

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT & INTENT TO REQUEST
RELEASE OF FUNDS- & FINAL NOTICE & PUBLIC EXPLANATION OF A PROPOSED ACTIVITY
IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD FLOODPLAIN (FFRMS) AND
WETLAND**

May 18, 2026

Austin County, One East Main, Bellville, TX, 77418 Ph: 979-865-5911

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by Austin County.

To All Interested Parties Including: USFWS, USACE, TPWD, Federal Emergency Management Agency, Flood Mitigation Planning Texas Water Development Board, Regional Flood Management Association, Groups & Individuals of Austin County and the City of Wallis, Texas.

REQUEST FOR RELEASE OF FUNDS

On or about June 3, 2026, Austin County (County) will submit a request to the Texas General Land Office (TGLO) for the release of Community Development Block Grant funds under Community Development Block Grant Mitigation ("CDBG-MIT") appropriated under Supplemental Appropriations for Disaster Relief Requirements Act, 2018 Public Law 115-123 as amended, to undertake a project known as Austin County Allens Creek Watershed Flood & Drainage Improvements (Sector 3), for Contract #22-085-007-D235 / B-18-DP-48-0002. Activity Type: Drainage Improvements

The construction improvements will occur in City of Wallis (Sector 3 area) within Precincts 3 & 4 of Austin County, TX 77485. See Table 1 below for specific project locations.

TABLE 1 AUSTIN COUNTY ALLENS CREEK WATERSHED FLOOD & DRAINAGE IMPROVEMENTS – SECTOR 3 GLO17-12269-P APPROX TOTAL DISTURBANCE TABLE (ACRES)					
SITE ID	LAT/LONG APPROX SITE CENTROID	DESCRIPTION	LENGTH	WIDTH	ACRES
W3	29.629149, -96.053287	Proposed Detention Pond - Approximately 2-acre detention pond Located North of Guyler Street and East of Lakeview Drive in existing crop field			2.0
		ROW to location	696	25	0.40
		Subtotal			2.40
W4	29.62318, -96.041804	Proposed ROW - Along Old Orchard Highway from Scroggins/Railroad Street	9,680	100	22.22
W5	29.609815, -96.033162	Proposed ROW -west side of alignment along From Brazos High School Outfall (along Cougar Drive 62' north of Educator Lane) southward to the County Line Ditch	5,060	20	2.32
W9	29.621118, -96.093995	Proposed ROW 4874.607 LF Along the ditch 1140' south of FM 11093 (9.625988, -96.089651)) for 1940' heading southeastward thence northwestward for 190' thence southwestward for 2,750' towards the San Bernard River (29.615545, -96.098325)	4,875	70	7.83
Total Acres					34.78

PROJECT DESCRIPTION:

Austin County has identified drainage improvement activities that will increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

Austin County shall perform channel improvements and diversions at four locations in the Wallis, TX area including one 2-acre detention pond and complete all associated appurtenances. Drainage improvements and re-grading of existing swales will be completed to reduce the impact of future stormwater events. The drainage improvements are expected to be three to six feet deep and excavation will be conducted with a backhoe and a grader at the base to

smooth out the channel and make it uniform along its cross-section. Channels are not expected to be concrete-lined except for the 90-degree turns that occur within Project W4.

PROJECT NEED:

Austin County has identified drainage improvement activities that will increase resilience to disasters and reduce or eliminate the long term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters. This area needs to reduce flooding by increasing drainage capacity within the dedicated drainage corridors and the storage in the upper reaches of Allen's Creek. In addition the capacity of the outfall tributaries must be increased. The persons to benefit from the activities: 10,995 persons, of which 5,882, or 53.50%, are of low to moderate income.

Austin County will obtain easements to facilitate the continued maintenance of the improvements that result from this project. The persons to benefit from the activities described herein must receive the prescribed service or benefit, and all eligibility requirements must be met to fulfill contractual obligations. Clearance includes Administration, Acquisition of Easements, Engineering & Environmental Activities. Approx Total Area of Disturbance: 34.78.

