contain storm drain structures or features (LRA, 2008). No clear surface drainage pattern exists on the property; there is a general sheet overland flow of stormwater from the upland area to the shoreline in a southerly direction. No major or minor streams, natural permanent ponds, or lakes are found on the property (USN, 2006a).

3.8.2 Groundwater

The source of groundwater in Nueces and San Patricio Counties is precipitation that reaches the aquifer as recharge within the two counties and in the counties to the northwest and west. The existing groundwater levels fluctuate relatively close to the ground surface due to the migration of the Gulf Coast aquifer to the Corpus Christi Bay in a southeasterly direction. Typical groundwater depth ranges from 3-6 feet below ground surface to 0-0.5 feet depending on

weather conditions and soil strata. A relatively small part of the precipitation infiltrates the land surface and reaches the zone of saturation. The groundwater supply in the EMR Facility area is considered unsuitable for municipal use because total dissolved solids are higher than established potable water standards (LRA, 2008).

3.8.3 Floodplains

A small portion of the waterfront property is within the designated 100-year floodplain. The 100-year base elevation is 9.0 feet. The City of Ingleside ordinances establishes review authority to the board of adjustments and requires an elevation certification from a registered land surveyor in order to issue building permits for structures within the floodplain (LRA, 2008).

3.9 Wetlands

The wetlands on and near the EMR property are typical tidal fringe wetlands and contain both vegetated (marshes) and unvegetated (mud and sand flats) like those found between the open saltwater of the bays or Gulf and the uplands of the coastal plain and barrier islands. As is the case at this site, such marshes are almost always in protected areas along bay shorelines or on the bay sides of barrier islands and peninsulas. Without protection, wave energy is too great for salt marsh vegetation to get established, which is why we seldom see salt marshes on Gulf-facing beaches (Jacob et al., 2003).

These Texas estuarine wetlands formed in river valleys that flooded when sea level rose between 18,000 and 4,000 years ago. When sea level was lower, the coastal rivers cut deep valleys into the coastal plain sediments. Most of our salt marshes have formed around the bays that resulted from the flooding and filling of these ancient river valleys (Jacob et al., 2003).

Salt marsh soils have the most organic matter of any Texas wetland soils. They are still considered mineral soils because the organic matter is never more than 20 percent in the surface horizon and usually much less. Salt marshes are flooded by tides and their salinity and plant communities depend upon how much freshwater is delivered to the wetlands by the rivers that flow into the bays. The low marsh and tidal flats at this site are subject to regular flooding, at least once a day. Gulf Coast tides do not vary much in elevation, typically only about 1 foot in vertical difference between low and high tide. More often larger tidal ranges occur due to the wind, particularly if the wind is in the same direction as the tide. For example, some of Texas' lowest tides occur at low tide in the winter with a strong northwest wind. There are many tidal flats that are exposed only at this time of year. The highest tides often occur at high tide with a southeasterly storm (Jacob et al., 2003).

Salt marsh is found on the waterfronts of the NSI and EMR. These wetlands provide benefit by filtering sediments and some dissolved nutrients from runoff entering the bay, providing wildlife and fish habitat, and by stabilizing the shoreline. EO 11990 instructs Federal agencies to enhance wetlands in support of wetland plants and wildlife when practicable. Currently, the salt marshes present along the EMR shoreline are somewhat sparsely vegetated, which limits their function as wildlife habitat and in protecting the shoreline from erosion. This is probably a function of the fact that the existing salt marsh grass here was planted as part of a U.S. Navy shoreline

stabilization program completed in 2002. It could be projected that over time this marsh would become more robust and provide greater shoreline protection. Additionally, these wetlands are irregularly flooded marshes with species including shoregrass (*Monanthochloe littoralis*), seashore dropseed (*Sporobolus virginicus*), and pickleweed (*Salicornia*) (USN, 2001).

3.10 Terrestrial Vegetation

Characteristic species in coastal uplands include willows (*Salix* spp.). Of the three natural plant communities at EMR, the most dominant is the Honey Mesquite-Granjeno Woodland. The species found in this community include mesquite (*Prosopsis glandulosa*), huisache (*Acacia* spp.), Bermuda grass (*Cynodon dactylon*), annual sunflowers (*Helianthus* spp.), western ragweed (*Ambrosia cumanensis*), and broomweeds (*Amphiachyris* spp., *Gutierrezia* spp., and *Xanthhocephalum* spp.). In the woodland understory and open areas not under cultivation or agricultural use, weedy herbaceous plants such as broomweed, silverleaf nightshade (*Solanum eleganifolium*), and annual sunflower (*Helianthus annuus*) create another community. A Key Grass-Seashore Dropseed-Woody Glasswort community is found along the tidal beach of Corpus Christi Bay, and it consists of glasswort (*Salicornia* spp.), seashore dropseed (*Sporobolus virginicus*), camphor daisy (*Machaeranthera phyllocephala*), sea ox-eye daisy (*Borrichia frutescens*), and salt-flat grass (*Distichlis spicata*) (USN, 2001).

3.11 Wildlife

Over 90 species of reptiles and amphibians occur in the San Patricio and adjacent counties. Twenty of these species are known, or have the potential, to occur at NAVSTA Ingleside, which include green treefrog (*Hyla cinera*), western cottonmouth (*Agkistrodon piscivorus leucostoma*), and keeled earless lizard (*Holbrookia propinqua propinqua*). Texas, especially southern Texas, is world-renowned for the variety of bird species that reside or migrate through the state to over-wintering habitats in Central and South America. Coastal forests, grasslands, and marshes are valuable feeding, nesting, and resting areas for passerines, waterfowl, wading birds, and shorebirds. Bird surveys were done at NAVSTA Ingleside's Main Installation but not EMR. These surveys documented over 70 bird species at the Main Installation including the common loon (*Gavia immer*), brown pelican (*Pelecanus occidentalis*), red-tailed hawk (*Buteo jamaicensis*), and barred owl (*Strix varia*). Mammals on the Main Installation include raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), Virginia opossum (*Didelphis virginiana*), eastern cottontail rabbit (*Sylvilagus floridanus*), fox squirrel (*Sciurus niger*), hispid cotton rats (*Sigmodon hispidus*), pocket mice (*Perognatus* spp.), coyotes (*Canis latrans*), bobcats (*Lynx rufus*), gray foxes (*Urocyon cinereoargenteus*), white-tailed deer (*Odocoileus virginianus*), and feral pigs (*Sus scrofa*). Only the Atlantic bottlenose dolphin (*Tursiops truncatus*) out of the 28 marine mammals that are found in the Gulf of Mexico is likely to be found near NAVSTA Ingleside (USN, 2001).

3.12 Threatened, Endangered, and Other Sensitive Species and Species of Special Concern

Seagrasses
The shallow nearshore waters within and adjacent to the EMR property currently support

seagrass beds. Seagrass beds serve as important subtropical habitats that play a critical role in the coastal environment, providing food and habitat for commercially and ecologically important fish and invertebrate species. They also serve as the basis for primary production for estuarine food webs, stabilizing coastal zones by limiting erosion and sedimentation, and regulating nutrient availability and cycling. Seagrass beds, which are also referred to as meadows, not only serve as nursery grounds for numerous commercially important marine species but also provide foraging habitat for migratory waterfowl and marine-associated avian species (e.g., cormorants, pelicans, and loons), and sea turtles (LRA, 2008).

Along the Gulf coast of Texas, seagrass beds are largely comprised of five species: shoal grass (*Halodule wrightii*), turtle grass (*Thalassia testudium*), manatee grass (*Syringodium filiforme*), clover grass (*Halophila engelmannii*), and widgeon grass (*Ruppia maritime*), all of which combined cover 235,000 acres of shallow coastal waters. The distribution of seagrass beds largely reflects the suitability of physical conditions within coastal waters. Examples of conditions include warm waters with high levels of light penetration (i.e., areas with low turbidity and sedimentation or shallow portions of mudflats) and salinities generally greater than 18 parts per thousand (ppt). For example, within the Corpus Christi area, water transparency has been found to limit the occurrence of seagrasses to areas shallower than 1.2 meters. Although seagrasses are susceptible to physical changes in the environment and anthropogenic disturbances, such as dredging, nutrient enrichment, and propeller scarring, the area of seagrass beds within the Corpus Christi and Redfish Bays areas had remained relatively stable over a 40 year period (LRA, 2008).

Within the Corpus Christi, Nueces, and Redfish Bay System, seagrasses comprise 24,600 acres. The most prevalent species along the Texas coast is shoal grass, which is a perennial subtropical species that occurs along shallow subtidal, and sometimes intertidal, mud flats. Shoal grass is also the most prevalent species along the shore of the EMR property and the natural shoreline adjacent to the Corpus Christi Ship Channel. In addition to the naturally occurring seagrass meadows, a successful seagrass mitigation site also occurs adjacent to the EMR pier (LRA, 2008).

Due to both the ecological and economic importance of seagrass beds, this biological resource receives special regulatory protection and is managed at the federal, state, and local levels. Under Section 404 of the CWA, seagrass beds, as well as other vegetated shallows, are designated as a special aquatic site, obligating special protections as well as mitigation for losses and degradation (CFR 40 Part 230 Section 404(b)(1)). The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into Waters of the U.S. under Section 404, making determinations of the nature and degree of effects that proposed discharges will have on the structure and function of aquatic ecosystems and associated organisms in coordination with the USFWS, National Marine Fisheries Service (NMFS), and state and local agencies. The TPWD and Texas General Land Office (TGLO) are the two primary state agencies that coordinate with the federal resource agencies to regulate and manage submerged coastal lands with seagrasses. The TGLO manages state-owned submerged coastal lands working with the TPWD to assess project-specific impacts to seagrasses as part of the permit review process (LRA, 2008).

Atlantic bottlenose dolphin
A total of 28 species of marine mammals have ranges that include the Gulf of Mexico. Six of these species are federally listed as threatened or endangered. Of these six, only the Atlantic bottlenose dolphin (*Tursiops truncates*) is likely to occur in the waters adjacent to the EMR Facility. This species prefers shallow bays and lagoons along the Gulf Coast and is common on the continental shelf and near shore waters. The Atlantic bottlenose dolphin is known to enter estuaries of large river systems, such as Corpus Christi Bay, in search of fish (USN, 2006a).

Brown Pelican
The brown pelican (*Pelecanus occidentalis*) is the smallest of the eight species of pelican, although it is a large bird in nearly every other regard. This bird is distinguished from the American white pelican by its brown body and its habit of diving for fish from the air, as opposed to co-operative fishing from the surface. It eats mainly herring-like fish. Groups of brown pelicans often travel in single file, flying low over the water's surface (Wikipedia, 2009). Brown pelicans have been found using the bay water off-shore of the EMR property (USN, 2001).

Piping Plovers
Piping plovers (*Charadrius melodus*) are small, stocky, and sandy-colored birds similar to sandpipers but with a black band across the forehead connecting the eyes and a black ring around the neck (USFWS, 2007). They are rare inhabitants of sandy beaches in San Patricio and Nueces Counties. They are threatened throughout much of their range because of the loss of their preferred nesting sites to human activities. A small number of birds have been observed regularly east of Corpus Christi on mudflats in the west portion of Oso Bay. Their occurrence on the sand flats of the Main Installation and the EMR is possible but not likely because the plover prefers more expansive areas of this habitat than are available on NAVSTA Ingleside (USN, 2001).

Other listed species may be occasional visitors to the EMR facility, such as the West Indian manatee (*Trichechus manatus*) or jaguarundi (*Herpailurus yaguarondi)* as well as other species noted by TPWD during scoping (See Appendix B). However, a survey found no endangered or threatened cats within 10 miles of the NSI, and the EMR facility is within that 10 mile range. The EMR Facility is not considered to have enough suitable habitat for nesting for the protected bird species but feeding and resting may occur. It should also be noted that other birds not listed as threatened or endangered are protected by the Migratory Bird Treaty Act (MBTA). For these birds, there may be sufficient nesting habitat at the EMR facility despite the lack of the diversity and high quality habitat at this site when compared to the Main Installation. Although bird surveys have not been conducted at the EMR facility, the ultimate owner of the EMR facility would need to comply with the MBTA. No marine turtles are known to use the EMR Facility but use the adjacent area. Further, the only likely to occur marine mammal is the Atlantic bottlenose dolphin, which is discussed above (USN, 2001).

3.13 Land Use

The EMR Facility is located in an area of Ingleside that is characterized by a mixture of land uses including industrial, commercial, and low-density residential. The abutting properties are

industrial in nature and include the over 400 acre Kiewit Offshore Services, Inc. marine fabrication facility to the north and west. Across the Jewell Fulton canal are a variety of marine-related industrial and commercial uses, including the future site of a $20 million wind turbine and blade testing facility to be operated by a consortium of educational institutions led by the University of Houston. This R&D Facility is anticipated to help create demand for other alternative energy firms to operate in the area. Further south along FM1069, residential land uses within City of Ingleside by the Bay predominate. North along FM1069 toward Ingleside are varieties of commercial, residential, and institutional land uses, including substantial tracts of undeveloped property (LRA, 2008). The EMR Facility itself is about 34 acres of unimproved land, about 4.6 acres of semi-improved land, and 2.6 acres of improved land with the remaining acreage being classified as other. Other includes structures, parking areas, access roads, piers, and associated structures for facility functions (Section 1.1) (USN, 2001).

3.14 Socioeconomic Resources

3.14.1 Population

The Coastal Bend region is a 12 county region surrounding the City of Corpus Christi and includes Nueces, San Patricio, Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, and Refugio Counties. The population of the Coastal Bend region, which includes the greater Corpus Christi area, was estimated at just over 572,000 for 2008. Over 60% of the region's population lives in Nueces County (approximately 328,000 people), with 51% of the regional total population living in the City of Corpus Christi. Approximately 13% live across Corpus Christi Bay in San Patricio County (74,000) including the City of Ingleside with approximately 9,700 residents, which accounts for 1.7% of the region's population. Since 2000, the region has grown by approximately 48,000 people or 4.3%. Fastest growth was in Aransas County (nearly 1% per year) with Nueces and San Patricio County growing in line with the regional average. The City of Ingleside grew by 336 people or 3.6% between 2000 and 2008, after growing by nearly 4,000 residents in the previous decade due to the development of NSI by the Navy (LRA, 2008).

Regional growth in the Coastal Bend has lagged behind the rest of the State of Texas, which grew 15.6%, or nearly 2% per year between 2000 and 2008. The population of the Coastal Bend region is forecasted to grow by approximately 2%, or 11,400 people, over the next five years. Nearly 60% of that growth is predicted to occur in the City of Corpus Christi and the rest of Nueces County, while nearly 18% will occur in San Patricio County. Household growth is forecasted at approximately 2.7% or 5,400 units over the next five years with most of it occurring in the City of Corpus Christi and in Aransas County (LRA, 2008).

3.14.2 Employment and Income

Median household incomes in 2008 in the Coastal Bend region ranged from $34,300 in the rest of the region outside Corpus Christi to $49,800 in Ingleside, compared to the statewide median of $53,400. Incomes have been growing at 3% to 4% annually over the past eight years. Incomes are forecasted to continue to grow but at a slightly slower rate through 2013. Unemployment in the region was in the 4-5% range in 2008, slightly below the statewide average (LRA, 2008).

Between 2002 and 2006, total employment in the Corpus Christi area grew by 12.7% or nearly 16,500 jobs. This followed a 2% drop in employment over the previous four years. The upturn in the local economy compares very favorably to statewide employment growth of 8.5% over the same period. The primary industry sectors that saw large increases included construction (mostly in the petrochemical industry), accommodations and food services, retail trade, and health care and professional and technical services (LRA, 2008).

Although employment showed large gains, the number of business establishments rose only slightly. This indicates that existing businesses grew as opposed to new business start-ups (LRA, 2008).

3.14.3 Infrastructure/Utilities

Surface Infrastructure
There are three existing concrete masonry buildings on-site that can be used as part of redevelopment if applicable. The structures include a maintenance/storage building (1,400 square feet), an electrical vault building (1,058 square feet), and a two-story operations building with office space on the second floor (1,840 square feet). The buildings are supported by parking areas and utility connections (LRA, 2008).

An existing access walkway and double pier structure (wood on concrete piles) allow water-dependent uses and provides maritime vessel accessibility. The pier structure includes a large metal “cage” structure used exclusively by the Navy as part of its ship testing and calibration activities. Utilities on the pier include electrical service, water for fire protection, and wastewater. An existing concrete bulkhead provides shoreline stability and structural integrity to the walkway and piers. There are two existing lift stations on-site that pump wastewater to the Ingleside wastewater collection system (LRA, 2008).

Access
The site is accessible by vehicle via an entrance road off of FM1069 or by waterside at the piers. The entrance road is a paved path to the existing parking area with 38 usable spaces. A portion of the access road, including the bridge across Jewell Fulton Canal, is shared with the neighboring Kiewit Offshore Services, Inc. (LRA, 2008).

Dry Utilities
There are existing communication lines and electrical service within the EMR property. The electrical service is believed to be a 1,000 amp 3 phase 4 wire system. The utilities are currently privately owned and maintained by the Navy (LRA, 2008).

Wet Utilities
The water system consists of domestic service lines and a fire line. The wastewater system consists of a gravity and pressure system operated by Polyvinyl chloride (PVC) wastewater lines and two small pump stations on-site. Wastewater flows to a main lift station and is pumped through a force main to the City of Ingleside Wastewater Treatment Plant via the 8th Street Lift Station. It is possible that upgraded wastewater service would be required for a future

development of this site if the demand for wastewater collection were greater than what is currently being used. Wastewater line size may need to be increased to provide additional capacity as well as adding infrastructure for service to future structures per the final site use requirements. If additional pumping capacity were required, there are some site constraints that could hinder upgrading the existing lift stations. Due to the existing site elevations in relation to sea level, lift station wet wells and manhole depths may be limited which could impede upsizing existing lift stations. Thus, additional lift stations may be required on-site to upgrade pumping capacity. There are no existing stormwater structures on the EMR property. The site generally drains to the south out to the La Quinta Channel (LRA, 2008).

Pier Structure and Cage

The most prominent feature of the EMR Facility is the pier system and "cage" with an access walkway that stretches approximately 800 feet from the shore out into Corpus Christi Bay and connects to a double 300 foot pier system that supports the EMR "cage" structure (LRA, 2008) (See Figure 4).

Figure 4. EMR Cage

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4.0 Environmental Consequences and Mitigation

Impacts can vary in magnitude from a slight change to a total change in the environment. The impact analysis presented in this EA is based upon existing regulatory standards, scientific and environmental knowledge, and best professional opinions. The impacts on each resource are described as significant, moderate, minor (minimal), insignificant, or no impact. Significant impacts are those effects that would result in substantial changes to the environment (40 CFR 1508.27). Moderate impacts are effects that would not significantly improve or degrade current conditions. Minor impacts are effects that would slightly improve or degrade current conditions. However, as the plans of the ultimate owner of the EMR facility are uncertain, some impacts will be analyzed to be either less than the significance threshold, which is defined in Appendix C, or significant as may be appropriate.

4.1 Air Quality

Air emissions at the EMR Facility site are and will continue to be regulated under the CAA. An EICAR was prepared by MACTEC Engineering and Consulting in December 2003. The EICAR stated that NAVSTA Ingleside's (including the EMR Facility) potential to emit regulated air pollutants is well below the major source thresholds. The EICAR also states that the potential HAP emissions are below major source thresholds. As a result of this EICAR and the conditions on the ground, NAVSTA Ingleside, including the EMR Facility, is currently considered a minor source and is not subject to Title V permitting requirements (LRA, 2008).

The current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. However, regardless of the ultimate user and their activities, any reuse of the site will be subject to Federal and state rules and regulations on air emissions.

4.1.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

It can be assumed that a marine park and marina focused future use might include boat repair and fuel handling. Any such activities might have a minor impact to local air quality; however, such activities would be subject to air quality regulations and if monitored properly to assure compliance, this Proposed Action would have insignificant impacts to local and regional air quality.

4.1.2 Effects of Alternative 2 (Open Space/Recreation)

Open space and recreation activities' air emissions would depend on the activities conducted but would likely be less than the past Navy emissions. Thus, since the EMR Facility's past activities when active impacted air quality to such a minor degree that it was not subject to Title V permit requirements, the likely activities under this alternative would also be below the threshold for a Title V permit. Since this alternative proposes an action that would likely be less intrusive to air quality impacts than past actions at the EMR Facility, air quality impacts from such an alternative would be insignificant.

4.1.3 Effects of Alternative 3 (Single User Industrial Site)

Without knowing the proposed activities of such a single industrial user as the plans are only conceptual at this point, it is difficult to project air quality impacts. However, through pre-

construction planning subject to federal and state air quality regulations and designed compliance with those regulations, the impacts to local and regional air quality should be less than the significance threshold.

4.1.4 Effects of No Action

As stated in Section 4.1 above, while active, the conduct of business at the EMR Facility would impact air quality to such a minor degree that it would not be subject to Title V permit requirements. In a caretaker status, this alternative would be less intrusive to air quality impacts than past actions at the EMR Facility. Therefore, air quality impacts from such an alternative would be less than the significance threshold.

