

Notice of Finding of No Significant Impact, 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 (FFRMS) Floodplain and Wetlands

10/09/2024

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the City of Pinehurst. The proposed activities provide assistance to residents still affected by the impacts of 2019 Disasters in the City of Pinehurst.

Request for Release of Funds

On or about October 25, 2024, the City of Pinehurst (City) will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant Disaster Recovery funds under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as the City of Pinehurst Sewer System and Lift Station Improvements Project for the purpose of repairing and strengthening sewer systems and lift stations that were damaged during the 2019 Disasters in Pinehurst, Texas. Sewer system improvements include the rehabilitation of sanitary sewer lines and installation of sanitary services and sanitary sewer cleanouts along select roadways; removal, replacement, and installation of manholes; and completion of associated appurtenances. Lift station improvements include the reconstruction of six lift stations, including electrical equipment; the installation of new platforms and stairs; the removal, extension, and rehabilitation of wet wells; the removal and replacement of pumps, valve vaults, guide rails, and fences; and the completion of all associated appurtenances. Essential equipment will be elevated or floodproofed where needed to remain operational in the event of floods. The total estimated funding for the Project is \$2,020,000.00, of which \$2,000,000.00 will be funded through the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program under the General Land Office (GLO) Contract Number 24-067-011-E198 and 24-067-012-E199. The additional \$20,000.00 will be funded through the City of Pinehurst general fund. The project will benefit approximately 2,453 people, of which 78.56 percent (1,927 people) are low to moderate income.

Final Notice and Public Review of a Proposed Activity in Federal Flood Risk Management Standard (FFRMS) Floodplain and Wetlands

This is to give notice that the City of Pinehurst (City) 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 the U.S. Department of Housing and Urban Development (HUD)'s Community Development Block Grant 2019 Disasters Most Impacted and Distressed (MID) Infrastructure Competition Program, GLO Contracts 24-067-012-E199 and 24-067-011-E198. The proposed project(s) is located in the city of Pinehurst, Orange County, and is in the Federal Flood Risk Management Standard (FFRMS) floodplain and wetlands. The extent of the FFRMS floodplain was determined using the Climate Informed Science Approach (CISA) model established by Climate.Gov (<https://floodstandard.climate.gov/>) using an estimated service life of 56 years and the critical action designation for the six lift stations and the non-critical action designation for the remaining project activities. The proposed City of Pinehurst Sewer System and Lift Station Improvements project will repair and strengthen sewer systems and lift stations that were damaged during the 2019 Disasters. The improvements proposed under the project are intended to reduce risk of future disaster-related loss of life, suffering and hardship, injury, and property damage.

Sewer system improvements include the rehabilitation of sanitary sewer lines and installation of sanitary services and sanitary sewer cleanouts along select roadways; removal, replacement, and installation of manholes; and completion of associated appurtenances. Approximately 11,661 linear feet (LF) of existing underground city sanitary sewer pipes will be improved via pipe bursting, expanding each pipe two inches in diameter. Pipe bursting machinery will access the project areas through 26 existing manholes that will be replaced and five new manholes

that will be installed. All sewer system improvement activities, including construction staging areas, will be within existing city rights-of-way (ROW) and land acquisition will not be required. Pipe-bursting will occur at the following locations: 1,000 LF along MacArthur Drive (center point 30.09377, -93.75190); 1,187 LF along Dal Sasso Drive (center point 30.09665, -93.75563); 600 LF along 34th Street (center point 30.10490, -93.77122); 1,820 LF along easement between Strickland Drive and King Arthur Court (center point 30.10734, -93.77264); 450 LF along Gunn Drive North (center point 30.10958, -93.77342); 450 LF along Gunn Drive South (center point 30.10831, -93.77347); 130 LF along Pinewood Circle (center point 30.11090, -93.76870); 1,325 LF along Pelican Street (center point 30.11246, -93.77161); 260 LF along Peacock Street (center point 30.11151, -93.77104); 254 LF along North 30th Street (center point 30.10786, -93.76750); 415 LF along Pheasant Street (center point 30.11340, -93.77000); 1,220 LF along 33rd Street (center point 30.111725, -93.770638); 1,275 LF along West Park Avenue (center point 30.10999, -93.76854); 915 LF along 29th Street (center point 30.10882, -93.76679); and 360 LF along Lazy Hollow Drive (center point 30.10339, -93.76645).

The project will also include the reconstruction of six lift stations, including electrical equipment; the installation of new platforms and stairs; the removal, extension, and rehabilitation of wet wells; the removal and replacement of pumps, valve vaults, guide rails, and fences; and the completion of all associated appurtenances. The lift stations are open structures, and the electrical racks/platforms will consist of galvanized structural members. The pole width of the platforms is 16 inches, and the maximum depth of each footing is 14 feet. If any fences need to be replaced, they will be replaced in the same location. The dimensions of each lift station vary depending on the existing site. All project activities will occur within the boundaries of the existing city lift station properties: Dal Sasso Drive Lift Station (30.097313, -93.758180), Broad Street Lift Station (30.094290, -93.753490), Highway 90 Lift Station (30.110145, -93.782306), 33rd Street Lift Station (30.110150, -93.770480), 34th Street Lift Station (30.105620, -93.771900), and Warbler Street Lift Station (30.118590, -93.768350). Minimal ground disturbance will occur during construction at the Broad Street and Dal Sasso lift stations. The maximum depth of disturbance will be five feet. Lift stations are considered a Critical Action by HUD; therefore, the project design will include elevation and/or floodproofing of pumps, generators, and electrical systems as required. The applicable Federal Emergency Management Agency (FEMA) certifications for floodproofing and/or elevation will be obtained post-construction confirming the requirements have been met.

