



**U.S. Department of Housing and Urban
Development**

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Washington, DC 20410
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Broad-Level Tiered Environmental Assessment Determinations and Compliance Findings for HUD – assisted Projects Pursuant to 24 CFR Part 58

Project Information

Project Name: Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program

Responsible Entity: Hays County, Texas; GLO Contract No. 18-421-000-B130

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: County of Hays, Texas

Preparer: Latrice Hertzler, Future Link Technologies, Inc.

Certifying Officer Name and Title: Ruben Becerra, Hays County Judge

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Langford Community Management Services

**Direct Comments to: Lindsay McClune
Hays County
712 S. Stagecoach Trail
San Marcos, Texas 78666**

Project Location: Hays County, Texas – county-wide

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The CDBG-DR funds allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245 will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program. Total available housing activity funds as of today's date are \$2,349,747.24.

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Grantees can use CDBG-DR funds to buy properties, both commercial and residential, in a target area with the intent to demolish the structures and create park amenities, open space, or flood storage/overflow areas. Such programs are typically part of a multi-pronged approach to community revitalization that includes relocation of residents and businesses in addition to business development activities. Buyout programs are especially effective in communities that have endured multiple disasters in the same neighborhood in the recent past, or sustained severe damage where there is high risk of additional disasters, such as a 100-year flood plain. These programs can help reduce the impact of future disasters while encouraging targeted revitalization efforts and public spaces.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: Severe flooding during May (DR-4223) and October of 2015 (DR-4245) damaged homes throughout Hays County, Texas. The CDB-DR funding will be used to rehabilitate, repair, or reconstruct residences damaged by flooding. Buyout of properties may occur when residential properties are located in a floodplain or residing in a repetitive flood area.

Existing Conditions and Trends [24 CFR 58.40(a)]: Homeowners with access to private insurance or other funding sources (e.g., Federal Emergency Management Agency [FEMA] direct assistance) have or are restoring their homes as funding becomes available. Many individuals, particularly low- to moderate-income families, have not been able to complete repairs or afford to vacate frequently flooded properties. In the absence of the proposed programs, damaged homes would remain in an unrepaired state or remain in a flood prone area, resulting in increased slum and blight, safety concerns, and future storm hazards.

Funding Information

Grant Number	HUD Program	Funding Amount
18-421-000-B130	CDBG-DR	\$2,349,747.24

Estimated Total HUD Funded Amount: \$2,349,747.24

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,349,747.24

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item in the Broad Review, as described below. The county does not contain any civil commercial service or military airports within its confines. There is a civil airport within 2500 feet of applicants as the City of San Marcos airport is located outside Hays County in Caldwell County, south and adjacent to Hays County. No military airports within 15,000 feet of the county borders (see Attachment A). Mitigation for housing sites within 2500 feet of a civil airport will be reviewed case by case basis. However, the proposed actions are located on already disturbed ground and will not affect or be affected by the presence of an airport near the site. The closest civil airport is the San Marcos Regional Airport.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item. Hays County is not a coastal county. It is located in central Texas and is not in a coastal management zone. Hence there are no residences within a Coastal Barrier Resource area. No further review is required. See Attachment B.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Consistency with this item will be achieved during the site-specific review, as described below. The county contains FEMA-designated Special Flood Hazard Areas, which are occupied by residential properties in certain parts of the county (See Attachment J) The HUD 8-step decision-making process (24 CFR 55.20) has been prescribed for proposed project activities in floodplains (see Exhibit A9-2). The site-specific application review will assess project activities using the most current FEMA Flood Insurance Rate Map (https://msc.fema.gov/portal/home). Specific compliance and mitigation requirements will become a condition of CDBG-DR assistance and will accord with