HUD GRANT BUDGET: CDBG MIT Contract Amt

Grant Number	HUD Program	Funding Amount
22-085-007-D235	DRS HUD MIT/STATE	\$36,937,293.90
Local Funds	n/a	\$ 0.00

Estimated Total HUD Funded Contract Amount: \$36,937,293.90

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:
Sector 3 Project \$5,302,183.36

FINDING OF NO SIGNIFICANT IMPACT

Austin 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) on file at Austin County Courthouse, One East Main, Bellville, TX 77418, (979) 865-5911 Email: tlapham@austincounty.com where the ERR can be examined & is available for review & can be reviewed from 8:00 am to 5:00 pm. In addition, ERR can be accessed electronically at

<https://www.dropbox.com/scl/fi/hrpjaz53reb3tf2i0vjtk/EA-TOC-GLO. Austin-County.pdf?rlkey=w3o6nwojzcpvahnve85l9jpx8&dl=0>

FINAL NOTICE & PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD FLOODPLAIN (FFRMS)

This is to give notice that **Austin County** has conducted an evaluation as required by Executive Order(s) 11988, as amended by Executive Order 13690, and Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under CDBG-MIT Program Project # 22-085-007-D235. The proposed project locations are outlined above in Table 1. The project description and project need are outlined in the above paragraphs.

Table 2 shown below outlines the portion of the Austin County Flood & Drainage Improvements (Sector 3) Contract #22-085-007-D235 / B-18-DP-48-0002 which is located in the Federal Flood Risk Management Standard (FFRMS) floodplain.

The extent of the FFRMS floodplain was determined using a freeboard value approach. This approach includes utilizing available current floodplain maps, historical topo maps as well as elevation models where available. Research has utilized base flood elevations and the 2% annual chance flood hazard as available. According to the Floodplain FEMA map panels as identified in Table 2, approximately 1.18 acres are located within the 1% annual chance flood hazard area.

Floodplain:

TABLE 2: AUSTIN COUNTY ALLENS CREEK WATERSHED FLOOD & DRAINAGE IMPROVEMENTS – SECTOR 3 APPROXIMATE ACRE DISTURBANCE FLOODPLAIN IMPACT (ACRES)							
<i>SITE ID</i>	<i>LAT/LONG APPROX SITE CENTROID</i>	<i>DESCRIPTION</i>	<i>FFRMS</i>	<i>FEMA MAP PANEL/ EFFECTIVE DATE</i>	<i>1% ANNUAL CHANCE FLOOD HAZARD ZONE A</i>	<i>1% ANNUAL CHANCE FLOOD HAZARD ZONE AE</i>	<i>TOTAL IMPACT (acres)</i>
W3	29.629149, -96.053287	Proposed Detention Pond - Approximately 2 acre detention pond Located North of Guyler Street and East of Lakeview Drive in existing crop field	Yes	48015C0425F eff. date 10/18/2019	0.10		0.10
		ROW to location					
		Subtotal					
W9	29.621118, -96.093995	Proposed ROW 4874.607 LF Along the ditch 1140' south of FM 1093 (29.625988, -96.089651) for 1940' heading southeastward thence northwestward for 190' thence southwestward for 2,750' towards the San Bernard River (29.615545, -96.098325)	Yes	48015C0475F eff. date 10/18/2019		1.08	1.08
		TOTAL ACRES					1.18

Wetland:

According to the USFWS National Wetland Inventory and the USGS TOPO map, wetland impact was unknown, hence, a wetland delineation was conducted. The results included:

- One (1) stream (UT-1) observed within W9. This channel appears to only carry ephemeral flow, is a non-RPW, and should be considered non-jurisdictional.
- Two (2) emergent wetlands delineated within segments W5 and W9 reflect no continuous surface connection to relatively permanent water (RPW) and should be considered non-jurisdictional.
- No additional wetlands were observed to be located within the project area near the drainage channels.

The type of beneficial values includes primarily rural residential wetland areas important for area flood controls. Intrinsic Values include archaeological, cultural, historic, natural, recreational, and scenic elements.

