



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

451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov  
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## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** Hurricane Harvey Infrastructure Recovery – WWTP & Street Improvements

**Responsible Entity:** City of Sour Lake, TX

**Grant Recipient** (if different than Responsible Entity): Same

**State/Local Identifier:** GLO 20-065-088-C249/HUD B 17-DM-48-0001

**Preparer:** David Waxman, David J. Waxman, Inc.

**Certifying Officer Name and Title:** Bruce Robinson, Mayor

**Grant Recipient** (if different than Responsible Entity): Same

**Consultant** (if applicable): David J. Waxman, Inc.

**Direct Comments to:** Bruce Robinson, Mayor, City of Sour Lake, 625 HWY 105, Sour Lake, TX 77659 – (409) 287-3573

**Project Location:** WASTE WATER TREATMENT PLANT: 728 Sycamore Street, Sour Lake, TX 77659 (30.129428, -94.413019).

STREET IMPROVEMENTS: Mowbray St. (30.136794, -94.408282) from W. Barkley St. to W. Barfield St; Lee St. (30.136577, -94.406644) from W. Barkley St. to W. Barfield St.; Attaway Rd. (30.130262, -94.393433) from Old Beaumont Rd south to the City limits; Gustan St. (30.132072, -94.41042) from Barfield St. south to the end of the street; Shady Ln. (30.133789, -94.388558) from Old Beaumont Rd north to the end of the street.

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: WASTE WATER TREATMENT PLANT - Work at this site will consist of the acquisition of approximately 2.75 acres of land and the construction of a 3.5 million gallon earthen wet-weather flow-storage basin with concrete lining, installation of a floating aerator and construction of a bypass return pump station, as well as the replacement site piping, construction of a new electrical control system, security fencing, access driveway, and complete associated appurtenances.

**STREET IMPROVEMENTS:** The STREET IMPROVEMENTS will consist of improvements to five sections of existing City streets through milling, reworking of the base, application of 2” HMAC surfacing, and all related appurtenances.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)] Hurricane Harvey overwhelmed the wastewater and street systems of the City of Sour Lake (Subrecipient). Heavy rainfall caused flooding within the city, resulting in the wastewater treatment plant receiving inflow water that flooded the city with untreated sewage. This resulted in a threat to public health, safety, and welfare. Sour Lake will conduct sewer and street Infrastructure improvements to facilitate the proper functioning of critical wastewater-system components to reduce the impact of sewage contamination and backflow in emergency situations, facilitate proper stormwater conveyance, and provide continued ingress/egress to the area.

**Existing Conditions and Trends** [24 CFR 58.40(a)]: The existing WWTP is located at 728 Sycamore Street, Sour Lake, TX 77659 (30.129428, -94.413019) and is surrounded by undeveloped land mostly covered by trees. The land is divided up into parcels held either by investment or land development companies, or the City of Sour Lake. The land is intended for development and contains no remarkable geographic or natural features. Installation of the wet weather flow storage basin and equipment will not result in any loss of critical habitats, unique vegetation, historically significant sites, or open public spaces. The basin will be an adjunct to the existing WWTP. The streets contained within the project serve residential areas that are lined by single family detached homes. Several of the roadways are in areas designated as prime farmland by USDA. There will be no conversion of agricultural land for non-agricultural usage since all work will take place in the existing site footprints with no changes in depth, route, or width. Again, these roads are already in place and will not require any ground disturbance outside their existing footprints. The sections of town in which the street improvements will take place are nearly fully developed. No additional growth or demographic changes are anticipated as a result of the proposed work.

**Funding Information**

| <b>Grant Number</b>                     | <b>HUD Program</b> | <b>Funding Amount</b> |
|---|--------------------|-----------------------|
| GLO 20-065-088-C249/HUD B-17-DM-48-0001 | CDBG DR            | \$2,325,172.91        |
|   |                    |                       |

**Estimated Total HUD Funded Amount:** \$2,325,172.91

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,325,172.91 in CDBG Disaster Recovery funds administered by the GLO.