4.1.5 Mitigation

For Alternatives 1 and 3, mitigation would entail rigorous pre-construction permit review by regulatory authorities to assure all reasonable steps were taken to reduce potential impacts. Such pre-construction regulatory review would reduce the need for mitigation through the stepped permitting process of avoidance, mitigation, and compensation. Further, because the regional area is in attainment concerning air quality regulations, there would be a further incentive to keep air emission levels for any of the alternative below *de minimis* levels in order to avoid the need for a Record of Non-Applicability. For Alternatives 2 and 4, no projected mitigation would be anticipated as activity levels would likely be less than past levels.

4.2 Cultural Resources

A report "Archeological Testing at NAVSTA Ingleside, Texas" dated August 2005 details the results of field studies conducted in April 2004 at site 41SP183 located on the north shore of Ingleside Cove (Welder Point) at the EMR property. Based on correspondence from the THC associated with this report, concurrence of a "No Effect" finding was granted by the THC in August 2005 (USN, 2006a). For this project, Department of Navy consulted with THC for any additional concerns (Appendix B and E). NAVSTA Ingleside does not have an Integrated Cultural Resource Management Plan, but studies, such as the one above, cleared NSI of the presence of substantial archaeological resources (USN, 2006b).

4.2.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The "No Effect" finding noted in Section 4.2 above indicates that while additional ground disturbance would occur in order to implement the Proposed Action, it would have no impact on site cultural resources.

4.2.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative proposes less ground disturbance than the Proposed Action and would also, therefore, have no impact on cultural resources at this site.

4.2.3 Effects of Alternative 3 (Single User Industrial Site)

Even without knowing who the single user might be under this alternative, it can be projected that this alternative would require more intensive ground disturbance than any other alternative due to the typical larger footprints of industrial users. Implementing this alternative would, therefore, pose the greatest risk to cultural resources were they to occur at the EMR Facility. Despite this greater risk for discovery of previously unknown cultural resources, the impacts

would likely be less than the significance threshold through mitigation if they were to occur (Section 4.2.5).

4.2.4 Effects of No Action

Under this alternative, there would be no new ground disturbance at the facility and no potential for cultural resource impacts.

4.2.5 Mitigation

For alternatives 1, 2, and 3, there is the potential (however insignificant) for cultural resource impacts due to the fact that ground disturbance would occur. If any cultural resources were found during redevelopment/reuse, activities would be stopped and appropriate authorities contacted for determination of appropriate mitigation that would occur.

4.3 Environmental Justice

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires Federal agencies to identify and address actions that may disproportionately impact low-income or minority communities.

4.3.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action would be implemented entirely within a heavily industrialized area and is not expected to have any adverse social impacts to the surrounding communities. Therefore, because minority and low-income populations would not be subject to disproportionally adverse impacts from the Proposed Action, this action would have insignificant impact on such populations.

4.3.2 Effects of Alternative 2 (Open Space/Recreation)

Providing open space/recreation to the citizens of the region would be considered a positive social benefit locally and would not cause significant negative impacts to minority and low-income populations. Therefore, the impacts would be less than the significance threshold.

4.3.3 Effects of Alternative 3 (Single User Industrial Site)

As with the Proposed Action, this alternative would be implemented entirely within a heavily industrialized area and is not expected to have any adverse social impacts to the surrounding communities. Therefore, because minority and low-income populations would not be subject to disproportionally adverse impacts from implementation of Alternative 3, this action would cause impacts to minority and low-income population that would be less than the significance threshold.

4.3.4 Effects of No Action

Because the intent of implementation of the Proposed Action is to diversify business opportunities and provide avenues for additional income to the community, taking "No Action" could have a negative impact to the local economy through the loss of an opportunity to create a positive impact. Negative impacts to a local community can usually be expected to impact minority and low-income populations disproportionally. This would not be the case here. Therefore, while implementation of this alternative could be viewed as an opportunity lost, it should have no impact in the area of environmental justice.

4.3.5 Mitigation

No mitigation is necessary for this issue; however, it should be noted that choosing an alternative that provides the best opportunity for long-term economic stability is the best way to positively impact minority and low-income populations.

4.4 Human Health and Safety

Risks to human health and safety that would be expected with the alternatives include air pollution, spills, waste management, and accidents. The probability and magnitude of these risks to human health and safety would depend on the types of activities conducted, which are unknown at this time, and the current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. Thus, only general types of risks are analyzed below. However, all activities under all alternatives would be done in compliance with all applicable BMPs and regulations including OSHA to minimize the risks.

4.4.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

Under the Proposed Action alternative, the workers would not experience anything abnormal for their professions; therefore, the impact should be considered less than the significance threshold.

4.4.2 Effects of Alternative 2 (Open Space/Recreation)

Under this alternative, people participating in recreational activities would only be exposed to risks typically associated with open air activities near water, such as sunburn or drowning. With adequate signage and barriers, risks to human health and safety under this alternative would be less than the significance threshold.

4.4.3 Effects of Alternative 3 (Single User Industrial Site)

As with the Proposed Action alternative, workers under this alternative would not experience anything abnormal for their professions; therefore, the impact should be considered less than the significance threshold with proper BMPs implemented.

4.4.4 Effects of No Action

There is minimal risk to human health and safety at this facility while it is in “care-taker” status, other than those associated with its immediate proximity to water; therefore, the risk should be considered less than the significance threshold.

4.4.5 Mitigation

For Alternatives 1 and 3, implementation of BMPs following OSHA regulations would help minimize risks. For Alternative 2, signs or similar deterrence methods should be employed to prevent serious injuries. Any risks to human health and safety under the “No Action” alternative would be minimized through enforcement of no trespassing and following safety procedures with any maintenance activities.

4.5 Waste Management

Wastewater and other infrastructure/utility impacts are analyzed in Section 4.14.3. Domestic waste management at this facility is currently adequate for its current status. Solid waste is of a nonhazardous nature and is handled by a private waste management company (LRA, 2008). The

current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. However, it is likely that all of the reuse alternatives would continue using a private contractor to handle the nonhazardous waste. If hazardous waste were created, an appropriate contractor would be found and compliance with applicable regulations maintained. Regardless of the ultimate user and their activities, any reuse of the site will be subject to Federal and state rules and regulations on waste management to minimize impacts.

4.5.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

Any increases in waste creation under this alternative would be handled by contracting with appropriate private waste management companies or following applicable regulations if waste management were not contracted out. Therefore, any waste management impacts would be less than the significance threshold.

4.5.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative would not be expected to require waste management much beyond the current level, and this impact would be considered less than the significance threshold with regulation compliance and BMP implementation.

4.5.3 Effects of Alternative 3 (Single User Industrial Site)

As noted in Section 4.5, the specific activities that could occur are not known at this time. The waste created would depend on the single user selected for this alternative. This alternative has the greatest chance of creating substantial amounts of waste given typical industrial user waste production. Some of these wastes could even be hazardous. However, any single industrial user would be required to follow all applicable regulations and BMPs regarding the wastes created, which are designed to minimize risks from waste creation and management. As long as these are adhered to and appropriate waste handling contracts secured, the impacts should be less than the significance threshold.

4.5.4 Effects of No Action

The waste levels under “care-taker” status would be less than current levels. Since domestic waste management at this facility is currently adequate (Section 4.5), implementing this alternative should be considered as no impact.

4.5.5 Mitigation

Any mitigation would be dependent on the nature and volume of the waste generated under the various alternatives. Any final plan would need to adequately address the handling of domestic waste.

4.6 Geology and Soils

If an alternative were implemented that required construction activities, this may contribute to the erosion potential at the project site. Identification of areas likely impacted by erosion is dependent on parameters such as soil type, and extent and proximity of vegetative cover to the affected area. For all alternatives, the current reuse plans are conceptual in nature and lack the specificity to determine whether possible impacts will translate into actual impacts upon implementation or what the extent of any impacts may be. All plans would need to account for

the soil characteristics, such as corrosivity, that are typical of coastal tidelands (LRA, 2008). Upon transfer of the property and development of a specific final reuse plan, the ultimate user would follow all regulations, permits, and mitigation necessary. Accordingly, wetland impacts are discussed in Section 4.9, and the below discussion focuses on other geology and soil impacts.

4.6.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The majority of impacts would likely not involve any large earthmoving or other operations that would affect the geologic formations or rock and soil creation processes in the area, so negligible, if any, impacts to geology would be expected. The Proposed Action will likely disturb soils, but with BMPs, the impacts should be less than the significance threshold.

4.6.2 Effects of Alternative 2 (Open Space/Recreation)

There will be little disturbance to site soils or geology if this alternative were implemented due to the type of activities associated with recreation and open space. With proper BMPs, the impacts should be less than the significance threshold.

4.6.3 Effects of Alternative 3 (Single User Industrial Site)

Given typical industrial activities, especially waterfront, this alternative would likely cause the most impact to site geology and soils of the action alternatives due to size requirements for typical industrial users. However, with proper BMPs, the impacts should be less than the significance threshold.

4.6.4 Effects of No Action

There would be no impact to site geology and soils under this alternative as there would be negligible ground disturbing activities under care taker status.

4.6.5 Mitigation

Mitigation for any impacts to wetland soils will be analyzed under Section 4.9. Thus, without significant impacts if BMPs and regulations are followed, no mitigation would be anticipated.

4.7 Coastal Zone

As noted in Section 3.7 above, all the EMR property is located within the Texas Coastal Zone and is therefore subject to all the Federal and State as well as local regulations and ordinances that apply to properties within the Coastal Zone. Any impacts to the Coastal Zone, and thus any mitigation for such impacts, would depend on the size and scope of the proposed activity. The size and scope of all alternatives are unknown at this time because the current reuse plans are conceptual in nature and lack the specificity to determine whether possible impacts will translate into actual impacts upon implementation or what the extent of any impacts may be. Thus, upon transfer of the property and development of a specific final reuse plan, the ultimate user would follow all regulations, permits, and mitigation necessary (Section 4.7.5).

4.7.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

If initiated, the build-out of the proposed Multi-Use Marine Business Park and Marina is projected to take as much as ten years. The Proposed Action calls for a variety of construction activities. The impact would be throughout the entire property. However, due to the relative size of the property compared to untouched portions of the Coastal Zone, the impact of the Proposed

Action would be less than the significance threshold if the construction is within the guidelines established for activities in the Texas Coastal Zone. All such activities would come under review by Federal, State, and local governmental agencies charged with enforcing regulations relative to impacts within the Coastal Zone. Any required mitigation would be specific to the resource impacted. With successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold.

4.7.2 Effects of Alternative 2 (Open Space/Recreation)

With provisions for open space and activities limited to those directly related to public recreation, the projected environmental impacts would be less than those of the Proposed Action. Both this alternative as well as the Proposed Action is projected to have impacts that would be less than the significance threshold. Any coastal zone impacts would be subject to mitigation requirements were the protected resources to be impacted. With successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold.

4.7.3 Effects of Alternative 3 (Single User Industrial Site)

Any projection of impacts from this alternative (and relevant required mitigation) would depend on the type of user and the activities that would be initiated at this site. However, the size of this property relative to adjacent neighbors is small, and it can be assumed that any impacts would be less than the significance threshold with proper mitigation. If this alternative was chosen and a single user selected, there would be a need to reevaluate potential Coastal Zone impacts, which are discussed in Section 4.7.5. With successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold.

4.7.4 Effects of No Action

If the property were to be placed in a “care-taker” status, there would be no additional impacts within the Coastal Zone and no need for any mitigation considerations.

4.7.5 Mitigation

As discussed in Section 4.7, the current conceptual reuse plans are not detailed enough to determine specific coastal zone impacts and corresponding mitigation. Nevertheless, it is Navy’s determination that the plans for transfer and reuse of the EMR facility are consistent with the Texas Coastal Management Program. As specified in the CZMA, CCC concurred with the Navy findings by method of expiration of the comment period. However, if coastal resources were impacted by the ultimate reuse, the ultimate user would have to obtain permits with the USACE and consultation with CCC for compliance with Texas Coastal Zone Management Program. In that review process, any required mitigation on the eventual reuse would be addressed. However, the Navy recommends to LRA that the reuse plans should include early in the process a request for review and a consistency determination by the CCC. With these consultations, permits, and mitigation, which would be determined once the plans are created by the future owner of the property, the impacts to the coastal resources would be less than the significance threshold on a scale approved by the applicable agencies and regulations.

4.8 Water Resources

As noted in Section 3.8 above, this site has no major or minor streams, natural permanent ponds, or lakes on the property, and the groundwater supply in the EMR Facility area is considered unsuitable for municipal use because total dissolved solids are higher than established potable water standards (USN, 2006a; LRA, 2008). As a result of these site conditions, the EMR Facility gets its potable water supply from the City of Ingleside (LRA, 2008). The major water resource at this site is Corpus Christi Bay.

4.8.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

It is the intent of the Proposed Action to utilize the site's waterfront resource to promote business development and employment in the area. Such an action would be considered less than the significance threshold because its former use as an EMR Facility utilized the same resource; therefore, there would be no change to resource utilization.

4.8.2 Effects of Alternative 2 (Open Space/Recreation)

As with Alternative 1 (the Proposed Action), the intent of this alternative is to use this resource in a beneficial way. Such an action would be considered less than the significance threshold because its former use as an EMR Facility utilized the same resource; therefore, there would be no change to resource utilization.

4.8.3 Effects of Alternative 3 (Single User Industrial Site)

Without a designated single user and not knowing an intended use, it is difficult to assess impacts to this resource. However, it can be assumed that such a single user would choose this location to use the major water resource here (marine access) in a beneficial way. Such an action would be considered less than the significance threshold because its former use as an EMR Facility utilized the same resource. Therefore, there would be no change to resource utilization.

4.8.4 Effects of No Action

If the property were to be placed in a "care-taker" status, there would be no additional impacts to water resources; therefore, this alternative should have no impact on the resource.

4.8.5 Mitigation

In the above scenarios, it is assumed that there will be no significant impact to water resources under any of the alternatives, which is based on the assumption that activities would be conducted in compliance with all water regulations, BMPs, and permits. However, if an alternative created the need for an industrial wastewater discharge that might impair water quality, such an event would achieve mitigation through compliance with State and Federal regulations that would require a full review application process for such a discharge and a discharge permit that would limit discharge impacts.

4.9 Wetlands

The USACE regulates the discharge of dredged or fill material into Waters of the U.S. under Section 404 of the Clean Water Act. Under this authority, determinations of the nature and degree of effects that proposed discharges will have on the structure and function of wetland ecosystems and associated organisms are made in coordination with the USFWS, NMFS, and

state and local agencies. TPWD and TGLO, which CCC is under, are the two primary state agencies that coordinate with the federal resource agencies to regulate and manage coastal wetlands.

Regarding potential impacts to wetlands, TPWD (as well as other agencies with relevant regulatory authority) consistently recommended mitigation measures be developed and implemented sequentially from avoidance to minimization to compensation. Preserving the natural resource through avoidance is preferred over compensation. TPWD generally recommends mitigation plans, including estimated costs, be considered early in the planning phase of a proposed project, which is discussed more in Section 4.9.5.

4.9.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action could entail the removal of most of the onshore wetland habitat in order to construct facilities necessary to support a marine business park and marina. Such an action could be considered significant to this resource due to the removal of wetlands, but this action could and would be reduced to less than the significance threshold through mitigation. The nature of this mitigation is discussed in Section 4.9.5. With successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold. If wetlands were not drained or otherwise affected by the plans, there would be no impacts. Indirect impacts to wetlands, including seagrass beds, could occur from stormwater runoff. However, this risk would be minimized utilizing common construction best management practices.

4.9.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative would utilize the wetlands as a resource through public enjoyment of the open space. There may be some minor impact to wetlands if construction intended to support water born recreational activity were initiated; however, such an impact would be reviewed by governmental agencies, including USACE, TPWD, and TGLO, and a determination of mitigation would be made prior to any negative impacts. Therefore, with successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold. Indirect impacts to wetlands, including seagrass beds, could occur from stormwater runoff. However, this risk would be minimized utilizing common construction best management practices.

4.9.3 Effects of Alternative 3 (Single User Industrial Site)

As with Alternative 1(the Proposed Action), this alternative could (depending on the selection of the Single User) entail the removal of most of the onshore wetland habitat in order to construct facilities necessary to support a marine industry. Such an action would be considered significant to this resource due to the removal of wetlands, but again, this action could and would be reduced to less than the significance threshold through mitigation. The nature of this mitigation is discussed in Section 4.9.5. With successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold. If wetlands were not drained or otherwise affected by the plans, there would be no impacts. Indirect impacts to wetlands, including seagrass beds, could occur from stormwater runoff. However, this risk would be minimized utilizing common construction best management practices.

4.9.4 Effects of No Action

If the property were to be placed in a "care-taker" status, there would be no additional impacts to wetland resources.

4.9.5 Mitigation

TPWD and TGLO are the two primary state agencies that coordinate with the federal resource agencies to regulate and manage coastal wetlands with USACE being the major Federal agency. As discussed in Section 4.9, these agencies recommend avoidance, mitigation, and then compensation. The current reuse plans are conceptual and lack the details necessary to predict which potential impacts would occur and the extent of those impacts. Upon transfer and development of a specific final reuse plan, any subsequent action by the ultimate owner of the EMR facility that could impact wetlands would be subject and follow all required wetlands permitting and consultations such as those listed in Section 4.9. The Navy recommends that the LRA consults early with these agencies to streamline these approvals and permits. During this process, the user would sequentially consider avoidance, mitigation, and then compensation measures to reduce the wetlands impacts to a level acceptable to USACE, TGLO, TPWD, and other applicable agencies. Thus, the level of mitigation would be determined by the applicable agencies during the consultation and permitting process, and the impacts would then be less than the significance threshold to the viability of the resource at a scale approved by the applicable agencies and regulations.

4.10 Terrestrial Vegetation

Of the three natural plant communities at EMR, the most dominant is the Honey Mesquite-Granjeno Woodland.

4.10.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action could entail the removal of most of the upland vegetation habitat in order to construct facilities necessary to support a marine business park and marina. While this vegetation removal at the site would change the character at the site, mitigation would not be required because significant similar habitat exists elsewhere. Therefore, due to the abundance of this habitat in the general area, the impact to this resource should be considered moderate. The overall impacts would be less than the significance threshold.

4.10.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative would utilize this resource through public enjoyment of the open space. There may be some minor impact to the resource if nature trails were constructed to support easier access or similar improvements for recreation. The vegetation removal would likely not affect the viability of the resource because the activities would impact a small area. Further, because of the intended action of this alternative, the impact to the resource would be minor and no planned mitigation would be expected.

4.10.3 Effects of Alternative 3 (Single User Industrial Site)

As with Alternative 1 (the Proposed Action), this alternative could (depending on the selection of the Single User) entail the removal of most of the onshore upland habitat in order to construct facilities necessary to support a marine industry. While this vegetation removal at the site would

change the character at the site, such an action would not require mitigation because other similar habitat exists elsewhere. Therefore, due to the abundance of this habitat in the general area, the impact to this resource should be considered moderate. The overall impacts would be less than the significance threshold.

4.10.4 Effects of No Action

If the property were to be placed in a "care-taker" status, there would be no additional impacts to terrestrial vegetation.

4.10.5 Mitigation

Any actions requiring the removal of terrestrial vegetation would be considered substantial at the scale of the EMR property. Such an action would not require mitigation, as would be the case with wetland impacts, because other similar habitat exists elsewhere. However, TPWD recommends compensation for these non-regulated habitats including acquiring comparable land in the ratio of 3:1 for native shrubland and woodlands (*i.e.*, for every 1 acre disturbed or removed, 3 acres will be acquired) and 1:1 for grasslands (Appendix E). While this is not a regulatory requirement, due to the recommendation noted above, the ultimate user of the EMR facility should consider this TWPD recommendation in any future planning actions. A further TWPD recommendation would be the exclusive use of native trees, shrubs, forbs, and grasses in all post-development landscaping plans in order to reduce the impact of loss of native vegetation. Finally, due to the abundance of this habitat in the general area, the impact to this resource would range from minor to moderate depending on the alternative selected and the final plans. Regardless, these impacts for the ultimate reuse would be less than the significance threshold and mitigation would not be required though it may be recommended by TWPD.

4.11 Wildlife

Typical species include green treefrog (*Hyla cinera*), western cottonmouth (*Agkistrodon piscivorus leucostoma*), common loon (*Gavia immer*), brown pelican (*Pelecanus occidentalis*), red-tailed hawk (*Buteo jamaicensis*), and barred owl (*Strix varia*). Mammals include Virginia opossum (*Didelphis virginiana*), eastern cottontail rabbit (*Sylvilagus floridanus*), fox squirrel (*Sciurus niger*), bobcats (*Lynx rufus*), gray foxes (*Urocyon cinereoargenteus*), white-tailed deer (*Odocoileus virginianus*), and feral pigs (*Sus scrofa*).

