

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND INTENT TO
REQUEST RELEASE OF FUNDS**

October 18, 2019

City of Houston
Housing and Community Development Department (HCDD)
2100 Travis, 9th Floor
Houston, TX 77002
(832) 394-6018

This Notice shall satisfy the above-cited two separate but related procedural notification requirements.

REQUEST FOR RELEASE OF FUNDS

On or about **November 5, 2019** City of Houston's Housing and Community Development Department will submit a request to the U.S. Department of Housing and Urban Development for the release of the following funds:

Section 420 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 ([Pub. L. 114-113](#), approved December 18, 2015) (Appropriations Act) makes available \$300 million in Community Development Block Grant (CDBG) funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2015, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 ([42 U.S.C. 5121](#) et seq.), related to the consequences of Hurricane Joaquin and adjacent storm systems, Hurricane Patricia, and other flood events.

The City of Houston's Housing and Community Development Department (HCDD) submitted an Action Plan for Disaster Recovery—2015 Flood Events (Plan) to HUD on September 19, 2016 and updated November 17, 2016. The Federal Department of Housing and Urban Development (HUD) has awarded to the City of Houston \$87,092,000 in federal funds associated with disasters declared on May 29, 2015 (DR-4223) and on November 25, 2015 (DR-4245).

The funds being used for this project are part of the Action Plan described above, and are authorized by the laws identified in the first paragraph describing said funds. They are Community Development Block Grant Disaster Recovery (CDBG-DR15) Flood Events funds, and they will be used to undertake a project known as:

Project Title: Neuens Road Drainage Project

Location: Neuens Road between Gessner Road and Blalock Road, Houston, Harris County, Texas 77043 & 77080

Purpose of project: Letter of Agreement between the City of Houston (City) and Houston Public Works (HPW) enabling HPW to utilize \$11,168,297.21 in Community Development Block Grant Disaster Recovery 2015 (CDBG-DR15) Flood Events funds to mitigate

flooding and reduce localized drainage problems by making drainage and paving improvements along Neuens road between Gessner road and Blalock road.

Road improvements will consist of the reconstruction of a two-lane asphalt road to a two-lane concrete road with 10" concrete pavement sections (one running in each direction) built to Harris County Engineering Department specifications. The cross section of the road (primarily curb and gutter with false inlets to a ditch) may vary along the length of the project depending upon the most advantageous option. Storage lanes in front of the two schools will be maintained, speed bumps will not. Sidewalks will be constructed along the entire length on both sides where feasible; sidewalks will vary between 5' to 6' wide depending upon which is determined to be most advantageous.

In addition, reconstruction of the road will provide 12.4 ac-ft of storm water detention which is the maximum detention that can be provided within the ROW. This volume is more than sufficient to offset the drainage improvements and any surplus volume could be used to offset additional, nearby subdivision drainage improvement projects.

The total cost of the project is estimated to be approximately \$15,548,896.44 of which \$1,413,674.50 is funded by Harris County (HC), \$2,966,924.73 funded by HPW and \$11,168,297.21 funded by HCDD. HPW will be responsible for project oversight and HC will be managing design and construction.

Please note that conditions for receiving the HUD federal funding sought for this project are as follows, with penalties for failure to follow these conditions including but not limited to the remittal of federal funding to HUD:

Contamination and Toxic Substances

In the event that environmental contamination is found during construction, all applicable health, safety and other procedures as outlined in the current COH Guide Specifications 02105 and 02120 will need to be followed.

Historic Preservation

While no historic resources were discovered, the following measures must be undertaken in the unforeseen event that any such resources are discovered.

Above-Ground Resources

- No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments

- No historic properties present or affected. However, if buried cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please

contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

Please note that if any of the above resources or cultural materials are tribal, the appropriate American Indian/Native American tribe must be consulted as well.

Also note that if any relocation of residents or businesses becomes necessary, all applicable parts of the Uniform Relocation Act (URA) will need to be followed.

Standard measures to control potential dust during construction are recommended as needed, along with any needed measures to limit excess noise

Grant No. & Amount: **B-16-MH-48-0001.....\$11,168,297.21**

Sources:	Amount:
COH HCDD (HUD CDBG DR-2015)	\$11,168,297.21
Harris County	\$1,413,674.50
Houston Public Works (HPW)	\$2,966,924.73
Total	\$15,548,896.44

FINDING OF NO SIGNIFICANT IMPACT

The City of Houston 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 the above address and is available for public examination or copying weekdays 8 A.M. to 5 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Houston, Housing and Community Development Department, ATTN: Environmental Review Officer, 2100 Travis, 9th Floor, Houston, Texas 77002. All comments received by the close of business on **November 4, 2019** will be considered by the City of Houston prior to authorizing submission of a request for release of funds. Commenters should specify which part of this Notice they are addressing.

RELEASE OF FUNDS

The City of Houston certifies to HUD that Sylvester Turner, in his capacity as Mayor, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Houston to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the City of Houston certification received by the

close of business on **November 20, 2019** or a period of fifteen days from its 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 or other officer of the City of Houston approved by HUD; (b) the City of Houston, as Responsible Entity, 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 project have committed funds or incurred costs 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) and shall be addressed to: U.S. Department of Housing and Urban Development, 1301 Fannin Street, Suite 2200, Houston, Texas 77002. Potential objectors should contact HUD to verify the actual last day of the objection period.

Sylvester Turner, Mayor
City of Houston