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		federal regulations and local floodplain ordinances See also Site-Specific Review Strategy, Appendix B. The County and local communities where projects may occur participates in the NFIP program. See Attachment C for proof of participation and map.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item in the Broad Review, as described below. The county is not classified as an area of non-attainment, as viewed on the EPA’s “Counties Designated Nonattainment” map. See Attachment D The project area is considered an Early Action Compact Area. This SIP area is labeled as Austin-Round Rock but includes Travis, Williamson, Bastrop, Hays and Caldwell Counties. The area is in attainment, but the compact continues voluntary emission reduction measures and analysis of measure effectiveness. Project construction activities will only be completed on single family homes and will not delay attainment of national ambient air quality standards or contribute to a new or existing activities to reduce emissions. Site demolition and construction may result in temporary elevated dust levels surrounding the project site but are not anticipated to affect air quality. Dusts will be actively controlled using standard dust suppression best management practices (BMPs) and engineering controls. Radon gas has been identified by the U.S. Environmental Protection Agency (EPA) as an indoor and outdoor air quality issue. The county is in Zone 3 (Exhibit A4b) EPA’s lowest potential rating, and it is therefore not a program concern. Zone 3: Counties with predicted average indoor radon screening levels less than 2 pCi/L.

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Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item as Hays County is not a coastal county. It is located in central Texas. See Attachment E
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Consistency with this item will be achieved during the site-specific review, as described below. The county contains sites that are known to be contaminated, or may potentially be contaminated, with toxic chemicals or radioactive materials as displayed in Attachment F. Site-specific inspection will determine the potential for toxic chemicals or radioactive materials to be identified on, adjacent to, or near a residential project site. Mitigation measures may include removal of hazards in accordance with regulatory requirements or relocating the housing project to another location. The programs will meet HUD policies that at completion all homes be free of hazardous materials that could affect occupant health, including lead-based paint, asbestos containing materials, and mold. See also Site-Specific Review Strategy, Appendix B.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Consistency with this item will be achieved during the site-specific review, as described below. Threatened, endangered, and migratory bird species were identified by reviewing data from the Texas Parks and Wildlife Department’s (TPWD’s) and U.S. Fish and Wildlife Service’s (USFWS’s) county listing databases (Attachment 6). In addition, critical species habitat was reviewed through the USFWS Critical Habitat Portal (Attachment G). Projects located on already disturbed ground will not affect species habitat levels. Buy out of the sites project construction activities have the potential to affect species habitat and will be reviewed at the site-specific level. Mitigation measures for housing sites in proximity to wildlife habitat will include the implementation of BMPs for stormwater management and soil erosion control, the establishment of work

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		<p>exclusion zones, and may include restricted work schedules and biological monitoring. The work exclusion zones will restrict project activities to a designated construction area.</p> <p>Hays County has a Regional Habitat Conservation Plan where pursuant to Endangered Species Act Section 10(a)(1)(B), the RHCP describes a locally controlled approach for compliance with the ESA. The County’s permit authorizes incidental “take” of the golden-cheeked warbler and black-capped vireo, and the RHCP describes the mitigation provided for the impacts of such take. The RHCP is also designed to benefit a host of other wildlife species, water resources, and people. The plan covers a period of 30 years from 2010 to 2040. See the plan in Attachment G. Activities will be consistent with the RHCP.</p> <p>The RHCP provides a streamlined process for ESA compliance for County sponsored projects, such as the construction or improvement of roads, bridges, and other County infrastructure. The RHCP is compatible with other County initiatives to protect open spaces, such as described in the Parks and Open Space Master Plan and envisioned by the 2006 Parks and Open Space bond program. Construction staging is restricted to the residential property and its adjacent roads. See also Site-Specific Review Strategy, Appendix B.</p>
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Consistency with this item will be achieved during the site-specific review, as described below.</p> <p>Aboveground storage tanks (ASTs) containing potentially explosive and/or flammable facilities are present in the county. The potential exists for explosive and/or flammable facilities or individual ASTs to be located near program residential projects. The standard HUD evaluation threshold is 100 gallons or greater volume. These ASTs can therefore also include privately owned propane tanks located on the project property or on neighboring properties.</p>