Austin County has considered the following alternatives & mitigation measures to be taken to minimize adverse impacts & to restore & preserve natural & beneficial functions and intrinsic values of the existing floodplain/wetland:

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

1) Moving the project activities to another location would not be feasible as the flooding is occurring from the conditions occurring in and around Wallis, Texas. Flood conditions can be improved by conducting the proposed construction activities identified. It will ensure human health and the environment and will preserve property and structures regularly impacted by flooding in the area.

2) Using a different type of construction to address water controls during significant rain and/or other impactful weather events have been ongoing and considered for future prevention, however this has proven to be impracticable considering the frequency and ongoing level of flooding occurring.

3) Not improving the drainage conditions at Austin County Sector 3 in around Wallis, Texas would not ensure human health and environment during extreme weather events that promote flooding in the area. Accessibility by emergency vehicles and services are critically impaired during these flood events as well.

MITIGATION:

Law, Authority, or Factor	
Airport Hazards	According to NEPSAssist mapping of the proposed project areas, no portion of the proposed project area is located within 15,000 ft. of a military airport; however, a civilian gliderport is located within the 2,500 ft. buffer of the project area. The gliderport is TE71 GHSA-Wallis Gliderport which is privately owned for private use and requires permission prior to landing. The RE or their contractor will contact the Greater Houston Soaring Association prior to construction in Project Area W5 to ensure the gliderport management is aware of work being conducted in the area. AirNav.com provides the address as 17109 HWY 36, Wallis, Texas 77485 and phone number 866-478-2323.
Floodplain	Ensure consistency with area contours where necessary. Obtain floodplain permit if necessary. This is compliant with state and local wetland protection procedures.
Explosives and Flammable Hazards	According to the Texas Railroad Commission data, natural/other gas transmission pipelines are located and cross under a section of Project Area A4 and additionally adjacent to the south end of Project Area W5. See project maps, RRC maps and proposed project description for activities. It will be important to locate all underground utilities and pipelines in the area to ensure no impact.
Farmland Protection/ Soils & Erosion	The Service encourages the use of accepted erosion control methods during the construction of this project.
Community Facilities and Services	Scheduling construction during times of minimal impact may be needed. The contractor should contact the Brazos Independent School District to coordinate with the district on any activities that could impact operations.
Water Quality	NEPAssist indicates that there are two wastewater permits with discharges in proximity to the project areas, both are adjacent to Project Area W4: (1) Waller Concrete has a stormwater permit TXR05BZ05, and (2) Brazos Independent School (ISD) district has an individual wastewater permit #WQ0011719001 that discharges to an unnamed tributary of the Brazos River, thence to the Brazos River Below Navasota River in Segment No. 1202 of the Brazos River. Neither discharge is expected to have an impact on the proposed project activities; however, there may be wastewater lines in the area, particularly associated with the Brazos ISD discharge which NEPAssist indicates is located adjacent to the east end of Project Area W4. <u>It will be important to locate all underground utilities and pipelines in the area to ensure no impact.</u>
Hazards/ Nuisances	There are a number of pipelines that cross under a section of Project Area A4 at Wallis Concrete and there is also a pipeline adjacent to the south end of Project Area W5. See project maps, RRC maps and proposed project description for activities. <u>It will be important to locate all underground utilities and pipelines in the area to ensure no impact and to obtain all necessary permits/authorizations to construct across the pipeline.</u>

