

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS, AND FINAL NOTICE, AND PUBLIC EXPLANATION
OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

4/13/22

City of Bandera, 511 Main Street, Bandera, TX 78003, (830) 796-3765

This Notice shall satisfy the above-cited three separate but related procedural notification requirements to be undertaken by the City of Bandera

To: All interested Agencies, Groups, and Individuals:

REQUEST FOR RELEASE OF FUNDS

On or about 4/29/22, the City of Bandera will submit a request to the Texas Department of Agriculture (TDA) for the release of 2020 Community Development Funds under Section 104(f) of Title 1 of the Housing and Community Development Act of 1974 as amended, to undertake the project known as Water Improvements #7220011. Description: Replace aged and deteriorated water meters to prevent water loss and ensure accurate meter readings. Install 642 water meters, all associated appurtenances, to include Administration and Engineering services and fees. Installation shall take place throughout the city on 3rd through 15th Streets, Alley, Baker, Bandera, Beaumont, Cedar, Cherokee, Cherry, Cottonwood, Cypress, Dallas, FM 3240, Fort Worth, Galveston, Hackberry, Houston, Hwy 173, Lazy Oak, Madrona, Main, Montague, Mulberry, Nakomis, Oak, Old Medina, Old San Antonio, Pecan, Red Wing, Rugh Hill, San Angelo, San Antonio, Sleepy Hollow, Sycamore, Timber, and White Tail Streets. There are 14 locations within Zone AE of the 100-Year Floodplain for an approximate acreage of <0.05 acres on 3rd, 8th, Cypress, Hackberry, and Pecan Streets. Grant amount \$275,000, City Water/Sewer Fund \$13,750, total project cost \$288,750.

FINDING OF NO SIGNIFICANT IMPACT

The City of Bandera has determined that the project will have no significant impact on the human environment; therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR), which will be made available to the public for review electronically or by U.S. mail. Please submit your request by U.S. mail to the City of Bandera at the address above, Attention: David Jordan, City Administrator, or by email to cityadmin@cityofbandera.org.

FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY
IN A 100-YEAR FLOODPLAIN

This is to give notice that the City of Bandera has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. There are 14 locations within Zone AE of the 100-Year Floodplain for an approximate acreage of <0.05 acres on 3rd, 8th, Cypress, Hackberry, and Pecan Streets. There will be no adverse effect on the floodplain as the activities will cause no new ground disturbance, nor change the topography.

The City of Bandera has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: Alternate location: The 14 addresses do not have available areas on the property that are not in the floodplain. There are no alternate locations to remove them from the floodplain; therefore, replacing the meters in place is the only viable alternative. Taking no action: Without the proposed improvements, water loss and inaccurate meter readings will continue.

The City of Bandera has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternatives. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 are available electronically or by U.S. mail. Please submit your request by U.S. mail to the City of Bandera at the address above, Attention: City Administrator's Office, or by email to cityadmin@cityofbandera.org.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains, and those who have an interest in the protection of the natural environment, should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments/objections on the ERR to the City of Bandera. All comments received by 4/28/22 will be considered by the City of Bandera prior to authorizing submission of a request for release of funds. Comments must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the David Jordan, City Administrator, at cityadmin@cityofbandera.org. Comments should specify which Notice they are addressing. Potential objectors should contact the City of Bandera via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

The City of Bandera certifies to the Texas Department of Agriculture (TDA) that Suzanne Schauman, in her capacity as Mayor, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. TDA's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Bandera to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TDA will accept objections to its release of funds and The City of Bandera's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of The City of Bandera; (b) The City of Bandera has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by TDA; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to CDBG_ENVReview@TexasAgriculture.gov. Potential objectors should contact the Environmental Review Specialist at TDA to verify the actual last day of the objection period.

Suzanne Schauman, Mayor