

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 FLOODPLAIN AND WETLAND

9/27/23

City of Uhland, 15 N. Old Spanish Trail, Uhland, TX 78640, (512) 398-7399

This Notice shall satisfy the above-cited three separate but related procedural notification requirements to  
be undertaken by the City of Uhland

To: All interested Agencies, Groups, and Individuals

REQUEST FOR RELEASE OF FUNDS

On or about 10/13/23, the City of Uhland (City) will submit a request to the Texas General Land Office (GLO) for the release of Community Development Block Grant Mitigation (CDBG-MIT) funds appropriated under the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Pub. L. 115-123), as amended, to undertake a project known as Flood and Drainage Improvements to mitigate flooding, under GLO Contract #22-085-015-D246. Project Description: Subrecipient shall modify a detention pond, add/replace culverts, implement channel construction, widen existing channels, and complete all associate appurtenances. Project Locations in the City of Uhland, Hays and Caldwell Counties, TX: Poco Loco Drainage: At SH 21 on the east side of 9771 Camino Real (Poco Loco Super Mercado) and on the west side of 9865 Camino Real. Work continues underground out-falling to Plum Creek, 29.958836, -97.784914, Hays County; East Drainage Channel: Approximately 430 ft from the intersection of S Old Spanish Trail & Paseo De Perez, 29.960128, -97.781660, 130 LF, Hays County; Middle Drainage Channel: From the existing box on SH 21 at the intersection of Old Spanish Trail and Seeliger Drive, 511-ft generally south along the existing drainage channel to Plum Creek, 29.957742, -97.785168, 510 LF, Hays and Caldwell Counties; Summer Sun Cove Channel: From 1,460-ft northwest of the intersection of Summer Sun Cove and Cotton Gin Road, southeast to Cotton Gin Road existing culvert to just downstream of the road, 29.96224, -97.79019, 1,500 LF, Hays County. Camino Real/SH21 Drainage: From the existing drainage ditch on the northeast side of the driveway of 9771 Camino Real (Poco Loco Super Mercado), 850-ft southwest along the existing drainage channel on Camino Real Road (SH 21) to the bridge 230-ft southwest of the intersection of Cotton Gin Road and Camino Real (SH 21), 29.95783, -97.7863, 850 LF, Hays County. Estimated Total HUD (CDBG-MIT) Funds: \$11,851,660.80. City of Uhland General Fund: \$118,516.61. Estimated Total Project Cost (HUD and non-HUD funds): \$11,970,177.41.

FINDING OF NO SIGNIFICANT IMPACT

The City 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 the City at the address above, or by email to [citysecretary@uhlandtx.us](mailto:citysecretary@uhlandtx.us).

FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A  
FLOODPLAIN AND WETLAND

This is to give notice that the City has, under Part 58, conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. Approximately 0.02 acres of the Poco Loco Drainage site is in Zone AE of the 100-Year Floodplain. Approximately 0.63-acres of the Middle Drainage Channel site will be in Zone AE of the 100-Year Floodplain. The remainder of the project areas are in Zone X, outside of the floodplain. Approximately 0.07-acres of the East Drainage Channel site will be in a Riverine Wetland. Approximately 0.18-acres of the Middle Drainage Channel site will be in a Riverine Wetland. Approximately 0.17-acres of the Summer Sun Cove Channel site will be in a Riverine Wetland. Work will be approached under NWP 14, Linear Transportation Projects. All conditions and limitations of the permits will be followed.

There are no adverse effects on the floodplain or wetland anticipated as the project activities will serve to improve the conveyance of storm water; thereby mitigating flooding and preventing erosion and topography changes. HUD's 8-Step decision-making process of §55.20 to comply with 24 CFR Part 55 was completed because the proposed project is located within the 100-Year Floodplain and a Wetland.

The City has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: Different activities: The method of burying the storm sewer was considered; however, the cost to bury is greater than open channel improvements. For this reason, buried storm sewer was not chosen. No Action Alternative: Taking no action would incur no cost for the flood and drainage improvements and would cause no construction-related environmental impact but would be unable to address the problems with flooding that threatens lives and damages to city facilities, roads, homes, and businesses.

The City has reevaluated the alternatives to building in the floodplain and wetland and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Orders 11988 and 11990 are available for public inspection, review and copying as outlined in the paragraph of FINDING OF NO SIGNIFICANT IMPACT.

#### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments/objections on the ERR to the City of Uhland. All comments received by 10/12/23 will be considered by the City 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 to the City of Uhland at [citysecretary@uhlandtx.us](mailto:citysecretary@uhlandtx.us) or by mail to the City of Uhland at the address above. Comments should specify which Notice they are addressing. Potential objectors should contact the City via email to verify the actual last day of the objection period.

#### ENVIRONMENTAL CERTIFICATION

The City of Uhland certifies to the Texas General Land Office that Lacey Duke, in her capacity as Mayor, 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 the City of Uhland to use Program funds.

#### OBJECTIONS TO RELEASE OF FUNDS

GLO will accept objections to its release of funds and the City of Uhland'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 Uhland; (b) the City of Uhland 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 [env.reviews@recovery.texas.gov](mailto:env.reviews@recovery.texas.gov). Potential objectors should contact the GLO at (512) 475-5000 to verify the actual last day of the objection period.

Lacey Duke, Mayor