Law, Authority, or Factor	
Endangered Species	The following recommendations and construction mitigation are included for this project. • Review the project area prior to construction and to monitor the site closely during construction to prevent impact to any wildlife. • Employ impact avoidance measures for aquatic organisms and any wildlife, • Use scheduling & confine work to ROW to facilitate Best Management Practices (“BMPs”) for safety of wildlife, fishes & mussels & obtain regulatory permits if necessary. • Review project area for nests prior to construction to avoid disturbance; maintain a minimum zone of 100 meters surrounding any raptor nest February 1 - July 15 or minimum zone of 25’ for other bird nests from March 1 - June 30. If any nests are discovered in vegetation or bare ground of occupied nests; avoid disturbance until the eggs have hatched & the young have fledged. Construction may continue on other areas of the site. • If the contractor comes in contact with any species identified on this list, contact the project engineer and follow the proper process by contacting TPWD and TGLO for further directions on how to address the situation. • Avoidance if necessary when encountering turtles or if relocating a turtle out of the project area it is recommended to point the animal in the same direction it was traveling out of harm’s way. • It is possible but not certain that turtles may be observed at the project sites. Care will be taken to avoid turtles and/or temporarily move turtles out of the way of construction, taking care not to hurt the animals, consistent with TPWD and USFWS policies about moving turtles out of the way of potential danger from construction. These policies will be provided to the contractors in order to prevent impact. • • If you determine your project may affect additional listed or proposed listed species not covered by the Texas DKey, please contact the appropriate Texas Coastal and Central Plains Ecological Services Field Office (ESFO) or your Service point of contact in the ESFO to discuss methods to avoid or minimize potential adverse effects to those species. • The ESFO Service recommends that your agency contact the ESFO or re-evaluate the Action in IPaC if: 1) the scope, timing, duration, or location of the Action changes, 2) new information reveals the Action may affect listed species or designated critical habitat, or 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place to ensure compliance with the Act and before project changes are final or resources committed. • Texas Parks and Wildlife Department (TPWD) tree clearing criteria emphasizes avoiding nesting seasons (March 15 to September 15) to comply with the Migratory Bird Treaty Act and minimizing impacts on riparian zones (100-foot buffers recommended). Key guidelines focus on preserving habitat diversity, protecting endangered species, preventing soil erosion, and retaining key wildlife-supporting trees (e.g., mast-producing, snags). (See Google AI Overview) • If there are no updates on listed species, no further consultation/ coordination for this project is required with respect to the species covered by this Texas Dkey. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

Law, Authority, or Factor	
Historical Preservation	Above-Ground Resources • THC/SHPO concurs with information provided. • No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.
	Archeological Resources • No effect on identified archeological sites or other cultural resources. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains. • No sites recorded.
Wetland	Due to proximity of surrounding wetlands and floodplain, contractor will ensure that best management practices during construction. The use of best management practices to prevent erosion – silt fencing and returning the area to preconstruction conditions. No impact will occur to surrounding wetlands, as all proposed construction will occur at the existing drainage structures, improvements will occur above the ordinary high-water mark. This is compliant with state and local wetland protection procedures.

Austin County has reevaluated alternatives to building in the FFRMS floodplain and has determined that it has no practicable alternative to FFRMS floodplain development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690, and/or Executive Order 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in FFRMS floodplain 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 FFRMS floodplain 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 FFRMS floodplain, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR DOCUMENT to Austin County. All comments received by June 2, 2026 will be considered by Austin County. prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing. Direct all comments to Austin County Courthouse, One East Main, Bellville, TX 77418, (979) 865-5911 Attention: Tim Lapham, County Judge, weekdays during the hours of 8:00 am to 5:00 pm. CST. Comments may also be submitted via email at tlapham@austincounty.com

Written comments regarding the Final Floodplain Notice must be received on or before on or before June 2, 2026. Submit written comments to: Austin County at the following address: Austin County Courthouse, One East Main, Bellville, TX 77418, (979) 865-5911 Attention: Tim Lapham, County Judge, weekdays during the hours of 8:00 am to 5:00 pm. CST. Comments may also be submitted via email at tlapham@austincounty.com

ENVIRONMENTAL CERTIFICATION

City certifies to TGLO that Tim Lapham, in his capacity as Austin County consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process & that these responsibilities have been satisfied. TGLO approval of the certification satisfies its responsibilities under NEPA & related laws & authorities & allows Austin County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TGLO will accept objections to its release of funds & Austin County 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 Austin County (b) Austin County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) Austin County 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 TGLO; 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 & submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) & shall be addressed to the Texas General Land Office, Attention: Heather Lagrone, Texas General Land Office, PO Box 12873, Austin, TX 78711- TX 78711-2873, env.reviews@recovery.texas.gov. Potential objectors should contact TGLO to verify the actual last day of the objection period.

Tim Lapham, County Judge