4.11.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

As noted in Section 4.10.1, the Proposed Action could entail the removal of most of the onshore and nearshore habitat in order to construct facilities necessary to support a marine business park and marina. This removal of habitat would displace certain wildlife species to offsite locations, but the presence of other suitable habitat nearby reduces this impact. Thus, while individuals may be affected, the viability of species would remain intact given the abundance nearby of the types of habitats that would be lost, the disturbed nature of the site, and the small property area. Therefore, overall impacts would be minor to moderate depending on species mobility and final plans, and no mitigation would be required.

4.11.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative would have minimal impact to the habitat in the area since minimal vegetation would be disturbed, and this would reduce any impact to wildlife using the site. There may be

some minor impact to the resource through disturbance due to the presence of additional human activity. However, the project location is in an already disturbed area, which means most species would likely be acclimated to human activities, and these activities would affect only a small amount of the regional habitat, which minimizes impacts. Therefore, the impact to the resource would be minor and likely temporary.

4.11.3 Effects of Alternative 3 (Single User Industrial Site)

As with Alternative 1 (the Proposed Action), this alternative could (depending on the selection of the Single User) entail the removal of most of the onshore wetland and upland habitat in order to construct facilities necessary to support a marine industry. Wetland impacts are discussed in Section 4.9. This removal of habitat would displace certain wildlife species to offsite locations, but the presence of other suitable habitat nearby reduces this impact. Thus, while individuals may be affected, the viability of species would remain intact given the abundance of the types of habitats lost nearby, the disturbed nature of the site, and the small property area. Therefore, overall impacts would be minor to moderate depending on the species and final plans, and no mitigation would be required.

4.11.4 Effects of No Action

If the property were to be placed in a “care-taker” status, there would be no additional impacts to wildlife resources.

4.11.5 Mitigation

While wildlife species would be displaced and individuals may be harmed through accidental trampling, etc., impacts would be less than the significance threshold, ranging from minor to moderate depending on the alternative. This is because the viability of the resource would remain because of the abundance of such habitat in the general area as well as the ability of some wildlife to migrate to other available preferred habitat in the area, the disturbed nature of the site, and the small project area. Therefore, no mitigation would be required.

4.12 Threatened, Endangered, and Other Sensitive Species and Species of Special Concern

Of the three species noted in Section 3.12, the impact to two (Atlantic bottlenose dolphin and brown pelican) would be less than the significance threshold due to their transient nature and the fact that they utilize more open water habitat. However, for one species group (seagrasses), the impact could be significant depending on the alternative chosen. If so, the action could and would be reduced to less than the significance threshold through mitigation (Section 4.12.5).

As noted at Section 4.9 above, the USACE regulates impacts to wetlands. Seagrasses are further protected under Section 401 of the CWA, which regulates projects that have the potential to adversely affect water quality. Within the State, the TCEQ is the responsible agency for water quality protection of seagrass habitats. An additional layer of protection is afforded by the CCC, which is responsible for the review of coastal zone projects that have the potential to impact seagrass habitats at levels that exceed established thresholds. Another authority, the NMFS, provides additional protection for this resource through its regulation of Essential Fish Habitat (EFH).

Other species may be occasional visitors to the EMR facility, such as the West Indian manatee (*Trichechus manatus*), jaguarundi (*Herpailurus yaguarondi)*, or other species noted by TPWD during scoping (See Appendix B). However, the history of disturbance in and around the facility and the infrequent occurrences of these species as determined by surveys, it is unlikely that these species utilize the EMR facility to such a degree that the species' or even individuals' viability depends on this rarely, if ever, used habitat. This is especially true as similar and more preferred habitats (less disturbed and larger in size) exist nearby. Alternative 2 (open space/recreation) would provide the best potential benefit for these listed species of all the action alternatives as the area would stay the most natural, although it would be disturbed by human activity. In light of this, the TWPD has recommended that Alternative 2 be the preferred alternative. However, due to the limited use of the site by these listed species, the past disturbance, and the ability of the species to move to nearby preferred habitat, the possible impacts to protected species are negligible. Regardless of the alternative selected, if any protected species were to be found, the proper authorities would be contacted and appropriate mitigation performed as determined by those proper authorities. The permitting process could be modified to require a survey to be done to verify the absence or presence of the species or replace the natural habitat lost, but the permitting authority would make this decision once the ultimate user of the EMR property begins the permitting process as the current plans are conceptual in nature.

4.12.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action might entail the removal of some of the seagrasses in order to construct facilities necessary to support a marine business park and marina. If these habitats were disturbed, this action could and would be reduced to less than the significance threshold through mitigation. The nature of this mitigation is discussed in Section 4.12.5. If these habitats were not impacted, then impacts would be negligible to the other transitory protected species as discussed in Section 4.12.

4.12.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative would utilize this resource through public enjoyment of the open space. There may be some minor impact to seagrasses if a public marina were constructed to encourage recreation. If seagrasses were disturbed, this action could and would be reduced to less than the significance threshold through mitigation. The nature of this mitigation is discussed in Section 4.12.5. If the seagrasses were not disturbed, then impacts would be negligible to the other transitory protected species as discussed in Section 4.12. In either case, the impact to the resource would be less than the significance threshold because of the intended action of this alternative.

4.12.3 Effects of Alternative 3 (Single User Industrial Site)

This alternative might entail the removal of some or all of the EMR Facility seagrasses beds in order to construct facilities necessary to support a marine industry. If so, this action could and would be reduced to less than the significance threshold through mitigation. The nature of this mitigation will be discussed below (Section 4.12.5). However, if the seagrasses were not impacted, the transitory nature of the other species would be negligible as discussed in Section 4.12. In either case, the impact to the resource would be less than the significance threshold with mitigation.

4.12.4 Effects of No Action

If the property were to be placed in a "care-taker" status, there would be no impacts to threatened, endangered, and other sensitive species or species of special concern.

4.12.5 Mitigation

Seagrass beds are considered to be EFH, which is defined by the Magnuson-Stevens Act to be waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity (Magnuson-Stevens Act, 16. USC 1801 *et seq.*). EFH includes those habitats that support the different life stages of each managed species to ensure healthy fisheries. Under this act, seagrass beds are considered to be a substrate that supports commercially and recreationally important species, requiring that activities that may have an impact on seagrasses be coordinated with the NMFS to ensure that appropriate management and mitigation measures are followed to avoid, minimize, and compensate for impacts to EFH (LRA, 2008).

Navy has requested concurrence with NMFS, which was received on January 22, 2010 (Appendix E), that there are no adverse impacts to EFH at the EMR Facility when considering the current reuse plans. Any subsequent action by the ultimate owner of the EMR site that might adversely impact the seagrass beds and EFH would require permitting by USACE and consultation with NMFS on any possible adverse impacts. Activities within the EMR Facility that have the potential to adversely impact seagrasses may be compensated through mitigation when avoidance and minimization measures cannot reduce impacts to a level that is below significance threshold as determined by NMFS and other applicable agencies. In such cases, restoration using shoal grass has been found to be successful within the region over the past 20 years. Moreover, a successful seagrass mitigation site occurs within the nearshore waters of the EMR Facility (see Figure 5). Therefore, impacts to shoal grass, which is the dominant seagrass species within the EMR site, may be minimized and compensated for by transplantation. Shoal grass is the preferred species for conducting transplantation due to its higher success rate than other seagrass species as well as its suitability as habitat for multiple species. Typically, mitigation for losses of seagrass requires that for every acre of seagrass that is lost, three acres be created or restored (LRA, 2008). The specific mitigation measures required for any adverse impacts would be determined during the required USACE permitting and NMFS consultation by the ultimate user of the EMR Facility. With successful mitigation, which would be determined by the applicable agencies during the consultation and permitting process, the impacts to this resource would be less than the significance threshold.

Figure 5. Seagrass Mitigation Sites in the Vicinity of the EMR Facility

4.13 Land Use

The EMR Facility is located in an area of Ingleside that is characterized by a mixture of land uses including industrial, commercial, and low-density residential. The abutting properties are industrial in nature and include the over 400 acre Kiewit Offshore Services, Inc. marine fabrication facility to the north and west. Across the Jewell Fulton canal are a variety of marine-related industrial and commercial uses. Further south along FM1069, residential land uses within the City of Ingleside by the Bay predominate. North along FM1069 toward Ingleside are varieties of commercial, residential, and institutional land uses including substantial tracts of undeveloped property (LRA, 2008).

4.13.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action would dramatically expand current land use. Until recently, the site was used as a naval facility with a docking facility. The business was military in nature, and the "dock" had a very specialized use in degaussing ships. The Proposed Action would change this recent use from one specialized for marine use to a multi-use facility. The intent would be to accommodate multiple marine business activities. The very specialized dock or "cage" could be modified to encourage multiple uses for marine business, recreation, and commercial fishing. All this would be considered a beneficial use of the resource and not require mitigation, especially as the area is already mixed use.

4.13.2 Effects of Alternative 2 (Open Space/Recreation)

As with Alternative 1 (the Proposed Action), this alternative would promote a new use for the land. It would encourage ecotourism and other forms of recreation at the site that would be of benefit to the local community and not require mitigation.

4.13.3 Effects of Alternative 3 (Single User Industrial Site)

Under this alternative, the land use would transform from one specialized use to another; however, both would have marine use as a focus. Such a change would not have a significant adverse impact to land use.

4.13.4 Effects of No Action

If the property were to be placed in a "care-taker" status, there would be no additional impacts to land use.

4.13.5 Mitigation

None of the proposed alternatives, if implemented, would require mitigation due to lack of significant impacts.

4.14 Socioeconomic Resources

4.14.1 Population

4.14.1.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The BRAC decision to close the EMR Facility along with the NSI has had and will continue to have a dramatic impact to the local community. Loss of jobs has caused some families to leave the area in search of employment. The intent of the Proposed Action is to encourage a new use for the EMR Facility that will help reverse this trend. Therefore, it is believed that this action will have a beneficial impact to the local population, but it would likely be less than the significance threshold given the probable amount of population increase created by the possible jobs and money from implementing this alternative.

4.14.1.2 Effects of Alternative 2 (Open Space/Recreation)

Fewer jobs would be supported by this alternative than Alternative 1. Therefore, it is considered less desirable in trying to help the community address the negative impacts of a military base closing. However, this alternative would provide an additional avenue of quiet enjoyment of the area and that could help attract people to the area. With regard to Alternative 2's possible influence on the local population, its impact should be considered less than the significance threshold due to the probable amount of people that would move to the area due to the park.

4.14.1.3 Effects of Alternative 3 (Single User Industrial Park)

It is believed that fewer jobs would be supported by this alternative when compared to the Proposed Action. Therefore, it is considered less desirable in trying to help the community address the BRAC decision and mission of the LRA with regard to the EMR Facility. With regard to Alternative 3's possible influence on the local population, its impact should be considered less than the significance threshold given the probable amount of population increase created by the possible jobs and money from implementing this alternative.

4.14.1.4 Effects of No Action

If the property were to be placed in a "care-taker" status, there would be no additional job opportunities in the area, which would be a lost opportunity to offset the possible loss of population locally from the BRAC 2005 decision to close and dispose of NSI and the EMR

Facility. Thus, this impact would be no change and be considered less than the significance threshold.

4.14.2 Employment and Income

A local agency that deals with employment issues in the region commissioned an economic impact analysis of the 2005 decision with an update in September 2008. The report found that the closure of NSI and the realignments at Naval Air Station Corpus Christi and Corpus Christi Army Depot would result in the loss of 2,470 military jobs (with 1,681 of those, or 68% located at NSI) and 445 direct civilian and contractor positions. The total number of indirect jobs that will be lost was estimated to be 3,690 for a total impact of 6,605 jobs within the region (LRA, 2008).

While the large majority of these job losses will occur as a result of the closure of NSI, the total number of lost jobs is roughly split between Nueces County and San Patricio County. These losses entail approximately 1.1% of the Nueces County workforce and 6.5% of the San Patricio County workforce. Total payroll losses were estimated at nearly $346 million per year (LRA, 2008).

NSI has been one of the major employers in San Patricio County and the City of Ingleside. An economic impact of this magnitude will have serious ramifications on the region (LRA, 2008).

4.14.2.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action for the redevelopment of the EMR Facility has the potential to be a major stimulus for Ingleside and San Patricio County. Using typical employment and development standards for business parks, the site has the capability of employing up to 800 direct jobs once it is built out (LRA, 2008).

In addition to the direct jobs employed by the tenants of the Multi-Use Marine Business Park and Recreational Marina, indirect jobs could be created throughout the Coastal Bend region as the salaries paid to the workers at the EMR site filter through the economy. This “multiplier effect” is estimated to create an additional 1,300 jobs, based on the ratios utilized in an Economic Impact study conducted by Texas A&M University. Thus, the total economic impact of the redevelopment of the EMR Facility is on the order of 2,100 new jobs. This is approximately equal to the number of direct and indirect jobs that will be lost in San Patricio County as a result of BRAC (LRA, 2008). All these potential positive impacts to the local economy are a planned benefit of the Proposed Action. This alternative offers that best opportunity to have a positive impact to local employment and income of the action alternatives.

4.14.2.2 Effects of Alternative 2 (Open Space/Recreation)

A description of the alternative’s activities is in Section 2.3. A Public Benefit Conveyance under the Federal Land to Parks Program of the National Park Service could transfer the land at no cost but would need to be used for approved publicly accessible uses in perpetuity. Thus, the City and/or County would need to incur capital costs for refurbishing or removal of the buildings, improvements to the utilities and infrastructure serving the site, and for providing suitable public facilities such as picnic areas, a boat ramp, marina slips, handicap accessible sanitary facilities, etc. The City/County would also incur ongoing maintenance and staffing costs as well as be

required to provide for public safely. A portion of the operating costs could be recouped from user fees including park entrance and use charges, boat slip rentals, space rentals to concessionaires, etc. Typically, user revenues only offset a portion of the annual operating costs for such facilities. The balance (mitigation for loss of revenue) would need to come from the hosting jurisdiction's tax base or alternative funding sources. Funding for parks, in the form of grants, is available to offset costs to local communities for park development and rehabilitation. TPWD offers park grants on a competitive basis for small communities such as Ingleside.

With regard to Alternative 2's possible influence on the local employment and income, its impact should be considered less than the significance threshold as any increase in jobs and income would be beneficial given the loss due to the BRAC decision to close and dispose of the EMR Facility.

4.14.2.3 Effects of Alternative 3 (Single User Industrial Park)

The property's location adjacent to heavily developed industrial facilities suggests that a marine-industrial user might be interested in the site. If direct access to the La Quinta ship channel were required, then some dredging and filling would be needed, depending on the needs of the user. The market data suggests that there is a relatively large supply of waterfront industrial land in the region, much of which is controlled by the Corpus Christi Port Authority and located along the Corpus Christi Ship Channel upstream of the Harbor Bridge. In addition, the redevelopment of NSI will bring additional fully developed and fully serviced maritime-accessible industrial and commercial land onto the market within two years.

Under this scenario, the site could be transferred "as-is" to the end user, who would be responsible for any improvements. The method of conveyance would depend upon the circumstances and could include an Economic Development Conveyance to an "implementation" LRA, or via Public Sale directly by the Navy. The number of jobs created under this scenario would vary with the user. However, if conveyed by Public Sale, there is no way to assure that new job generation would occur or when development would begin. With regard to Alternative 3's possible influence on the local employment and income, its impact should be considered less than the significance threshold as any increase in jobs and income would be beneficial given the loss due to the BRAC decision to close and dispose of the EMR Facility.

4.14.2.4 Effects of No Action

Taking "No Action" on trying to reuse the EMR Facility would not fulfill one of the goals of BRAC or the mission of the LRA. With regard to Alternative 4's possible influence on the local employment and income, this would be no change and represent a lost opportunity to offset some of the job and income lost from the BRAC 2005 decision to close and dispose of NSI and the EMR facility. Thus, this impact would be no change and be considered less than the significance threshold.

4.14.3 Infrastructure/Utilities

Wastewater flows to a main lift station and is pumped through a force main to the City of Ingleside Wastewater Treatment Plant via the 8th Street Lift Station. It is possible that upgraded wastewater service would be required for a future development of this site if the demand for wastewater collection were greater than what is currently being used. Wastewater line size may

need to be increased to provide additional capacity as well as adding infrastructure for service to future structures per the final site use requirements. If additional pumping capacity were required, there are some site constraints that could hinder upgrading the existing lift stations. Due to the existing site elevations in relation to sea level, lift station wet wells, and manhole depths may be limited, which could impede upsizing existing lift stations (LRA, 2008).

4.14.3.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The existing infrastructure, such as the access road, parking area, and buildings, is suitable for immediate use by potential users/tenants. Very little new investment in infrastructure would be required. The possible improvements could include bringing utilities to individual lots or buildings as they are developed along with driveways, parking areas, and building pads. The existing pier structure is suitable for light to medium duty use as a recreational and commercial marina. Because of the capacity of the local utilities to meet additional demand for infrastructure, the impact of implementation of this alternative should be considered less than the significance threshold.

4.14.3.2 Effects of Alternative 2 (Open Space/Recreation)

There would be little need to modify existing infrastructure to support this alternative; therefore, any impact to infrastructure would be less than the significance threshold.

4.14.3.3 Effects of Alternative 3 (Single User Industrial Park)

Modifications to infrastructure for this alternative would depend on the single user chosen. The level of impacts would depend also on the final design. However, any modifications would be done in compliance with applicable regulations. Thus, the impacts could be beneficial or adverse but should be less than the significance threshold if designed properly due to the location of the site.

4.14.3.4 Effects of No Action

If the property were to be placed in a “care-taker” status, there would be no modification to infrastructure.

4.14.4 Mitigation

Three of the alternatives are designed to provide a social and/or economic benefit to the community. Alternative 2 “Open Space/Recreation” would require financial mitigation from the City of Ingleside because implementation of that alternative would not pay for itself through direct site income.

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5.0 Cumulative Impacts

The CEQ regulations for implementing NEPA require assessment of cumulative effects in the decision-making process for Federal actions. Cumulative effects are defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such other actions" (40 CFR 1508.7). Cumulative effects are considered for the No Action Alternative and the action alternatives. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

Both additive and interactive cumulative effects are assessed. Additive effects accumulate by adding more of the same impact on a resource. Interactive effects accrue as a result of assorted similar or dissimilar actions being taken that tend to have similar impacts relevant to the valued resource in question.

The geographic area of influence for cumulative effects varies according to resource area. The temporal scope is the same for all resources and is defined as effects that have taken or would take place within the ten years.

In Chapters 3 and 4 of this EA, a number of specific areas of study were addressed to establish the background and potential impacts for each area of study. As noted in Chapter 4, most projected impacts (regardless of alternative chosen) were considered less than the significance threshold. For those issues where significant impacts might occur, mitigation was available to reduce those impacts to a less than the significant threshold. The same can be expected of cumulative effects for those issue areas under review. Rather than repeat each issue area as denoted in Chapters 3 and 4, potential cumulative effects will be covered here in Chapter 5 under three broad categories: air quality, wetlands, and employment.

5.1 Air Quality

Air quality in Corpus Christi is usually quite good. In fact, Corpus Christi, and by inference, the metropolitan area including Ingleside is the only industrial based metro area in the United States that is still in attainment of air quality standards. Voluntary controls have helped the Corpus Christi area remain in attainment of federal NAAQS standards (TCEQ, 2009c).

This area approached violating the one-hour ozone standard in 1995. As a result, local authorities voluntarily took the following actions to cut ozone levels by reducing emissions of VOCs:

- Use of less volatile gasoline from May through September;
- Installation of vapor recovery and control systems at marine fuel transfers and loading facilities;
- Rescheduling of uncontrolled loading activities on ozone action days until evening or until another day;
- Implementing a pollution-prevention program that targeted small and large businesses;
- Promoting alternative fuels through the Clean Cities Program of the U.S. Department of Energy; and

- Promoting reformulated gas for use in large fleets by a local refiner (TCEQ, 2009c).

As a result of these controls, the area has not exceeded the one-hour ozone standard since 1995 (TCEQ, 2009c). Participation in these voluntary efforts should be a part of any pre-planning efforts regardless of the actions chosen in moving forward with the reuse of the EMR facility.

5.1.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

Taken as a whole, the greater Corpus Christi/Ingleside metropolitan area has been negatively impacted by a loss of jobs associated with military support activity in the area. Local governmental bodies with the support of the local community are actively trying to find ways to offset that loss. The Proposed Action is, in part, an attempt to add jobs to the local economy. Due to the size of the EMR property and the intended uses enumerated under this alternative, its cumulative impact to regional air quality, even if there were successful in other job creation areas locally that create new air emissions, would be minimal.

5.1.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative calls for use of the site as open area recreation and as such, would not contribute to cumulative air quality impacts.