## 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.

| <b>Compliance Factors:</b><br>Statutes, Executive Orders,<br>and Regulations listed at 24<br>CFR §58.5 and §58.6 | Are formal<br>compliance<br>steps or<br>mitigation<br>required?           | Compliance determinations   |
|--|---|---|
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4<br/>           and 58.6</b>                 |   |   |
| <b>Airport Hazards</b><br><br>24 CFR Part 51 Subpart D   | Yes    No<br><input type="checkbox"/> <input checked="" type="checkbox"/> | <p>There is only one civilian airfield located in Hardin County, the County in which the City of Sour Lake is situated – Hawthorne Field – 45R. This airfield is listed in the FAA’s NPIAS and is situated approximately 15.5 miles north of the Sour Lake Project site. Well beyond the minimum acceptable distance. There are no military airfields situated in the whole of Hardin County.</p> <p>No airport hazards were identified.</p> <p>See associated worksheet along with maps and data taken from <a href="http://www.tollfreeairline.com">www.tollfreeairline.com</a>, <a href="http://www.airnav.com">www.airnav.com</a>, <a href="https://www.faa.gov/airports/planning_capacity/npias/reports/media/NPIAS-Report-2019-2023-Appendix-B.pdf">https://www.faa.gov/airports/planning_capacity/npias/reports/media/NPIAS-Report-2019-2023-Appendix-B.pdf</a>, <a href="https://www.globalsecurity.org/jhtml/jframe.html#https://www.globalsecurity.org/military/facility/images/bases.pdf">https://www.globalsecurity.org/jhtml/jframe.html#https://www.globalsecurity.org/military/facility/images/bases.pdf</a>], and Google Earth.</p> |
| <b>Coastal Barrier Resources</b><br><br>Coastal Barrier Resources Act, as amended by the Coastal Barrier         | Yes    No<br><input type="checkbox"/> <input checked="" type="checkbox"/> | <p>The City of Sour Lake is situated approximately 28 miles north of the nearest CBRS unit.</p>   |

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| Improvement Act of 1990 [16 USC 3501]  |   | <p>There is no impact to coastal barrier resources as a result of this project.</p> <p>See associated worksheet along with maps and data gathered from <a href="https://www.fws.gov/cbra/maps/index.html">https://www.fws.gov/cbra/maps/index.html</a> and Google Earth.</p>  |
| <p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project does not involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property.</p> <p>The City of Sour Lake is a participating community in FEMA’s National Flood Program. See associated worksheet with information taken from <a href="https://www.fema.gov/cis/TX.pdf">https://www.fema.gov/cis/TX.pdf</a></p>  |
| <p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b></p>   |   |   |
| <p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>  | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project will involve new construction and land use conversion for the installation of the flow basin. The City of Sour Lake is situated in Hardin County. Hardin County is not designated as NON-ATTAINMENT by the EPA.</p> <p>There is no impact to air quality as a result of this project.</p> <p>See maps and data taken from <a href="https://www3.epa.gov/airquality/greenbook/map/mapnpoll.pdf">https://www3.epa.gov/airquality/greenbook/map/mapnpoll.pdf</a>; <a href="https://www.tceq.texas.gov/airquality/sip/bpa/sip-bpa">https://www.tceq.texas.gov/airquality/sip/bpa/sip-bpa</a>, and Google Earth</p> |
| <p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>  | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The City of Sour Lake is located approximately 20 miles from the nearest coastal zone boundary.</p> <p>See associated worksheet along with maps and data taken from <a href="https://glo.texas.gov/coast/coastal-management/forms/files/CoastalBoundaryMap.pdf">https://glo.texas.gov/coast/coastal-management/forms/files/CoastalBoundaryMap.pdf</a>, and Google Earth, along with “No Adverse Effect” letter dated 3/26/2020.</p>  |
| <p><b>Contamination and Toxic</b></p>  | <p>Yes    No</p>  | <p>The project will facilitate the rehabilitation</p>   |

