

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) FLOODPLAIN & WETLAND

Date of Notice July 27, 2026
 Calhoun County 211 S. Ann Street Port Lavaca, Calhoun County Texas, 77979 Ph: 361.553.4600

These notices shall 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, Texas Parks & Wildlife Department, USACE, Regional Flood Management Association, Groups & Individuals of Calhoun County, City of Port Lavaca and Communities of Crestview, and Hackberry, Tx.

REQUEST FOR RELEASE OF FUNDS

On or about August 12, 2026, the Calhoun County. (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), as amended**, to undertake two projects known as the Crestview Calhoun County Drainage Project and the Hackberry Calhoun County Drainage Project, GLO Contract 24-065-152-F011/ B-18-DP-48-0002 for Flood & Drainage Facilities to benefit the following communities :

Project/ Table #	Project Name	Subcontract #	Beneficiaries Persons/Low Mod Income (LMI)
1	Crestview Subdivision of Port Lavaca	GLO17-32971-P	179/ 119 (66.48%)
2	Hackberry Subdivision of Port Lavaca	GLO17-32972-P	137/ 42 (30.66%)

The project locations and descriptions are outlined in the Tables below

TABLE 1 Crestview Subdivision of Port Lavaca, Calhoun County, TX 77979							
APPROXIMATE TOTAL DISTURBANCE TABLE							
Crestview Project Description The County will remove & replace culverts, install riprap, repair driveways & associated appurtenances. This includes the installation of approximately 12,650 linear feet (LF) of ditch improvements (ditch improvements will occur along both sides of Bayou Drive & Park Lane Ave), 1,104 LF 18"storm culvert, 936 LF 24"storm culvert, 240 LF 30"storm culvert, 72 LF 36"storm culvert, & includes riprap of one outfall, & permanent seeding of improved ditches. Clearance includes administration, acquisition, engineering & environmental activities.							
Location ID	Name	Location From To	Lat / Long Point (DD)	Culverts	Length LF	Width LF	Total Approx Disturbance (acres)
CC1	Park Lane Ave	From 815’ SW of FM2433 and Bayou Drive southeastward to Park Lane Ave where the road curves	28.60097, - 96.69770	1104 LF 18" 936 LF 24" 240 LF 30" 72 LF 36"	2780	60	3.83
CC2	Outfall 1.1	From 3,620’ SW of FM 2433 and Bayou Drive south to Chocolate Bayou	28.59867, - 96.70142		152	20	0.07
CC3	Bayou Drive	From FM2433 and Bayou Drive SW to Y, continuing SW along Bayou Drive to outfall	28.60201, - 96.69739		3620	60	4.99
Approx Total Area of Disturbance					6,552	8.89	
Approx Total Area of Interest						54.92	

**TABLE 2 Hackberry Subdivision of Port Lavaca, Calhoun Co, TX 77979
APPROXIMATE TOTAL DISTURBANCE TABLE**

Hackberry Project Description: County shall improve/raise berms along the drainage structure; demolish 7 existing culverts and replace them with 250 LF of new 24" storm culvert; and construct spillways including riprap/erosion protection and permanent seeding of disturbed areas. Further, the County shall construct a culvert which consists of a 6ft diameter custom storm culvert structure to ensure adequate flow can pass through the surrounding farmed fields and further decrease the ability of the berm to be over-topped in an emergency. Activities may include acquisition for easements. Clearance includes administration, acquisition, engineering and environmental activities.

Location ID	Name	From: To	Lat / Long Point (DD)	Length (lf)	Width (lf)	Total Approx Disturbance (acres)
CH2	Westerlund Grade Road	From USHWY87 NW 2,645' to existing berm	28.6168796, -96.6814760	2560	60	3.53
CHB	Existing Berm	From Westerlund Grade Rd south of project area	28.6169325, -96.6814655	1993	15	0.69
CHO 1.1	Outfall & Spillway 1.1	From 250' NW of USHWY 87 & Westerlund Grade Rd southwestward 55'	28.61332, -96.67496	55	5	0.006
CHO 1.2	Outfall & Spillway 1.2	From 665' NW USHWY 87 & Westerlund Grade Rd southwestward 45'	28.61425, -96.67572	45	10	0.010
CHO 1.3	Outfall & Spillway 1.3	From 730' NW of USHWY 87 & Westerlund Grade Rd southwestward 45'	28.61439, -96.67583	45	5	0.005
CHO 1.4	Outfall 1.4	From 1460' NW of USHWY 87 & Westerlund Grade Rd southwestward 45'	28.61601, -96.67711	45	5	0.005
CHO 1.5	Outfall & Spillway 1.5	From 2,175' NW OF USHWY 87 & Westerlund Grade Rd southwestward 45'	28.61765, -96.67840	45	10	0.010
CHO 1.6	Outfall 1.6	From 2,230' NW OF USHWY 87 & Westerlund Grade Rd southwestward 45'	28.6177652, -96.6784879	45	5	0.005
CHO 1.7	Outfall & Spillway 1.7	From 2,500' NW of US HWY 87 & Westerlund Grade Rd southwestward 45'	28.61834, -96.67900	45	5	0.005
APPROX TOTAL AREA OF DISTURBANCE				4,878		4.26
APPROX TOTAL AREA OF INTEREST						75.69

Purpose: This purpose for both of these projects is to alleviate flooding by replacing undersized pipes, berm restoration, improving the current drainage outfall & conveyance system of the Subdivisions. Improved spillways, outfalls and culverts will protect homes/property in large storm events.