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		<p>Using maps, aerial imagery, and field data, the site-specific review will identify potentially explosive and/or flammable facilities and/or individual tanks located within 1 mile of the program application site. If present, an acceptable separation distance (ASD) will be calculated for the largest and/or closest ASTs to determine the minimum distance from the hazardous site for which a dwelling can be placed. ASD calculations will be completed using HUD’s online ASD electronic assessment tool at https://www.hudexchange.info/environmentalreview/asd-calculator/</p> <p>Unless intervening factors apply, the housing project will require mitigation if the distance between a facility’s tanks and the project is less than the ASD. Mitigation measures may include removal of the hazard, the movement of the hazard to an acceptable separation distance, or relocation of the housing project to an alternate property, if necessary.</p> <p>Texas Commission on Environmental Quality (TCEQ) databases will be consulted to determine locations of above ground fuel tanks and the locations of stationary propane tanks will be identified from Texas Railroad Commission data. See Attachment H</p> <p>See also Site-Specific Review Strategy, Appendix B.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is consistent with this item as the homes proposed for improvement are existing and in already disturbed areas. The county contains land areas designated as prime farmland as identified within the National Resource Conservation Service (NRCS) soils review. Some areas proposed for construction may</p>

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658		occur in areas already converted to urban land while other homes may be located in rural areas. In any event, it is expected that construction on existing homes, acquisition to return an area to green space and/or new construction will be on land parcels where previous disturbance has occurred indicating consistency with activities not subject to Farmland Protection Policy Act (FPPA). See Attachment I.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project consistency will be achieved during site-specific review. The county contains FEMA designated Special Flood Hazard Areas (SFHA) in the 100-year floodplain, the 500-year floodplain and within floodways. The 8-step decision-making process is prescribed for proposed program activities in the SFHA and wetlands (see Attachment J). Site-specific compliance and mitigation measures will be required by the programs to accord with federal regulations and local floodplain ordinance. Site-specific application review will include a flood zone determination using the most current FEMA Flood Insurance Rate Map (https://msc.fema.gov/portal/home). Specific compliance and mitigation requirements will become a condition of federal assistance. See site specific review strategy, Appendix B.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project consistency will be achieved during site-specific review. Primarily the activities associated with this project will fall under the Program Agreement (PA) between the Texas Historical Commission (THC) and the Texas General Land Office (TGLO). See Attachment K. Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal

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		<p>association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.</p> <p>However, a site-specific review of the structures will be necessary as the County has areas registered with the National Registry of Historic Places which require consultation with the THC. In addition, the structures impacted may be considered older than 45 years and would not meet the minimum requirements of the PA, indicating subjectivity to further review.</p> <p>With regard to tribal consultation, the decision to consult tribes includes: significant ground disturbance (digging); new construction in undeveloped natural areas; incongruent visual changes; incongruent audible changes; incongruent atmospheric changes; work on a building of significant tribal association; or transfer, lease, or sale of historic property of religious and cultural significance.</p> <p>For those site-specific assessments with subjectivity to review by THC or tribal review, consultation will be conducted.</p>
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project is consistent with this item. Project construction activities under the programs will only be completed on single-family homes and will result in the same level of development that existed prior to the Hays County floods.</p> <p>The proposed activities may cause temporary noise level increases. These will be mitigated by complying with local noise ordinances. This includes new construction and demolition to return impacted areas to green space or rehabilitation of existing structures.</p>

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		<p>HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR 51.101(a)(3): “The policy does not apply to...any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.” Attachment L.</p> <p>https://www.law.cornell.edu/cfr/text/24/51.101).</p>
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Primarily, the project is consistent with this item. The Edwards Aquifer is the only sole source aquifer in the state of Texas. Regulatory requirements are found at 30 TAC 213.</p> <p>According to the Texas Commission on Environmental Quality (TCEQ) Edwards Aquifer program, portions of Hays County are located within the following zones of the Edwards Aquifer Recharge, Transition, Contributing, and Contributing within the Transition Zone. The homes selected for improvements will not fall under the requirements associated with this item because they are primarily renovation and not a part of a larger planned development project. In addition, applicability of activities located over the contributing zone and transition and contributing zone are limited to areas impacting 5 or more acres. According to regulatory requirements, if new construction is planned for an area located within the jurisdictional area of the Edwards Aquifer, See Attachment M, the project may be subject to regulatory requirements in 30 TAC 213.</p> <p>The Edwards Aquifer Authority (EAA) has regulatory jurisdiction over the withdrawal of water from the Edwards Aquifer. A jurisdictional map reflects some areas of the county are regulated by the EAA. This includes water wells and irrigation systems. Water quality activities such as the installation of underground and above ground storage tanks preservation of water</p>

