

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
and NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
and FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A
FEDERAL FLOOD RISK MANAGEMENT STANDARD DESIGNATED FLOODPLAIN**

4/4/25

City of Kenedy, 303 W. Main Street, Kenedy, TX 78119-2721, (830) 583-2230

This Notice shall satisfy the above-cited three separate but related procedural notification requirements to be undertaken by the City of Kenedy.

To: All interested Agencies, Groups, and Individuals

REQUEST FOR RELEASE OF FUNDS

On or about 4/22/25, the City of Kenedy (City) will submit a request to the Texas General Land Office (GLO) for the release of Community Development Block Grant Mitigation (CDBG-MIT) funding appropriated under the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Pub. L. 115-123), as amended, to undertake a project known as Sewer Plant Improvements to address an urgent capacity limitation in the sludge disposal system, under GLO Contract #24-065-119-E961.

Project Description: Subrecipient shall demolish existing racetrack basin, improve wastewater treatment site, construct laboratory, install a new sludge removal system and pipe, and complete associated appurtenances.

Project Location: Kenedy WWTP, 208 Mourning Street, Kenedy, Karnes County, TX (28.82247, -97.84288).

Funding Information for Grant Number 22-065-119-E961:

Estimated Total HUD Funded Amount: \$2,134,800.00

Total Non-HUD Funds: \$00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,134,800.00

FINDING OF NO SIGNIFICANT IMPACT

The City 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). The ERR will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to the City at the address above, or by email to citymanager@kenedytx.gov.

**FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A
FEDERAL FLOOD RISK MANAGEMENT STANDARD DESIGNATED FLOODPLAIN**

This is to give notice that the City has, under 24 CFR Part 58, conducted an evaluation as required by Executive Order 11988, as amended by Executive Order 13690, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management. The activity is funded under The TX General Land Office Community Development Block Grant Mitigation (CDBG-MIT) Program. The project location is stated under REQUEST FOR RELEASE OF FUNDS. According to the FFRMS Freeboard Value Approach Report, the project is located in the riverine Federal Flood Risk Management Standard (FFRMS) floodplain, totaling approximately 1-acre. HUD's 8-Step decision-making process of §55.20 to comply with 24 CFR Part 55 was completed.

The City has considered the following alternatives and mitigation measures to minimize adverse impacts and to restore and preserve natural and beneficial functions and intrinsic values of the existing floodplain: Different location: Almost the entirety of the project site is already geographically located in the floodplain. In order to complete the project goals, as proposed, changing sites to one outside of the floodplain is not an option.

No Action Alternative [24 CFR 58.40(e)]: Taking no action would incur no costs for the improvements and would cause no construction-related environmental impact but would be unable to address an urgent capacity limitation in the sludge disposal system.

The City has reevaluated alternatives to building in the floodplain and has determined that it has no practicable alternative to floodplain development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690, are available for public inspection, review and copying as outlined in the paragraph of FINDING OF NO SIGNIFICANT IMPACT.

There are three primary purposes for this notice. First, people who may be affected by activities in a floodplain 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 floodplains 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 floodplains, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments/objections on the ERR to the City of Kenedy. Written comments received by 4/21/25 will be considered by the City prior to authorizing submission of a request for release of funds. Comments must be addressed to the City at citymanager@kenedytx.gov or by mail to: City of Kenedy, 303 W. Main Street, Kenedy, TX 78119-2721, Attn: City Manager's Office. (830) 583-2230. Comments should specify which Notice they are addressing. Potential objectors should contact the City via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

The City of Kenedy certifies to the Texas General Land Office that Brandon Briones, 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. GLO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Kenedy to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

GLO will accept objections to its release of funds and the City of Kenedy's 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 City; (b) the City 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 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 GLO (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, Sec. 58.76) and shall be addressed to Heather Lagrone, Texas General Land Office, Community Development and Revitalization, P.O. Box 12873, Austin, TX 78711-2873, or env.reviews@recovery.texas.gov. Potential objectors should contact the GLO at (512) 475-5000 to verify the actual last day of the objection period.

Brandon Briones, Mayor