



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 (FFRMS) FLOODPLAIN AND WETLANDS

September 22, 2025

To: All interested Agencies, Groups and Individuals

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the Texas General Land Office (GLO) on behalf of the Harris County Flood Control District.

Request for Release of Funds

On or about October 8, 2025, the GLO will submit a request to the U.S. Department of Housing and Urban Development (HUD) on behalf of the Harris County Flood Control District for the release of Community Development Block Grant Disaster Recovery (CDBG-DR) funds appropriated under the Supplemental Appropriations for Disaster Relief Requirement Act, 2017 (Pub. L. 115-56) and the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Pub. L. 115-123), as amended, to undertake a project known as the East TC Jester Basin 1B Stormwater Detention Project for the purpose of improving stormwater conveyance and decreasing flood risk within the Cypress Creek watershed through construction of a wet bottom stormwater detention basin with 793-acre feet of detention capacity, permanent and temporary access roads, inflow weirs, and an outfall structure, at a total cost of \$ \$37,919,528.22 and located on the north side of Cypress Creek (K100-00-00) near TC Jester Boulevard and Cypresswood Drive in northern Harris County, Texas.

Final Notice and Public Explanation of a Proposed

Activity in Federal Flood Risk Management Standard (FFRMS) Floodplain and Wetlands

This is to give notice that GLO, under 24 CFR Part 58, has conducted an evaluation as required by Executive Order(s) 11988 and Executive Order 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 activity is funded under the U.S. Department of Housing and Urban Development (HUD)'s Community Development Block Grant-Disaster Recovery (CDBG-DR) Program, GLO Contract# 24-033-000-E072 and HUD grant IDs B-17-DM-48-0001; B-18-DP-48-0001. The proposed project(s) is located on the north side of Cypress Creek (K100-00-00) near TC Jester Boulevard and Cypresswood Drive in northern Harris County, Texas and is located in the Federal Flood Risk Management Standard (FFRMS) floodplain and wetlands.



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

The extent of the FFRMS floodplain was determined using the 0.2 percent flood approach. The stormwater detention basin, referred to as Basin 1B, will occupy approximately 47.02 acres of wooded land and will improve stormwater conveyance and decrease flood risk in this area through construction of a wet bottom stormwater detention basin with 793-acre feet of detention capacity, permanent and temporary access roads, inflow weirs, and an outfall structure. The purpose of the project is to alleviate flooding within the Cypress Creek watershed, particularly in the adjacent T.C. Jester area, by maximizing floodwater storage capacity and flood damage along Cypress Creek for storm events up to and including the 100-year event.

Construction activities include excavation; grading; incorporation of weirs, outfall structures, backslope swales, interceptor structures, silt fence, channel lining, pipe outfalls, headwalls, and wingwalls; installation of manholes; slope stability; and riprap. Existing trees and vegetation will be preserved within an approximately 160-foot-wide buffer between the Basin 1B footprint and Cypress Creek (K100-00-00). This project does not involve acquisition. Based on the effective FEMA FIRMs, the entire project limits are contained within the Regulatory Floodway and the 100-Year Floodplain, 12.67 acres are in the Floodway, 34.35 acres are in the 100-Year Floodplain. The extent of the FFRMS floodplain was determined using the 500-year flood approach, totaling 47.02 acres in the FFRMS floodplain. The proposed action includes 0.5 acres of wetland impacts. The impacted wetlands provide no recreational, educational, scientific, cultural, or historic value. However, they do have the potential to provide similar benefits as those provided by the project, to include floodwater storage, erosion control, water quality maintenance and habitat for flora and fauna. The proposed action is needed to alleviate flooding within the Cypress Creek watershed and to remove the 100-year floodplain from approximately 37 structures identified in the flood hazard area. The Proposed Action will provide approximately 0.27 foot of flood reduction during the 10-year storm event and a maximum reduction of approximately 0.30 foot during the 100-year event.