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		<p>quality is also regulated by the EAA. Hays County is located within the Hays Trinity Groundwater Conservation District.</p> <p>Considering the nature of the project construction, the home selected for rehab/renovation or buy out will not be impacted by this item. However, a site-specific review of the activities shall include an assessment of potential impact and consultation letters will be sent if needed.</p>
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project consistency will be achieved during site-specific review.</p> <p>There are locations within Hays County where wetlands exist. A site -specific review of each home selected for funding will be conducted to ensure no impact to wetlands occurs as a result of the need for rehab, renovation or buy out.</p> <p>As a general rule, however, impact to wetlands is not expected considering most homes will not be located at or adjacent to wetlands.</p> <p>An 8-step process has been conducted in order to document the potential impact to wetlands if the activities is located at or adjacent to a wetland according to the USFWS National Wetland Inventory.</p> <p>See Attachment N.</p>
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project is consistent with this item. Hays County is located in central Texas. The closest wild and scenic river is located approximately 350 miles west of the Hays County. The Pedernales in the northern corner of Hays County is the only river listed on the National Rivers Inventory. Based upon the application locations received for home assistance, there are no homes within close proximity to the Pedernales river. No impact is expected. See Attachment O</p>
ENVIRONMENTAL JUSTICE		
Environmental Justice	Yes No	The project is consistent with this item. See Attachment

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Executive Order 12898	<input type="checkbox"/> <input checked="" type="checkbox"/>	<p>P</p> <p>The proposed program activities would assist residents in the areas most affected by flood conditions in May and October of 2015 in Hays County. The funding will assist residents to return to preflood living conditions in existing communities. The construction will ensure home owners receiving assistance have homes that are structurally improved and that ensure human health and safe living. The DR program targets low to moderate income households receiving 70 percent of the proposed program funding. The funding helps to prevent future impact from flooding and to preserve human health through elevating structures above flood levels and by eliminating asbestos containing materials and lead based paint in the residence.</p> <p>Low to moderate-income households would be disproportionately encouraged in a positive manner to obtain safe and sanitary housing. Therefore, the proposed programs will comply with Executive Order 12898.</p>

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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	3	<p>The project is consistent with this item. The Flood Allocation Housing Assistance and Buyout Program aids qualified applicants for construction activities that improve conditions for homes within existing residential areas impacted by flood conditions in May and October in 2015.</p> <p>The activities will be consistent with local construction permitting and zoning requirements where contractors will obtain appropriate authorizations to conduct site-specific construction activities. There will be no change in land use as a part of this construction and there will be no increase in residential densities.</p> <p>Applicants will be required to design and construct homes located in Certified Local Government historic districts in a manner that receives a Certificate of Appropriateness from the local Historic Preservation Commission.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	Considering the residences selected for participation in the program already exist in residential areas, area soils have been determined to be suitable for development. Selected properties will consider slope, erosion, soil instability or poor drainage and new site selection if needed will prevent construction in

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		areas where poor drainage, slope, erosion or soil instability occurs. Mitigation for elevation and new construction activities on a different footprint will require contractor to use BMPs and comply with local and/or county building permit requirements. Soils will be adequately prepared for construction activity. For construction on new footprints the contractor will enact BMPs to avoid water quality contamination during construction.
Hazards and Nuisances including Site Safety and Noise	2	Hazards and nuisances including site safety and noise will be considered on a site-specific review. Sites which reflect consistency with this item will not be selected for funding. Noise. The project will represent only initial impact during construction period and will not represent impact over the longer term. Contractors will be responsible for identifying and complying with site specific noise ordinances. Scheduling and project management will be needed to ensure construction noise is minimized for the local residents.
Energy Consumption	2	The project will increase energy consumption on a temporary basis during construction activities. No impact is expected.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	Employment and income patterns will be temporarily impacted. Contractors will increase employment in the community in order to complete the project, but long term employment and income patterns will not be impacted longer term. No impact is expected.
Demographic Character Changes, Displacement	2	The improvements to local residences will not represent demographic character changes and any buy-out programs will be consistent with the Uniform Government Management Standards. The project will be consistent with this item.