5.1.3 Effects of Alternative 3 (Single User Industrial Site)

Until a single user is selected and their intended action on the site determined, it is difficult to analyze a potential cumulative impact. However, of all the alternatives, this single user alternative has the potential to have considerable cumulative impacts to regional air quality given the typical nature of industrial uses. However, with air quality permit requirements and a variety of local necessary permitting requirements, such potential air impacts would be addressed. Thus, with applicable regulatory compliance and permits, the cumulative air quality impacts should be less than the significance threshold.

5.1.4 Effects of No Action

This alternative would not contribute to cumulative air quality impacts.

5.2 Wetlands

A number of specific issue areas were reviewed in this EA that fall under the general issue area of natural habitat: water resources, wetlands, terrestrial vegetation, wildlife, and threatened and endangered species. The one issue area where it was determined that a potentially significant, but mitigable, impact existed was in wetland habitat modification. Specifically, that potential impact was to seagrasses. As discussed in Chapters 3 and 4, a seagrass area exists within the property boundary of the EMR Facility that is the result of successful mitigation required by applicable laws, regulations and permit requirements due to the removal of an existing seagrass bed elsewhere at the site.

With regionally available mitigation sites to address potential seagrass impacts on a case by case basis, it can be assumed that any cumulative effects to seagrasses regionally would be minimal following permitting, consultation, mitigation, and regulation requirements. However, if the region were to see an economic recovery that put greater pressure on marine sites, the long-term availability of sites along the Coastal Zone adequate for mitigation may be impacted. Because

such a projection would be beyond the ten year horizon reviewed by this EA, it can be assumed that cumulative effects to wetlands as a result of the implementation of any alternative reviewed in the EA would be minimal given successful mitigation.

5.2.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

As noted in Section 3.12, there is one species group (seagrasses) that could be impacted significantly were additional dredging of seagrass areas required to facilitate the Proposed Action. This impact of this action could and would be reduced through mitigation as was discussed above in Section 4.12.5. Were it not for the regulatory requirement to mitigate and replace at a 3-1 ratio these impacted resources, the cumulative impact would be significant. However, with the regulatory requirement for mitigation, the cumulative impact to seagrasses would be less than the significance threshold.

5.2.2 Effects of Alternative 2 (Open Space/Recreation)

This alternative would utilize this resource through public enjoyment of the open space. There may be some minor impact to seagrasses if a public marina was constructed to encourage recreation and that construction required dredging in seagrass areas. This action could and would be reduced through mitigation. The nature of this mitigation was discussed in Section 4.12.5. Overall, because of the intended action of this alternative, the cumulative impact to the resource would be less than the significance threshold.

5.2.3 Effects of Alternative 3 (Single User Industrial Site)

This alternative might entail the removal of some or all of the seagrasses in order to construct facilities necessary to support a marine industry. Were it not for the regulatory requirement to mitigate these impacted resources, the cumulative impact would be significant. However, with the regulatory requirement for mitigation, the cumulative impact to seagrasses would be less than the significance threshold.

5.2.4 Effects of No Action

If the property were to be placed in a “care-taker” status, there would be no cumulative effects to seagrasses.

5.3 Employment

A number of specific issue areas were reviewed in this EA that fall under the general issue area of human social impacts: cultural, human health and safety, land use, environmental justice, socioeconomics, and infrastructure/utilities. The one issue area that best addresses cumulative effects while also addressing the purpose and need for the proposed action is in the area of employment.

5.3.1 Effects of Proposed Action (Multi-Use Marine Business Park and Marina)

The Proposed Action for the redevelopment of the EMR Facility has the potential to be a major stimulus for Ingleside and San Patricio County. Using typical employment and development standards for business parks, the site has the capability of employing up to 800 direct jobs once it is built out. In addition to the direct jobs employed by the tenants of the Multi-Use Marine Business Park and Marina, indirect jobs will be created throughout the Coastal Bend region as the salaries paid to the workers at the EMR site filter through the economy. This “multiplier

effect" is estimated to create an additional 1,300 jobs. Thus, the total economic impact of the redevelopment of the EMR Facility is on the order of 2,100 new jobs. This is approximately equal to the number of direct and indirect jobs that will be lost in San Patricio County as a result of BRAC (LRA, 2008) and would be considered a positive cumulative effect to the local economy.

5.3.2 Effects of Alternative 2 (Open Space/Recreation)

Under this reuse scenario, if the property was conveyed to the City of Ingleside or San Patricio County through a Public Benefit Conveyance under the Federal Land to Parks Program of the U.S. Department of the Interior's National Park Service, which was described in Section 4.14.2. Under this program, the land would transfer at no cost but would need to be used for approved publicly accessible uses forever. Because user revenues typically only offset a portion of the annual operating costs for such facilities, the balance would need to come from the hosting jurisdiction's tax base. Thus, implementation of this alternative would be considered as a negative cumulative effect to an already depressed local economy but should be less than the significance threshold.

5.3.3 Effects of Alternative 3 (Single User Industrial Site)

The property's location adjacent to heavily developed industrial facilities suggests that a marine-industrial user might be interested in the site. If direct access to the La Quinta ship channel were required, then some dredging and filling would be needed, depending on the needs of the user. The market data suggests that there is a relatively large supply of waterfront industrial land in the region, much of which is controlled by the Corpus Christi Port Authority and located along the Corpus Christi Ship Channel upstream of the Harbor Bridge. In addition, the redevelopment of NSI will bring additional fully developed and fully serviced maritime-accessible industrial and commercial land onto the market within two years.

Under this scenario, the site could be transferred "as-is" to the end user, who would be responsible for any improvements. The method of conveyance would depend upon the circumstances and could include an Economic Development Conveyance to an "implementation" LRA, or via Public Sale directly by the Navy. The number of jobs created under this scenario would vary with the user. However, if conveyed by Public Sale, there is no way to assure that new job generation would occur or when development would begin. Thus, it would be hard to estimate cumulative effect to the local economy without knowing planned activity of the single user. However, it can be assumed that such an impact would support in some way a benefit to the local economy.

5.3.4 Effects of No Action

Taking "No Action" on trying to reuse the EMR Facility would not fulfill one of the goals of BRAC or the mission of the LRA and would be considered to have a negative cumulative effect to the local economy.

6.0 Other Considerations

6.1 Unavoidable Adverse Impacts and Considerations That Offset Those Impacts

After a review of the potential environmental impacts that could result from implementation of the Proposed Action within the study area, the one issue that requires additional consideration here is impacts to seagrass beds.

Seagrass Beds

As discussed earlier, there is a successful seagrass bed mitigation site on the EMR Property that was initiated as a result of destruction of approximately three acres of seagrass beds that occurred during the original development of the EMR Facility. If any of the alternatives chosen impact this mitigation site, the expected mitigation ratio would be greater than the more typical three to one. However, while seagrass beds impacts may occur during the reuse plan implementation, any such plans would first require consultations, permitting, and mitigating to make these impacts less than the significance threshold to the viability of the resource at a scale approved by the applicable agencies and regulations.

6.2 Irreversible or Irretrievable Commitment of Resources

Except perhaps in the extreme long-term, irreversible commitments of resources cannot be undone. One example is an action that contributes to the extinction of a species. Once extinct, it can never be replaced. By comparison, irretrievable commitments of resources can be reversed given sufficient time and resources. However, they represent a loss in production or use for a period of time. One example is the maintenance of forest and shrub land as open field and grasslands. If for some reason grasslands no longer were an objective, they would gradually revert to shrub land and forest, or plantings could expedite that process.

None of the alternatives considered in this EA propose any actions in the study area that would irreversibly commit resources.

6.3 Relationship between Short Term Use of the Environment and Maintenance and Enhancement of Long-Term Productivity

The actions proposed under the Proposed Action (Alternative 1) are designed to provide the best opportunity for a community to weather the loss of jobs as a result of the BRAC decision to close the EMR Facility. The benefits of proposed use far outweigh any impacts from short-term actions. The key to protecting and ensuring habitat protection is to find the threshold where this new use does not degrade or interfere with natural resources and where that is not possible, appropriate mitigation is planned and implemented. The actions proposed under the Proposed Action have been carefully conceived to achieve that threshold. Therefore, implementing the Proposed Action would lead to long-term benefits for the local economy that far outweigh any appropriated mitigated short-term impacts.

6.4 Consistence with Other Federal, State, and Local Plans and Policies

See Section 1.3.

6.5 Required Permits, Approvals, and Consultations

See Section 1.3.1

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7.0 List of Preparers

7.1 Mangi Environmental Group

Randy Williams, Project Manager
Meghan Morse, Document Manager and Environmental Analyst
Mark Blevins, GIS specialist
Erica Earhart, Document Assistance
Pam Sarlouis, Document Assistance

7.2 Other Contributors

Dale Johannesmeyer, Department of Defense

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8.0 Coordination

The following agencies/stakeholders listed below received a scoping letter (See Appendix A). The responses received are in Appendix B.

- USEPA, Region 6
- USFWS
- National Park Service, Federal Lands to Parks Program Manager
- Bureau of Indian Affairs, Southern Plains Regional Office
- Texas Commission on Environmental Quality
- Texas General Land Office
- Texas Parks and Wildlife Department, Wildlife Habitat Assessment Program/Threatened and Endangered Species.
- Texas Parks and Wildlife Department, District Leader
- Texas Historical Commission, State Historic Preservation Officer
- City of Corpus Christi, Mayor
- Ingleside LRA
- Ingleside on the Bay, Mayor
- Kiewit Offshore Services, Ltd.
- Nueces County, County Judge
- San Patricio County, County Judge
- Ingleside Chamber of Commerce
- Gulf Marine Fabricators, L.P
- Port of Corpus Christi
- City of Ingleside, Mayor

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9.0 References

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Appendix A: Scoping Letters Sent

Example of Scoping Letters

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FAIBER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0207
17 Jun 09

Mike Jansky
Environmental Review Coordinator
USEPA, Region 6
1445 Ross Ave, 12th Fl, Ste 1200
Dallas, TX 75202-2733

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Jansky,

In compliance with the National Environmental Policy Act (NEPA), the Department of the Navy (DoN) is preparing an Environmental Assessment (EA) addressing the impacts of the probable reuses of the property at the Electromagnetic Reduction (EMR) Facility at Naval Station Ingleside, Texas located off of FM1069 approximately 2 miles northwest of the center of the main base in the City of Ingleside. See attached location map. The EMR Facility is to be closed and transferred from Navy ownership in accordance with the decision of the 2005 Defense Base Closure and Realignment (BRAC) Commission. To prepare the EA, we have retained the services of The Mangi Environmental Group, Inc. The objective of this effort is the collection, analysis, and portrayal of data in sufficient depth to allow an unbiased analysis of the natural and human environmental issues associated with the transfer of the property and the alternatives for its reuse. The proposed action will result in the discontinued Navy management of the property and transfer of ownership from Federal control.

The EMR Facility property was acquired by the Navy in 1997 and the structures and improvements on the site were constructed in 1997-1998. The approximately 155-acre property includes 105.48 acres of submerged land bordering the La Quinta ship channel to the west and the Jewell Fulton canal to the south. There are 46.35 acres of uplands and a 3.64-acre easement and right-of-way for the approximately 2,500-foot access road from FM1069. There are three existing concrete masonry buildings on-site. The structures include a maintenance/storage building (1,400 square feet), an electrical vault building (1,058 square feet) and a two-story operations building with office space on the second floor (1,840 square feet). An existing access walkway and double pier structure (wood on concrete piles) allow water-dependent uses and provide maritime vessel accessibility. The pier structure includes a large metal "cage" structure used exclusively by the Navy as part of its ship testing and calibration activities. Utilities on the pier include electrical service, water for fire protection and wastewater. An existing concrete bulkhead provides shoreline stability and structural integrity to the walkway and piers. There are two existing lift stations on-site that pump wastewater to the Ingleside wastewater collection system.

Ser BPMOSE dcj/0207
17 Jun 09

The upland portion of the site is generally flat and uniform, sloping very slightly from the property entrance toward the shoreline, with elevations ranging from 12 to 14 feet above mean low water. A small portion of the upland property (along the shoreline) is located in the 100-year floodplain of approximately 9 feet above mean sea level. The shoreline is subject to tides of approximately 1 to 2 feet. The submerged portion of the site naturally slopes gently away from the shoreline to a depth of approximately 7 to 8 feet below mean low water at the property boundaries along the channel edges. The shoreline is characterized by very shallow waters within 200 to 300 feet of shore. The Navy dredged portions of the submerged lands when constructing the EMR facility. The total dredged area is estimated to be approximately 9 acres. An area of seagrass planting is located at the EMR property and is utilized as a mitigation area for seagrass beds that were destroyed as a result of dredging activities associated with the construction of the main base and EMR properties.

The EA will describe the proposed action, the purpose and need for the proposed action, and reasonable alternatives to accomplish the purpose and need of the project. The proposed action will be based on the Ingleside Local Redevelopment Authority's (LRA) Redevelopment Plan, dated November 2008. Subsequently, on March 12, 2009 the LRA received a determination from HUD that the Plan complies with the requirements of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994. Alternatives will involve the proposed land uses and development options within the perimeter of the EMR Facility property. The EA will then discuss the existing environment, particularly those areas that may be affected by the project alternatives, and will provide an analysis of direct, indirect and cumulative impacts. If the EA concludes that the proposed action or alternatives would result in no significant impacts on the environment, the Navy will complete the NEPA process by issuing a Finding of No Significant Impact. If, however, the EA concludes that implementation of the proposed action or its alternatives would cause significant impacts, then the NEPA process requires that a more detailed study, an Environmental Impact Statement, be prepared before the proposed action can proceed.

Alternative approaches being considered for reuse of the EMR Facility are:

Alternative 1 – Proposed Action: Multi Use Marine Business Park and Marina
Alternative 1 focuses on marine-related industrial and service uses as the primary business activity at the site, with the inclusion of a commercial component that would include non-marine light industrial and R&D uses along with limited retail and service businesses that support public access to the waterfront. This alternative also encourages the development of a marina that utilizes the existing EMR pier structure for both recreational and commercial uses.

Alternative 2: Open Space/Recreation
Under this reuse scenario, the property could be conveyed to the City of Ingleside or San Patricio County through a Public Benefit Conveyance under the Federal Land to Parks Program of the U.S. Department of the Interior/National Park Service. Under this program, the land would transfer at no cost but would need to be used for approved publicly accessible uses forever.

2

Ser BPMOSE dcj/0207
17 Jun 09

Alternative 3: Single User Industrial Site
Under this scenario, the site could be transferred "as-is" to the end user, who would be responsible for any improvements. The method of conveyance would depend upon the circumstances, and could include an Economic Development conveyance or via Public Sale directly by the Navy.

Alternative 4 – No Action: Federal Ownership Continues
The CEQ's regulations require that a No Action Alternative be evaluated. Under the No Action Alternative, the EMR Facility site would continue to be owned by the Federal government and the property would be placed in caretaker status for overall maintenance of the property.

The types of issues that could be considered in the Environmental Assessment are the impacts of construction and operation under Alternatives 1 – 3. These include wetlands, floodplains, air quality, threatened and endangered species, cultural resources, and coastal zone management, along with community issues such as economic impact, schools, and traffic.

Your participation in the decision making process is important to the DoN. You are encouraged to provide input to the environmental review process. Furthermore, the DoN is requesting information you may have pertaining to any potential impacts we should address at the proposed project site. Any suggestions or information you may have will be of great assistance to our investigation and analysis. Please provide your response by July 15, 2009 to the Navy point of contact:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Please provide a copy of your response to:

Mr. James R. Williams
Mangi Environmental Group
5 Single Pine Lane
Madisonville, LA 70447
Email: RWilliams@mangi.com

Thank you again for your cooperation in this important matter.

Sincerely,

JAMES E. ANDERSON
Director

Encl: (1) Location Map

3

Recipients of Scoping Letters

Federal Recipients:

Mike Jansky - Environmental Review Coordinator
USEPA, Region 6
1445 Ross Ave, 12th Fl, Ste 1200
Dallas, TX 75202-2733

Director, Corpus Christi Ecological Services Field Office
USFWS, C/O TAMU-CC
6300 Ocean Drive, #5837
Corpus Christi, TX 78412-5837

Bill Huie
National Park Service
Federal Lands to Parks Program Manager
100 Alabama Street, SW
Atlanta, GA 30303

Dan Deerinwater, Regional Director
Southern Plains Regional Office
Bureau of Indian Affairs
WCD Office Complex
P.O. Box 368
Anadarko, OK 73005

State Recipients:

Susan Clewis
Regional Director
TX Commission on Environmental Quality
NRC Bldg., Ste. 1200
6300 Ocean Dr., Unit 5839
Corpus Christi, TX 78412-5839

Jerry Patterson
Commissioner
Texas General Land Office
Coastal Coordination Council
P. O. Box 12873
Austin, Texas 78711-2873

Texas Parks and Wildlife Department
Wildlife Division
Wildlife Habitat Assessment Program
Threatened and Endangered Species
3000 S. IH-35, Suite 100
Austin, Texas 78704

Joe Herrera
District Leader
Texas Parks and Wildlife Department
South Texas Wildlife District
1607 2nd Street
Pleasanton, TX 78064

F. Lawrence Oaks
State Historical Preservation Officer
Texas Historical Commission
PO Box 12276
Austin, TX 78711-2276

Local Recipients:

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City of Corpus Christi
P.O. Box 9277
Corpus Christi, TX 78469

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Howard Gillespie, Mayor
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Kiewit Offshore Services, Ltd.
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Samuel L. Neal, County Judge
Nueces County
901 Leopard St., Room 303
Corpus Christi, TX 78401

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400 West Sinton Street #109
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Ingleside Chamber of Commerce
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1982 FM 2725
Aransas Pass, TX 78336

John P. LaRue, Executive Director
Port of Corpus Christi
P.O. Box 1541
Corpus Christi, TX 78403

Stella Herman, Mayor
City of Ingleside
P.O. Drawer 400
Ingleside, TX 78362

Appendix B: Public Comments Received and Corresponding Responses

From: Rose Collin [mailto:vrcollin@gtek.biz]
Sent: Tue 7/14/2009 11:45 AM
To: 'Johannesmeyer, Dale C CTR OASN (I&E) BRAC PMO SE'
Cc: jimmy.anderson@navy.mil; stellaherrmannhomes@yahoo.com; 'Tenga, Richard, CIV, WSO-OEA'; 'Jim Gray'; 'Kimberly Drysdale'; 'Fielding, Thuane B CIV OASN (I&E) BRAC PMO SE'; Randy Williams; juanitalamas@gtek.biz
Subject: NEPA

Dear Mr. Johannesmeyer:

The Ingleside Local Redevelopment Authority (ILRA) is appreciative of the Department of the Navy (DoN) for the opportunity to provide input to the environmental review process in addressing potential impacts at Naval Station Ingleside-Electromagnetic Reduction Facility (EMR). There are no potential impacts above and beyond that have previously been identified that we believe should be addressed at the EMR Facility regarding the Environmental Assessment.

Pursuant to the terms of Texas Local Government Code-Chapter 379B Defense Base Development Authorities, the ILRA is reorganizing as an implementation local redevelopment authority with the legal powers to own and redevelop the EMR Facility. The primary goal of the ILRA is the creation of new employment opportunities for the Coastal Bend region.

The ILRA wishes to assist you in your investigation and analysis. Please feel free to contact us at any time.

Sincerely,

Rosie
Rosie Collin
Project Manager
P.O. Box 371
Ingleside, TX 78362
361-776-2907
Blackberry: 361-557-0362
Fax: 361-776-2962
vrcollin@gtek.biz
www.inglesidelra.org
INGLESIDE LRA email

TEXAS HISTORICAL COMMISSION
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July 9, 2009

Mr. Dale Johannnesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive Suite 202
North Charles, South Carolina
29405

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Environmental Assessment for the Transfer and Reuse of the Electromagnetic Reduction Facility at Naval Station Ingleside, Cultural Resources Survey Needed (Navy)

Dear Mr. Johannesmeyer:

Thank you for your correspondence concerning the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC). We have reviewed your letter and, while we have no record of historic properties listed on the National Register of Historic Places or historic properties eligible for inclusion on the National Register within the property area, there is a small area with a high possibility of containing archeological sites. Therefore, we recommend that the proposed project area be surveyed by a Secretary of the Interior qualified professional archeologists.

