

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
AND INTENT TO REQUEST RELEASE OF FUNDS
AND FINAL NOTICE & PUBLIC EXPLANATION OF
A PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD (FFRMS),
100-YEAR, 500-YEAR FLOODPLAIN AND WETLAND**

Date of Notice: July 17, 2025

Polk County
410 East Church Street
Livingston, TX, 77351
936-327-6813

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

To All Interested Parties Including: Federal Emergency Management Agency, Flood Mitigation Planning Texas Water Development Board, Texas Parks and Wildlife Department (TPWD), Regional Flood Management Association, Groups & Individuals of Polk County , the Goodrich and Ace areas in Precinct 1, Polk County, TX

REQUEST FOR RELEASE OF FUNDS

On or about August 4, 2025, Polk 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 Polk County 2023 Street Improvements, for Contract 24-065-044-E536 / B-18-DP-48-0002.

The purpose of the road improvement project is to eliminate dangerous road conditions, to improve safety & roadway reliability for all residents, and to ensure emergency & public safety vehicles have safe access to local communities, particularly during storms & flooding events. All improvements shall take place within Polk County, Precinct 1.

Texas General Land Office CDBG-MIT
DRGR Activity: MIT - Public Facilities and Improvements-Non-Covered Projects- LMI
Activity Type: Street Improvements

Project Titles & Locations:

River Road/ Drews Landing	GLO17-32138-P
El Camino Road	GLO17-32139-P
Ellis Grimes	GLO17-32140-P
Route 66 Road	GLO17-32539-P

PROJECT DESCRIPTION

County shall construct approx. 14,260 LF of road improvements by scarifying, reshaping and recompacting the existing roadway and installing crushed limestone base, asphaltic prime coat and HMAC surface for all street surfaces, base and surface, install 990 LF of small & larger cross culverts as necessary, 2 EA headwalls and rip rap, roadway, mailbox and driveway turnouts, mailbox relocation, rip rap headwalls as necessary, SWPPP and complete associated

appurtenances. Depth of impact: approx. 1 foot for reconstruction + ditch grading. Depths at culverts: Max 42 inches (36 inch culvert + 6 inches additional disturbance). Total width impacted: ROW 50 feet. All roads will be raised by 4" – 6". Clearance includes Administration, Engineering & Environmental Activities. Total Area of Disturbance 16.4 Acres.

Project locations are outlined in Table 1 below:

TABLE 1 Polk County Precinct 1 Street Improvements
Project Location: Goodrich/Ace Area, Polk County, TX 77335/ 77336/ 77351

Precinct 1 PPrnt ID No.	Name	From To Location	Culverts Approx LF	Road Length Approx LF	Width LF	Total Disturbance acre	Lat/ Long
1a	River Road	Drew's Landing Road thence eastward 3,750 LF	400	3,750	50	4.3	30.55278, -94.88044
1b	Drew's Landing Road	River Road to Driftwood Drive	180 Small 120 Large	2,250	50	2.6	30.55732, -94.88276
1c	El Camino Road	FM 1988 southward 1,060 LF to creek crossing	-0-	1,060	50	1.2	30.60166, -94.95663
1d	Ellis Grimes Road	FM 2969 south to Creek Wood Hill	30 Small 60 Large	1,900	50	2.2	30.60137, -94.97018
1e	Route 66 Road	Taylor Lake Road southwest 5,300 LF to end of road	100 Small 100 Large 2 EA Headwalls	5,300	50	6.1	30.51196, -94.86419
Total Polk County Precinct 1 Roads			990	14,260		16.4	

CDBG MIT GRANT BUDGET

ESTIMATED TOTAL HUD MID E536 FUNDED AMT \$ 15,510,000.00

Precinct 1 Roads
Project Budget:

River Road/ Drews Landing	#E536 / GLO17-32138-P	\$ 1,147,372.34
El Camino Road	#E536 / GLO17-32139-P	\$ 195,351.06
Ellis Grimes	#E536 / GLO17-32140-P	\$ 349,723.40
Route 66 Road	#E536 / GLO17-32539-P	\$ 815,127.66
	TOTAL	\$ 2,507,574.47

FINDING OF NO SIGNIFICANT IMPACT

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 Polk County, 410 East Church Street, Livingston, TX, 77351, Ph 936-327-6813 where the ERR can be examined & is available for review & or copied weekdays from 8:30 AM – 4:30 PM CST. In addition, ERR can be accessed electronically at <https://www.dropbox.com/scl/fi/yfjyibo1cczm21xhtidbh/PolkCountyStreetImprovementsPrecinct1Contract24-065-044-E536ERR.pdf?rlkey=ynfrj5fc0ckb5wlfacglujn2k&dl=0>