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COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The location of educational and cultural facilities within close proximity of the selected residential recipients will be determined on site-specific review. Accessibility to educational and cultural facilities will not be impacted by construction activities as construction will occur at existing residential properties. In addition, where potential impact occurs, precautions will be taken by contractors to manage schedules, use signage and regulate traffic at the construction site.
Commercial Facilities	2	No impact is expected as the project is focused on homes in residential areas. Where commercial businesses may be adjacent to construction areas at selected grant recipients, impact of increased traffic volume will be temporary.
Health Care and Social Services	2	No impact to health care or social services is expected from the project activities as construction will occur in residential areas. Construction activities will be temporary. Precautions will be taken to prevent impact to health care or social services located within close proximity to the construction areas through schedule management, signage and regulation of traffic at the construction site.
Solid Waste Disposal / Recycling	3	The project is consistent with this item. Construction will generate waste from demolition at the proposed residences selected for funding. Contractors will ensure appropriate waste separation and classification for disposal consistent with federal, state and local regulations. Some of these may include asbestos containing materials, lead based paint, or other hazardous materials found onsite.
Waste Water / Sanitary Sewers	2	No impact is expected as the construction activities will be consistent with local and state requirements for waste water management at the project site. This includes improvements to septic systems where needed. The project is not intended to increase housing stock; it is intended to improve current conditions for communities impacted by flooding in the Hays County area in May and October of 2015.
Water Supply	2	No impact is expected as the construction activities will be consistent with local and state requirements for safe drinking water at the project sites. The site-specific review will ensure the source of drinking water will be consistent with previous conditions where possible, but will be altered if drinking water is unsafe.

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Public Safety - Police, Fire and Emergency Medical	2	No impact is expected as the construction activities will be conducted at existing residential sites. The project would not require increased public safety or emergency medical operations. Construction will be consistent with state and local permitting regulations and ensure appropriately certified workers are contracted to perform activities. Scheduling and management of construction activities will ensure no impact to public safety operations like traffic controls, etc..
Parks, Open Space and Recreation	2	No impact is expected. The project is limited to improvements to residential areas in need of assistance. Access to parks and open spaces will not be inhibited by construction activities.
Transportation and Accessibility	2	No long-term impact is expected as the construction activities will be focused on residential improvements. Traffic will increase temporarily during construction timeframes. The use of scheduling, signage and construction management will mitigate short term impact. Accessibility at individual homes will be achieved through site and building improvements that comply with documented resident needs per the Americans with Disabilities Act.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	No impact is expected as the construction activities will be at existing residences where no impact to area unique natural features and water resources is expected. With regard to impact to water resources, the activities will improve conditions and minimal impact to area groundwater and surface water resources is expected. The site-specific review will determine precautions needed to preserve area water resources like using best management practices including silt fencing, berming or other erosion controls.
Vegetation, Wildlife	2	No impact is expected as the construction activities will be at existing residences where no impact to area unique natural features and water resources is expected. Area vegetation will be reviewed on a site-specific basis. Precautions will be taken to return the construction areas to pre flood conditions and to be consistent with area ecology. All construction projects that could adversely affect protected species of concern will be identified and referred to the USFWS or the TPWD for review and comment. Applicants and their contractors will be required to fulfill any resulting building condition that is identified.

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Additional Studies Performed: No additional studies were performed or expected as a part of this project.

Field Inspection (Date and completed by):

Where necessary, field inspections will occur during the site- specific reviews and reported for the

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

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Texas Commission on Environmental Quality - <http://www.tceq.state.tx.us/>

Texas Water Development Board - <http://www.twdb.state.tx.us>

Texas Parks and Wildlife – <http://www.tpwd.state.tx.us>

US Fish & Wildlife – <http://fws.com/>

National Resource Conservation Center -<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

Google Earth - http://www.google.com/google_earth.htm

Federal Emergency Management Agency - <http://www.msc.fema.gov/>

Federal Aviation Administration -http://www.faa.gov/airports_airtraffic/airports/planning_capacity/npias/

