

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT and NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

POSTED

06/22/24

San Patricio County Courthouse, 400 W Sinton St, TX 78387
(361) 424-7166

These notices shall satisfy two separate but related procedural requirements
for activities to be undertaken by San Patricio County

REQUEST FOR RELEASE OF FUNDS

On or after 07/11/24, San Patricio County will submit a request to the Texas Department of Agriculture (Department), Office of Rural Affairs for the release of 2023 Community Development Block Grant (CDBG) funds under Section 104(f) of Title I of the Housing and Community Development Act of 1974 as amended, to undertake a project known as 2023 CDBG San Patricio County On-Site Sewer Facilities (OSSF) Project #CDV23-0111 for the purpose of replacing failing septic tanks at 31 private residences within San Patricio County.

San Patricio County has determined the environmental review will be tiered as not all project addresses are known at this time. San Patricio County has completed a Tier 1 broad level environmental assessment for proposed project. Once addresses are known, Tier 2 Site Specific Reviews will be completed for those laws and authorities not addressed in the Tier 1 broad level review for each address. No construction work on a site will begin until the Site-Specific review for that site is completed.

Project Description: Install On-Site Sewer Facilities at 31 rural residences within San Patricio County. Funding: HUD \$500,000; Non-HUD: \$75,000. Total Estimated Project Cost: \$575,000, to include administration and/or engineering.

Tier 2 Site Specific Reviews: Tier 2 Site Specific reviews will cover the following laws and authorities not addressed in Tier 1 broad review: Airport Hazards, Contamination, Endangered Species, Floodplain Management, Historic Preservation, Noise Abatement and Control, and Wetlands Protection.

Mitigation Measures/Conditions/Permits:

Airport Hazards: no location will be selected that falls within 2,500 feet of a civilian airport or 15,000 feet of a military airport.

Contamination: complete a site inspection and records review of TCEQ and EPA for potential sources of contamination at sites. If contamination is determined, create appropriate mitigation measures to reduce risks from contamination.

Endangered Species: confirm each site is not within a critical habitat and identify possible adverse impacts on other endangered species and appropriate mitigation measures to reduce potential impacts.

Floodplain Management: determine whether a project site is within a FFRMS floodplain. If a site is in a floodplain, follow the Eight Step process to reduce flood loss risk, including Early and Final notices to the public, determination of no practicable alternatives, and implement mitigation measures to minimize harm.

Historic Preservation: consult with TDA, Texas Historic Commission (the State Historic Preservation Officer), and any tribes with historical interest in San Patricio County. Take appropriate mitigation measures suggested by consultation.

Noise Abatement and Control: follow the HUD worksheet to determine the presence of noise generators near project sites and take appropriate mitigation measures after determination of unacceptable noise levels on project sites.

Wetlands Protection: use site inspection and USFW National Wetlands Inventory Mapper to determine

the presence of wetlands on project sites. Should a wetland be found on a site, follow the 8 Step Process for Wetlands, including Early and Final Notices, determination of no practicable alternatives, follow any permitting procedures required, and develop mitigation measures to reduce impacts on wetlands.

An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at San Patricio County Courthouse, 400 W Sinton St, TX 78387 and may be examined or copied 8 AM - 5 PM, M-F.

FINDING OF NO SIGNIFICANT IMPACT

San Patricio County 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). The ERR will be made available to the public for review electronically or by U.S. mail. Please submit your request by U.S. mail to San Patricio County at the address above or by email to mcooper@sanpatriciocountytx.gov.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to San Patricio County at the above address of at mcooper@sanpatriciocountytx.gov. All comments received by **7/10/24** will be considered by San Patricio County prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing. Potential objectors should contact San Patricio County via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

San Jacinto County certifies to the Texas Department of Agriculture (TDA), Office of Rural Affairs that David Krebs, in his capacity as County Judge, 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. The Department's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows San Patricio County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The State will accept objections to its release of funds San Patricio'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 San Patricio County; (b) the City of Poteet 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 the Department; 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 the Environmental Review Specialist, Texas Department of Agriculture by email at **CDBG_ENVReview@TexasAgriculture.gov**. Potential objectors should contact the TDA Environmental Review Specialist at **CDBG_ENVReview@TexasAgriculture.gov** to verify the actual last day of the objection period.

David Krebs, County Judge