**FINAL NOTICE & PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FEDERAL
FLOOD RISK MANAGEMENT STANDARD (FFRMS),
100-YEAR, 500-YEAR FLOODPLAIN AND WETLAND**

This is to give notice that Polk County has conducted an evaluation as required by Executive Order Executive Orders 13690, 11988 and 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 activities are funded under Community Development Block Grant Mitigation (“CDBG-MIT”) program for Polk County Contract 24-065-044-E536, 2023 Street Improvements for Precinct 1. Project description of the Street Improvements and project locations are described in Table 1 above

FFRMS Floodplain: A portion of the project is located in the floodplain. The following table describes the area of potential impacts. The extent of the FFRMS floodplain has been determined using a freeboard value approach which included analyzing the 0.2 floodplain maps for Polk County as well as USGS 7.5 minute TOPO maps. According to the Floodplain FEMA FIRM map panels 48407C0275C, 48407C0300C and 48407C0250C, eff. 11/04/2010 an estimated 11.207 acres are located within the 1% annual chance flood hazard area. The floodplain project areas include all proposed project roads as listed in Table 2 at right.

TABLE 2 Polk County Precinct 1 Floodplain Table <i>Project Location: Goodrich/Ace Area, Polk County</i>		
Location ID and Name	FFRMS Floodplain Table FEMA Map Panel	100 YR Floodplain Total Area of Disturbance (acres) Zone A
1a River Road	48407C0275C effective 11/4/2010	0.38
1b Drew's Landing	48407C0275C effective 11/4/2010	1.71
1c El Camino	48407C0250C, effective 11/4/2010	1.22
1d Ellis Grimes	48407C0250C, effective 11/4/2010	1.82
1e Route 66	48407C0300C, effective 11/4/2010	6.08
Precinct 1 Total Floodplain (approx. acres)		11.207

Wetlands: A portion of the project is located in a wetland. The following table describes the area of potential impacts. According to USFWS National Wetland Inventory, the project contains wetlands along 1b Drew's Landing, 1c El Camino and 1d Ellis Grimes Road. The total Wetland impact is approx 0.17. 1: PEM1C (Palustrine Emergent Persistent, Seasonally Flooded.) and 2: R4SBC (Riverine, intermittent). See Table 3 at right.

TABLE 3 Polk County Precinct 1 Wetland Table <i>Project Location: Goodrich/Ace Area, Polk County</i>			
Location ID and Name	Wetland Table Total Area of Disturbance (Acres)		Wetland Total Impact Acres (All)
	R4SBC	PEM1C	
1b Drew's Landing	n/a	0.14	0.14
1c El Camino	0.01	n/a	0.01
1d Ellis Grimes	0.02	n/a	0.02
Precinct 1 Total Wetland (Approx acres)	0.03	0.14	0.17

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

Polk 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 wetland values which include primarily residential & commercial uses, as wetland areas are important for area flood controls

Alternatives considered for this project include: 1. Moving this construction to other locations would not be feasible as the issues with failing roadways is occurring at the selected roads where accessibility by local residents has been an ever increasing problem, especially during significant rain or other weather events occur. 2. Using other materials for ongoing maintenance and patching of the roads was considered, however, this is cost prohibitive and has resulted in other environmental effects from continuous erosion and subsidence of the existing roadways 3. Not performing the work was considered, but the roadways are failing and becoming more difficult to traverse where the usefulness of the roads are in jeopardy. In addition, the failing roads make it more difficult for emergency vehicles to access these communities in urgent conditions and matters where human health is at risk. If these improvements cannot occur, the ongoing deterioration of the roadways will cause environmental problems with erosion and stormwater runoff into local creeks and other water ways.

Mitigation:

Wetland:

Construction activities will be consistent with USACE Nationwide Permit 14 non-reporting for linear transportation projects as the impact to waters of the US will not be more than 1/10 acre per area. Due to proximity of surrounding wetlands, contractor will ensure that best management practices ("BMPs") during construction. This may include use of disturbance-free buffers contiguous to wetlands or aquatic systems, where possible place top of riprap at or below the proposed streambed flowline elevation and where applicable, place culverts and riprap such that up and downstream flow connections are present under low flow conditions.