National Response Center -<http://www.nrc.uscg.mil/pls/html/bf?p=109:1:139040664473>

Council of Government - <http://www.capcog.org/>

Texas Association of Regional Councils - <http://www.txregionalcouncil.org/index.php>

Environmental Protection Agency -<http://epa.gov>

US Census – <http://www.census.gov>

Bureau of Economic Analysis – <http://www.bea.gov>

Texas General Land Office – www.glo.state.tx.us/coastal/cmp.html

Wild and Scenic Rivers in Texas - <http://www.nps.gov/rigr/planyourvisit/wildscenic.htm>

County of Hays - c <http://www.capcog.org/>

Texas Association of Regional Councils - <http://www.txregionalcouncil.org/index.php>

Texas Education Agency – <http://www.tea.state.tx.us/>

Assisted Living Federation of America – http://www.alfa.org/alfa/About_ALFA.asp?SnID=390678837

Texas Historical Commission - <http://www.thc.state.tx.us/>

Texas Department of Aging and Disabilities - <http://www.dads.state.tx.us/>

US Housing & Urban Development – NEPASSIST- <http://www.epa.gov/oecaerth/nepa/nepassistmapping.html>

US Housing & Urban Development - Tribal Interest Website

<http://egis.hud.gov/tdat/countyQuery.aspx?state=Texas>

Texas Railroad Commission – <http://www.rrc.state.tx.us>

List of Permits Obtained: All permits will be obtained at the site specific level.

No permits needed at this time.

Public Outreach [24 CFR 50.23 & 58.43]:

Two publications were conducted for this project. 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 Protection of Wetlands, a 15-day Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain was published in the San Marcos Record on July 18, 2018 as a portion of the project areas are located within the 100-year floodplain. No comments were received.

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A Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds- and Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain was published in accordance with HUD regulations for a project identified as an Environmental Assessment. The publication was placed in the San Marcos Record on August 08, 2018 for a 15-day comment period. ____ comments were received.

Cumulative Impact Analysis [24 CFR 58.32]:

The U.S. Department of Housing and Urban Development (HUD), through Congressional appropriation, issued Community Development Block Grant disaster recovery (CDBG-DR) funding to Texas for Disaster Events DR-4223 and DR-4245 occurring in 2015. The Texas General Land Office (GLO) is the state agency designated to administer CDBG-DR funding to counties included in the disaster declarations. As the city of San Marcos received a direct Congressional allocation, it is not included in Hays County’s Method of Distribution (MOD).

In addition to the approximately \$7.4 million awarded in 2016, the county has been awarded an additional amount of approximately \$4.2 million in CDBG-DR funds. Total funding to the county is now approximately \$11.6 million, including non-housing project funding of \$7,869,851 and housing project funding of \$3,703,459 to support programs and projects that address an identified priority need and primarily benefit low- to moderate-income persons affected by 2015 flooding in the unincorporated areas of Hays County and the cities of Buda, Dripping Springs, Kyle, Umland and Wimberley. Any funds not committed or expended will be returned to Hays County for reallocation. If the county cannot identify any projects that can utilize funding, unused funds will be returned to the GLO.

GLO has designed funds to identify environmental conditions at both the site-specific and county level so that there will be no significant lasting changes to the existing environment. This funding is focused on restoring single family residential homes on residential lots that existed before the floods in 2015. Acceptable reasons to move from the preexisting footprint include, but are not limited to, setbacks and easements required to meet municipal zoning codes, unsuitable soils, presence in floodways, HUD safe housing guideline requirements, proximity to a toxic or flammable facility, and locations within wetlands.

As documented in Appendices A and B, all issues that could cause environmental concerns will be identified and mitigated through appropriate agency consultation and adjustments to project design. If mitigation is not possible, then they will not be eligible for funding consideration.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The County examined the options to avoiding construction in the 100-year floodplain, however, some single-family structures presented for improvement may already be located in flood prone areas. Hence, activities like elevating structures already located in flood prone areas will occur to mitigate the condition. Site specific level review of environmental conditions will determine provide further impacts to the 100-year floodplain.

