



CITY OF BAYTOWN

PUBLIC NOTICE

2401 Market Street • P.O. Box 424
Baytown, Texas 77522-0424
281-422-8281

Early Notice and Public Review of a Proposed Activity in a Floodplain

To: All interested Agencies, Groups and Individuals

This is to give notice that the City of Baytown has determined that the following proposed action under the Community Development Block Grant - Disaster Recovery Program administered by the Texas General Land Office – U.S. Department of Housing and Urban Development’s Community Development Block Grant Mitigation (CDBG-DR) **Baytown - West Baytown Drainage Improvements**, is located in a Federal Flood Risk Management Standard (FFRMS) floodplain, and the City of Baytown will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Protection of Floodplains.

Project Location:

All work will occur in the City of Baytown, Harris County, Texas at the following locations:

- Along Oklahoma Street, extending from approximately from 29.729937438, -95.006429591 to 29.721861468, -95.007779769
- Staging Area, located at 3223 Minnesota St, Baytown, TX 77520.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Flood and Drainage Facilities

The scope of this project includes drainage improvements to the existing right-of-way (ROW) area within Oklahoma Street extending from Minnesota Street to San Jacinto Bay. The design will also include sidewalk, full reconstruction of Oklahoma Street pavement and any water, wastewater utilities and pavement that will need to be replaced in order to construct the new storm sewer system consisting of 60-inch diameter, 10’x5’ reinforced concrete boxes and 10’x7’ outfall into San Jacinto Bay along with inlets, leads and manholes.

FLOODPLAIN

Exemptions to Part 55:

Actions listed in the revised 24 CFR 55.12 that are exempt from the floodplain management requirements of Part 55 include:

- *Exempt activities and actions that are Categorical Exclusions Not Subject to 50.4 or 58.5*
- *Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited*
- *Receivership or foreclosure and related actions*
- *Policy-level actions not involving site-based work*

- Issuance of non-project-based housing vouchers
- A minor amendment to a previously approved action

The project is subject to Part 55 because it meets the criteria for none of the exemptions.

Critical Actions:

Critical action means any activity for which even a slight chance of flooding would be too great because such flooding might result in loss of life, injury to persons, or damage to property. Critical actions include activities that create, maintain, or extend the useful life of those structures or facilities that:

- Produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials
- Provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events (e.g., community stormwater management infrastructure, water treatment plants, data storage centers, generating plants, principal utility lines, emergency operations centers including fire and police stations, and roadways providing sole egress from flood-prone areas)
- Are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events, e.g., persons who reside in hospitals, nursing homes, convalescent homes, intermediate care facilities, board and care facilities, and retirement service centers; housing for independent living for the elderly is not considered a critical action

Because the project meets none of the above criteria, it is not considered a critical action.

How FFRMS was determined:

The FFRMS is determined by utilizing a tiered approach:

- Climate-Informed Science Approach (CISA) - **Preferred Method**
- 0.2-Percent-Annual Chance Floodplain Approach (0.2PFA)
- Freeboard Value Approach (FVA)

Climate-Informed Science Approach (CISA)

- Federal CISA data must be equal to or greater than base flood elevation (BFE) to be used.

According to the Federal Flood Standard Support Tool (FFSST), it was concluded that there is no CISA data available for the project area. As such, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, 0.2PFA (500-year floodplain method), was therefore considered.

FEMA 0.2PFA (500-year floodplain)

- FEMA maps must show a 500-year floodplain to be used
- Critical Actions require both the 0.2PFA and the Freeboard Value Approach (FVA) be used to determine which elevation is higher, the 0.2PFA or FVA.

According to FEMA floodplain map #48201C0935M (Effective Date 1/6/2017), the project is located in Zone AE (100-year floodplain and Zone X (500-year floodplain). Since both zones are considered FFRMS floodplains, the 8-step process is required. Further, since the 500-year floodplain was shown on the map and the project is not a critical action, this method can be used to determine the FFRMS floodplain.

Area of Disturbance: 4.55 acres

Additional Mapping Considered

In order to ensure that all appropriate FEMA floodplain data was considered and the most stringent data source was used for the comparable flood data, all available effective, preliminary and pending FIRMS were reviewed:

Effective Maps - 52
Preliminary Maps - 0
Pending Maps - 0

Upon completion of this review, it was concluded that no additional information exists which would change the FFRMS determination.

WATERS OF THE UNITED STATES (WOTUS)

Based on the results of a Wetland and Waterbody Delineation, one (1) tidally influenced water body was identified in the project area. The water body delineated was Black Duck Bay and is considered to be potentially jurisdictional. No wetlands were identified. As such, the 8-step process is not required. Further, according to the Harris County Flood Control District, because the jurisdictional water body will be impacted by the project, any work that disturbs the water feature must be constructed under Nationwide Permit 3 (Maintenance), which requires no Pre-Construction Notification.

Natural and beneficial values potentially adversely affected by the activity:

1. Preventing loss of life and property as a result of flooding is the highest priority. Another flood could damage the new infrastructure.
2. In addition to concerns for life and property, the City has considered the natural values of the floodplain. The natural resources of the floodplain include water, biological, and societal resources. The proposed project will have minimal impacts to the floodplain because there will be minimal disturbance to the floodplain and necessary mitigation measures will be incorporated into the project.
3. After reviewing the Threatened and Endangered Species Assessment, which was conducted for the project area, it was concluded that the project will have no quantifiable impact on plant and animal life as mitigation measures will be incorporated into the project to the fullest extent possible. Only native plants are to be used in the floodplain and on the site.
4. Societal resources should also be considered during the design process. The designs are meant to complement the natural features of the area and to offer an aesthetically pleasing structure. The site will not have an effect on agricultural lands.

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. Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. 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

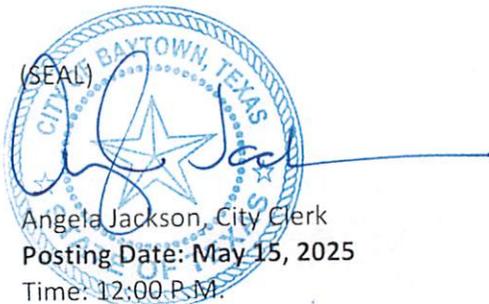
fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by the City of Baytown at the following address **on or before June 3, 2025, Baytown City Hall, 2401 Market Street, Baytown, TX 77522**. A full description of the project may also be reviewed from **9:00 AM to 5:00 PM**. at the address above. Comments may also be submitted via email at **todd@texasenvironmentals.com**.

The City of Baytown is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance please call the ADA Compliance Coordinator at 281-420-6522, Fax 281-420-6586, or contact 281-420-6522 via Relay Texas at 711 or 1-800-735- 2988 for TYY services. For more information concerning Relay Texas, please visit <http://relaytexas.com>. Individuals who require auxiliary aids or services for this meeting should contact the City of Baytown at least two (2) days before the meeting so that appropriate arrangements can be made.

For more information or questions, please contact the City Clerk at 281-420-6504.

(SEAL)



Angela Jackson, City Clerk
Posting Date: May 15, 2025
Time: 12:00 P.M.