



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

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 FEDERAL FLOOD RISK MANAGEMENT STANDARD DESIGNATED FLOODPLAIN OR WETLAND

Date of publication: June 3rd, 2025

The Texas General Land Office

P.O. Box 12873

Austin, TX 78711-2873

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These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the Texas General Land Office (GLO). The proposed activities will assist Montgomery County homeowners still affected by the impacts of the 2024 Texas severe storms and flooding, including Hurricane Beryl (Beryl).

REQUEST FOR RELEASE OF FUNDS

On or about June 4th, 2025, the GLO will submit a request to HUD for the release of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds appropriated under the Disaster Relief Supplemental Appropriations Act, 2025 (Pub.L. 118-158), as amended, to undertake projects under the single-family disaster recovery Homeowner Reimbursement Program (HRP) and Homeowner Assistance Program (HAP) for the purpose of repairing, reconstructing, or newly constructing replacement single-family housing damaged by the 2024 Disasters within Montgomery County. From the HUD federal assistance, the State of Texas has allocated approximately \$244,100,000 to HAP and \$43,100,000 to HRP actions for distribution in the 27 affected counties, including Montgomery County. The number of projects funded in Montgomery County will be based on the number of eligible applicants and actual costs.

To facilitate environmental review of the proposed activities, the GLO is implementing a tiered environmental review approach in accordance with HUD regulations at 24 CFR 58.15. The Environmental Review Record (ERR) is tiered as an Environmental Assessment (24 CFR 58.36, subpart E) subject to laws and authorities at 24 CFR 58.5, 24 CFR 58.6, and NEPA analysis.



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

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

This is to give notice that the Texas General Land Office (GLO) has conducted an evaluation as required by Executive Order 11990 and Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands to determine the potential effect that Montgomery County single-family disaster recovery Homeowner Reimbursement Program (HRP) and Homeowner Assistance Program (HAP) actions in wetlands and surrounding Federal Flood Risk Management Standard (FFRMS) floodplains will have on the human environment.

Within Montgomery County, Federal Emergency Management Agency (FEMA) effective maps include 90,310 acres (13.2%) in the 100-year floodplain Special Flood Hazard Area (SFHA) Zones A/AE, 55,410 acres (8.1%) in the regulatory floodway, and 0 acres (0%) within the Coastal High Hazard Areas Zone V/VE. Zone X encompasses 33,199 acres (4.8%) of Montgomery County within the 500-year floodplain and 510,114 acres (74.3%) of Montgomery County outside all SFHA-designated floodplains. Approximately 65,698 acres (9.6%) within Montgomery County are designated as wetlands. This includes freshwater emergent wetlands, freshwater forested/shrub wetlands, freshwater ponds, lakes, and riverine wetlands.

The extent of the FFRMS floodplain will be determined at a site-specific level using the 0.2 percent flood approach (0.2PFA) or the freeboard value approach (FVA) when appropriate. In addition, siting within the Limit of Moderate Wave Action (LiMWA)/Coastal A Zone will be determined at the site-specific level. Activities within the LiMWA will carry the same mitigation and protection strategy as siting within a coastal high-hazard area (Zone V/VE).

The GLO has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial functions and intrinsic values of the existing FFRMS floodplain and wetland: (i) Reasons why the action must take place in an FFRMS floodplain and/or wetland: Many existing damaged homes are located in an FFRMS floodplain. (ii) Alternatives considered: Constructing additional improvements was considered. However, the GLO determined that constructing/rehabbing fewer projects would be more economically feasible. Many low-income homeowners may not be able to purchase property that is located outside of the FFRMS floodplain or wetland, and grant funding cannot be used to purchase other land for the homeowner. Simply demolishing the home would leave the homeowner without a place to live. Taking no action would cause homeowners to remain in unsafe and unsanitary conditions, where



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

the home would continue to deteriorate and be susceptible to future flood events. (iii) Mitigation measures: Substantially damaged, reconstructed, and newly constructed homes in the FFRMS floodplain will be elevated to or above the FFRMS floodplain elevation, and the homeowner will be required to obtain and maintain flood insurance if the parcel extends into the 100-year floodplain. Best management practices, sedimentation control, and/or erosion control will be used in construction areas near wetlands.

The GLO has reevaluated alternatives to building in the FFRMS floodplain and wetland and has determined that it has no practicable alternative. Environmental files documenting compliance with Executive Order 11988 and Executive Order 11990, 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 the FFRMS floodplain and wetland 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 FFRMS floodplain and wetland, alternative methods to serve the same project purpose, and methods to minimize and mitigate project impacts on the FFRMS floodplain and wetland. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about the FFRMS floodplain and wetland 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 the FFRMS floodplain and wetland, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

The GLO has determined that the project will have no significant impact on the human environment, and the GLO or its designee will conduct a site-specific environmental review of each HAP and HRP application site to verify this to be the case. 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 the Texas General Land Office, P.O. Box 12873, Austin, TX 78711-2873 and may be examined weekdays 9 A.M to 5 P.M. The record is also available for review electronically upon request. To request an electronic copy, email david.camarena.glo@recovery.texas.gov.



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

PUBLIC COMMENTS

The proposed HAP and HRP activities will assist single-family residence homeowners still affected by the 2024 Presidentially Declared Disasters. The assistance is urgently needed to address unmet housing needs and provide safe and sanitary housing in the county. Therefore, as provided by federal regulations at 24 CFR 58.33(b), GLO is publishing the combined Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF) simultaneously with the submission of the RROF to HUD. Any individual, group, or agency may submit written comments on these notices or the ERR to the GLO Community Development and Revitalization Program. Comments may be submitted to Ms. David Camarena at GLO via P.O. Box 12873, Austin, Texas 78711, or by email at david.camarena.glo@recovery.texas.gov. All comments received by June 18th, 2025 will be considered by the GLO. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The GLO certifies to HUD that Jet Hays, in their capacity as Deputy Director, 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 GLO to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The activities proposed to assist homeowners still affected by the 2024 Presidentially Declared Disasters, are urgently needed to address ongoing impacts. Therefore, as provided by federal regulations at 24 CFR 58.33(b), GLO is publishing the combined FONSI and NOI/RROF simultaneously with the submission of the RROF to HUD. HUD will accept objections to release of funds immediately following the publication of this notice through a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later), concurrent with the comment period described in the section above. HUD will accept objections to its release of funds and the GLO's certification only on one of the following basis: (a) the certification was not executed by the Certifying Officer of the GLO; (b) the GLO 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



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

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 Disaster Recovery and Special Issues Division, 451 7th Street SW, Room 7272, Washington, DC 20410 or via email to DisasterRecovery@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

Name and Title of Certifying Officer: Jet Hays, Deputy Director, Program Integration, Texas General Land Office.