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In addition, relocating all individuals living in single-family structures located within the 100-year floodplain would not be feasible as low-to-moderate income individuals forced to leave their homes, friends and community would promote slum and blight for vacated structures. If individuals refuse to leave their homes, their health and safety would be in jeopardy.

No Action Alternative [24 CFR 58.40(e)]:

Not conducting the improvements to failing single-family structures impacted by the May and October 2015 floods would not practicable as residents electing to remain in their homes would represent potential harm to human health and lack of cleanup would potentially increase the impact to the environment.

Summary of Findings and Conclusions:

Under this environmental assessment, no significant changes to existing environmental conditions will result in relation to the following impact categories implemented by HUD in response to the National Environmental Policy Act (NEPA) of 1969:

- Airport Hazards
- Coastal Barrier Resources
- Coastal Zone Management
- Clean Air
- Noise Abatement and Control
- Wild and Scenic Rivers
- Environmental Justice

The following subject areas require site-specific analysis before the environmental review can be concluded as causing no significant impacts to the environment:

- Flood Insurance
- Contamination and Toxic Substances
- Endangered Species
- Explosive and Flammable Hazards
- Farmlands Protection
- Floodplain Management
- Historic Preservation
- Wetlands Protection
- Sole Source Aquifers

For these, the site-specific checklist and strategy included in Appendix B must be completed, prior to any funding being provided for the requested construction activities.

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Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

1. Acquire all required federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
2. Must meet Green Building Standards as defined by one or more of the following categories: ENERGY STAR; EPA Indoor AirPlus; LEED; and/or ICC-700 National Green Building Standards
3. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the NEPA.
4. If project construction uncovers significant archaeological deposits the applicant agrees to immediately stop all work in that area and inform the Program. Work will not commence again in that area until the Program has conferred with the State Historic Preservation Office (SHPO) and/or Native American Tribes and informed the applicant that work can re-commence.
5. If project construction will occur on a new footprint and clearing of potential migratory bird habitat will occur within 50 feet of the construction site between March 15 and September 15, then a nest survey must be undertaken by a qualified biologist. If nests are identified, then a minimum 50-foot buffer from the work is required until the nest is no longer active. If an active migratory bird nest is incidentally disturbed during clearing, then the contractor shall collect and immediately transport the eggs to a wildlife rehabilitator. The GLO shall be notified of this action by the contractor so it can be placed into the ERR.
6. All proposed reconstruction, manufactured housing replacement, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or local municipal and county floodplain zoning requirements, whichever is more strict.
7. All residences in, or partially in, the 100-year floodplain shown on the current effective FEMA Flood Insurance Rate Map must be covered by flood insurance and the flood insurance must be maintained per program guidelines.
8. Applications approved to build within the “Coastal High Hazard” areas (“V” or “VE” Zones shown on the current effective FEMA Flood Insurance Rate Map) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).
9. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.

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10. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.
11. Outfit all heavy equipment with operating mufflers.
12. Comply with the applicable local noise ordinance.
13. If application site is in a high noise area then use appropriate Green Building Standard methods (see Condition 2) to attenuate.
14. Use water or chemical dust suppressant in exposed areas to control excessive dust.
15. Cover the load compartments of trucks hauling dust-generating materials.
16. Reduce vehicle speed on non-paved areas and keep paved areas clean.
17. Retrofit older equipment with pollution controls.
18. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
19. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
20. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with all applicable local and county regulations.
21. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
22. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods).
23. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR 35(b)(h)(j) and GLO's Lead-Based Paint Mitigation Policy Standard Operating Procedure.
24. Project rehabilitation and new construction shall apply appropriate materials and construction techniques to prevent radon gas contamination (<https://www.epa.gov/radon/radon-resources-builders-and-contractors>).
25. Upon completion all rehabilitated residential dwellings must be free of mold attributable to May and October 2015 flood events.
26. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks.
27. Storage tanks installed below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

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Determination:


- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.
- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.



Preparer Signature: _____ Date: 08/05/2019

Name/Title/Organization: Latrice Hertzler, Environmental Service Provider

Future Link Technologies, Inc.



Certifying Officer Signature: _____ Date: 08/08/2019

Name/Title: Ruben Becerra, Hays County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).