

## **Early Notice and Public Review of a Proposed Activity in a Floodplain**

To: All interested Agencies, Groups and Individuals.

This is to give notice that Hardin County has determined that the following proposed action under the Community Development Block Grant - Disaster Recovery Program administered by the Texas General Land Office – U.S. Department of Housing and Urban Development’s Community Development Block Grant Mitigation (CDBG-MIT) and Hardin Co MIT MOD – Street Drainage - Kountze, #24-065-065-E596 / B-18-DP-48-0002, is located in a Federal Flood Risk Management Standard (FFRMS) floodplain and Hardin County will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Protection of Floodplains.

### **Project Location:**

All work will occur in the City of Kountze, Hardin County, Texas in the following locations:

#### Roadside Ditch Improvements

- 1ST STREET from Blackgum St. to 450’ west of N. Beech St.
- 2ND STREET from N. Oak St. to 110’ west of N. Cherry St.
- 3RD STREET from N. Oak St. to 110’ west of N. Cherry St.
- 4TH STREET from Blackgum St. to 90’ west of N. Cherry St.
- ALLEN ST from Tubb St. to Feagin St.
- ALLUMS STREET from Old FM 418 to 170’ west of N. Cherry St.
- N. ASH STREET from 1st St. to Hwy 418 W
- S. ASH STREET from Deer St. to E Brown St.
- BARRET STREET from Feagin St. to Villa Rd
- N. BEECH STREET from Hwy 418 W to 1st St.
- S. BEECH STREET from E Deer St. to E Brown St
- BEAR STREET from Old FM 418 to 180’ west of N. Cherry St.
- BLACKGUM STREET from 1st St. to 790’ northwest
- E. BROWN STREET southernmost section from the E Brown Street Fork east 1,132’ to end
- E. BROWN STREET from Alums St. to 170’ west of N. Cherry St.
- CARIKER STREET from Otis St. to Allen St.
- CHARLES STREET from Allison St. to Riggs St.
- N. CHERRY STREET from 2nd St. to 3rd St.
- N. CHERRY STREET from 3rd St. to Hwy 418 W
- S. CHERRY STREET from E Brown St. to E Deer St.
- CYPRESS STREET from 1st St. to 230’ north of 4th St.
- CYPRESS STREET from Old FM 418 to Deer St.
- CYPRESS STREET from Deer St. north 537’
- DALE STREET from Tubb St. to Villa Rd.
- DEER STREET from Old FM 418 to 190’ west of S. Cherry St.

- FEAGIN STREET from Allen St. to Tubb St.
- FOX STREET from Old FM 418 to 215' west of N. Cherry St.
- KIMBERLY LANE from E. Williford Rd. north 359' to end
- LINDSEY STREET from Feagin St. to Tubb St.
- M.L. KING STREET from Pan-Am Rd. to Villa Rd.
- MARSHALL STREET from Allen St. to Smith St.
- MILL STREET from E Brown St. to 170' west of N. Cherry St.
- S. OAK STREET from E. Brown St. to Deer St.
- N. OAK STREET from 2nd St. to 1st St
- N. OAK STREET from Hwy 418 W to 3rd St.
- OLD FM 418 from Allums St. to Deer St.
- OTIS STREET from Feagin St. to Tubb St.
- PAN-AM ROAD from M.L. King St. to Dale St.
- RIGGS STREET from Charles St. to Barrett St.
- SMITH STREET from Feagin St. to Tubb St.
- TIGER STREET from Cypress St. east 470' then north on Tiger St. 270' to end
- TUBB ST from Allison St. to Allen St.
- E. VANDERBURG STREET from Villa Rd. to Feagin St.
- E. VANDERBURG STREET from Feagin St. to Tubb St.
- VILLA ROAD from Rocky Richardson Rd. south 3,558'
- N. WALNUT STREET from 1st St. to 160' north of 4th St.
- S. WALNUT STREET from Deer St. to Mill St.
- WALTERS LANE from E Williford Rd north 800'
- WIGGINS STREET from Feagin St. to Tubb St.
- E. WILLIFORD from Walters Ln. to Hwy 287