The total project area is approximately 13.6 acres in extent; the CISA Report does not note the specific project areas that are within the FFRMS floodplain. The FEMA Flood Insurance Rate Map (FIRM) Panel 48361C0160D (effective 12/16/2021), show approximately 0.10 acres of the project components (one existing sewer line and one new manhole [Manhole 31 at 30.093805, -93.750455]) are in the regulatory floodway; 7.73 acres of the project components (11 existing sewer lines, three existing lift stations, 16 existing manholes, and two new manholes) are in the AE Zone; and 4.97 acres of the project components (nine existing sewer lines, two existing lift stations, 12 existing manholes, and two new manholes) are in the X-shaded Zone. The sewer lines, lift stations, and 26 manholes being extant, have already directly impacted the FFRMS floodplain. Based on mapped National Wetland Inventory data, the prior construction of the project resulted in the loss of approximately 0.04 acres of Freshwater Forested/Shrub wetlands (PFO) and 0.05 acres of Riverine wetlands. Improvements within the mapped wetland areas are limited to portions of the existing underground sewer lines, the 33rd Street Lift Station, and the Warbler Street Lift Station. The proposed action is not anticipated to cause any additional loss to wetlands due to the construction methods that will be used.

The Dal Sasso Drive Lift Station, Broad Street Lift Station, 33rd Street Lift Station, 34th Street Lift Station, and Warbler Street Lift Station (Lift Stations 1, 2, 4, 5, and 6) are Critical Actions within the FFRMS floodplain; therefore, elevation and/or floodproofing will be required to ensure that essential equipment will remain operational during future flooding events. The Broad Street Lift Station (Lift Station 2) must be elevated to at least 11 feet above mean sea level (AMSL) and the Dal Sasso Drive, 33rd Street, 34th Street, and Warbler Street Lift Stations (Lift Stations 1, 4, 5, and 6) must be elevated or floodproofed to at least 12 feet AMSL. The Highway 90 Lift Station (Lift Station 3) is entirely outside of the FFRMS floodplain and does not require elevation. Due to the nature of the project activities, elevation is not required for sewer line and manhole improvements.

The City has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: 1) Relocating outside the FFRMS floodplain and 2) No Action. Relocating existing underground sewer lines cannot be done without causing loss of service to current residents, and relocating existing lift stations will require installation of new sewer connections and involve potential schedule delays from the land acquisition process. The No Action Alternative would not allow for the repair of the sewer lines and lift stations that were damaged in the 2019 disaster, resulting in the sewer system remaining vulnerable to failure and risking the health and safety of serviced residents.

The proposed action is the Preferred Alternative selected by the City for the following reasons. The utility lines selected for improvement are already in place and servicing at-risk Pinehurst residents. These utility lines are not currently operating at maximum efficiency due to age, line size restriction, and were demonstrably unable to prevent sewage backup in these areas during Tropical Storm Imelda. The use of the pipe-bursting technique to expand the diameter of the sewer lines and construction access through manholes, was deemed to be the least intrusive means to increase the system's capacity and limit the future risk of sewer line failure in this area. The six lift stations selected for improvements are on city-owned property with existing sewer line access, and therefore will not require land acquisition. Lift station placement is based on the existing infrastructure present and that the proposed improvements will adequately allow for the pumps to provide sufficient operational pressure to the system.

Construction activities shall be performed in accordance with applicable federal, state, and local environment permitting requirements. Best management practices, such as proper site management, implementation and maintenance of erosion and sedimentation control measures, and soil stabilization will be followed to minimize potential impacts to the FFRMS floodplain and wetlands. The lift stations will be constructed using poles and an open platform to elevate and floodproof critical equipment above the FFRMS-defined elevation. The open construction will further minimize the size of impacts to the floodplain and wetlands.

The City of Pinehurst has reevaluated alternatives to building in the floodplains and wetlands and has determined that it has no practicable alternative to floodplain and wetland development. Environmental files documenting compliance with Executive Order 11988, as amended by Executive Order 13690, and 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 floodplains and wetlands 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 about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks 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 or wetlands, it must inform those who may be put at greater or continued risk.

Finding of No Significant Impact

The City of Pinehurst 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 the Pinehurst City Hall at 2497 Martin Luther King Jr. Drive, Orange, Texas 77630. The record is available for review and may be examined or copied weekdays 9 A.M to 5 P.M.

Public Comments

Any individual, group, or agency may submit written comments on the ERR to the City of Pinehurst, attention to Mr. Jerry Hood at 2497 Martin Luther King Jr. Drive, Orange, Texas 77630 or by email to jhood@cityofpinehurst.com. All comments received by October 24, 2024, will be considered by the City of Pinehurst prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

Environmental Certification

The GLO on behalf of the City of Pinehurst certifies to HUD that Mr. Jerry Hood in his capacity as City Administrator 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Pinehurst to use Program funds for the project.

Objections to Release of Funds

GLO will accept objections to its release of fund and the City of Pinehurst'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 HUD; 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 Texas General Land Office Community Development and Revitalization, 1700 N. Congress Avenue Austin, TX 78701 or email env.reviews@recovery.texas.gov. Potential objectors should contact GLO to verify the actual last day of the objection period.

Jerry Hood, City Administrator, City of Pinehurst