

**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, FLOODPLAIN AND WETLAND**

Date of Notice: August 7, 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 , Onalaska & W Livingston areas, Polk County, Precinct 2, Tx

REQUEST FOR RELEASE OF FUNDS

On or about August 25, 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 & Existing Bridge/Culvert 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 2.

Texas General Land Office CDBG-MIT
DRGR Activity: MIT - Public Facilities and Improvements-Non-Covered Projects- LMI
Activity Type: Street & Existing Bridge/Culvert Improvements
Project Titles & Locations:
Polk County: May Drive / Hodge Bottom Rd GLO17-32536-P
Hidden Valley Road GLO17-32542-P

PROJECT DESCRIPTION - Street & Existing Bridge/Culvert Improvements: 1) Bridge Replacement at 2 locations. 2) Road Improvements at 3 locations

Bridge Improvements: County shall remove & demolish existing wooden and/or steel bridge in order to increase hydraulic capacities to handle additional storm water flow. Construction of 2 new 40-ft concrete bridge structures with piping; install abutment slab beams, reinforced slab, and backfill. Includes temporary detour for Hodge and May Drive bridges, clearing ROW, excavating embankment, road fill, 16" prestress concrete piling, concrete abutment, prestressed concrete slab beams, reinforced concrete slab & bridge deck, cement stabilized abutment backfill, reinforced concrete approach slab, metal railing and end protection. Includes 24" maximum large rock rip rap on embankment and around

bridge abutment for erosion and scour protection. Pilings will be maximum 40 ft depth. Reconstruct 200 LF on either end of bridge for vehicle access. Includes staging area. Bridge and road elevation will be raised.

Street Improvements at all locations. County shall construct approximately 4700 LF of road improvements by scarifying, shaping & compacting road section, stabilize subgrade, limestone base, asphaltic surface, traffic rail, guard fence, 200 LF of culverts as necessary, guardrail terminal, downstream terminal anchor, concrete rip rap slope protection, geotechnical foundation bores, SWPPP, and complete associated appurtenances. Depth of impact: approx. 1 foot for reconstruction + ditch grading. Total width impacted: ROW 50 feet.: Depths at culverts: Max 42" (36-inch culvert + 6-inches additional disturbance). Includes Administration, Engineering and Environmental Activities. Approximate total area of disturbance is 5.5 Acres.

Project need: Eliminate dangerous road conditions to improve safety and roadway reliability for all residents and emergency and public safety vehicles, particularly during storms and flooding event.

TABLE 1 Polk County Precinct 2 Onalaska & W Livingston areas, 77360 / 77351					
<i>Polk Co Pct 2 PPrnt ID & Name</i>	<i>From..to.. Location</i>	<i>Lat/ Long</i>	<i>Approx Road Length LF</i>	<i>Width LF</i>	<i>Approx Total Area of Disturbance (Acres)</i>
2a Hodge Bottom Road & Bridge Constructed 1994	160' south of bridge over Clear Creek to 1,040' north of bridge	30.84242, -95.12953	1200	50	1.4
2b May Drive & Bridge Constructed 2013	800' SE of bridge over Clear Creek to 300' NW of bridge	30.83829, -95.13555	1100	50	1.3
2c Hidden Valley Road	Walding Road NE 2,400' to the curve	30.75648, -95.01301	2400	50	2.8
Total			4700		5.5

CDBG MIT GRANT BUDGET

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

Pct 2 Road / Bridge Total Budget \$ 2,099,398.94

Precinct 2	May Drive / Hodge Bottom Rd	GLO17-32536-P	\$ 1,528,760.64
Project Budget:	Hidden Valley Road	GLO17-32542-P	\$ 387,127.66
	TOTAL		\$ 1,915,888.30

Beneficiaries by Title

May Drive / Hodge Bottom Rd - 1649 persons of which 1007 or 61.07% are low / moderate income persons

Hidden Valley Road - 53 persons of which 35 or 66.04% are low / moderate income persons

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/zh60xgd3operwd4z7i6sh/POLK_CO-Pct-2-ROADS_24-065-045-E536-ERR.pdf?rlkey=4164160hbf9xde87jvmcsv91x&st=611r728j&dl=0

**FINAL NOTICE & PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FEDERAL
FLOOD RISK MANAGEMENT STANDARD (FFRMS),
100-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 & Existing Bridge/Culvert Improvements for Precinct 2. Project description of the improvements and project locations are described in the project description paragraph and in Table 1 above.

