

**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 August 7, 2026

Calhoun County 211 S. Ann Street, Port Lavaca, Calhoun County Texas, 77979 Ph: 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, USACE, TPWD, Flood Mitigation Planning Texas Water Development Board, Regional Flood Management Association, Groups & Individuals of Calhoun County, City of Port Lavaca and Community of Port Alto, Tx.

REQUEST FOR RELEASE OF FUNDS

On or about August 25, 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 a project known as Calhoun County Drainage Project, GLO Contract 24-065-152-F011/ B-18-DP-48-0002. The project includes demolish existing culverts, install approximately 12,726 LF of ditch improvements with upgraded culverts (15" to 24"), 7 EA improved and modified outfalls to be improved; and permanent seeding of improved ditches. Activities include possible acquisition of easements. Clearance includes administration, acquisition, engineering and environmental activities. The project locations and approximate disturbances are outlined in Table 1 below.

Table 1 Port Alto Flood & Drainage Project TOTAL APPROXIMATE DISTURBANCE				
Location ID/Name	Lat / Long Point (DD)	GIS Length (lf)	Width (lf)	Disturbance (acres)
CPA -D1-Bayshore Dr	28.66455, -96.40986	165	40	0.15
CPA-D1-CR307A (1,2)	28.66246,-96.41154	2,470	60	3.40
CPA-D1-CR307A (3,4)	28.66966 , -96.41321	4,592	40	4.22
CPA-D1- Curlew St	28.66615, -96.40939	555	60	0.76
CPA-O1.2 - Outfall	28.66421, -96.40948	131	10	0.03
CPA-O1.1- Outfall	28.66028, -96.41302	460	10	0.11
CPA-O1.3- Outfall	28.66670, -96.40919	644	10	0.15
CPA-O1.4- Outfall	28.67081, -96.41527	262	10	0.06
CPA-D2-So Marshall Johnson Ave (1,2)	28.64931,-96.41945	2,842	60	3.91
CPA-O2.3- Outfall	28.64566, -96.42001	254	10	0.06
CPA-O2.2- Outfall	28.64853, -96.41956	102	10	0.02
CPA-O2.1- Outfall	28.65292, -96.41767	249	10	0.06
TOTAL		12,726		12.93

Purpose: This purpose is to alleviate flooding by replacing undersized pipes, berm restoration, improving the current drainage outfall & conveyance system of the Subdivision. 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 Amount Port Alto	\$ 928,506.00
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. In addition, ERR Reports can be accessed electronically by using the following link:
LINK: [PortAltoDrainageERRContract24065152F011_EA](#)

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 freeboard value approach. The review included the use of NFHL FEMA floodplain maps as well as USGS TOPO maps. See project description in Table 1 above. The details of the FFRMS Floodplains and Wetlands are outlined below in Table 2

Table 2 Port Alto Flood & Drainage Project TOTAL APPROXIMATE IMPACTS FFRMS FLOODPLAIN & WETLAND TABLE FEMA FLOODMAP PANELS 48057C0100E eff. date (10/16/2014), 48239C0575D eff. Date (9/17/2014)										
Location ID/Name	GIS Length (lf)	1% Chance Flood Hazard (Acres) Zone AE	1% Chance Flood Hazard (Acres) Zone VE	Total 1% Chance Flood Hazard (Acres)	.02% Annual Chance Flood Hazard (Acres)	Total Flood Impact Acres (All)	E1UBL Total Area of Disturbance (Acres)	E1UBLx Total Area of Disturbance (Acres)	R4SBCx Total Area of Disturbance (Acres)	Total Wetland Impact Acres (All)
AREA 1-CR307A										
CPA -D1-Bayshore Dr	165			0.00	0.15	0.15				-0-
CPA-D1-CR307A (1,2)	2,470	0.09		0.09	2.84	2.93				-0-
CPA-D1-CR307A (3,4)	4,592			0.00	4.20	4.20			0.019	0.019
CPA-D1-Curlew St	555	0.70		0.70	0.57	1.27				-0-
CPA-O1.2 - Outfall	131	0.02		0.02	0.01	0.03		0.002		0.002
CPA-O1.1- Outfall	460	0.10		0.10		0.10				-0-
CPA-O1.3- Outfall	644	0.06		0.06	0.09	0.15				-0-
CPA-O1.4- Outfall	262		0.05	0.05	0.01	0.06				-0-
AREA 2- S. Marshall Johnson-										
CPA-D2-So Marshall Johnson Ave (1,2)	2,842	1.00		1.00	2.90	3.90			0.027	0.027
CPA-O2.3- Outfall	254	0.06		0.06		0.06			0.047	0.047
CPA-O2.2- Outfall	102	0.02	0.0030	0.03		0.03				-0-
CPA-O2.1- Outfall	249	0.02		0.02	0.04	0.06	0.004			0.004
IMPACT TOTALS		2.08	0.02	2.13	10.80	12.92	0.004	0.002	0.09	0.099
WETLAND IMPACT TABLE LEGEND										
E1UBL Estuarine, Subtidal, Unconsolidated Bottom, Subtidal. E1UBLx Estuarine, Subtidal, Unconsolidated Bottom, Subtidal, Excavated. R4SBCx Riverine, Intermittent, Streambed, Seasonally Flooded, Excavated.										

