

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT & INTENT TO REQUEST RELEASE OF FUNDS- & FINAL NOTICE & PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD (FFRMS) AND WETLAND

Date of Notice: August 28, 2026

Calhoun County, 211 S. Ann Street, Port Lavaca, Calhoun County Texas, 77979 Phone 361.553.4600

These notices satisfy three separate but related procedural requirements for activities to be undertaken by the Calhoun County.

To All Interested Parties Including: Federal Emergency Management Agency, Flood Mitigation Planning Texas Water Development Board, Regional Flood Management Association, Groups & Individuals of the community of Seakist, USACE, TPWD, the City of Port Lavaca, and Calhoun County, Tx.

REQUEST FOR RELEASE OF FUNDS

On or about September 15, 2026, Calhoun County. will submit a request to the Texas General Land Office (TGLO) for the release of Community Development Block Grant Mitigation (CDBG-MIT) funds appropriated under the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Pub. L. 115-123), to undertake a project known as Calhoun County Seakist Drainage Project, Contract No. 24-065-152-F011 for Flood & Drainage Improvements within the community of Seakist, TX.

Project Description County shall improve ditches; remove and replace culverts; install riprap; repair driveways; one pedestrian bridge, and complete associated appurtenances. Activities include possible acquisition of easements. Clearance includes administration, acquisition, engineering and environmental activities. Total Approximate Area of Disturbance 2.43 Acres.

Purpose: The current drainage system needs major upgrades including regrade/reshaping of the existing channel, upgraded road crossing structures, & an improved / clearly defined outfall structure with an emergency lined spillway. The purpose of this project is to alleviate excess runoff and flooding from severely large storm events. The current drainage does not provide the necessary water management to prevent flooding in the area. The homeowners, existing bluff and surrounding property will be protected from increased flows and rain events which in the past, have caused severe damage & flood inundation of property and homes. Project will benefit 107 of which 31 or 30.69% are low moderate-income persons.

Location ID	Name	Approx Length (lf)	Approx Width (lf)	Approx Acres	Lat / Long Point (DD)
CS1	Proposed Revised Ditch (acquisition) & Culverts	2386	42	2.27	28.67678, -96.64937
CS2	Proposed Outfall 1.1 (acquisition)	215	9	0.04	28.68016, -96.64815
CS3	Ditch Grading (no acquisition)			0.64	28.677795 -96.649193
Total		2601		2.96	

Budget:

GRANT AMOUNT: CDBG MIT Contract Amt \$7,606,431.00

Project Amt Seakist \$713,775.00 + Local Match \$0.00 = TOTAL SEAKIST PROJECT \$713,775.00

FINDING OF NO SIGNIFICANT IMPACT

Calhoun County 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 Calhoun County, 211 S. Ann Street. Port Lavaca, Calhoun County Texas, 77979, Ph: 361.553.4600 email: vern.lyssy@calhouncotx.org, where the ERR can be examined & is available for review & or copied weekdays 9:00 A.M to 5:00 P.M. CST. In addition, ERR Reports can be accessed electronically by using the following link:

In addition, ERR can be accessed electronically at [Seakist Environmental Review Document](#).

FINAL NOTICE & PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD (FFRMS) & WETLAND

This is to give notice that Calhoun County has conducted an evaluation as required by Executive Order(s) 11988, as amended by Executive Order 13690, and/or Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under CDBG MIT Contract 24-065-152-F011. The proposed project locations are outlined in the Table 1 above.

PROJECT INFORMATION			FLOODPLAIN IMPACT FEMA NFHL MAP PANEL 48057C0045E Eff.10/16/2014, 48239C0525D eff.9/17/2014, 48469C0500H eff.7/17/24					WETLAND IMPACT
Location ID	Name	Lat / Long Point (DD)	1% Annual Chance Flood Hazard (acres) Zone AE	1% Annual Chance Flood Hazard (acres) Zone VE	1% Annual Chance Flood Hazard Total (acres)	0.2% Annual Chance Flood Hazard (acres)	Approx Total FP Impact Acres (All)	Non- jurisdictional, Non-RPW Vegetated Swale (acres)*
CS1	Proposed Revised Ditch (acquisition) & Culverts	28.67678, -96.64937	0.193	N/A	0.193	1.379	1.571	0.282
CS2	Proposed Outfall 1.1 (acquisition)	28.68016, -96.64815	0.000	0.001	0.001	0.001	0.002	0.000
CS3	Ditch Grading (no acquisition)	28.677795 -96.649193				0.640	0.640	
Total			0.193	0.001	0.194	2.019	2.213	0.282
RPW – Relatively Permanent Water * PEM1C – Paulstrine, Emergent								

The Table outlines the locations of the Federal Flood Risk Management Standard (FFRMS) floodplain and wetland. The extent of the FFRMS floodplain was determined using the freeboard value approach. This includes using the FEMA NFHL Flood Hazard Maps and using USGS 7.5 minute topo maps. The project activities are outlined in the Project Description found above in the REQUEST FOR RELEASE OF FUNDS section of this notice. The project is functionally dependent and is not a critical action activity. Total acres located within the 1% Annual Chance Flood Hazard is 0.194 and total acres located within the .2% Annual Chance Flood Hazard is approximately 2.019 – total 2.213 acres located within any flood hazard areas. No wetland impact is expected due to Waters of the US (WOTUS) determination where project area water exists as a vegetated swale. The existing natural and beneficial values of floodplain and wetlands include flood water storage and conveyance in an area associated with coastal development. The intrinsic values are recreational and scenic. Construction will be consistent with state and local environmental regulations.