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| <p><b>Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>  | <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>               | <p>of existing City Streets and the installation of a wet weather flow storage basin at the City's existing Wastewater Treatment Plant. There are no on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property. No area businesses or industry will interfere with the intent of the project. There are no Municipal Solid Waste Facilities in the area.</p> <p>NEPA database search was performed for a one mile radius around the project locations on 5/4/2020. No contaminants or toxic substances were located within the project area.</p> <p>On site inspection conducted on 4/3/2020 for both street and WWTP locations found no hazards as related to the projects.</p> <p>See associated worksheet along with maps and data taken from <a href="https://nepassisttool.epa.gov/nepassist/nepa/map.aspx">https://nepassisttool.epa.gov/nepassist/nepa/map.aspx</a>; and <a href="https://tceq.maps.arcgis.com/">https://tceq.maps.arcgis.com/</a></p> |
| <p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project will involve the rehabilitation of existing City streets and improvements to the existing Wastewater Treatment Plant. The street improvements will be confined to the existing street footprints, with no changes in path, width, or depth, required. This work will not require any land use conversion or site clearance.</p> <p>The improvements to the Wastewater Treatment Plant will consist of the acquisition of approximately 2.75 acres of land and the construction of a 3.5 million gallon earthen wet-weather flow-storage basin with concrete lining, installation of a floating aerator and construction of a bypass return pump station, as well as the replacement site piping, construction of a new electrical control system, security fencing, access driveway, and complete associated appurtenances. This work will involve acquisition of land, land use</p>  |

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|                                |        | <p>conversion, and site clearance. Review of the area has confirmed there are no Critical Habitats present at the site and no threatened, endangered, or migratory species have been observed within the proposed project area, including endangered or threatened plant life. Per the Hardin County Central Appraisal District, all surrounding parcels of land wherein the basin may be constructed, are held either by the City of Sour Lake or private investment &amp; marketing firms for the intention of sale and development of said land. All precautions will be taken to limit any impacts and maintain or enhance natural hydrology. The project is not anticipated to have any impact on federally or state listed species or plants including the Least Tern, Piping Plover, Red Knot, Red Cockaded Woodpecker, or Texas Trailing Phlox. The project will not impact Migratory Bird species including the American Kestrel, Bald Eagle, Red-headed Woodpecker, or Swallow-tailed Kite. The project will not result in the destruction or adverse modification of critical habitats for plant and animal life.</p> <p>For new site construction or rehabilitation projects requiring mechanized excavation that occur between March 15 and September 15, the USFWS recommends pre-construction searches for bird nests and eggs to avoid impacts to migratory birds.</p> <p>This project will have No Effect on threatened &amp; endangered species or critical habitats due to the results of review conducted for the project area.</p> <p>See associated worksheet along with maps and data taken from <a href="https://www.hardin-cad.org/">https://www.hardin-cad.org/</a>; <a href="http://eco.fws.gov/ipac/">http://eco.fws.gov/ipac/</a>, <a href="https://tpwd.gov/gis/rtest/">https://tpwd.gov/gis/rtest/</a>, <a href="http://www.ebird.org">www.ebird.org</a>, along with endangered species memo signed by the Mayor.</p> |
| <b>Explosive and Flammable</b> | Yes No | The project will facilitate the rehabilitation of existing City streets and the installation of  |

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| <p><b>Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>  | <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>               | <p>a new Flow Basin at the WWTP. The project does not involve development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals and does not involve development, construction, or rehabilitation that will increase residential densities.</p> <p>See maps and data gathered from <a href="https://nepassisttool.epa.gov/nepassist/nepa/map.aspx">https://nepassisttool.epa.gov/nepassist/nepa/map.aspx</a> and Google Earth.</p>  |
| <p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project will require new construction and land use conversion for the construction of the new flow storage basin at the existing WWTP, but the proposed target area allows for the installation of the basin without the requirement that any agricultural land be converted to non-agricultural use. The street improvements will take place in the existing site footprints and will not require any changes in route, land acquisition, or land use conversion.</p> <p>There is no impact on farmlands as a result of this project.</p> <p>See maps and data gathered from <a href="https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx">https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx</a></p>  |
| <p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>                              | <p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p> | <p>The project will involve the rehabilitation of 5 existing City Streets and the construction of a 3.5 million gallon earthen wet-weather flow-storage basin with concrete lining, installation of a floating aerator and construction of a bypass return pump station, as well as the replacement site piping, construction of a new electrical control system, security fencing, access driveway, and complete associated appurtenances. Work at the plant site will require the acquisition, excavation, and clearing of approximately 2.75 acres of adjoining land to facilitate the construction. Per FEMA FIRM Panel 48199C0500F effective 10/06/2010, the entirety of this site is situated within the designated 100 year floodplain. This work will take place on Mowbray St. (30.136794, -94.408282) – 1,600 LF, Lee St. (30.136577, -94.406644) – 1,600 LF, Attaway Rd. (30.130262, -</p> |

