

**COMBINED NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS FOR TIERED
PROJECTS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED
ACTIVITY IN A 100-YEAR FLOODPLAIN**

July 10, 2021
City of Galveston
2508 Ball Avenue
Galveston, TX 77550
(409) 797-3820

To: All interested Agencies, Groups and Individuals

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Galveston.

REQUEST FOR RELEASE OF FUNDS

On or about July 20, 2021, the City of Galveston will submit a request to the U.S. Dept. of Housing & Urban Development (HUD) for the release of Community Development Block Grant B-20 & 21-MC-480016 funds under Title 1 of the Housing and Community Development Act of 1974 (P.L. 93-383), as amended, to undertake the following project:

Broad Review Project Title: Public Works Dept. Street Repaving
Cost: \$1,069,369 (2020 \$541,574 & 2021 \$527,795)

Description and Location: street improvements in the LMI target area to deteriorated, unsafe streets through repaving by City staff or contractors. The project area is a residential urbanized district of the City with a population of approximately 27,840. Project will provide repaving improvements on existing streets that will be retained for the same use and will not change in size or capacity. Project re-paving will be "mill and overlay" process. This process consists of two major steps: 1) milling the street and 2) laying the new asphalt (overlay). To mill the street, workers use heavy equipment to remove the surface of the street. Workers then use a machine to spray "tack," liquid asphalt coating, to assist in adhering the new asphalt to the road. The final process is overlay, laying new asphalt on the street. The project location is in the area of 6th Street to 61st Street from Harborside, Avenue C, and Avenue E to Seawall and Avenue S and west of 61st Street to 74th Street from Heard's Ln. (Avenue P 1/2) to Stewart Rd. and Jones Dr. located primarily in CT's 724002, 7241, 7242002 & 3, 7243, 7244, 7245, 7246, 7247, 7248, 7249, 7250, 7251, 7252, 7253, 7254, and 7258001 & 2. Approximately 2,789.62 acres of area where potential streets are located; 32 tentative sites of installation will be 83 city blocks-approximately 36,769 linear ft.

Mitigation: The project will be completed in a manner to mitigate during the installation process to allow drainage to the proper channel for the floodplain.

Level of Environmental Review Citation: Categorically Excluded subject to 58.5 activity per 24 CFR 58.35(a)(1)

Site Specific Review: Site specific reviews will be completed for those laws and authorities not addressed in the project broad review as site specifics are developed and will cover the following: Contamination and Toxic Substances; Historic Preservation; and Environmental Justice

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at Grants and Housing Dept., City of Galveston, (address above) and may be examined or copied weekdays 9 A.M to 4:30 P.M or on the Dept. website at <https://www.galvestontx.gov/1052/5-year-Consolidated-Plan>.

**FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR
FLOODPLAIN**

This is to give notice that the City of Galveston under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for making Determinations on Floodplain Management and Wetlands Protection. The proposed project location and description is described in the second paragraph of this notice. The project will be located in the 100-year floodplain map #'s dated 8-15-2019 as follows: 48167C0442G, 48167C0441G, 48167C0437G, 48167C0439G, and 48167C0438G in Zone AE with an elevation of 10, 11, and 12 ft. with total project area of 2,789.62 acres. The proposed project is located in the City of Galveston, Galveston County. A notice appeared in this newspaper inviting public comments in the floodplain decision-making process; no comments were received. The City has considered the following alternatives and mitigation measures to minimize adverse impacts and restore and preserve natural and beneficial values: One alternative would be to relocate this project outside the floodplain to the Seawall Blvd. and adjacent areas. Another alternative would be to fund other projects in other areas of the jurisdiction. However, these alternatives are not feasible. The project is needed in the identified sites and would not provide the needed services of safe and durable infrastructure of improved streets for the residents and arrest the decline and blighting effect on the area. These projects are in urbanized areas to existing public streets already in use and will not change in size or capacity. The alternative of no action was considered, but in light of the need for the project to enhance the quality of life in Galveston to provide durable streets and address transportation safety issues for the area, this alternative was rejected. This alternative would also not permit the City to complete its HUD approved infrastructure improvements project and expend the funds for the benefit of low-moderate income residents on priority needs. There will be no adverse impacts associated with this project and it does not provide for additional occupancy in a floodplain. No new construction or increase in infrastructure is proposed under this program. Therefore, no direct impacts on the floodplain will result. Activities will be performed so as not to affect the existing drainage that is already provided and will be constructed to provide the proper drainage to the flood control channel. Thus, indirect impacts on the floodplain will not occur. After re-evaluation of the alternatives, it was determined that none of these alternatives would be feasible to assist in infrastructure improvements in the designated sites. None of the alternatives would allow this project to be completed to help arrest the decline and provide for sustainability of the area for safe, passable streets. Environmental files documenting compliance with steps 3 through 6 of EO 11988 are available for public inspection and review at the times and location delineated in the Public Comments. There are 3 primary purposes for this notice. 1) 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. 2) 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. 3) 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.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Galveston Grants & Housing Dept. to Grants@galvestontx.gov. All comments received by July 19, 2021 will be considered by the City of Galveston prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Galveston certifies to HUD that Brian Maxwell in his capacity as City Manager 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Galveston to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the City of Galveston'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 the City of Galveston; (b) the City of Galveston 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 HUD; 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 HUD Community Planning and Development Houston Field Office at CPD_COVID-19OEE-HOS@hud.gov. Potential objectors should contact HUD Galveston CPD Representative via same email to verify the actual last day of the objection period.

Brian Maxwell, City Manager
Certifying Officer

Nota: Para obtener ayuda con la versión en Español de esta nota pública, póngase en contacto con el Departamento de becas y vivienda: 409-797-3820.



The City of Galveston Affirmatively Furthers Fair Housing.