Calhoun County has considered the following alternatives & mitigation measures to be taken to minimize adverse impacts & to restore & preserve natural & beneficial functions and intrinsic values of the existing floodplain/wetland:

1. Moving this work to another location was considered, however, the improvements at Seakist Lane is where drainage problems occur regularly during rain events.
2. Redirecting the drainage exodus was considered. However, that is not a practicable solution and is infeasible due to the terrain in the area where the surrounding areas naturally drain to the proposed location. Making elevation adjustments to accommodate for the natural terrain is not cost effective as significant construction on private property would be necessary and would easily result in a return to the natural elevation anyway.
3. Not performing the drainage improvements will not ensure human health and the environment as flooding (when it occurs in the area) is severe preventing ingress/egress from the residential areas and may cause displacement. In addition without drainage improvements, floodwaters block emergency vehicles and severely delay critical responses.

MITIGATION MEASURES:

Law, Authority, or Factor	Mitigation Measure/ Best Management Practices (BMPs)
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR Part 800	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 affected. However, if 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.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	General Construction Recommendations & Mitigation for all project activities include Judicious use and placement of sediment control fence to exclude wildlife from the construction area. Where possible include no-till drilling, hydromulching and/or hydroseeding rather than erosion control blankets or mats to reduce risk to wildlife. Federal Law: Migratory Bird Treaty Act Site(s) review for nests prior to construction to avoid disturbance from a minimum zone of 100 meters surrounding any raptor nest February 1 through July 15 or minimum zone of 25' for other bird nests from March 1 to June 30. If any nests are discovered in vegetation or bare ground of occupied nests, avoid disturbance until the eggs have hatched and the young have fledged. Construction may continue on other areas of the site. State Law: Parks and Wildlife Code Site(s) review prior to and during construction will occur to ensure no wildlife species are located within the construction area and action will be taken to avoid impact if found. Notification of TPWD will occur if endangered species are found or if further assistance is necessary to clear an area. In general, the species will be

Law, Authority, or Factor	Mitigation Measure/ Best Management Practices (BMPs)
	permitted to leave the sight without disturbance. Where possible, construction will avoid clearing during the height of nesting season and in general will avoid wildlife impact. Environmental documentation will be provided to contractors to ensure an understanding of the mitigation necessary to prevent impact to wildlife in the construction areas.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	The proposed project will be under the guidance of using Best Management Practices during construction by implementing silt fencing to prevent erosion and restoring the disrupted soils to its natural contours and appearance and to preserve the surrounding terrain in the floodplain. Construction will include appropriate grades to ensure proper drainage and be advised to keep within the compliance of State and local floodplain protection procedures.
Wetlands Protection Executive Order 11990, particularly sections 2 & 5	Due to proximity of surrounding wetlands and floodplain, contractor will ensure that best management practices during construction to floodplain and preserve area natural values associated with coastal development. The use best management practices to prevent erosion – silt fencing and returning the area to preconstruction conditions.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) & 1541; 7 CFR Part 658	The County will secure NRCS approval of any farmland conversion prior to project construction. Reducing the size of the permanent easement would result in more farmland protection. Use accepted erosion control methods during the construction of this project.

Calhoun County acknowledges compliance with state and local floodplain/wetland protection procedures.

Calhoun County has reevaluated alternatives to building in the FFRMS floodplain and wetland and has determined that it has no practicable alternative to FFRMS floodplain and wetland development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690, and/or Executive Order 11990, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in FFRMS floodplain and wetland and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about FFRMS floodplain and wetland can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in FFRMS floodplain and wetland, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR DOCUMENT to Calhoun County. All comments received by September 14, 2026, will be considered by the Calhoun County prior to authorizing submission of a request for release of funds. The ERR documents may be viewed at Calhoun County, 211 S. Ann Street. Port Lavaca, Calhoun County Texas, 77979, Ph: 361.553.4600. The ERR can be examined & is available for review & copied during weekdays from 9:00 A.M to 5:00 P.M. CST. Comments should specify which Notice they are addressing. Comments may be submitted to Calhoun County, 211 S. Ann Street. Port Lavaca, Calhoun County Texas, 77979, Ph: 361.553.4600 or comments may be sent electronically to: vern.lyssy@calhouncotx.org .

Written comments regarding the Final Floodplain and Wetland Notice must be received by the Calhoun County. At the following address on or before on or before September 14, 2026 Calhoun County, 211 S. Ann Street. Port Lavaca, Calhoun County Texas, 77979, Ph: 361.553.4600 email: vern.lyssy@calhouncotx.org during weekdays 9:00 A.M to 5:00 P.M. CST. Comments may also be submitted via email to: vern.lyssy@calhouncotx.org .

ENVIRONMENTAL CERTIFICATION

County certifies to TGLO that Vern Lyssy, in his capacity as County Judge consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process & that these responsibilities have been satisfied. **TGLO** approval of the certification satisfies its responsibilities under NEPA & related laws & authorities & allows Calhoun County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TGLO will accept objections to its release of funds & the *Calhoun County* certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Calhoun County (b) Calhoun County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) Calhoun County or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by **TGLO**; 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 & submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) & shall be addressed to the Texas General Land Office, Attention: Heather Lagrone, Texas General Land Office, PO Box 12873, Austin, TX 78711- TX 78711-2873, env.reviews@recovery.texas.gov . Potential objectors should contact TGLO to verify the actual last day of the objection period. Potential objectors should contact TGLO to verify the actual last day of the objection period.

Vern Lyssy, County Judge