#### Channel Improvements

- ROW ON EAST SIDE OF E BROWN ST. from E. Williford Rd (30.37040, -94.309961) northeast 5,248' (30.37716, -94.29661)
- ROW ON THE EAST SIDE OF CHILE DANIEL ROAD and 1,300' North of Hwy 418 W (30.38409, -94.31148) to south to Hwy 418 W (30.38136, -94.31135)
- ROW ON THE EAST SIDE OF CHILE DANIEL ROAD and 1,300' North of Hwy 418 (30.38409, -94.31148) to southwest 1,044 l.f. to Villa Rd (30.38290, -94.31468)
- ROW ON NORTH SIDE OF DALE ST. from the intersection of Feagin St and Dale St. southeast to the west side of Chile Daniel Rd. and 1,300' North of Hwy 418 W (30.38409, -94.31148)
- ROW 70' EAST OF THE EASTERN END OF TIGER ST (30.37675, -94.30692) southeast 1,241' (30.37574, -94.30339)
- ROW 100' SOUTH OF THE INTERSECTION OF SMITH ST AND FEAGIN ST. southeast to Barret St. 115' east of the intersection of Riggs St. and Barrett St. (30.38985, -94.31712)

#### **Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Provide Roadside Ditch and Channel Improvements. Construction activities include:

- Driveway Culvert Replacements - 3,000 LF

- Roadside Ditch Excavation - 122,000 LF
- Channel Clearing and Shaping - 14,100 LF

## FLOODPLAIN

### ***Exemptions to Part 55:***

*Actions listed in the revised 24 CFR 55.12 that are exempt from the floodplain management requirements of Part 55 include:*

- *Exempt activities and actions that are Categorically Excluded Not Subject to 50.4 or 58.5*
- *Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited*
- *Receivership or foreclosure and related actions*
- *Policy-level actions not involving site-based work*
- *Issuance of non-project-based housing vouchers*
- *A minor amendment to a previously approved action*

The project is subject to Part 55 because it meets the criteria for none of the exemptions.

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### ***Critical Actions:***

*Critical action means any activity for which even a slight chance of flooding would be too great because such flooding might result in loss of life, injury to persons, or damage to property.*

*Critical actions include activities that create, maintain, or extend the useful life of those structures or facilities that:*

- *Produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials*
- *Provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events (e.g., community stormwater management infrastructure, water treatment plants, data storage centers, generating plants, principal utility lines, emergency operations centers including fire and police stations, and roadways providing sole egress from flood-prone areas)*
- *Are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events, e.g., persons who reside in hospitals, nursing homes, convalescent homes, intermediate care facilities, board and care facilities, and retirement service centers; housing for independent living for the elderly is not considered a critical action*

Because the project meets none of these criteria, it is not considered a critical action.

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### ***How Federal Flood Risk Management Standard (FFRMS) was determined:***

*The FFRMS is determined by utilizing a tiered approach:*

- *Climate-Informed Science Approach (CISA) - Preferred Method*
- *0.2-Percent-Annual Chance Floodplain Approach (0.2PFA)*
- *Freeboard Value Approach (FVA)*

Climate-Informed Science Approach (CISA)

- *Federal CISA data must be equal to or greater than base flood elevation (BFE) to be used.*

According to the Federal Flood Standard Support Tool (FFSST), there is no CISA data available for the project area. As such, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, 0.2PFA (500-year floodplain method), was therefore considered.