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|   |   | <p>94.393433) – 1,300 LF, Gustan St. (30.132072, -94.41042) – 1,800, and Shady Ln. (30.133789, -94.388558) – 1,450, and will consist of milling, reworking of the base, application of 2” HMAC surfacing, and all related appurtenances. According to the same FEMA FIRM Panel, 48199C0500F effective 10/06/2010, the entirety of Gustan St., approximately 1,600 LF along with portions of Mowbray St., approximately 887 LF, and Attaway Rd., approximately 140 LF, are situated within the 100 year floodplain, covering an area of approximately 2.29 total acres.</p> <p>The 8 step process for floodplains and wetlands undertaken with the associated notices published in the Beaumont Enterprise. The Early Notice was published on March 16, 2020 and the Final Notice on April 7, 2020. No comments or objections were received and the City determined it had no practicable alternatives.</p> <p>The project will not negatively impact the floodplain, or result in adverse changes to runoff or flood flows.</p> <p>See associated worksheet with maps and information taken from <a href="https://msc.fema.gov">https://msc.fema.gov</a>, FEMA FIRM Panel 48199C0500F effective 10/06/2010, as well as the affidavits and tear sheets for the early and final notices, 8 step process narrative, and Google Earth overlays.</p> |
| <p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project will involve the repair of existing City Streets within their current footprints and the construction of a wet weather flow storage basin on approximately 2.75 acres of land adjacent to the existing WWTP. The only historically significant site in the vicinity of the propose project sites is the Sour Lake CSA Marker – Marker No. 12666, Atlas No. 5199012666 –situated approximately two blocks West of the street improvements site. There are no other</p>  |



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|   |   | <p>historical sites depicted in the vicinity of the projects. On 3/13/2020 letters were sent to the Alabama Coushatta Tribe of Texas, Alabama Quassarte Tribal Town, Apache Tribe of Oklahoma, Coushatta Tribe of Louisiana, Muscogee Creek Nation, Tonkawa Tribe of Indians of Oklahoma, and the Wichita &amp; Affiliated Tribes of Oklahoma, as well as the Hardin Co Genealogical Society, and THC. The Alabama Quassarte Tribal Town responded on 3/16/2020 stating, "...that there should be no adverse effect to any known historic properties and that work should proceed as planned." They further requested notification and work stoppage in the event that any artifacts are discovered during construction. The Muscogee Creek Nation responded on 3/17/2020 stating, "This project is located outside of our area of interest and we defer to other tribes that have been contacted for comment." No other tribal comments or responses were received. THC responded on 3/25/2020 stating, "No historic properties are present or affected by the project as proposed."</p> <p>For construction, a post-review discovery provision per 36 CFR § 800.13 requires that the GLO and the THC would need to be notified if buried cultural materials are discovered and work should cease in the immediate area.</p> <p>See associated worksheet along with copies of correspondence with maps and data pulled from <a href="https://atlas.thc.state.tx.us/Map">https://atlas.thc.state.tx.us/Map</a> as well as record THC &amp; Tribal Responses.</p> |
| <p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project does not involve new construction for residential use, rehabilitation of an existing residential property, or a research demonstration project. The project will the construction of a new wet weather flow basin at the City's existing WWTP and the rehabilitation of existing City Streets. While there may be some increases in ambient noise during</p>  |

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|  |   | <p>construction, the project will not increase current ambient noise levels once complete. See associated worksheet with attached maps and data gathered from <a href="https://nepassisttool.epa.gov/nepassist/nepa_map.aspx">https://nepassisttool.epa.gov/nepassist/nepa_map.aspx</a>.</p>   |
| <p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project will not impact any sole source aquifers. The City of Sour Lake is situated approximately 204 miles East of the Edwards Aquifer System in Central Texas and 28 miles to the West of the Chicot Aquifer in Louisiana. Neither will be affected by the street and culvert rehabilitation projects.</p> <p>See associated worksheet maps and data taken from <a href="https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b">https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b</a> and Google Earth</p>  |
| <p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>  | <p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p> | <p>The project involves the rehabilitation of 5 existing City Streets as well as the construction of a 2.75 acre weather flow basin at the City's existing WWTP. The construction of the basin will occur near designated wetland features, therefore, the 8 step process was conducted with them in mind. The basin will assist with overflow during heavy rain events and will help reduce the chances that the site will flood. This will benefit the area as it will keep sewage and contaminants from seeping into the floodwaters, which will better preserve area wetlands and natural features. Work at this site will not impact these wetland features as the only overlap into these features is the 150' buffer zone surrounding the pond, which prohibits any development. The street improvements involve areas that either intersect or are wetland adjacent. Gustan St. intersects a designated RIVERINE feature at two locations – approximately 312 LF/0.31 acres. Attaway Road and Shady Lane are also situated near FRESHWATER FORESTED SHRUB or</p> |

