

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO
REQUEST RELEASE OF FUNDS – AND FINAL NOTICE AND PUBLIC EXPLANATION OF A
PROPOSED ACTIVITY IN A WETLAND**

5/19/21

Bastrop County, 804 Pecan Street, Bastrop, TX 78602, (512) 581-7100

This Notice shall satisfy the above-cited three separate but related procedural notification requirements to be undertaken by Bastrop County.

To: All interested Agencies, Groups, and Individuals

REQUEST FOR RELEASE OF FUNDS

On or about 6/4/21, Bastrop County will submit a request to the Texas General Land Office for the release of Community Development Block Grant Disaster Recovery Funds under Section 104(f) of Title 1 of the Housing and Community Development Act of 1974 as amended, to undertake a project known as Bastrop County Flood and Drainage Improvements to improve the conveyance of storm water under HUD Grant No. 20-065-139-C527. Description: Widen and deepen approximately 1,520 LF of existing ditch along south side of Shiloh Road. Location: Shiloh Road south side linear drainage ditch, from approximately 800 LF east of Cellus Lane (mid Lat/Long 30.092417, -97.363819) to approximately 1,175 LF west of S. Fitzwilliams Lane, Bastrop, Bastrop County, TX 78602. All work will occur in the ROW. No acquisition. GLO DR Grant Funding and total project cost is \$169,621.98.

FINDING OF NO SIGNIFICANT IMPACT

Bastrop 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 either electronically or by U.S. mail. Please submit your request by U.S. mail to Bastrop County at the address above, or by email to lyndsey.schroeder@co.bastrop.tx.us. The ERR can be accessed online at the following website <https://www.co.bastrop.tx.us/page/co.residents>.

FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A WETLAND

This is to give notice that Bastrop County under Part 58 has conducted an evaluation as required by Executive Order 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Wetland Protection. HUD's Protection of Wetlands 8-Step decision-making process of §55.20 to comply with 24 CFR Part 55 was completed because the proposed project is partially located in a Riverine Wetland, totaling approximately 0.01 acres. Work will be performed under Nationwide Permit 43 – Stormwater Management Facility. Conditions of the permit will be followed. Bastrop County has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: A detention pond is an alternative, but it would require acquisition of private property and ongoing maintenance, making this an undesirable option. No Action: Taking no action would incur no costs for the flood and drainage improvements and would cause no construction-related environmental impact but would be unable to address the problems of flooding in the project area, which threatens the health and safety of individuals and damage to property.

Bastrop County has reevaluated the alternatives to building in the wetland and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11990 are available for public inspection, review and copying upon request at the times and location delineated in the paragraph of this notice for receipt of comments.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Bastrop County. All comments received by 6/3/21 will be considered by Bastrop County 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 by email to Bastrop County at lyndsey.schroeder@co.bastrop.tx.us or by mail at Bastrop County, 804 Pecan Street, Bastrop, TX 78602, (512) 581-7100. Comments should specify which Notice they are addressing. Potential objectors should contact Bastrop County via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

Bastrop County certifies to the Texas General Land Office that Paul Pape, 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. GLO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows Bastrop County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

GLO will accept objections to its release of funds and Bastrop County'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 Bastrop County; (b) Bastrop County 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 GLO (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 Heather Lagrone, Texas General Land Office, Community Development and Revitalization, P.O. Box 12873, Austin, TX 78711-2873, or cdr@recovery.texas.gov. Potential objectors should contact the GLO at (512) 475-5000 to verify the actual last day of the objection period.

Paul Pape, County Judge