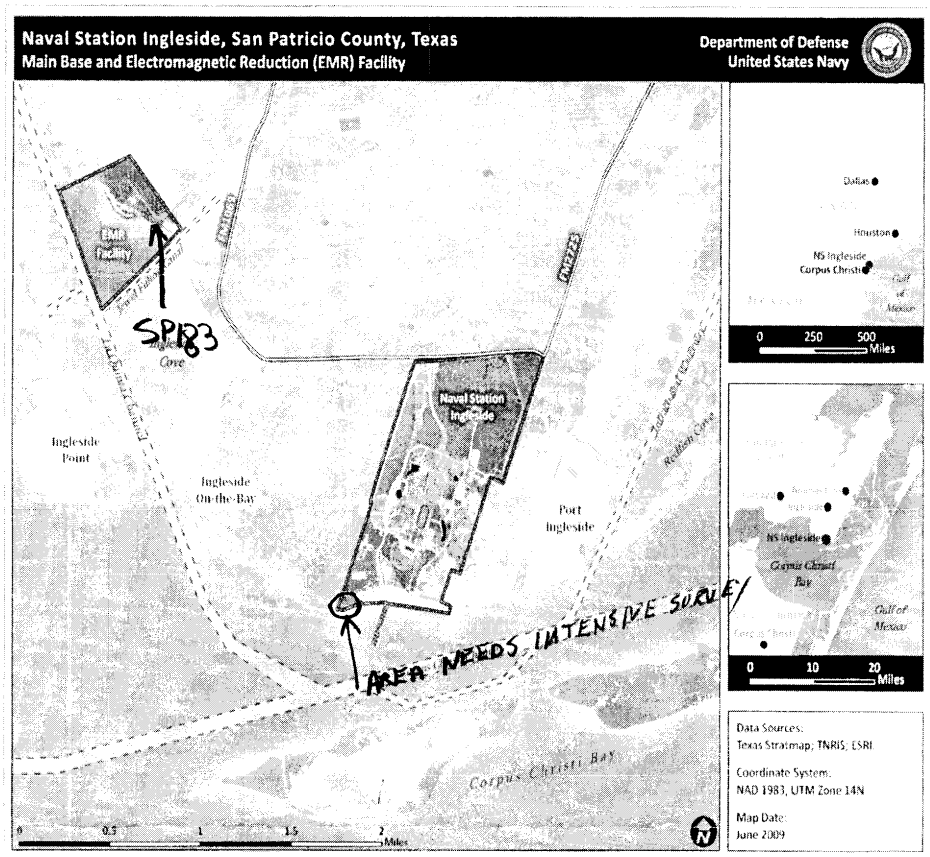
This cultural resource survey should be a 100% pedestrian archeological survey of the high probability areas (attached) that conform to the "Archeological Survey Standards for Texas" (available online at: www.thc.state.tx.us/rulesregs/).

Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions please contact Edward Baker of our staff, at (512) 463-5866.**

Sincerely,

for
Mark Wolfe
Deputy State Historic Preservation Officer
elb/MW
cc: (w/enclosures) Mr. James R. Williams, Mangi Environmental Group

RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • F. LAWERENCE OAKS, EXECUTIVE DIRECTOR
P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.us


Naval Station Ingleside, San Patricio County, Texas
Main Base and Electromagnetic Reduction (EMR) Facility
Department of Defense
United States Navy
EMR Facility
SP183
Naval Station Ingleside
Ingleside Point
Ingleside On-the-Bay
Port Ingleside
AREA NEEDS INTENSIVE SURVEY
Corpus Christi Bay
Dallas
Houston
NS Ingleside
Corpus Christi
Gulf of Mexico
0 250 500 Miles
0 10 20 Miles
Data Sources:
Texas Stratmap; TNRIS; ESRI
Coordinate System:
NAD 1983, UTM Zone 14N
Map Date:
June 2009
0 0.5 1 1.5 2 Miles

Encl: (1)

Response letter

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0232
21 Jul 09

Mr. Mark Wolfe,
Deputy Historic Preservation Officer
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276

Subj: SECTION 106 REVIEW IN CONJUNCTION WITH PREPARATION OF THE ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE

Dear Mr. Wolfe:

Thank you for your letter of July 9, 2009 addressing subject review. In your letter you recommended that while your office has no record of historical properties listed on the National Register of Historic Places or historical properties eligible for inclusion on the National Register within the property, there is a small area on the subject property with a high possibility of containing archeological sites. You further recommended that the proposed project area be surveyed by a Secretary of the Interior qualified professional archeologist and that the survey should be a 100% pedestrian archeological survey of the high probability areas.

I believe that the high probability area you refer to is in fact Archeological Site 41SP183 which was the subject of a pedestrian survey and a series of shovel tests performed in April 2004. A copy of the summary page of that survey report that was submitted to the Texas Historical Commission is attached. Following a review of that report, your office returned the cover letter to that report with a stamped endorsement, "NO HISTORIC PROPERTIES AFFECTED PROJECT MAY PROCEED". The endorsed cover letter is also enclosed.

I request that you review the enclosed material to determine if we are both referring to Site 41SP183. If so, then there should be no need for an additional survey. If you have any questions, feel free to call Mr. Dale Johannesmeyer of our office at phone (843) 743-2128.

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encls:
(1) Summary of report on pedestrian survey and shovel Tests at site 41SP183.
(2) HHM Inc letter of 11 July 2005 with endorsements.

THC Response Letter:

TEXAS HISTORICAL COMMISSION
real places telling real stories

August 2, 2009

Mr. Dale Johannnesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Department of the Navy
Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive Suite 202
North Charles, South Carolina
29405

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Environmental Assessment for the Transfer and Reuse of the Electromagnetic Reduction Facility at Naval Station Ingleside, Cultural Resources Survey Needed (Navy)

Dear Mr. Johannesmeyer:

Thank you for your additional correspondence concerning the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC). We have reviewed your letter and, 41SP183 is not in the area of potential effect. Whatever we have said about 41SP183 in the past has no particular bearing on the above undertaking (see attached maps).

There is a small area of the above project, which has not been surveyed, but that that has a very high possibility of containing archeological sites. Therefore, we continue to recommend that the proposed project area be surveyed by a Secretary of the Interior qualified professional archeologists as soon as possible. As we asked in July, this survey of the federal property for disposal should begin as soon as possible.

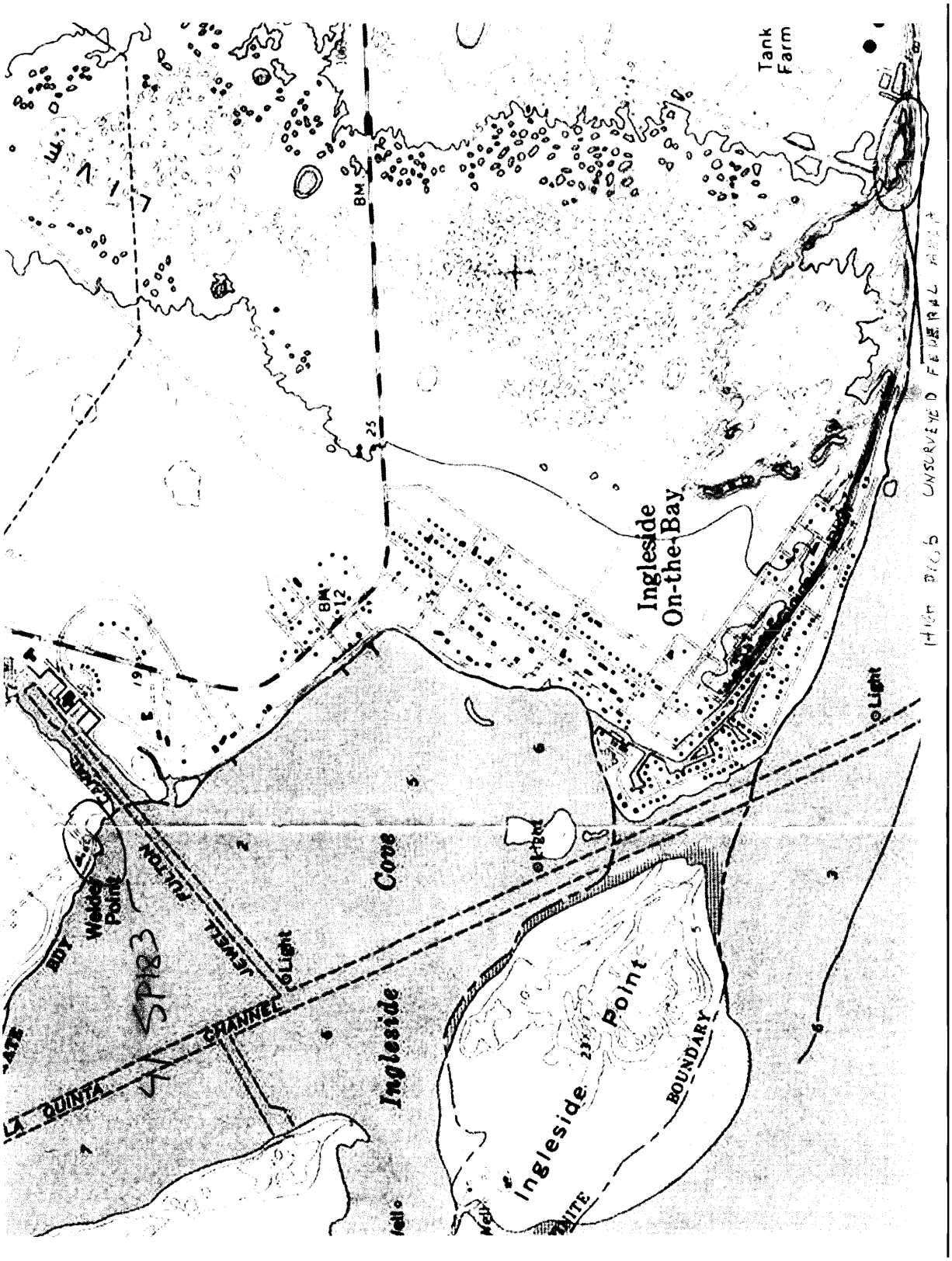
This cultural resource survey should be a 100% pedestrian archeological survey of the high probability areas (attached) that conform to the "Archeological Survey Standards for Texas" (available online at: www.thc.state.tx.us/rulesregs/).

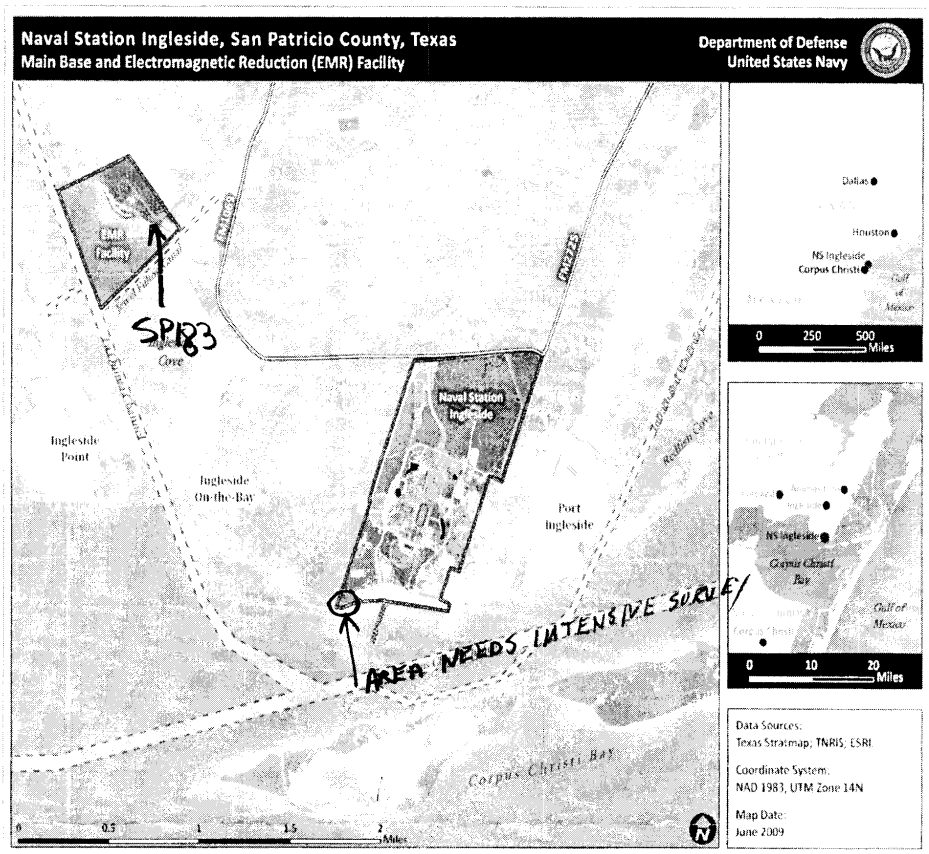
Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions please contact Edward Baker of our staff, at (512) 463-5866.**

Sincerely,

for Mark Wolfe
Deputy State Historic Preservation Officer
elb/MW
attached: maps of project area, 41SP183, and area needing survey.

RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR
)X 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.


Tank Farm
BM
25
BM 12
Ingleside On-the-Bay
Light
Cove
Ingleside
Point
Ingleside
BOUNDARY
Light
Light
Welder Point
JEWELL
FULTON
CHANNEL
QUINTA
BIDY
SP183


Naval Station Ingleside, San Patricio County, Texas
Main Base and Electromagnetic Reduction (EMR) Facility
Department of Defense
United States Navy
EMR Facility
SPIB3
Ingleside Cove
Naval Station Ingleside
Ingleside Point
Ingleside On-the-Bay
Port Ingleside
Redfish Cove
Corpus Christi Bay
AREA NEEDS INTENSIVE SURVEY
Dallas
Houston
NS Ingleside
Corpus Christi
Gulf of Mexico
0 250 500 Miles
0 10 20 Miles
0 0.5 1 1.5 2 Miles
Data Sources:
Texas Stratmap; TNRIS; ESRI
Coordinate System:
NAD 1983, UTM Zone 14N
Map Date:
June 2009

Encl: (1)

TEXAS PARKS & WILDLIFE

Life's better outside.

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Antonio Falcon, M.D.
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Dan Allen Hughes, Jr.
Beeville

Margaret Martin
Boerne

S. Reed Morian
Houston

Lee M. Bass
Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

July 24, 2009

Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

Re: Request for comments regarding the EA for the transfer/reuse of the EMR facility, Naval Station Ingleside, San Patricio County, Texas

Dear Mr. Johannesmeyer:

This letter is in response to your request for information to include in the Environmental Assessment (EA) for the transfer and reuse of the Electromagnetic Reduction (EMR) facility at Naval Station Ingleside (NAVSTA Ingleside), San Patricio County, Texas. The EMR Facility will be closed in accordance with the 2005 Base Closure and Realignment (BRAC) Commission decision. In compliance with the National Environmental Policy Act (NEPA), an EA is being prepared to describe the proposed action, the purpose and need, and reasonable alternatives to accomplish the purpose and need. Four alternatives including the "No Action" alternative have been proposed. Alternative 1 would reuse the property as a multiuse marine based business park and marina; Alternative 2 would convey the property to the city or county to be used for open space/public recreation with minimal development; Alternative 3 would transfer the property "as-is" to an end user to develop as a potential industrial site; and Alternative 4, the no action alternative, in which the property would remain under federal ownership.

Texas Parks and Wildlife Department (TPWD) staff reviewed the information provided and has comments and recommendations concerning the following:

- Fish, wildlife and habitat resources
- Rare resources
- TPWD recommended alternative

Fish, wildlife and habitat resources

According to the information provided and as described in the Integrated Natural Resources Management Plan (INRMP) for NAVSTA Ingleside, the ERM Facility property consists of a variety of habitats including tidal beach, grasslands, and granjeno-hackberry woodlands. These available habitats can be used by numerous species of wildlife. Birds in particular utilize available habitat for feeding and resting. As development continues to encroach around

4200 SMITH SCHOOL ROAD
AUSTIN, TEXAS 78744-3291
512.389.4800
www.tpwd.state.tx.us

Mr. Johannesmeyer
Page 2
July 24, 2009

the EMR Facility property, the value of the undeveloped uplands as a buffer between developed areas and the open bay may increase. Also, the dominant species of trees (*i.e.*, mesquite, huisache, granjeno) present on the site are extremely important to wildlife as they provide legumes and berries during much of the year. Although the upland area is relatively small, it provides cover and some nesting sites for wildlife in an area characterized by land cleared for cultivated crops.

The aquatic areas associated with the EMR Facility consist of high quality seagrass beds parallel with the shoreline, a seagrass mitigation site, and a tidally influence beach with characteristic low, mid- and high marsh vegetation. These habitats support wildlife and fisheries resources associated with the estuarine environment.

In order to adequately assess potential impacts associated with the proposed alternatives, the EA should, at a minimum, include a current inventory of existing natural resources occurring in the project area. Specific evaluations should be designed to predict project impacts upon these natural resources and sufficient documentation should be supplied to accurately interpret the value of the natural resources involved and the extent to which each alternative would impact these resources. This can be accomplished with aerial and ground photography, with overlays indicating the extent of the project boundaries and anticipated impacts within those boundaries for each alternative. More detailed information outlining the requirements and expectations of TPWD concerning environmental assessments and impact statements are attached in a document entitled, "TPWD Suggested Guidelines for Preparation of Environmental Assessment Documents."

Rare resources

Based on information from the TPWD annotated county list of rare species for San Patricio County, the NAVSTA Ingleside INRMP and presently known Texas Natural Diversity Database (TXNDD) records for the general project area, the following state listed and rare species could be impacted by development activities at the ERM Facility if suitable habitat is present:

Federal and State Listed Endangered

Brown Pelican (*Pelecanus occidentalis*) LE-PDL (federally)
* Black right whale (*Eubalaena glacialis*)
* Jaguarundi (*Herpailurus yaguarondi*)

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Ocelot (*Leopardus pardalis*)
* West Indian Manatee (*Trichechus manatus*)
Atlantic hawksbill sea turtle (*Eretmochelys imbricata*)
Kemp's ridley sea turtle (*Lepidochelys kempii*)
Leatherback sea turtle (*Dermochelys coriacea*)

Federal and State Listed Threatened
Piping Plover (*Charadrius melodus*)
Green sea turtle (*Chelonia mydas*)
Loggerhead sea turtle (*Caretta caretta*)

State Listed Threatened
Black-spotted newt (*Notophthalmus meridionalis*)
Sheep frog (*Hypopachus variolosus*)
South Texas Siren (large form) (*Siren* sp. 1)
Peregrine Falcon (*Falco peregrinus*)
Reddish Egret (*Egretta rufescens*)
Sooty Tern (*Sterna fuscata*)
Wood Stork (*Mycteria amaericana*)
Opossum pipefish (*Microphis brachyurus*)
Indigo snake (*Drymarchon corais*)
Texas horned lizard (*Phynosoma cornutum*)
Texas scarlet snake (*Cemophora coccinea lineri*)
Texas tortoise (*Gopherus berlandieri*)
Timber/Canebrake rattlesnake (*Crotalus horridus*)

Species of Concern
Southeastern Snowy Plover (*Charadrius alexandrinus tenuirostris*)
Western Snowy Plover (*Charadrius alexandrinus nivosus*)
Texas pipefish (*Syngnathus affins*)
Plains spotted skunk (*Spilogale putorius interrupta*)
Gulf saltmarsh snake (*Nerodia clarkii*)
* Keeled earless lizard (*Holbrookia propinqua*)
Spot-tailed earless lizard (*Holbrookia lacerata*)
Texas diamondback terrapin (*Malaclemys terrapin littoralis*)
Coastal gay-feather (*Liatris bracteata*)
Elmendorf's onion (*Allium elmendorfii*)
Plains gumweed (*Grindelia oolepis*)
* Threeflower broomweed (*Thurovia triflora*)

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Welder machaeranthera (*Psilactis heterocarpa*)

Special Features and Natural Communities

* Rookeries
* Coastal Live oak-Redbay series (*Quercus virginiana-Persea borbonia*)

Occurrences of the species shown above, preceded by an asterisk, have been documented on and/or possibly within 1.5 miles of the project sites. Many of the species listed above, while not documented in the TXNDD have been observed by TPWD staff in the project area. These include the Brown Pelican, Reddish Egret and Wood Stork. Printouts for the occurrence records and a map are included for your planning reference.

Please be aware that the TXNDD is intended to assist users in avoiding harm to rare species or significant ecological features. Absence of information in an area does not imply that a species is absent from that area. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presences, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and **cannot be used as presence/absence data**. They represent species that could potentially be in your project area. This information cannot be substituted for on-the-ground surveys.

Please review the most current TPWD county list for San Patricio County, as other rare species could be present depending upon habitat availability. These lists are available online at http://www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered_species/index.html.

For the USFWS rare species lists please visit: http://ecos.fws.gov/tess_public/servlet/gov.doi.tess_public.servlets.EntryPage.

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TPWD recommended alternative

Due to the limited existing development of the site, the available terrestrial habitat, and high quality aquatic habitat associated with the EMR Facility property, TPWD recommend Alternative 2-Open Space/Recreation be considered the Preferred Alternative. Preserving and managing terrestrial woodland habitat will provide feeding, nesting and cover for resident and migratory birds. Birding in the Coastal Bend is a multi-million dollar a year industry that directly benefits small communities such as Ingleside. Similarly, preserving seagrass beds and shoreline vegetation improves water quality by stabilizing sediment and filtering water and provides habitat (nurseries, cover, and feeding areas) for aquatic species including commercially important species. Combined these habitats play a role in a supporting wildlife that are both economically and ecologically important to the immediate area.