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|   |   | <p>FRESHWATER EMERGENT wetlands. These features will not be negatively impacted by the proposed street improvements, as all related work will occur within the footprint of the existing streets and no changes in path, width, or site footprint are required.</p> <p>The proposed construction will ensure the use of best management practices (BMPs) to prevent impact to the drainage and natural values of the surrounding areas. Project area should be returned to its original condition and precautions taken to maintain minimal disturbance within the construction area including best management practices to prevent construction runoff through the use of berming and silt fencing. Landscaping done in response to the new construction activities on the Project Site should be completed with native vegetation which would ensure that the proposed project will not introduce nuisance or non-indigenous species of vegetation that may be ecologically disruptive, be invasive, threaten survival of indigenous plant habitats, or disrupt agricultural or silvicultural activities.</p> <p>The 8 step process was initiated with the required notices run in the Beaumont Enterprise. The Early Notice was published on 3/16/2020 and the Final Notice on 4/07/2020. No comments or objections were received and the City determined there were no practicable alternatives.</p> <p>See maps and data taken from <a href="https://www.fws.gov/wetlands/data/mapper.html">https://www.fws.gov/wetlands/data/mapper.html</a>, as well as affidavits and tear sheets and 8 step process narrative.</p> |
| <p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project will facilitate infrastructure improvements to existing streets as well as the installation of a wet weather flow storage basin at the City’s existing WWTP. There are no NRI Study Rivers in the vicinity of the project. The nearest designated wild and scenic river in the State of TX is the Rio Grande – approximately 443 miles to the</p>  |

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|  |   | <p>West. The Saline Bayou, Louisiana’s only designated wild and scenic river is situated approximately 155 miles North/Northeast of the project sites. The project is not anticipated to have any impact on NRI or Wild and Scenic Rivers.</p> <p>See information taken from <a href="http://www.rivers.gov">www.rivers.gov</a>, <a href="http://www.nps.gov">www.nps.gov</a>, and Google Earth</p>  |
| <b>ENVIRONMENTAL JUSTICE</b>                                     |   |  |
| <p><b>Environmental Justice</b></p> <p>Executive Order 12898</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project will rehabilitate existing City Streets and facilitate the construction of a wet-weather flow basin at the existing WWTP. The cumulative effect of the project will be beneficial as it will provide safer access and egress along the proposed streets and reduce the chances of flooding and contamination at and around the WWTP.</p> <p>See project description along with maps and data taken from <a href="https://ejscreen.epa.gov/mapper/">https://ejscreen.epa.gov/mapper/</a></p> |

**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 |
|---------------------------------|-------------|-------------------|
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| <b>LAND DEVELOPMENT</b>  |   |  |
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| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 2 | The project will conform with area plans, compatible land use, zoning, scale, and urban design.  |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff                   | 1 | The construction of the wet weather flow storage basin will help control flooding in the area of the WWTP, this will help slow the effects of erosion, and eliminate the excess runoff caused during periods of flooding. It will also lessen the chances of sewage and similar contaminants leeching into the area soils. |
| Hazards and Nuisances including Site Safety and Noise                            | 2 | The project will not result in any hazards or nuisances and should not have any impact on current site safety or noise levels. Safety measures will be in place during the construction phase.   |
| Energy Consumption   | 2 | The project will not anticipated to have any appreciable impact on energy consumption.   |

| Environmental Assessment Factor             | Impact Code | Impact Evaluation   |
|---|-------------|---|
| <b>SOCIOECONOMIC</b>                        |             |   |
| Employment and Income Patterns              | 2           | The project will not result in any changes to employment or income patterns.      |
| Demographic Character Changes, Displacement | 2           | The project will not result in any demographic character changes or displacement. |

| Environmental Assessment Factor          | Impact Code | Impact Evaluation   |
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| <b>COMMUNITY FACILITIES AND SERVICES</b> |             |   |
| Educational and Cultural Facilities      | 2           | No Educational or Cultural Facilities will be impacted  |
| Commercial Facilities                    | 2           | No Commercial Facilities will be impacted   |
| Health Care and Social Services          | 2           | No Health Care or Social Services providers will be impacted  |
| Solid Waste Disposal / Recycling         | 2           | No Solid Waste Disposal or Recycling Centers will be impacted   |
| Waste Water / Sanitary Sewers            | 1           | The construction of the wet weather flow storage basin will greatly reduce the chances for flooding at the WWTP, which will allow service to continue uninterrupted during periods of heavy inundation. The street work will not impact any |

