

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION
OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

6/17/21

Bee County/Pettus MUD, 105 W. Corpus Christi Street, Room 305, Beeville, TX 78102 (361) 621-1551

This Notice shall satisfy the above-cited two separate but related procedural notification requirements to be undertaken by Bee County/Pettus MUD

To: All interested Agencies, Groups, and Individuals

REQUEST FOR RELEASE OF FUNDS

On or about 7/6/21, Bee County/Pettus MUD will submit a request to the Texas Department of Agriculture (TDA) Office of Rural Affairs for the release of 2020 Community Development Funds under Section 104(f) of Title 1 of the Housing and Community Development Act of 1974 as amended, to undertake the project known as Water & Sewer Improvements #7220019 to replace water line and make improvements to the WWTP and lift stations. WATER: Contractor, in cooperation with Pettus MUD, shall replace water lines to improve water pressure and water quality. Contractor shall replace approximately 5,075 LF of 2" to 6" water line, bore and steel casing, valves, fire hydrants, standpipe overflow, and all associated appurtenances, to include Administration and Engineering services and fees. SEWER: Contractor shall replace perimeter fencing at the WWTP and lift stations and install carport-style shelters at the lift stations, all associated appurtenances, to include Administration and Engineering services and fees. Locations: Service area boundary from 1st St to 7th St; 5th St from FM 623 to 5th St; Pns-A St from PNs St to WWTP; Pettus MUD WWTP off US Hwy 181 (28.609243,-97.804853); Lift Station #1 (28.616935,-97.802771); and Lift Station #2 (28.610217,-97.802165), Pettus, Bee County, TX. Grant amount \$300,000, Pettus MUD \$15,000, total project cost \$315,000.

FINDING OF NO SIGNIFICANT IMPACT

Bee County/Pettus MUD 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), which will be made available to the public for review electronically or by U.S. mail. Please submit your request by U.S. mail to Bee County/Pettus MUD at the address above, Attention: Judge's Office, or by email to grant.admin@beecounty.texas.gov. The ERR can also be accessed online at the following website <http://www.co.bee.tx.us/>.

FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY
IN A 100-YEAR FLOODPLAIN

This is to give notice that Bee County/Pettus MUD has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. Approximately 1.8- acres of project activities will be in Zone A of the 100-Year Floodplain.

Bee County/Pettus MUD has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: Relocate the Project: Water Lines: Install new PVC main lines along other routes, i.e., opposite sides of the road or easements, increasing cost of connection/transfers/abandonment. Tank Work: Existing tank already geographically located in floodplain and cannot be moved. Only alternative is to not do improvements and pay continuous fines. WWTP & Lift Stations: These facilities are already geographically located in floodplain and cannot be moved. Only alternative is for frequent repair and payment of non-compliance fines. Taking no action alternative: without the improvements proposed in this project, noncompliance issues and fines will continue, erosion of lift station equipment, and poor water service.

Bee County/Pettus MUD has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternatives. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 are available electronically or by U.S. mail. Please submit your request by U.S. mail to Bee County/Pettus MUD at the address above, Attention: Judge's Office, or by email to

grant.admin@beecounty.texas.gov. The ERR can also be accessed online at the following website <http://www.co.bee.tx.us/>.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains, 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 Bee County/Pettus MUD. All comments received by 7/2/21 will be considered by Bee County/Pettus MUD prior to authorizing submission of a request for release of funds. Comments must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Bee County/Pettus MUD at grant.admin@beecounty.texas.gov. Comments should specify which Notice they are addressing. Potential objectors should contact Bee County/Pettus MUD via email to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

Bee County/Pettus MUD certifies to the Texas Department of Agriculture (TDA) that George P. Morrill, III, 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 and that these responsibilities have been satisfied. TDA's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows Bee County/Pettus MUD to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TDA will accept objections to its release of funds and Bee County/Pettus MUD' 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 Bee County/Pettus MUD; (b) Bee County/Pettus MUD 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 TDA; 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, Sec. 58.76) and shall be addressed to Luci Cook-Hildreth, Environmental Review Specialist, Texas Department of Agriculture, at luci.cook-hildreth@texasagriculture.gov. Potential objectors should contact Luci Cook-Hildreth at TDA to verify the actual last day of the objection period.

George P. Morrill, III, County Judge