Alternatives 1 and 3 could both involve some degree of shoreline development, impact to seagrass, direct and indirect degradation of water quality, and reduction in the quality and quantity of available wildlife habitat. Development that results in impacting waters of the U.S. (*e.g.*, wetlands) would require coordination with the U.S. Army Corps of Engineers and would likely require providing compensatory mitigation for unavoidable impacts. Developments that would involve impacting the submerged area of the ERM Facility property could negatively impact a previous mitigation area, requiring further compensation. In order to avoid impacts to high quality terrestrial and aquatic habitats, preserve the existing functions of those habitats and their corresponding economic value, TPWD recommends Alternative 2 as the preferred alternative.

I appreciate the opportunity to review and provide comments on this project. Please contact me at (361) 825-3240 if we may be of further assistance.

Sincerely,

Russell Hooten

Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

Attachments

Element Occurrence Record

Scientific Name: *Eubalaena glacialis* **Occurrence #:** 1 **Eo Id:** 8875

Common Name: Black Right Whale **TX Protection Status:**

Global Rank: G1 **State Rank:** S1

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110202	South Corpus Christi Bay
12110201	North Corpus Christi Bay
12100405	Aransas Bay

County Code:	County Name:
TXSANP	San Patricio
TXNUEC	Nueces
TXARAN	Aransas

Mapsheet Code:	Mapsheet Name:	State:
27097-H3	Gregory	TX
27097-H2	Aransas Pass	TX
27097-F3	Oso Creek NE	TX
27097-F2	Crane Islands NW	TX
27097-G4	Corpus Christi	TX
27097-G2	Port Ingleside	TX
27097-G3	Portland	TX
27097-G1	Port Aransas	TX

Directions:

Corpus Christi Bay and ship channel E to Aransas Pass.

Survey Information:

First Observation: 2006-01-16 **Survey Date:** 2006-01-17 **Last Observation:** 2006-01-17

Eo Type: **EO Rank:** U - Unrankable **EO Rank Date:** 2006-01-17

Observed Area (acres): **Estimated Representation Accuracy:** Very Low

Comments:

General Description:

Comments:

Protection Comments:

Management Comments:

Data:

EO Data: 16-17 Jan 2006: A mother and her calf entered Corpus Christi Bay via the Port Aransas ship channel.

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Element Occurrence Record

Managed Area:

Managed Area Name:

Managed Area Type:

Reference:

Full Citation:

Byrd, Meridith. 2006. E-mail sent to Sandy Birnbaum, Natural Diversity Database Manager, concerning two Eubalaena glacialis observed in Corpus Christi Bay.

Specimen:

Associated Species:

Species Name	Type	Comments

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Element Occurrence Record

Scientific Name: *Trichechus manatus* **Occurrence #:** 1 **Eo Id:** 6570

Common Name: West Indian Manatee **TX Protection Status:** E

Global Rank: G2 **State Rank:** S1

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110202	South Corpus Christi Bay
12110201	North Corpus Christi Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXNUEC	Nueces	27097-G4	Corpus Christi	TX
		27097-G2	Port Ingleside	TX
		27097-G1	Port Aransas	TX

Directions:

Corpus Christi Bay and Port Aransas. These are generalized directions as this record consists of multiple on-the-ground observations.

Survey Information:

First Observation: 2001-09-23 **Survey Date:** 2006-10-31 **Last Observation:** 2006-10-31

Eo Type: **EO Rank:** E - Verified extant (viability not assessed) **EO Rank Date:** 2006-10-31

Observed Area (acres): **Estimated Representation Accuracy:** Medium

Comments:

General Description:

Comments:

Protection Comments:

Management Comments:

Data:

EO Data: 23 Sep 2001 and 5, 31 Oct 2006: One manatee observed.

Managed Area:

Managed Area Name: **Managed Area Type:**

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Element Occurrence Record

Reference:

Full Citation:

Cobb, Robyn. 2006. E-mail sent to Sandy Birnbaum, Natural Diversity Database Manager, concerning a manatee sighting in the Jewell Fulton Channel, near Ingelside On-the-Bay, TX.

Cobb, Robyn. 2006. E-mail sent to Sandy Birnbaum, Natural Diversity Database Manager, on 10 October concerning a manatee sighting in the Port Aransas City Marina Boat Basin, Port Aransas, TX.

PRESSLY, LORETTA. 2001. E-MAIL TO GARETH ROWELL CONCERNING MANATEE SIGHTING IN CORPUS CHRISTI BAY. SEPTEMBER 28, 2001.

Specimen:

Associated Species:

Species Name	Type	Comments

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Element Occurrence Record

Scientific Name: *Quercus virginiana-persea borbonia series* **Occurrence #:** 3 **Eo Id:** 5746

Common Name: Coastal Live Oak-redbay Series **TX Protection Status:**

Global Rank: G3 **State Rank:** S3

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110201	North Corpus Christi Bay
12100405	Aransas Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXSANP	San Patricio	27097-G2	Port Ingleside	TX

Directions:

NAVAL STATION INGLESIDE, SOUTH OF FM 1069, WEST OF FM 2725, NORTH OF CORPUS CHRISTI SHIP CHANNEL, BETWEEN PORT INGLESIDE AND INGLESIDE-ON-THE-BAY

Survey Information:

First Observation: **Survey Date:** 1992-06-17 **Last Observation:** 1992-06-17

Eo Type: **EO Rank:** BC - Good or fair estimated viability **EO Rank Date:** 1992-06-17

Observed Area (acres): **Estimated Representation Accuracy:**

Comments:

General Description: QUERCUS VIRGINIANA-Q. HEMISPHAERICA-PERSEA BORBONIA DENSE THICKETY WOODLAND OR SHRUBLAND, FEW OPENINGS, HUNDREDS OF POTHOLES, SOME PERMANENT PONDS, DIVERSE GROUND LAYER, DEEP SANDS OF INGLESIDE BARRIER

Comments:

Protection Comments:

Management Comments:

Data:

EO Data: NONE

Managed Area:

Managed Area Name:	Managed Area Type:
NS INGLESIDE	FDNDD

Reference:

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Element Occurrence Record

Full Citation:

CARR, W.R. 1992. FIELD SURVEY OF NAVAL STATION INGLESIDE, 17 JUNE 1992.

Specimen:

Associated Species:

Species Name	Type	Comments

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Element Occurrence Record

Scientific Name: *Rookery* **Occurrence #:** 54 **Eo Id:** 2721

Common Name: **TX Protection Status:**

Global Rank: GNR **State Rank:** SNR

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110201	North Corpus Christi Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXNUEC	Nueces	27097-G2	Port Ingleside	TX
		27097-G3	Portland	TX

Directions:

SPOIL ISLANDS ON THE INTRACOASTAL WATERWAY 2 MILES SOUTHWEST OF INGLESIDE

Survey Information:

First Observation: 1978 **Survey Date:** **Last Observation:** 1988

Eo Type: **EO Rank:** **EO Rank Date:**

Observed Area (acres): **Estimated Representation Accuracy:**

Comments:

General Description: SPOIL ISLAND (1) ON THE INTRACOASTAL WATERWAY; ELEVATION IS 6 METERS

Comments: COLONY NUMBER 614-160

Protection Comments:

Management Comments:

Data:

EO Data: NESTING COLONY OF THE GREAT BLUE HERON

Managed Area:

Managed Area Name: **Managed Area Type:**

Reference:

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Element Occurrence Record

Full Citation:

TEXAS COLONIAL WATERBIRD SOCIETY AND TEXAS PARKS & WILDLIFE DEPARTMENT. 1986-1989. TEXAS COLONIAL WATERBIRD CENSUS SUMMARY. SPECIAL ADMINISTRATIVE REPORTS.

MULLINS, L.M. ET.AL. 1982. ET.SEQ. ATLAS & CENSUS OF TEXAS WATERBIRD COLONIES, 1973-1980. TX COLONIAL WATERBIRD SOCIETY.

Specimen:

Associated Species:

Species Name	Type	Comments

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Element Occurrence Record

Scientific Name: *Herpailurus yaguarondi* **Occurrence #:** 8 **Eo Id:** 1473

Common Name: Jaguarundi **TX Protection Status:** E

Global Rank: G4 **State Rank:** S1

Location Information:

Latitude: **Longitude:**

Watershed Code: 12110201

Watershed Description: North Corpus Christi Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXSANP	San Patricio	27097-G2	Port Ingleside	TX

Directions:

FELINE CROSSING FM 1069 NEAR INGLESIDE, TEXAS

Survey Information:

First Observation: **Survey Date:** **Last Observation:** 1984

Eo Type: **EO Rank:** **EO Rank Date:**

Observed Area (acres): **Estimated Representation Accuracy:**

Comments:

General Description: OAK SCRUB

Comments:

Protection Comments:

Management Comments:

Data:

EO Data: JAGUARUNDI CROSSING THE ROAD NEAR DUSK

Managed Area:

Managed Area Name: **Managed Area Type:**

Reference:

Full Citation:

WITHERS, KIM. 1994. PERSONAL COMMUNICATION TO TPWD ENDANGERED SPECIES PROGRAM DATED 18 AUGUST 1994.

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Element Occurrence Record

Specimen:

Associated Species:

Species Name	Type	Comments

Element Occurrence Record

Scientific Name: *Rookery* **Occurrence #:** 50 **Eo Id:** 1215

Common Name: **TX Protection Status:**

Global Rank: GNR **State Rank:** SNR

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110201	North Corpus Christi Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXSANP	San Patricio	27097-G2	Port Ingleside	TX

Directions:

SPOIL ISLANDS ON THE INTRACOASTAL WATERWAY 2 MILES WEST-NORTHWEST OF PORT INGLESIDE

Survey Information:

First Observation: 1977 **Survey Date:** **Last Observation:** 1989

Eo Type: **EO Rank:** **EO Rank Date:**

Observed Area (acres): **Estimated Representation Accuracy:**

Comments:

General Description: SPOIL ISLAND (1) ON THE INTRACOASTAL WATERWAY; ELEVATION IS 4 METERS

Comments: COLONY NUMBER 614-182

Protection Comments:

Management Comments:

Data:

EO Data: NESTING COLONY OF THE GREAT BLUE HERON

Managed Area:

Managed Area Name: **Managed Area Type:**

Reference:

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Element Occurrence Record

Full Citation:

TEXAS COLONIAL WATERBIRD SOCIETY AND TEXAS PARKS & WILDLIFE DEPARTMENT. 1986-1989. TEXAS COLONIAL WATERBIRD CENSUS SUMMARY. SPECIAL ADMINISTRATIVE REPORTS.

MULLINS, L.M. ET.AL. 1982. ET.SEQ. ATLAS & CENSUS OF TEXAS WATERBIRD COLONIES, 1973-1980. TX COLONIAL WATERBIRD SOCIETY.

Specimen:

Associated Species:

Species Name	Type	Comments

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Element Occurrence Record

Scientific Name: *Holbrookia propinqua* **Occurrence #:** 9 **Eo Id:** 1060

Common Name: Keeled Earless Lizard **TX Protection Status:**

Global Rank: G3? **State Rank:** S3?

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110201	North Corpus Christi Bay
12100405	Aransas Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXSANP	San Patricio	27097-G2	Port Ingleside	TX
		27097-H2	Aransas Pass	TX
		27097-H3	Gregory	TX
		27097-G3	Portland	TX

Directions:

1 MILE WEST OF INGLESIDE

Survey Information:

First Observation: **Survey Date:** **Last Observation:** 1961-05-19

Eo Type: **EO Rank:** **EO Rank Date:**

Observed Area (acres): **Estimated Representation Accuracy:**

Comments:

General Description:

Comments:

Protection Comments:

Management Comments:

Data:

EO Data:

Managed Area:

Managed Area Name: **Managed Area Type:**

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Element Occurrence Record

Reference:

Full Citation:

ELLIOTT, LEE. 1994. MEMORANDUM TO DORINDA SULLIVAN DATED DECEMBER 2, 1994 CONCERNING TEXAS A& M-KINGSVILLE VERTEBRATE SPECIMENS CATALOGUE.

Specimen:

TEXAS A & M UNIVERSITY-KINGSVILLE--VERTEBRATE COLLECTION. 1961. UNKNOWN COLLECTOR, SPECIMEN #57 AI. 19 MAY 1961.

Associated Species:

Species Name	Type	Comments

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Element Occurrence Record

Scientific Name: *Thurovia triflora* **Occurrence #:** 2 **Eo Id:** 858

Common Name: threeflower broomweed **TX Protection Status:**

Global Rank: G2G3 **State Rank:** S2S3

Location Information:

Latitude: **Longitude:**

Watershed Code:	Watershed Description:
12110201	North Corpus Christi Bay

County Code:	County Name:	Mapsheet Code:	Mapsheet Name:	State:
TXSANP	San Patricio	27097-G2	Port Ingleside	TX
		27097-H2	Aransas Pass	TX

Directions:

INGLESIDE

Survey Information:

First Observation: 1936 **Survey Date:** **Last Observation:** 1936-09-19

Eo Type: **EO Rank:** **EO Rank Date:**

Observed Area (acres): **Estimated Representation Accuracy:**

Comments:

General Description:

Comments:

Protection Comments:

Management Comments:

Data:

EO Data: IN FLOWER

Managed Area:

Managed Area Name: **Managed Area Type:**

Reference:

Full Citation:

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Element Occurrence Record

Specimen:

Texas A & M University, Tracy Herbarium. 1936. H.B. Parks #20416, 20417, Specimen # 18987, 23120 TAES. 19 September 1936.

Associated Species:

Species Name	Type	Comments

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Code Key for Printouts from Texas Parks and Wildlife Department Texas Natural Diversity Database (TXNDD)

This information is for your assistance only; due to continuing data updates, vulnerability of private land to trespass and of species to disturbance or collection, **please refer all requesters to our office to obtain the most current information available.** Also, please note, identification of a species in a given area does not necessarily mean the species currently exists at the point or area indicated.

LEGAL STATUS AND CONSERVATION RANKS

FEDERAL STATUS *(as determined by the US Fish and Wildlife Service)*

LE	Listed Endangered
LT	***Listed Threatened***
PE	Proposed to be listed Endangered
PT	Proposed to be listed Threatened
PDL	Proposed to be Delisted (Note: Listing status retained while proposed)
SAE, SAT	Listed Endangered on basis of Similarity of Appearance, Listed Threatened on basis of Similarity of Appearance
DL	Delisted Endangered/Threatened
C	Candidate. USFWS has substantial information on biological vulnerability and threats to support proposing to list as threatened or endangered. Data are being gathered on habitat needs and/or critical habitat designations.
C*	C, but lacking known occurrences
C**	C, but lacking known occurrences, except in captivity/cultivation
XE	***Essential Experimental Population***
XN	Non-essential Experimental Population
Blank	Species is not federally listed

TX PROTECTION **(as determined by the Texas Parks and Wildlife Department)**

E	Listed Endangered
T	Listed Threatened
Blank	Species not state-listed

GLOBAL RANK (as determined by NatureServe)

G1	Critically imperiled globally, extremely rare, typically 5 or fewer viable occurrences
G2	Imperiled globally, very rare, typically 6 to 20 viable occurrences
G3	Very rare and local throughout range or found locally in restricted range, typically 21 to 100 viable occurrences
G4	Apparently secure globally
G5	Demonstrably secure globally
GH	Of historical occurrence through its range
GU	Possibly in peril range-wide, but status uncertain

G#G#	Ranked within a range as status uncertain
GX	Apparently extinct throughout range
Q	Rank qualifier denoting taxonomic assignment is questionable
#?	Rank qualifier denoting uncertain rank
C	In captivity or cultivation only
G#T#	"G" refers to species rank; "T" refers to variety or subspecies rank
	STATE (SUBNATIONAL) RANK (as determined by the Texas Parks and Wildlife Department)
S1	Critically imperiled in state, extremely rare, vulnerable to extirpation, typically 5 or fewer viable occurrences
S2	Imperiled in state, very rare, vulnerable to extirpation, typically 6 to 20 viable occurrences
S3	Rare or uncommon in state, typically 21 to 100 viable occurrences
S4	Apparently secure in State
S5	Demonstrably secure in State
S#S#	Ranked within a range as status uncertain
SH	Of historical occurrence in state and may be rediscovered
SU	Unrankable – due to lack of information or substantially conflicting information
SX	Apparently extirpated from State
SNR	Unranked – State status not yet assessed
SNA	Not applicable – species id not a suitable target for conservation activities
?	Rank qualifier denoting uncertain rank in State

ELEMENT OCCURRENCE RECORD

Element Occurrence Record (EOR)	***Spatial and tabular record of an area of land and/or water in which a species, natural community, or other significant feature of natural diversity is, or was, present and associated information; may be a single contiguous area or may be comprised of discrete patches or subpopulations***
Occurrence #	Unique number assigned to each occurrence of each element when added to the NDD

LOCATION INFORMATION

Watershed Code	Eight digit numerical code determined by US Geological Survey (USGS)
Watershed	Name of watershed as determined by USGS
Quadrangle	Name of USGS topographical map
Directions	***Directions to geographic location where occurrence was observed, as described by observer or in source***

SURVEY INFORMATION

First/Last Observation	Date a particular occurrence was first/last observed; refers only to species occurrence as noted in source and does not imply the first/last date the species was present

Survey Date	If conducted, date of survey			
EO Type	State rank qualifiers:			
	M	Migrant – species occurring regularly on migration at staging areas, or concentration along particular corridors; status refers to the transient population in the State		
	B	Qualifier indicating basic rank refers to the breeding population in State		
	N	Qualifier indicating basic rank refers to the non-breeding population in State		
EO Rank	A	Excellent	AI	Excellent, Introduced
	B	Good	**BI**	Good, Introduced
	C	Marginal	**CI**	Marginal, Introduced
	D	Poor	**DI**	Poor, Introduced
	E	Extant/Present	**EI**	Extant, Introduced
	H	Historical/No Field Information	**HI**	Historical, Introduced
	X	Destroyed/Extirpated	**XI**	Destroyed, Introduced
	O	Obscure	**OI**	Obscure, Introduced
EO Rank Date	Latest date EO rank was determined or revised			
Observed Area	Acres, unless indicated otherwise			

COMMENTS

Description	General physical description of area and habitat where occurrence is located, including associated species, soils, geology, and surrounding land use
Comments	Comments concerning the quality or condition of the element occurrence at time of survey
Protection Comments	Observer comments concerning legal protection of the occurrence
Management Comments	Observer comments concerning management recommendations appropriate for occurrence conservation

DATA

EO Data	Biological data; may include number of individuals, vigor, flowering/fruiting data, nest success, behaviors observed, or unusual characteristic, etc.

SITE

Site Name	Title given to site by surveyor

MANAGED AREA INFORMATION

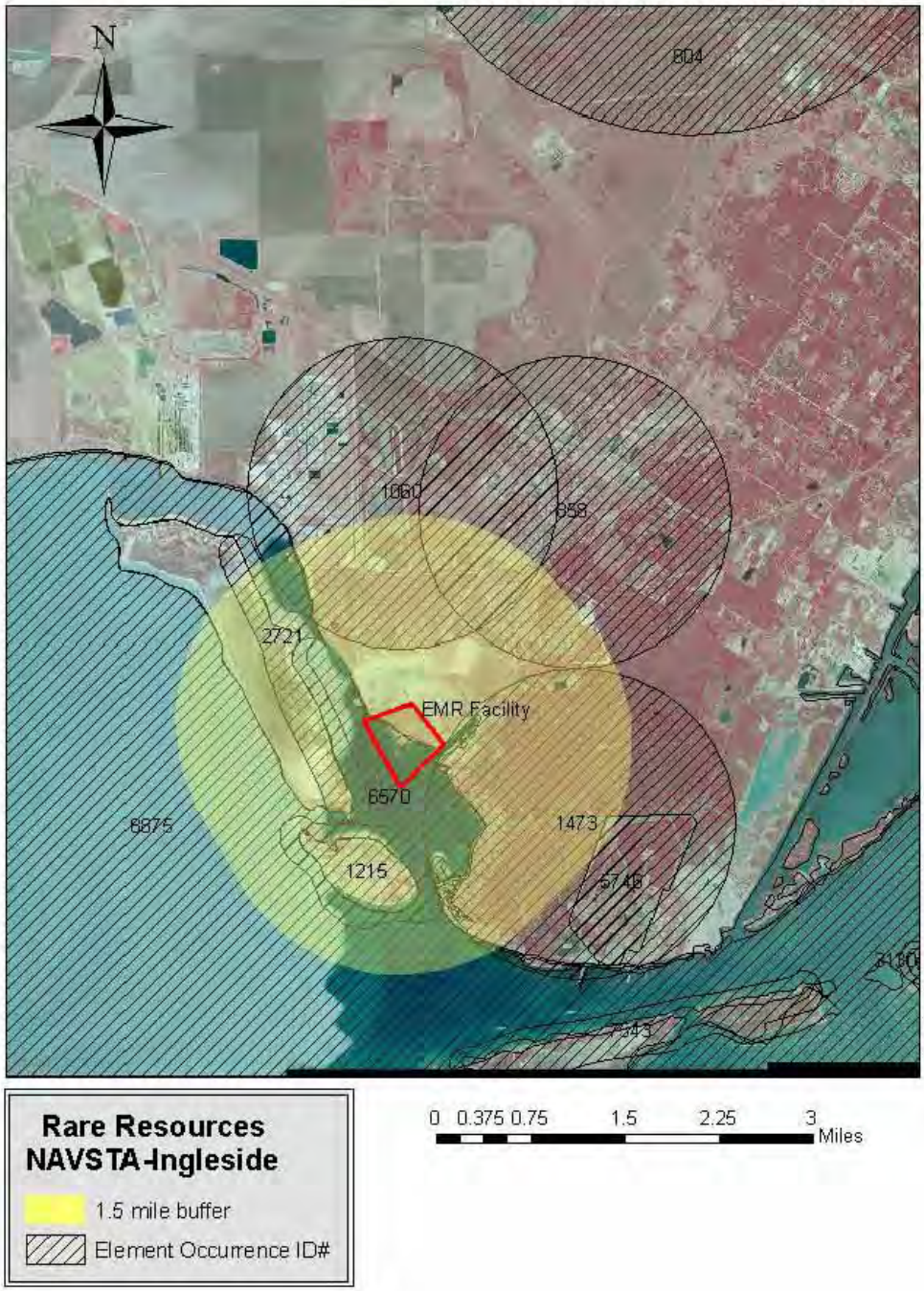
Managed Area Name	Place name or (on EOR printout) name of area when the EO is located within or partially within an area identified for conservation, such as State or Federal lands, nature preserves, parks, etc.
Alias	Additional names the property is known by
Acres	Total acreage of property, including non-contiguous tracts

Manager	Contact name, address, and telephone number for area or nearest area land steward

Please use one of the following citations to credit the source for the printout information:

Texas Natural Diversity Database. [year of printouts]. Wildlife Diversity Program of Texas Parks & Wildlife Department. [day month year of printouts].