FEMA 0.2PFA (500-year floodplain)

- *FEMA maps must show a 500-year floodplain in order to be used*
- *Critical Actions require both the 0.2PFA and the Freeboard Value Approach (FVA) be used to determine which elevation is higher, the 0.2PFA or FVA.*

According to FEMA floodplain map #4899C0225F (Effective Date 10/06/10), a portion of the project is located within a 100-year floodplain which is considered a FFRMS floodplain:

- ROW ON EAST SIDE OF E BROWN ST. from E. Williford Rd (30.37047, -94.30961) northeast 5,248' (30.37716, -94.29661)

Since a 100-year floodplain is considered a FFRMS floodplain, it was determined that this portion of the project is located within the FFRMS floodplain. The 8-step process is required.

According to FEMA floodplain map #4899C0225F (Effective Date 10/06/10) and #48199C0375F (Effective Date 10/6/10), the majority of the project is located in Zone X (Area of Minimal Flood Hazard) which is not considered a FFRMS floodplain.

In order to ensure that all appropriate FEMA floodplain data was considered and the most stringent data source was used for the comparable flood data, all available effective, preliminary and pending FIRMS were reviewed:

- Effective Maps - 7
- Preliminary Maps - 0
- Pending Maps - 0

Upon completion of this review, it was discovered that there was no additional data that would change the FFRMS floodplain determination. Further, since none of the maps showed the 500-year floodplain, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, Freeboard Value Approach (FVA), was therefore considered.

Freeboard Value Approach (FVA):

*FVA defines the FFRMS floodplain as the elevation and flood hazard area that results from:*

1. *Adding two (2) feet to the base flood elevation (BFE) for non-critical actions or*
2. *Adding three (3) feet to the BFE for critical actions.*

*This approach is used for noncritical actions if neither CISA data nor FEMA-mapped 0.2-percent-annual-chance floodplain data is available or actionable. For critical actions, the higher of 0.2PFA or FVA must be used.*

According to the FEMA Floodplain Base Elevation Mapper, the following Floodplain Base Elevations were determined:

- Base floodplain elevation (BFE) 83.558 feet.

Since the project is not a critical action, and the FVA requires the highest Floodplain Base elevation be used, the FFRMS floodplain was determined to be BFE 83.558 + 2 feet:

- FFRMS Floodplain = 85.558'

According to the USGS Topo builder, the entire project is located at a lower elevation than the FFRMS floodplain. As such, it was determined that the entire project is located within FFRMS floodplain.

Area of disturbance:

- Drainage Channel Improvements – 8.35 acres at a depth of 4' (ft)
- Roadside Ditches – 21.11 acres at a depth of 3' (ft)

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#### WATERS OF THE UNITED STATES (WOTUS)

Because no wetlands are present, the 8-step process is not required. However, because WOTUS were identified:

- Any proposed dredged material or fill placement within WOTUS would require a permit from the USACE Galveston District.
- All impacts to WOTUS should be minimized to the maximum extent practicable.
- Any activities resulting in the loss of greater than 3/100-acre stream will require stream mitigation.

#### **Natural and beneficial values potentially adversely affected by the activity:**

1. Preventing loss of life and property as a result of flooding is the highest priority. Another flood could damage the new infrastructure.
2. In addition to concerns for life and property, the County has considered the natural values of the floodplain. The natural resources of the floodplain include water, biological, and societal resources. The proposed project will have minimal impacts to the floodplain because appropriate mitigation will be in place.
3. According to a Threatened and Endangered Species Assessment, it was concluded that the construction of the facilities will have no quantifiable impact on plant and animal life. Only native plants are to be used in the floodplain and on the site.
4. Societal resources should also be considered during the design process. The designs are meant to complement the natural features of the area and to offer an aesthetically pleasing

structure. The site will not have an effect on agricultural lands.

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. Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. 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.

Written comments must be received by Hardin County at the following address on or before **May 25th, 2025, Hardin County Courthouse, 300 West Monroe Street, Kountze, Texas 77625**. A full description of the project may also be reviewed from **9:00 AM to 5:00 PM**. at the address above. Comments may also be submitted via email at **todd@texasenvironmentals.com**.

**Posting Date:** May 6th, 2025