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|--|---|---|
|  |   | waste water or sanitary sewer facilities.   |
| Water Supply                                       | 1 | Reduced flooding at the WWTP site will reduce the chances of raw contaminants being carried by floodwaters thereby endangering water delivery services and groundwater.         |
| Public Safety - Police, Fire and Emergency Medical | 1 | The rehabilitation of the roads will allow for better access and egress along the proposed roadways. This will allow for better response times for Emergency Service Providers. |
| Parks, Open Space and Recreation                   | 2 | No Parks, Open Spaces, or Recreation sites will be impacted.  |
| Transportation and Accessibility                   | 1 | The improvements to the existing streets will improve transportation and accessibility to and from the project areas.   |

| Environmental Assessment Factor          | Impact Code | Impact Evaluation  |
|--|-------------|--|
| <b>NATURAL FEATURES</b>                  |             |  |
| Unique Natural Features, Water Resources | 2           | No Unique Natural Features or Water Resources will be impacted.                                    |
| Vegetation, Wildlife                     | 2           | No vegetation or wildlife, threatened, endangered, or migratory, will be impacted by this project. |
| Other Factors                            | N/A         |  |

**Additional Studies Performed:** None

**Field Inspection** (Date and completed by): 4/03/2020 by Jack Provost, City Manager.

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]: Websites of the FAA, Global Security System, US Fish and Wildlife Service, FEMA, US EPA, TCEQ, GLO Coastal, US Fish and Wildlife Service, Texas Parks and Wildlife, USDA, Texas Historical Commission, HUD Tribal Data Assessment Tool, National Parks Service, and the National Wild and Scenic Rivers System. Letters were also submitted to the Chief Elected Officers and Tribal Historic Preservation officers of the Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Apache Tribe of Oklahoma, Coushatta Tribe of Louisiana, Muscogee Creek Nation, Tonkawa Tribe of Oklahoma, and the Wichita & Affiliated Tribes of Oklahoma, as well as to the Hardin County Genealogical Society.

**List of Permits Obtained:** None

**Public Outreach** [24 CFR 50.23 & 58.43]: Information concerning the project sent to the US EPA Region 6, Texas General Land Office Natural Resource Specialist, Texas Commission on Environmental Quality, Texas USDA Rural Development State Office, Texas Parks and Wildlife Department, Southeast Texas Regional Planning Commission, Texas Historical Commission Archeological Division, Federal Emergency Management Agency, Hardin County Genealogical Society, and to the Chief Elected Officers and Tribal Historic Preservation officers of the Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Apache Tribe of Oklahoma, Coushatta Tribe of Louisiana, Muscogee Creek Nation, Tonkawa Tribe of Oklahoma, and the Wichita & Affiliated Tribes of Oklahoma.

**Cumulative Impact Analysis** [24 CFR 58.32]: The overall impact will be beneficial, and will not result in significant impacts to the environment. The construction of the wet weather flow storage basin will dramatically reduce the chances of flooding at the WWTP site. This will benefit the community as it will lessen the chances of raw sewage or other contaminants mixing with floodwater and contaminating the soils, vegetation, groundwater, and water delivery systems in the surrounding area. The proposed site is adjacent to the existing WWTP and does not include any critical habitats for endangered or threatened plant and animal life. The repair of the existing streets will benefit the community by providing safer means of travel through residential areas, and will allow for ease of response by emergency service providers. The road work will not result in any impact to the environment, as all work will take place in the footprints of the existing streets.