FFRMS Floodplain: A portion of the project in Polk County is located in the FFRMS floodplain. 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, and 48407C0300C ,effective 09/03/2010 an estimated 2.64 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 below.

The FEMA NFIP FIRM map panels for the three locations reflects two sites are located within the 1% Flood Hazard areas. These include Hodge Bottom Road/Bridge (2a) and May Drive/Bridge (2b).

Table 2 Floodplain Impact (1% / FFRMS) Polk County Precinct 2 Onalaska & W Livingston areas, 77360 / 77351		
<i>PPRNCT ID & Name</i>	<i>FEMA FIRM Map Panel</i>	<i>100 YR (1%) Floodplain Zone A Approx Total Disturbance (Acres)</i>
2a Hodge Bottom Road and Bridge	48373C0275C effective 9/3/2010	1.38
2b May Drive and Bridge	48373C0275C effective 9/3/2010	1.26
Total		2.64 acres

Wetlands: According to the USFWS National Wetland Inventory, a portion of the project is near a wetland. The following table describes the area of potential impacts. The project contains wetlands along 2a Hodge Bottom Road and 2b May Drive. The total Wetland impact is approximately 0.16 acres in the following wetlands. 1. PFO1C (Freshwater Forested Emerged), 2. R4SBC (Riverine, intermittent), 3. R5UBH (Riverine) and 4. PEM1C (Freshwater Emerged.). See Table 3 below:

Table 3 Wetland Impacts/ Total Areas of Disturbance Polk County Precinct 2 Onalaska & W Livingston areas, 77360 / 77351					
<i>PPRNCT ID & Name</i>	<i>PFO1C (Acres)</i>	<i>R4SBC (Acres)</i>	<i>R5UBH (Acres)</i>	<i>PEM1C (Acres)</i>	<i>Approx Total Impact Acres (All)</i>
2a Hodge Bottom Road/Bridge	0.05	n/a	n/a	0.03	0.09
2b May Drive and Bridge	0.02	0.03	0.02	n/a	0.08
Total	0.07	0.03	0.02	0.03	0.16 acres

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.

Polk County has considered alternatives for this project which 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 /Best Management Practices (BMPs) :

Floodplain/FFRMS:

1)The new concrete bridges will be designed to current TxDOT standards. The abutment banks will be shaped to provide better water flow thru/around the structure and lined with large (18"x24") rock riprap to prevent erosion. 2) Ditches along the roadway will be cleaned and reshaped to allow water to flow into them and then will be capable of carrying/moving storm water to the creek. 3) The new roadway will be reshaped/reggraded to allow vehicular traffic to navigate the new bridge's elevation; roadway will be strengthened by stabilizing the subgrade, placing new limestone gravel base and installing a new asphalt travel surface. 4) Bridges will be elevated to approximately 2 feet above base flood elevation.

Wetland:

1) Limited impact will occur to surrounding wetlands as all proposed construction will occur at the existing drainage structures. Improvements will be consistent with regulatory requirements including staying consistent with Nationwide Permit (NWP) 14 for linear transportation projects - non-reporting as well as NWP 13 Bank Stabilization projects. 2) Engineering plans reflect the replacement bridges will be elevated to prevent flooding at the low lying areas of the current bridges. 3) Use BMPs to prevent erosion & restore disrupted soils to natural contours & appearance & to preserve surrounding terrain in wetland & floodplain including following BMPs for Projects Affecting Freshwater Mussel Rivers, Streams and Tributaries - [Recommended Best Management Practices for Projects Affecting Freshwater Mussel Rivers, Streams, and Tributaries.](#)

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) Locate utilities & potential underground gas lines prior to construction. 8) Detours are planned for the project areas at Hodge Bottom and May Drive. This includes providing signage and directions for using alternate roads during construction. The plans include a safe and secure ingress/egress into the residential areas using scheduling to ensure an open safe passage for residents in the area. Plans stipulate to ensure only two of three bridges may be closed at one time. 9) Use scheduling to prevent impact to community traffic conditions. 10) Historic/cultural THC indicates if modification of roadways outside ROW resulting in an increase in the area of potential effect for direct effects, additional consultation may be required. 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 directions. 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. 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 floodplains and/or wetlands 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 upon request at Polk County, 410 East Church Street, Livingston, TX, 77351, Ph 936-327-6813 during weekdays from 8:30 AM – 4:30 PM CST.

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 22, 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 22, 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