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 floodplain and wetlands: Alternative 1) Larger basin with Sunoco and Explorer gas line relocation and 2) No Action. Relocation of the Sunoco gas lines could result in unknown releases of hazardous substances and would extend the construction schedule beyond the grant timeline. The larger basin would result in the same floodplain impacts as the proposed action, and a larger impact to wetlands, which would additionally result in lengthy USACE reviews and lengthier permitting requirements, causing this alternative to not meet grant timelines. For these reasons, this alternative was not selected. Under the No Action Alternative, there would be no stormwater detention, flooding within the surrounding residential neighborhood and commercial properties along Cypress Creek (K100-00-00) and its tributaries would continue, resulting in repetitive damage to property and infrastructure, and public health and safety would continue to be at risk. Additionally, no structures would be removed from the 500-year floodplain.



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

Therefore, the No Action alternative does not meet the purpose and need of the project and for these reasons was not the recommended alternative.

The proposed action is the Preferred Alternative because it meets the project purpose and need while minimizing environmental impacts. In order to accomplish this, the project must be located within the FFRMS floodplain so that the basin can receive stormwater overflows from Cypress Creek during storm events and safely release it back once the storm has passed. A no-rise analysis was completed, however the fill in the floodplain does require a FEMA CLOMR to confirm the no-rise results. The CLOMR will be initiated prior to the construction phase. The project will be constructed on land already owned by the Harris County Flood Control District and does not require acquisition, relocation or displacements. The proposed action minimizes impacts to wetlands by avoiding 1.17 acres of palustrine forested wetlands. Wetland mitigation credits from the Greens Bayou Wetland Mitigation Bank were purchased to mitigate the 0.5-acre loss. The proposed action avoids relocating the 12-inch Sunoco-ETC gas line and the 10-inch Explorer gas line and provides a 160-foot natural vegetation buffer located north of Cypress Creek and East of TC Jester Boulevard. This buffer is located within AST habitat, and will ensure protection of nesting habitat, as well as provide roosting and pupping habitat for any tricolored bats that may occur in the project limits. To further ensure no impacts to the state-listed AST, an exclusion fence (approved by TPWD) will be installed along the buffer and will be observed daily by a biological monitor. Impacts to potentially occurring subsurface archeological resources will be avoided by the provision of an archeological monitor.

The GLO has reevaluated alternatives to building in the FFRMS floodplain and wetlands and has determined that it has no practicable alternative to the FFRMS floodplain and wetlands development. 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 floodplains and wetlands 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. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains and wetlands 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 floodplains and wetlands, it must inform those who may be put at greater or continued risk.



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

Written comments must be received by the GLO at the following address on or before September 29th, 2025:

Texas General Land Office

Community Development & Revitalization (CDR) Division

PO Box 12873, Austin TX 78711-2873

(512) 475-5051

ATTN: David Camarena, Director of Environmental Oversight

A full description of the project may also be reviewed from 9 A.M. to 5 P.M. at the address above and at: (<https://www.hcfcfd.org/Activity/Projects/Cypress-Creek/TC-Jester-Stormwater-Detention-Basins>).

Comments may also be submitted via email at env.reviews@recovery.texas.gov.

FINDING OF NO SIGNIFICANT IMPACT

The GLO on behalf of the Harris County Flood Control District 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 Texas General Land Office's Community Development & Revitalization (CDR) Division, located at 1700 Congress Ave., Austin TX 78701-1495, as well as the Harris County Flood Control District, located at 9900 Northwest Freeway, Houston TX 77092, and may be examined or copied weekdays 9A.M to 5 P.M. The ERR will also be made available to the public for review electronically and can be requested at env.reviews@recovery.texas.gov.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Texas General Land Office's Community Development & Revitalization (CDR) Division. All comments received by October 7, 2025 will be considered by the GLO prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.



Texas General Land Office

PUBLIC NOTICE

Commissioner Dawn Buckingham, M.D.

ENVIRONMENTAL CERTIFICATION

The GLO on behalf of the Harris County Flood Control District certifies to HUD that Jey Hayes in his capacity as Deputy Director of Integration 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 Harris County Flood Control District to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the GLO'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 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 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 at: 451 7th Street SW, Room 7272, Washington, DC 20410 or by email at disasterrecovery@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

Jey Hayes, Deputy Director of Integration

Texas General Land Office