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]: The City briefly considered rerouting or relocating the streets. This option was rejected. Such relocation would require acquisition of new rights of way, land clearance, associated permitting, and construction of all new streets. This would result in much higher costs and greater environmental impact. Additionally, given that these are existing residential streets lined with existing houses, such a relocation would also require buyouts and relocation of residents – all of which would far exceed available funding. As cited above, the buyout and relocation of existing residences in the project areas was briefly considered. Such a task was deemed impracticable, as relocation would require the construction of new homes to house those displaced, or would come at an economic loss to the City should the residents choose to move away. The City would also be left with the expense of mitigating the now vacant home sites, and would lose the revenue generated via property taxes and utility services. Relocation of the WWTP was briefly considered, but this would require establishing a new site complete with new infrastructure, tie ins to the existing system, new electrical connections, and would require purchase of a new site, permitting, and construction of an entirely new plant. This action would far exceed available funding and result in much greater of an impact to the environment.

**No Action Alternative** [24 CFR 58.40(e)]: The non-action alternative at both sites was also rejected. The streets are in immediate need of repair, damage from flooding and seasonal extremes will only continue to worsen, posing a danger to those residents dependent on them. As for the construction of the weather flow-storage basin, the WWTP was heavily flooded during Hurricane Harvey. The flooding impacted the ability of the plant to operate properly and allowed for the potential spread of raw/untreated water. The basin is necessary to prevent such flooding during future events. Failure to prepare for future events via non-action could result in catastrophic failure of the plant or increased danger to the area residents and environment. Installation of the basin at the existing site remains the best course of action.

**Summary of Findings and Conclusions:** The existing WWTP was flooded during Hurricane Harvey. Floodwaters mixed with the wastewater and carried contaminants across the site and into the surrounding area. The construction of a wet weather flow storage basin will ensure this will not happen during future such flooding events. While the construction of the basin will require ground disturbance and site clearance, the overall environmental impact will be beneficial as it will greatly reduce the chances of contamination during future events. The rehabilitation of the existing streets is necessary to allow for safe travel through developed residential areas. Work on the five roads identified as part of this project will improve travel for the residents who live along these streets and will allow for better response by Police, Fire, and EMS. This too will improve safety within the community.

**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.

| Law, Authority, or Factor  | Mitigation Measure   |
|--|--|
| Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | The project will facilitate the construction of a 3.5 million gallon earthen wet-weather flow-storage basin with concrete lining. This basin will allow for better flood control in the floodplain, and will lessen the chances of further flooding in the WWTP and surrounding area. The project will not negatively impact the floodplain, or result in adverse changes to runoff or flood flows. Wherever necessary, if necessary, the responsible contractor will ensure use of natural landscape and plant species. |
| Executive Order 11990, particularly sections 2 and 5             | The proposed construction will ensure the use of best management practices (BMPs) to prevent impact to the drainage and natural values of the surrounding areas.   |



|                       |   |
|-----------------------|---|
|                       | <p>Project area should be returned to its original condition and precautions taken to maintain minimal disturbance within the construction area including best management practices to prevent construction runoff through the use of berming and silt fencing. Landscaping done in response to the new construction activities on the Project Site should be completed with native vegetation which would ensure that the proposed project will not introduce nuisance or non-indigenous species of vegetation that may be ecologically disruptive, be invasive, threaten survival of indigenous plant habitats, or disrupt agricultural or silvicultural activities.</p>  |
| Wetlands              | <p>The proposed construction will ensure the use of best management practices (BMPs) to prevent impact to the drainage and natural values of the surrounding areas. Project area should be returned to its original condition and precautions taken to maintain minimal disturbance within the construction area including best management practices to prevent construction runoff through the use of berming and silt fencing. Landscaping done in response to the new construction activities on the Project Site should be completed with native vegetation which would ensure that the proposed project will not introduce nuisance or non-indigenous species of vegetation that may be ecologically disruptive, be invasive, threaten survival of indigenous plant habitats, or disrupt agricultural or silvicultural activities.</p> |
| Historic Preservation | <p>For construction, a post-review discovery provision per 36 CFR § 800.13 requires that the GLO and the THC would need to be notified if buried cultural materials are discovered and work should cease in the immediate area.</p>   |
| Endangered Species    | <p><b>Migratory Birds</b></p> <p>For new site construction or rehabilitation projects requiring mechanized excavation that occur between March 15 and September 15, the USFWS recommends pre-construction searches for bird nests and eggs to avoid impacts to migratory birds.</p>   |

**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: \_\_\_\_\_

Name/Title/Organization: David Waxman, David J. Waxman, Inc.

\_\_\_\_\_  
Certifying Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: Bruce Robinson, Mayor, City of Sour Lake, TX

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).