Texas Natural Diversity Database. [year of printouts]. Element occurrence printouts for [scientific name] *records # [occurrence number(s)]. Wildlife Diversity Program of Texas Parks & Wildlife Department. [day month year of printouts]. *Use of record #'s is optional.


N
804
1060
858
2721
EMR Facility
6570
8875
1473
1215
5746
3180
7343
Rare Resources
NAVSTA-Ingleside
1.5 mile buffer
Element Occurrence ID#
0 0.375 0.75 1.5 2.25 3
Miles

Texas Parks and Wildlife Department Suggested Guidelines for Preparation of Environmental Assessment Documents

Following is an outline of categories of information needed to evaluate a proposed project or action. Every effort should be made to supply quantified data. If subjective data is all that can be supplied, documentation verifying the credentials of the data collector should be provided.

Categories considered essential for adequate biological review by this agency are noted by an asterisk (*). Depending on the complexity and scope of the proposed project or action, or requirements by other agencies, all the items listed below may be required.

Whenever practical, environmental documents should be supported by aerial photography, topographic maps, schematics, charts, tables, etc. with minimum narrative sufficient to describe, quantify, and qualify the data.

A. Project Description

* • Identify who is proposing the project.
* • Identify who is conducting the assessments and provide credentials of this person(s).
* • Describe the purpose of the project.
* • Define the scope of work.
* • Identify the project area and study area (total acres, miles of r-o-w, etc.)
* • Identify the time table projected for the entire project.
* • Describe any required coordination and review for the project.
* • List or describe any required public input.
• Provide historical information significant to the project.

B. Description of the Affected Environment

1. Natural Resources

• Describe the geology within the study area.
* • Describe the soils present and their characteristics.
* • Describe the landform (topography) and the natural processes impacting the present landform.
• Describe the climatic factors affecting the study area.
* • Describe the supply and quality of surface water resources in the study area.
* • Describe the supply and quality of groundwater resources including aquifer recharge zones occurring within the study area.
* • Describe natural hazards affecting the study area, i.e. tidal influences, flood activity, etc.).
• Describe the quality of the air in the study area.
* • Describe the vegetation communities (cover type) specifically impacted by the project to include: dominant plant species, estimated height of trees, woody shrubs or brush; and

estimated canopy coverage of woody vegetation. Total acreage of each cover type disturbed by the project should also be listed.

* • Describe the fauna that would be associated with the dominant vegetation cover types identified above.

* • Identify "sensitive" ecosystems which occur in the study area such as: springs, streams, rivers, floodplains, vegetation corridors, bottomland hardwoods, wetlands, bays, estuaries, native grasslands, etc.

* • Describe the occurrence of threatened/endangered species (or their habitats) and unique or rare natural communities which occur in the study area.

a. On site inspection of the study area for permanent or seasonal occurrence.
b. On site inspection of the study area for occurrence of habitat.
c. Interviews with recognized experts on all species with a potential of occurrence.
d. Literature review of data applicable to a potential occurring species concerning species distribution, habitat needs, and biological requirements.

2. Cultural Resources

* • Identify public use and open space areas in the vicinity of the proposed project such as parks, natural areas, wildlife preserves and management areas.
- Identify previous, present, and proposed land uses within the study area.
- Identify significant archeological features within the study area.
- Identify significant historical features in the study area with special consideration of "National Register of Historic Places" properties.
- Identify rights-of-ways, easements, public utilities, and transportation features within the study area.
- Identify noise pollution sources and current noise levels within the study area.
- Identify existing and proposed public health and hazardous waste facilities which exist in the study area such as land fills, hazardous waste sites, wastewater treatment facilities, septic tanks, etc.
- Identify socioeconomic factors, if applicable.

***C. Project Alternatives**

List and describe project alternatives (including "no action") and associated impacts (direct and indirect) to described resources. If the project is potentially large in scope, cumulative effects with other similar projects may be required.

***D. Mitigation**

A major responsibility of TPWD is to conserve and protect the state's fish, wildlife, and plant resources. Certain categories of these biotic resources warrant special consideration. These include habitats that are locally and regionally scarce, habitats supporting unique species or communities, stream and river ecosystems, bays, estuaries, wetlands, bottomland hardwoods, and native grasslands. All projects which could adversely affect these resources

should be fully evaluated, and where possible, implementation of less damaging alternatives undertaken. If it is determined that a project or action will potentially affect fish, wildlife or plant resources, a process for adverse impact reduction should be initiated. Mitigation measures should be developed and implemented sequentially as follows:

1. **AVOIDANCE:** Avoiding adverse impacts through changes in project location, design, operation, or maintenance procedures, or through selection of other less damaging alternatives to the project or action.

2. **MINIMIZATION:** Minimizing impacts and by project modification or rectification to restore or improve impacted habitat to pre-project condition; or through reducing the impacts over time by preservation and maintenance operations during the life of the project or action.

3. **COMPENSATION:** Compensating for unavoidable impacts by providing replacement or substitute resources (including appropriate management) for losses caused by project construction, operation, or maintenance.

Mitigation should be an integral part of any action or project which adversely affects fish, wildlife, and habitats upon which they depend. Failure to adequately avoid or minimize adverse impacts or to adequately compensate for unavoidable losses of natural resources is a serious deficiency in any project plan and may cause delays in this Department's review and assessment of the adverse impacts upon fish & wildlife resources. In assessing project impacts, reasonable foreseeable secondary and cumulative impacts should be included.

***E. Coordination**

Provide copies of pertinent coordination correspondence.

***F. Document Preparers and Their Qualifications**

***G. Bibliography**

(references: 40 CFR Parts 1500-1508 and various EPA handouts concerning Environmental Assessment documentation.)

From: Bill_Huie@nps.gov [mailto:Bill_Huie@nps.gov]
Sent: Mon 7/27/2009 5:00 PM
To: dale.johannesmeyer@navy.mil
Cc: Randy Williams
Subject: EMR Facility, NS Ingleside

Dale:

Thank you for your information on the forthcoming EA for the EMR Facility at the NS Ingleside. The National Park Service's Federal Lands to Parks Program would be pleased to assist a State or local unit of government in completing an application for a no-cost conveyance of the subject property for a public park. If your final decision recommends all or a portion of this property for a public park, we would be pleased to assist with the conveyance. My mailing address is:

Bill Huie
Program Manager
Federal Lands to Parks Program
National Park Service
100 Alabama St., SW
Atlanta, GA 30303-8701

I can be reached at 404-507-5689, or via e-mail at: Bill_Huie@nps.gov

Thank you for the opportunity to comment. Let me know if you have any questions.

Bill Huie
Federal Lands to Parks Program Manager
Southeast Regional Office
National Park Service
404-507-5689
404-562-3282 or 3246 (FAX)
www.nps.gov/flp

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Appendix C: Impact Significance Threshold

The review team used a systematic process to evaluate the significance of the predicted impacts. This process involved comparing the predictions to the significance criteria established by the team and set out in the below table. These significance criteria were based on legal and regulatory constraints and on team members' professional technical judgment.

Resource Area	Impact Significance Thresholds: An impact would be significant if it EXCEEDS the following conditions
Air Quality	The project would not produce emissions that would impede the area's conformity with the State Implementation Plan under the Clean Air Act.
Cultural Resources	If any project implementation were to disturb cultural resources in such a way that mitigation under the supervision of the SHPO was impractical.
Environmental Justice	If any project were to negatively impact minority and low income populations disproportionally relative to negative impacts to the general population as a whole.
Floodplains	Any impacts to floodplains would be confined to the immediate project area and would not cause any regional impacts.
Human Health and Safety	The project, with current and planned mitigation measures, would pose no more than a minimal risk to the health and safety of on-site workers and the local population.
Waste Management	The action is unlikely to cause air, water, or soil to be contaminated with hazardous material that poses a threat to human or ecological health and safety.
Geology and Soils	Any changes in soil stability, permeability, or productivity would be limited in extent. Full recovery would occur in a reasonable time*, considering the size of the project. Mitigation, if needed, would be simple to implement and proven to be effective in previous applications.
Coastal Zone	Any impacts within the Coastal Zone would be confined to the immediate project area and would not cause any regional impacts.
Water Resources	Any changes to surface water quality or hydrology would be confined to the immediate project area. Full recovery would occur in a reasonable time, considering the size of the project and the affected area's natural state.

Resource Area	Impact Significance Thresholds: An impact would be significant if it EXCEEDS the following conditions
Wetlands	Any impacts to wetlands would be confined to the immediate project area and would not cause any regional impacts. Planned mitigation measures would fully compensate for lost wetland values in a reasonable time.
Terrestrial Vegetation	Any changes to native vegetation would be limited to a small area and would not affect the viability of the resources. Full recovery would occur in a reasonable time, considering the size of the project and the affected resource's natural state. Mitigation, proven to be effective in previous applications, would be implemented, if needed.
Wildlife	Any changes to wildlife would be limited to a small portion of the population and would not affect the viability of the resource. Full recovery would occur in a reasonable time, considering the size of the project and the affected species' natural state.
Threatened or Endangered Species	Any effect to a federally listed species or its critical habitat would be so small that it would not be of any measurable or perceptible consequence to the protected individual or its population. This negligible effect would equate to a "no effect" determination in U.S. Fish and Wildlife Service terms.
Land Use	Any change in land use would be limited to a small area and would not noticeably alter any particular land use at the project site or in adjacent areas. The affected areas would fully recover in a reasonable time once the project is completed.
Population and Employment/Income	Changes to the normal or routine functions of the affected community are short-term or do not alter existing social or economic conditions in a way that is disruptive or costly to the community.
Infrastructure/ Utilities	The project would not noticeably affect or disrupt the normal or routine functions of public institutions, roads, electricity, and other public utilities and services in the project area.

Appendix D: Comments on Draft EA

The list of recipients of the draft and pre-final EA was the same as the scoping letter list besides the addition of NOAA Fisheries Service. Cover letters accompanied the copies of the draft EA and will accompany the pre-final EA. The draft EA cover letter for recipients who had not responded to scoping or had minimal comments received the below letter.

Example Cover Letter:

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0260
27 Aug 09

Stella Herrman, Mayor
City of Ingleside
P. O. Drawer 400
Ingleside, TX 78362

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mayor Herrman:

On 17 June 2009, we sent you a letter requesting your participation and input to the process of preparing an Environmental Assessment (EA) analyzing the potential impacts to the natural and human environment that would occur as a result of implementing the recommendation of the Defense Base Closure and Realignment Commission (BRAC Commission) to close and transfer for reuse the United States Navy property at the Electromagnetic Reduction (EMR) Facility at Ingleside, Texas. Comments and inputs from all responders to our letter have been addressed by the Navy, and incorporated into a draft EA forwarded as enclosure (1).

As part of your continued participation, we request you review the enclosed draft and provide any comments in writing by 28 September 2009 to the Navy Point of Contact in our office:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encl: (1) Draft Environmental Assessment (Bound copy and CD)

Tailored Letters to the Identified Scoping Concerns:

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0261
28 Aug 09

Mr. Russell Hooten
Texas Parks and Wildlife Department
Wildlife Division
Wildlife Habitat Assessment Program
Threatened and Endangered Species
3000 S. IH-35, Suite 100
Austin, Texas 78704

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Hooten:

On 17 June 2009, we sent you a letter requesting your participation and input to the process of preparing an Environmental Assessment (EA) analyzing the potential impacts to the natural and human environment that would occur as a result of implementing the recommendation of the Defense Base Closure and Realignment Commission (BRAC Commission) to close and transfer for reuse the United States Navy property at the Electromagnetic Reduction (EMR) Facility at Ingleside, Texas. In your 24 July 2009 response, you provided concerns and detailed guidelines to be used in preparation of the EA. We have addressed your concerns and utilized your guidelines regarding potential impacts to natural resources, as well as any other comments and inputs from all responders to our 17 June 2009 letter, and incorporated those into a draft EA forwarded as enclosure (1).

As part of your continued participation, we request you review the enclosed draft and provide any additional comments in writing by 28 September 2009 to the Navy Point of Contact in our office:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encl: (1) Draft Environmental Assessment (Bound copy and CD)

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0262
27 Aug 09

Mr. Mark Wolfe
State Historical Preservation Officer
Texas Historical Commission
P. O. Box 12276
Austin, TX 78711-2276

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Wolfe:

On 17 June 2009, we sent you a letter requesting your participation and input to the process of preparing an Environmental Assessment (EA) analyzing the potential impacts to the natural and human environment that would occur as a result of implementing the recommendation of the Defense Base Closure and Realignment Commission (BRAC Commission) to close and transfer for reuse the United States Navy property at the Electromagnetic Reduction (EMR) Facility at Ingleside, Texas. In your 9 July 2009 response, you referred to a small area on the site with a high possibility of containing archeological sites. You recommended that the proposed project area be surveyed. Our 21 July 2009 response to you stated our belief that the area you referred to is in fact Archeological Site 41SP183, which was the subject of a pedestrian survey and a series of shovel tests performed in April 2004. A copy of the summary of that survey report was submitted to the Texas Historical Commission at that time. Following a review of that report, the Texas Historical Commission concluded in 5 August 2005, that no historic properties were affected. We look forward to your response.

In the interim, we have described our understanding of the current situation concerning cultural resources on the site, addressed any other comments and inputs from all responders to our 17 June 2009 letter, and incorporated those into a draft EA forwarded as enclosure (1).

As part of your continued participation, we request you review the enclosed draft and provide any additional comments in writing by 28 September 2009 to the Navy Point of Contact in our office:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encl: (1) Draft Environmental Assessment (Bound copy and CD)

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0274
28 Aug 09

Texas Parks and Wildlife Department
Wildlife Division
Wildlife Habitat Assessment Program
Threatened and Endangered Species
3000 S. IH-35, Suite 100
Austin, TX 78704

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Sir/Madam:

On 17 June 2009, we sent you a letter requesting your participation and input to the process of preparing an Environmental Assessment (EA) analyzing the potential impacts to the natural and human environment that would occur as a result of implementing the recommendation of the Defense Base Closure and Realignment Commission (BRAC Commission) to close and transfer for reuse the United States Navy property at the Electromagnetic Reduction (EMR) Facility at Ingleside, Texas. In your 24 July 2009 response, you provided concerns and detailed guidelines to be used in preparation of the EA. We have addressed your concerns and utilized your guidelines regarding potential impacts to natural resources, as well as any other comments and inputs from all responders to our 17 June 2009 letter, and incorporated those into a draft EA forwarded as enclosure (1).

As part of your continued participation, we request you review the enclosed draft and provide any additional comments in writing by 28 September 2009 to the Navy Point of Contact in our office:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encl: (1) Draft Environmental Assessment

Letter to NOAA Fisheries Service:

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
3150 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0006
07 Oct 09

Russell E. Swafford
NOAA Fisheries Service
Southeast Regional Office
Habitat Conservation Division
Gulf of Mexico Branch
Galveston Field Office
4700 Avenue U
Galveston, TX 77551-5997

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Swafford:

In compliance with the National Environmental Policy Act (NEPA), the Department of the Navy (DoN) is preparing an Environmental Assessment (EA) addressing the impacts of the probable reuses of the property at the Electromagnetic Reduction (EMR) Facility at Naval Station Ingleside, Texas located off of FM1069 approximately 2 miles northwest of the center of the main base in the City of Ingleside. The EMR Facility is to be closed and transferred from Navy ownership in accordance with the decision of the 2005 Defense Base Closure and Realignment (BRAC) Commission. To prepare the EA, we have retained the services of The Mangi Environmental Group, Inc. The objective of this effort is the collection, analysis, and portrayal of data in sufficient depth to allow an unbiased analysis of the natural and human environmental issues associated with the transfer of the property and the alternatives for its reuse. The proposed action will result in the discontinued Navy management of the property and transfer of ownership from Federal control.

Our office has been in contact with a number of stakeholders that may have an interest in the evaluation of the potential environmental impacts of the proposed action. Comments and inputs received to date from stakeholders have been addressed by the Navy, and incorporated into a draft EA forwarded as enclosure (1). One of those stakeholders, the Texas Parks and Wildlife Department suggested we contact your office for additional input. They made this suggestion based on their opinion that an artificially created seagrass bed on the site may be impacted by the proposed action and further; that the seagrass bed in question may be considered by your office as "Critical Fisheries Habitat".

Ser BPMOSE dcj/0006
07 Oct 09

We are requesting your participation in the NEPA process, and encourage you to provide input to the environmental review process. Furthermore, the DoN is requesting information you may have pertaining to any potential impacts we should address at the proposed project site. Any suggestions or information you may have will be of great assistance to our investigation and analysis. Please provide your response by 9 November 2009 to the Navy point of contact:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Please provide a copy of your response to:

Mr. James R. Williams
Mangi Environmental Group
5 Single Pine Lane
Madisonville, LA 70447
Email: RWilliams@mangi.com

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encl: (1) Draft Environmental Assessment (CD)

2

Date: 10/06/2009
Participants: Randy Williams, Mangi Environmental Group, Project Manager
Russell Swafford - National Marine Fisheries Service, Galveston Office
Subject: Review of EA
Summary: I called Mr. Swafford to discuss the proposed action. We discussed the desire to send a copy of the draft EA to Natl. Marine Fisheries as recommended by TP&WD because of concerns with the sea grass bed and Critical Fisheries Habitat. He expressed concern with any impacts to the sea grass beds because it took so long to get them functioning. I informed him that he would receive a copy of the EA by FedEx this week and would have a thirty-day comment period to review the draft.

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0028
19 Nov 09

Tammy Brooks, Team Leader
Texas Coastal Coordination Council
Coastal Management Program/Federal Consistency
P.O. Box 12873
Austin, Texas 78711-2873

Subj: TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Ms. Brooks:

On 17 June 2009, we sent a letter to the Texas Coastal Coordination Council (CCC) requesting participation and input to the process of preparing an Environmental Assessment (EA) analyzing the potential impacts to the natural and human environment that would occur as a result of implementing the recommendation of the 2005 Defense Base Closure and Realignment (BRAC) Commission to close and transfer for reuse the United States Navy property at the Electromagnetic Reduction (EMR) Facility at Ingleside, Texas. On 27 August 2009, we forwarded a copy the draft EA. This letter is written as a follow-up to those letters and your recent telephone conversation with Mr. Dale Johannesmeyer of my office regarding further consultation concerning the Navy action, and since the EMR Facility lies within Texas' Coastal Zone, concurrence on a possible consistency determination as per the requirements of the Coastal Zone Management Act (CZMA). The Navy is required under the CZMA to ensure its activities affecting any coastal use or resource are consistent to the "maximum extent practicable" with State Coastal Management Plans.

The consistency review process is in place to ensure that project impacts are analyzed and mitigated in a holistic way to promote coastal ecosystem health and prevent degradation. An important aspect of complying with coastal zone regulations involves implementing mitigation measures before, during and after a project to ensure that any potential impacts are avoided, minimized and compensated to the extent practicable. Review of the Ingleside Local Redevelopment Authority's Reuse Plan, currently being analyzed for potential impacts under the EA, reveals a possibility for impacts to coastal resources. However, the current reuse plan is conceptual in nature and lacks the specificity to determine whether possible impacts will translate into actual impacts upon implementation, or what the extent of any impacts may be. Upon transfer of the property and development of a specific final reuse plan, any subsequent action by the ultimate owner of the EMR Facility site that might adversely impact coastal resources would require permitting by the U. S. Army Corps of

Ser BPMOSE dcj/0028
19 Nov 09

Engineers, and consultation with the CCC on any possible adverse impacts. The result of that consultation process should be appropriate mitigation measures that when implemented will result in overall impacts that are negligible. Language to that effect will be included in the Environmental Assessment.