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

Project #1 Amount Crestview \$928,506.00

Project #2 Amount Hackberry \$392,800.00

Local Match \$ 0.00

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 to: 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 links

Community Name	ERR Link
Crestview Subdivision of Port Lavaca	Crestview Environmental Document
Hackberry Subdivision of Port Lavaca	Hackberry Environmental Document

**FINAL NOTICE & PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK
MANAGEMENT STANDARD (FFRMS) FLOODPLAIN & 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 in Calhoun County, Texas, and is located in the Federal Flood Risk Management Standard (FFRMS) floodplain and/or wetland. The extent of the FFRMS floodplain was determined using the freeboard value approach. This included using the FEMA National Flood Hazard Layer documentations, USGS Topographic maps and elevation information. The project descriptions for the Crestview and Hackberry projects are included in Tables 1 and 2 above.

The details of the FFRMS Floodplain and Wetlands are outlined below.

As per regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection, portions of each Drainage project is located within the FFRMS Floodplain and Wetland.

Project #1 Crestview: The FEMA Floodplain Panel # 498057C0200E Eff. 10/16/2014 reflects a total 0.050 acres of a single project location ID: # CC2 (Outfall 1.1) is located in the FFRM 0.2% Annual Chance of Flood hazard. In addition, according to the USFWS National Wetlands Inventory (NWI), approximately 0.01 acres at #CC2 Outfall 1.1 is located in the R2UBH (Riverine) wetland.

Project #2 Hackberry: The USFWS NWI research indicates that approximately 1.30 acres of area is located at a stream.

Table 2a Hackberry Flood & Drainage Project TOTAL APPROXIMATE STREAM NON RPW DITCH DISTURBANCE		
Location	R2UBFx* Type of Stream structure (lf)	Total Approximate Stream (non RPW Ditch) Impact Acres (All)
Westerlund Grade Road	0.96	0.96
Existing Berm	0.15	0.15
Outfall 1.1	0.01	0.01
Outfall 1.2	0.01	0.01
Outfall 1.3	0.01	0.01
Outfall 1.4	0.01	0.01
Outfall 1.5	0.01	0.01
Outfall 1.6	0.01	0.01
Outfall 1.7	0.01	0.01
Total Approximate Stream Impact		1.30
* R2UBFx Riverine, Lower Perennial, Unconsolidated Bottom, Semi-permanently Flooded, Excavated; RPW – Relatively Permanent Water FLOODPLAIN: No portion of the Hackberry Project is located within the FFRMS Floodplain		

Natural & beneficial values include primarily suburban residential areas in both coastal communities where tourism and recreation are common.

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

1. Moving this work to another location was considered, however, the improvements at the Hackberry and Crestview Subdivisions are where drainage problems occur regularly during rain events.
2. Redirecting drainage for system improvements was considered, however, it was determined that the integration with the existing drainage system would be jeopardized as both drainage systems are part of a larger flood management system. Redesigning either system would be cost prohibitive and unnecessarily pose health and human safety risk due to unintended consequences.

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

Not improving conditions at the Crestview or Hackberry Subdivisions would not meet the needs of the community to improve drainage in the area. It would not meet the needs of the County or City of Port Lavaca as this project is included as a solution to drainage issues in the County's planning processes.

Mitigation

Law, Authority, or Factor	Mitigation Measure
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 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	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 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. Site Specific Mitigation Measures - The analysis of the Calhoun County T&E listing (see County Threatened & Endangered Species Assessment Table) determined that none of the species could have consistent habitats in the area. It is recommended, however, that the site is reviewed prior to construction to ensure no animals are present in the construction area and if present, allow the species to vacate the area while continuing work in other portions of the work area. If the animal is listed on one of the lists provided within this documentation, it is recommended to contact TPWD and TGLO for further direction.
Floodplain Management Executive Order 11988, particularly	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

Law, Authority, or Factor	Mitigation Measure
section 2(a); 24 CFR Part 55	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 and 5	It will be incumbent upon Calhoun County and their representative contractor to conduct an analysis of the condition of the project area, the potential construction techniques that will be used, and the areas that may be impacted to determine if an Army Corp of Engineers Nationwide Permit will be required to ensure protection of wetlands in the area and to ensure compliance with federal laws and regulations. - Crestview: For Outfall replacement, install pipe above ordinary highwater mark. If outfall must be lower than OHWM, review for USACE permit requirements and obtain appropriate permits. - Hackberry: Construction that may impact WOTUS and/or that result in the need for 404 permitting from the USACE (Army Corp of Engineers), i.e., will ensure compliance with federal laws and regulations.

Calhoun County has reevaluated alternatives to building in the FFRMS floodplain and/or wetland and has determined that it has no practicable alternative to FFRMS floodplain and/or 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/or 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/or 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/or 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 the Calhoun County. All comments received by August 11, 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 & or copied weekdays 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 Notice must be received by the Calhoun County. At the following address on or before on or before August 11, 2026, *Calhoun County, 211 S. Ann Street. Port Lavaca, Calhoun County Texas, 77979, Ph: 361.553.4600* email to: vern.lyssy@calhouncotx.org 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 78711-2873, 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