Natural & beneficial values include primarily rural residential & coastal areas with natural values associated with coastal development and recreation.

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 FFRMS floodplain/wetland.

ALTERNATIVES CONSIDERED

1. Moving this work to other locations in the area was considered, however, the improvements within the Port Alto community have focused drainage areas where problems regularly occur during rain events. This has resulted in sediment buildup in existing drainage controls along these existing roads and where erosion and subsidence are found at 7 outfalls.
2. Significant clearing at outfalls were considered, however, it was determined that the environmental impacts for this level of construction effort would be too extreme for areas like outfall CPA-02.3 at S Marshall Johnson Ave. This area includes wetlands and tidal impacts that will result in USACE permitting and other extensive environmental controls which would slow the project timeline and be cost prohibitive. As a result, avoidance of environmental impacts was selected for this clearing activity. The significant replacement of piping along the drainage ditches up to the outfalls will facilitate improvements that significantly address regular flooding in the area.

No Action Alternative [24 CFR 58.40(e)]: Not improving conditions at Port Alto would not meet the needs of the community to improve drainage in the area and does not ensure human health and safety.

MITIGATION MEASURES:

Law, Authority, or Factor	Mitigation Measure
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 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 Due to the Project being located at the coast. Regarding all birds within the area, mitigation is to review area prior to construction to ensure no bird nests are located within the project area. If nests found, avoid construction in the area until chicks have fledged. A specific species is identified as: • <u>Eastern Black rail <i>Laterallus jamaicensis jamaicensis</i></u> No critical habitat has been designated for this species. Status: Threatened. Species profile: https://ecos.fws.gov/ecp/species/10477 The Service recommends reviewing site prior to construction and avoiding modification to

Law, Authority, or Factor	Mitigation Measure
	habitat during the breeding, nesting, and molting season (March to September). See attached recommendation reference. Also, contact TPWD/USFWS if discovered onsite. (Habitat: The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of <i>Salicornia</i>.) • <u>America Alligator <i>Alligator mississippiensis</i></u> According to site visit on 2/12/2026, a sign was observed at the Project site area along South Marshall Johnson Avenue (Area 2) warning of possible alligator presence by existing bridge. If an alligator is encountered, standard protocol requires to maintain a safe distance, avoid disturbing the animal, and contact local authorities or Texas Parks and Wildlife Department (TPWD) professionals if the animal poses a direct threat. State rules forbid employees or citizens from handling, moving, or feeding wild alligators. • <u>Tricolored bat (TCB) <i>Perimyotis subflavus</i></u> No critical habitat has been designated for this species. Status: Proposed Endangered. Species profile: https://ecos.fws.gov/ecp/species/10515 Suitable TCB roost trees include both live and dead trees with live and dead leaf clusters, large live pines with clusters of dead pine needles, and trees containing Spanish moss (<i>Tillandsia usneoides</i>). TCB will roost in a variety of tree species, especially oaks (<i>Quercus</i> spp.), and often select roosts in tall, large-diameter trees, but will roost in smaller diameter trees when potential roost substrate (e.g., leaf clusters, Spanish moss) is present. TCB prefer foraging along forested edges of larger forest openings, along edges of riparian areas, and over water and avoid foraging in dense, unbroken forests, and narrow road cuts through forests. Review larger culverts prior to construction to determine presence. If observed, contact TPWD and TGLO for further direction. In addition, limit clearing to .1 of acre for all project areas. Prevent clearing trees during pup season May 1 through July 15.
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.
Floodplain Management	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	All construction at the outfalls will occur above the high tidal mark and ordinary high-water mark. Avoidance will be used to prevent impact of existing wetlands. No outfall improvements are planned within any channels, nor will any clearing occur below the ordinary high-water mark.

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

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 Calhoun County. All comments received by August 24, 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 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 Notice must be received by the Calhoun County. At the following address on or before on or before August 24, 2026 Calhoun County, 211 S. Ann Street. Port Lavaca, Calhoun County Texas, 77979, Ph: 361.553.4600 email: 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- 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