Floodplain/FFRMS:

The proposed project will be under the guidance of using Best Management Practices during construction by implementing silt fencing to prevent erosion and restoring the disrupted soils to its natural contours and appearance and to preserve the surrounding terrain in the floodplain. Construction will include appropriate grades to ensure proper drainage and be advised to keep within the compliance of State and local floodplain protection procedures. Where necessary, the project will also elevate existing roadways 4 to 6 inches to address ponding or other drainage issues.

Other Mitigation:

Other mitigation for these areas includes 1) Judicious use and placement of sediment control fence to exclude wildlife from the construction area. Where possible include no-till drilling, hydromulching &/or hydroseeding rather than erosion control blankets or mats to reduce risk to wildlife; 2) Employ avoidance and if necessary relocate turtles out of the project area, pointing the animal in the same direction the turtle was traveling is recommended. 3) Review project area prior to construction and monitor the site closely during construction to prevent impact to any wildlife. 4) If construction workers encounter endangered species, suspend work to allow for voluntary escape; 5) provide workers with environmental awareness docs & TPWD contact information; 6) employ impact avoidance measures for aquatic organisms & any wildlife, use scheduling & confine work to ROW and bridges to facilitate BMPs for safety of wildlife, fishes & mussels and obtain regulatory permits if necessary., i.e., where necessary review project area for nests prior to construction to avoid disturbance; maintain a minimum zone of 100 meters surrounding any raptor nest Feb 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; 7) use BMPs to prevent erosion & restore disrupted soils to natural contours & appearance & to preserve surrounding terrain in wetland & floodplain 8) locate utilities & potential underground gas lines prior to construction; 9) use scheduling to prevent impact to community traffic conditions;

10) Historic/cultural THC indicates they "concur that the proposed project activities along River Road, Drews Landing, El Camino Road, Ellis Grimes Road, and Route 66 Road, will remain within the existing 18 feet of roadway, and therefore, will have no effect on historic properties. Should modification in the project result in an increase in the area of potential effect for direct effects, additional consultation with this office may be required."

If not possible, additional consultation with this office is required and archeological investigations may be warranted. If historic properties are discovered or cultural materials are encountered 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 History Programs Division at 512-463-5853 as well as TGLO for further direction. 11) use BMPs & adjust schedule to ensure appropriate access to parks or recreation areas and to identify where utility lines and other lines are located prior to construction, and 12) ensure proper disposal of demolition debris & clear away incidental waste in compliance with federal and state requirements.

Polk County has reevaluated alternatives to building in a wetland and has determined that it has no practicable alternative to constructing where FFRMS, 100-year, 500-year floodplains and wetlands exist. Environmental files documenting compliance with Executive Orders 13690, 11990 and 11988, 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 an FFRMS, 100-year, 500-year floodplains and Wetland & those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns & provide information about these areas. Commenters are encouraged to offer alternative sites outside of the FFRMS, 100-year, 500-year floodplains and Wetland, alternative methods to serve the same project purpose, & methods to minimize & mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information & request for public comment about FFRMS, 100-year, 500-year floodplains and Wetlands can facilitate & enhance Federal efforts to reduce the risks & impacts associated with the occupancy & modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in Wetland areas, 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 the County. All comments received by August 1, 2025, will be considered by Polk County prior to authorizing submission of a request for release of funds. Comments may be submitted to Sydney Murphy, Judge, 410 East Church St, Livingston, TX, 77351 weekdays from 8:30 AM – 4:30 PM CST, Phone: 936-327-6813. Comments may also be submitted via email to: sydney.murphy@co.polk.tx.us . Comments should specify which Notice they are addressing.

Written comments regarding the Final FFRMS, 100-year, 500-year floodplains and Wetland Notice must be received by County at the following address on or before August 1, 2025. Comments can be submitted to Sydney Murphy, Judge, 410 East Church Street , Livingston, TX, 77351, weekdays from 8:30 AM – 4:30 PM CST, Phone: 936-327-6813. Comments may also be submitted via email to: sydney.murphy@co.polk.tx.us .

ENVIRONMENTAL CERTIFICATION

Polk County certifies to TGLO that Sydney Murphy, in her capacity as 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 & that these responsibilities have been satisfied. TGLO approval of the certification satisfies its responsibilities under NEPA & related laws & authorities & allows County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TGLO will accept objections to its release of funds & the Polk 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 Polk County. (b) County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) 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 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, PO Box 12873, Austin, TX 78711-2873, via email at env.reviews@recovery.texas.gov . Potential objectors should contact TGLO to verify the actual last day of the objection period.

Sydney Murphy, Judge
Polk County