Therefore, the Navy determines that current plans for transfer and reuse of the EMR Facility are consistent with the Texas CMP, and we request the concurrence of the CCC. If you have any questions or comments, please contact our project coordinator:

Mr. Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
Phone: (843) 743-2128
Email: dale.johannesmeyer@navy.mil

Thank you again for your cooperation in this important matter.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Comments Received:

City of Corpus Christi

ENVIRONMENTAL SERVICES DEPARTMENT

PO Box 9277
Corpus Christi
Texas 78469-9277
Phone 361-826-1868
Fax 361-826-4681
www.cctexas.com

September 28, 2009

Mr. Dale Johannesmeyer
NEPA Coordinator,
BRAC Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

Re: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Johannesmeyer:

On behalf of the City of Corpus Christi and Mayor Joe Adame, I appreciate the opportunity to comment on the Environmental Assessment (EA) analyzing the potential impacts to humans and the environment that may occur as a result of implementing the recommendation of the Defense Base Closure and Realignment Commission (BRAC Commission) to close and transfer the Electromagnetic Reduction Facility and property at Ingleside, Texas. This property was acquired by the Navy in 1997 and consists of approximately 155 acres, of which 105.48 acres are submerged. The City of Corpus Christi, as a representative of the LAR, will continue to participate in the development of a reuse plan for the subject site.

Our review of the EA has been completed and we agree that the Proposed Action preferred by the Ingleside Local Redevelopment Authority (LAR) to create a Multi-Use Marine Business Park and Marina would not have significant adverse effect on the environment. Please contact me at (361) 826-1868 if you have any questions regarding our comments.

Sincerely,

Peggy L. Sumner, CHMM, CFM
Director, Environmental Services

Cc: Mayor Joe Adame
'Angel R. Escobar, P.E., City Manager

All-America City

TEXAS PARKS & WILDLIFE

Life's better outside.

Commissioners

Peter M. Holt
Chairman
San Antonio

T. Dan Friedkin
Vice-Chairman
Houston

Mark E. Bivins
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Ralph H. Duggins
Fort Worth

Antonio Falcon, M.D.
Rio Grande City

Karen J. Hixon
San Antonio

Dan Allen Hughes, Jr.
Beeville

Margaret Martin
Boerne

S. Reed Morian
Houston

Lee M. Bass
Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

October 5, 2009

Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

Re: Review of Draft EA for the transfer/reuse of the EMR facility, Naval Station Ingleside, San Patricio County, Texas

Dear Mr. Johannesmeyer:

This letter is in response to your request for review of the Draft Environmental Assessment (EA) for the transfer and reuse of the Electromagnetic Reduction (EMR) facility at Naval Station Ingleside (NAVSTA Ingleside), San Patricio County, Texas. The EMR Facility will be closed in accordance with the 2005 Base Closure and Realignment (BRAC) Commission decision. Four alternatives for development including the "No Action" alternative have been proposed for the site. Alternative 1 would reuse the property as a multiuse marine based business park and marina; Alternative 2 would convey the property to the city or county to be used for open space/public recreation with minimal development; Alternative 3 would transfer the property "as-is" to an end user to develop as a potential industrial site; and Alternative 4, the no action alternative, in which the property would remain under federal ownership. Alternative 1 was selected as the Preferred Alternative.

Texas Parks and Wildlife Department (TPWD) staff reviewed the draft EA and has the following comments:

General comments:

Appendix A. Approximately forty percent (60 pages) of the Draft EA consists of multiple copies of the exact same scoping letter sent to various agencies. In order to reduce the unnecessary use of paper, TPWD recommends the appendix be revised to include a single copy of the letter and an accompanying list of the recipients.

Specific comments:

Line 470: The Legal Framework section should include a discussion of the Magnuson-Stevens Act as the seagrass beds offshore of the EMR facility could be considered Essential Fish Habitat (EFH) which is protected by this Act. Coordination with the National Marine Fisheries Service (NMFS) would be required for any activities that may impact EFH.

4200 SMITH SCHOOL ROAD
AUSTIN, TEXAS 78744-3291
512 389 4800
www.tpwd.state.tx.us

Mr. Johannesmeyer
Page 2
October 5, 2009

Table 2-1. TPWD disagrees that impacts to wetlands, terrestrial vegetation, wildlife and rare species associated with Alternative 2 should be characterized as "similar to Alternative 1." The text of the EA identifies localized impacts to wetlands, terrestrial vegetation, and wildlife as *significant* for Alternative 1 and *minimal* for Alternative 2. Alternative 2 could potentially result in *enhancing* wetlands, terrestrial vegetation, wildlife, and provide habitat for protected species (*e.g.*, birds).

Line 1266-1268: The shoreline is characterized as being sparsely vegetated, limiting the vegetation's ability to protect the shoreline from erosion. The text of the EA should indicate that the existing *Spartina alterniflora* that occurs along the shoreline is the result of a shoreline stabilization project initiated by the U.S. Navy and completed in late 2002. In time, the *Spartina* marsh would be expected to become more robust and provide greater protection against shoreline erosion.

Line 1285-1288: Only two of the nine species listed as "characteristic coastal upland species" occur in south Texas (*i.e.*, willows and buttonbush). This section should be revised to include a list of species that could occur in coastal uplands of south Texas.

Line 1299: The local high marsh plant known commonly as the "camphor daisy" is *Machaeranthera phyllocephala* (syn. *Haplopappus phyllocephalus*) not *Pluchea*. In Texas, the distribution of *Pluchea camphorate* (camphorweed) occurs further north and northeast of Ingleside.

Line 1405: To avoid confusion, TPWD recommends identifying the protected bird species referenced in this sentence (*i.e.*, Piping Plover and Brown Pelican). Many local bird species that are protected (i.e., by the Migratory Bird Treaty Act) could nest within the EMR facility (*e.g.*, shorebirds, gulls, grassland birds).

Line 1828: Regarding impacts to wetlands, TPWD (as well as other agencies) consistently recommend mitigation measures be developed and implemented sequentially from avoidance to minimization to compensation. Preserving the natural resource through avoidance is preferred over compensation, which can be costly. TPWD recommends mitigation plans, including estimated costs, be considered early in the planning phase of the proposed project. Also, mitigation for unavoidable impacts should occur on-site.

Mr. Johannesmeyer
Page 3
October 5, 2009

Line 1849: TPWD encourages impacts to wetlands, including seagrass beds, be avoided and/or minimized before considering compensatory mitigation. Impacts along the shoreline can be avoided by moving the proposed bulkhead further upland, behind the *Spartina* marsh, thus preserving the marsh's erosion control function and avoiding impacts.

Line 1866: Although not required, TPWD recommends compensatory mitigation be considered for impacts to non-regulated habitats. TPWD recommends compensation include acquiring comparable land in the ratio of 3:1 for shrubland and woodlands (*i.e.*, for every 1 acre disturbed or removed, 3 acres will be acquired) and 1:1 for grasslands.

Line 2040: It appears the word "for" is missing in this sentence between the words *specialized* and *marine*.

Line 2133: To fully evaluate Alternative 2, this section should consider funding sources in addition to the city/county taxpayer. Funding for parks in the form of grants is available to offset costs to local communities for park development and rehabilitation. For example, TPWD offers park grants on a competitive basis; some of which are targeted specifically for small communities such as Ingleside.

Line 2287: The accuracy of this statement is dependent upon where mitigation would occur. Potential mitigation sites in Corpus Christi Bay are limited. If mitigation can not occur within Corpus Christi Bay and nearshore areas continue to be developed, the cumulative impacts to seagrasses may be significant.

Line 2329: The word "success" should be changed to "successful".

Line 2426: "Dave" should be "Dale"

I appreciate the opportunity to review and provide comments on this draft EA. Please contact me at (361) 825-3240 if we may be of further assistance.

Mr. Johannesmeyer
Page 4
October 5, 2009

Sincerely,

Russell Hooten

Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

/rh 14366

From: Rusty Swafford [mailto:Rusty.Swafford@noaa.gov]
Sent: Tue 11/3/2009 2:15 PM
To: dale.johannesmeyer@navy.mil
Cc: Randy Williams
Subject: Electromagnetic reduction facility Ingleside, Texas

Dear Mr. Johannesmeyer,

I have reviewed the October 7, 2009, letter you sent concerning the proposed closure and ownership transfer of the subject naval facility.
However, I have not been provided enough information as to the ultimate fate of the project to be of much assistance to you at this time. The pier, seagrass mitigation area, and other associated facilities located on or in the water are indeed areas that have been identified by the Gulf of Mexico Fishery Management Council as essential fish habitats (EFH) as required by the Magnuson-Steven Fishery Conservation and Management Act (MSFCMA). The consultation requirements in the MSFCMA also direct federal agencies to consult with NMFS when any of their activities may have an adverse affect on EFH. The EFH rules define an *adverse affect* as "any impact which reduces quality and/or quantity of EFH...[and] may include direct (e.g., contamination or physical disruption), indirect (e.g., loss of prey, reduction in species' fecundity), site-specific or habitat wide impacts, including individual, cumulative, or synergistic consequences of actions."

Given the information provided as to the resulting federal action, I am unable to determine whether or not an EFH consultation would be required at this time. Please note, that the EFH implementing regulations require the action agency to make a determination as to whether or not the proposed federal action will result in an adverse effect and the need to consult with NMFS. For your information, I am providing a copy of a primer we developed to help other federal agency representatives understand the EFH requirements of the MSFCMA.

If I may be of further assistance, please advise.

Rusty Swafford
Supervisor, Gulf of Mexico Branch
NMFS Habitat Conservation Division
4700 Ave. U
Galveston, Texas 77551

Phone (409) 766-3699
Fax (409) 766-3575

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0013
06 Nov 09

Mr. Rusty Swafford
Supervisor, Gulf of Mexico Branch
National Marine Fisheries Service
NMFS Habitat Conservation Division
Galveston Field Office
4700 Avenue U
Galveston, TX 77551-5997

Subj: ENVIRONMENTAL ASSESSMENT FOR THE TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS – POTENTIAL FOR ESSENTIAL FISH HABITAT IMPACTS

Dear Mr. Swafford

Thank you for your email of 3 November 2009 responding to our 7 October 2009 letter concerning the proposed transfer and reuse of the Electromagnetic Reduction Facility (EMR) at Naval Station Ingleside, Texas. The guide providing an overview of the essential fish habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and implementing rules forwarded as an attachment to your email; as well as your follow-on telephone conversation with Mr. Dale Johannesmeyer of our office were extremely helpful. We understand that the pier, seagrass mitigation area, and other associated facilities at the EMR Facility located on or in the water have been identified by the Gulf of Mexico Fishery Management Council as essential fish habitats (EFH) as required by the Magnuson-Stevens Act. We also understand the consultation requirements in the Magnuson-Stevens Act direct federal agencies to consult with National Marine Fisheries Service (NMFS) when any of their activities may have an adverse affect on EFH.

We appreciate your concerns with plans for the EMR Facility, especially with the seagrass beds created from mitigation requirements as a result of original EMR facility construction impacts. In the enclosed letter dated February 16, 2006, the Department of Army, Galveston District, Corps of Engineers deemed the seagrass mitigation site successful. There are no further requirements for the Navy with respect to that site. In addition, review of the Ingleside Local Redevelopment Authority's Reuse Plans, currently being analyzed for potential impacts under subject Environmental Assessment, reveal no foreseeable adverse impacts to EFH at the EMR Facility. Therefore, the Navy determines that there are no adverse impacts to EFH at the EMR Facility when considering current reuse plans, and that as specified under the Magnuson-Stevens Act,

Ser BPMOSE dcj/0013
06 Nov 09

we request concurrence by NMFS. However, any subsequent action by the ultimate owner of the EMR Facility site that might adversely impact the seagrass beds and EFH would require permitting by the Corps of Engineers, and consultation with NMFS on any possible adverse impacts. Language to that effect will be included in the Environmental Assessment. If you have any questions or comments, please contact our project coordinator:

Mr. Dale Johannesmeyer
NEPA Coordinator
BRAC Program Management Office Southeast
Email: dale.johannesmeyer@navy.mil
Phone: (843) 743-2128

Your assistance in this effort is appreciated.

Sincerely,

Thuane B. Fielding

THUANE B. FIELDING
Base Closure Manager

Encl: (1) Department of Army, Galveston District, Corps of Engineers letter dated Feb 16, 2006

DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
5151 FLYNN PARKWAY #306
CORPUS CHRISTI, TX 78411-4318

for file
permit file

REPLY TO
ATTENTION OF:

February 16, 2006

Regulatory Branch

SUBJECT: Mitigation for Permit 20486, 20486(01), 20486(02)

Commanding Officer
Department of the Navy
Naval Facility Engineering Command
2155 Eagle Drive
North Charleston, South Carolina 29419-9010

Dear Sir,

We are in receipt of an October 16, 2005 seagrass monitoring survey for Naval Station Ingleside from Mr. Paul Carangelo of Island Botanics Environmental Consultants. This survey is required as part of the mitigation for the dredging and small pier construction for the permit listed above.

According to the language of the Mitigation Procedures/Conditions for Seagrass Transplanting Efforts included with the permit, the mitigation project is considered successful when at least 70% coverage of the mitigation area is achieved within 3 years of the initial planting. We have reviewed this survey and previous additional surveys and determined that the mitigation project meets these criteria and is therefore deemed successful.

If you have any questions, please feel free to contact me at the letterhead address above or by telephone at (361) 814-5847.

Sincerely,

Lloyd Mullins
Unit Leader
Corpus Christi Regulatory Field Office

Enclosure

Copied to:
Lee Harbison, Navy Region South Environmental

Appendix E: Comment Responses on Pre-Final EA

Below are the responses received from the Pre-final EA mailing, which were to the same list of recipients as the previous mailings.

Example Letter to Recipients without Previous Comment:

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0057
29 Dec 09

Allan Strand, Director
Corpus Christi Ecological Services Field Office
USFWS, C/O TAMU-CC
6300 Ocean Drive, #5837
Corpus Christi, TX 78412-5837

Subj: ENVIRONMENTAL ASSESSMENT (EA) FOR THE DISPOSAL, TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Strand:

On 27 August 2009, we forwarded the draft of subject EA for review and comment. All comments received from interested parties have been appropriately addressed in the preliminary Final EA, which is attached as enclosure (1).

Should you have any additional comments, please return them in writing by 29 January 2010 to the Navy Point of Contact in our office:

Mr. Dale Johannesmeyer
NEPA Coordinator
Email: dale.johannesmeyer@navy.mil.
Phone: (843) 743-2128

Thank you for your cooperation in this matter.

Sincerely,

JAMES R. FERRO, P.E.
Deputy Base Closure Manager

Encl: (1) (Preliminary) Final Environmental Assessment (Bound Copy and CD)

Example Tailored Letter:

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE SOUTHEAST
4130 FABER PLACE DRIVE
SUITE 202
NORTH CHARLESTON, SC 29405

Ser BPMOSE dcj/0054
29 Dec 09

Mr. Mark Wolfe
State Historical Preservation Officer
Texas Historical Commission
PO Box 12276
Austin, TX 78711-2276

Subj: ENVIRONMENTAL ASSESSMENT (EA) FOR THE DISPOSAL, TRANSFER AND REUSE OF THE ELECTROMAGNETIC REDUCTION FACILITY AT NAVAL STATION INGLESIDE, TEXAS

Dear Mr. Wolfe:

On 27 August 2009, we forwarded the draft of subject EA for review and comment. Your comments and all other comments received from interested parties have been appropriately addressed in the preliminary Final EA, which is attached as enclosure (1).

Should you have any additional comments, please return them in writing by 29 January 2010 to the Navy Point of Contact in our office:

Mr. Dale Johannesmeyer
NEPA Coordinator
Email: dale.johannesmeyer@navy.mil.
Phone: (843) 743-2128

Thank you for your cooperation in this matter.

Sincerely,

JAMES R. FERRO, P.E.
Deputy Base Closure Manager

Encl: (1) (Preliminary) Final Environmental Assessment (Bound Copy and CD)

Comments Received:

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From: Rusty Swafford [mailto:Rusty.Swafford@noaa.gov]
Sent: Friday, January 22, 2010 13:21
To: Johannesmeyer, Dale C CTR OASN (I&E) BRAC PMO SE
Cc: RWilliams@mangi.com
Subject: Re: Electromagnetic Reduction (EMR) Facility Ingleside, Texas

Dear Mr. Johannesmeyer,
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I apologize for the late response. Please utilize this email as NOAA's official concurrence with the Department of the Navy's November 6, 2009, assessment that the proposed activities will not adversely impact essential fish habitats identified by the Gulf of Mexico Fishery Management Council. This satisfies the consultation requirements under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, and no further consultation with NOAA is needed.

Sincerely,

Rusty Swafford
Supervisor, Gulf of Mexico Branch
NMFS Habitat Conservation Division
4700 Ave. U
Galveston, Texas 77551

Phone (409) 766-3699
Fax (409) 766-3575

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Houston

Lee M. Bass
Chairman-Emeritus
Fort Worth

Carter P. Smith
Executive Director

January 25, 2010

Dale Johannesmeyer
NEPA Coordinator, BRAC Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

Re: Review of Final EA for the transfer/reuse of the EMR facility, Naval Station Ingleside, San Patricio County, Texas

Dear Mr. Johannesmeyer:

This letter is in response to your request for review of the Final Environmental Assessment (EA) for the transfer and reuse of the Electromagnetic Reduction (EMR) facility at Naval Station Ingleside (NAVSTA Ingleside), San Patricio County, Texas. The EMR Facility will be closed in accordance with the 2005 Base Closure and Realignment (BRAC) Commission decision. Four alternatives for development including the "No Action" alternative have been proposed for the site. Alternative 1 would reuse the property as a multiuse marine based business park and marina; Alternative 2 would convey the property to the city or county to be used for open space/public recreation with minimal development; Alternative 3 would transfer the property "as-is" to an end user to develop as a potential industrial site; and Alternative 4, the no action alternative, in which the property would remain under federal ownership. Alternative 1 has been selected as the Preferred Alternative.

Texas Parks and Wildlife Department (TPWD) staff provided comments on the draft EA in an October 5, 2009, letter. TPWD staff reviewed the Final EA and has the following comments:

Specific comments:

Line 93: This line references archeological and historic resources at the "Lakeside property." This property is not referred to elsewhere in the document and is likely not a part of the EMR Facility.

Line 1518: As mentioned in the previous TPWD review, many of the species listed in the Draft EA as "characteristic coastal upland species" do not occur in south Texas. The final EA again references Alders (*Alnus* spp.). Only one Alder representative occurs in Texas (*Alnus serrulata,* Smooth Alder); it is found only in the east Texas Pineywoods, not along the south Texas coast.

Line 1634-1636: As indicated in TPWD's review of the Draft EA, many resident or migrant bird species not protected by the Endangered Species Act are

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AUSTIN, TEXAS 78744-3291
512.389.4800
www.tpwd.state.tx.us

Mr. Johannesmeyer
Page 2
January 25, 2010

protected by the Migratory Bird Treaty Act (MBTA). While breeding bird surveys have not been conducted at the EMR site, more than 10 species have been documented as nesting on the adjacent Main Installation. Although the EMR site lacks the diversity and high quality habitat found on the Main Installation, suitable bird nesting sites do occur at the EMR site. Future development plans should take this into consideration and plan to comply with the MBTA.

Line 2150: The EA states that the Proposed Action would not result in impacts to wetlands if the wetlands were not drained or otherwise affected by the plans. The Executive Summary states that the Proposed Action would entail the removal of most of the on-shore and near-shore habitats, likely including wetlands (*i.e.*, seagrass beds). The ultimate developer of the site should be aware that in addition to direct impacts, seagrass beds can be negatively affected by increased suspended sediments or other pollutants resulting from nearby construction activities.

TPWD appreciates that both the Executive Summary and Section 4.9 have been revised to acknowledge permitting requirements for anticipated impacts to wetlands, including seagrass beds.

Line 2226-2231: Although compensatory mitigation is not required for impacts to non-regulated habitats, TPWD recommends compensation include acquiring comparable land in the ratio of 3:1 for native shrubland and woodlands (*i.e.*, for every 1 acre disturbed or removed, 3 acres will be acquired) and 1:1 for grasslands.

Additionally, impacts resulting from the loss of native vegetation should be minimized by the exclusive use of native trees, shrubs, forbs, and grasses in all post-development landscaping plans.

I appreciate the continued opportunity to review and provide comments on this project. Please contact me at (361) 825-3240 if we may be of further assistance.

Mr. Johannesmeyer
Page 3
January 25, 2010

Sincerely,

Russell Hooten

Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

/rh 14775