

DRAFT

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Proof of Publication

AUGF

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EXHIBIT A – BROAD LEVEL TIERED ENVIRONMENTAL ASSESSMENT

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
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**HAYS COUNTY
GLO Contract No. 18-421-000-B130
TIERED ENVIRONMENTAL BROAD REVIEW
Environmental Assessment Single Family Housing Unspecified Sites**

Executive Summary

The Texas General Land Office (GLO) and Subrecipient (Hays County) entered into a subrecipient agreement under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (“CDBG-DR”) program to provide financial assistance with funds appropriated under the Consolidated Appropriations Act, 2016 (Public Law 114-113), enacted on December 18, 2015, and the Consolidated Appropriations Act, 2017 (Public Law 115-31), enacted on May 5, 2017, to facilitate disaster recovery, restoration, and economic revitalization and to affirmatively further fair housing, in accordance with Executive Order 12892, in areas affected by the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4223) and the Texas Severe Winter Storms, Tornadoes, Straight-line Winds, and Flooding (DR-4245), which are Presidentially-declared major disaster areas under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121, *et seq.*).

This document presents the Environmental Broad Review for Hays County Flood Event Disaster Recovery funds dispensed by the (GLO) for the Homeowner Assistance Program (HAP) and Homeowner Buyout Program (HBP)

Under this Contract and Subrecipient’s approved Application, the GLO subawarded to Subrecipient an amount not to exceed **\$2,349,747.24**, payable as reimbursement of Subrecipient’s allowable expenses. This contract defines housing benchmarks listed as the following Table 1 and the budget is based upon Table 2 breakdown.

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HAYS COUNTY Housing Benchmarks		
Benchmark	Incremental Cap for Charges by Benchmark for Administration and Project Delivery Funds	Cumulative Billing Cap by Benchmark for Administration and Project Delivery Funds
Approval of Housing Guidelines	15%	15%
15% of Project Funds drawn by Subrecipient	15%	30%
25% of Project Funds drawn by Subrecipient	15%	45%
50% of Project Funds drawn by Subrecipient	15%	60%
75% of Project Funds drawn by Subrecipient	15%	75%
100% of Project Funds drawn or activities closed by Subrecipient	20%	95%
Closeout of grant accepted	5%	100%

Table 1

BUDGET				
Activity No	HUD Activity Type	Grant Award	Other Funds	Total
18-421-000_MI_HAP_Hays County	Homeowner Assistance Program	\$1,603,279.00	\$0	\$1,603,279.00
18-421-000_MI_HAP_Hays County	Project Delivery- HAP- LMI	\$143,852.84	\$0	\$143,852.84
18-421-000_MI_BP_Hays County	Buyout Program (BP)- LMI	\$511,494.00	\$0	\$511,494.00
18-421-000_MI_BP_Hays County	Project Delivery-BP- LMI	\$45,893.55	\$0	\$45,893.55
18-421-000_MI_ADMIN_Hays County	Administration	\$45,227.85	\$0	\$45,227.85
	TOTAL	\$2,349,747.24	\$0	\$2,349,747.24

Table 2 The environmental review process is required for all HUD-assisted projects to

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ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users. Every project must be in compliance with the [National Environmental Policy Act \(NEPA\)](#), and other related Federal and state environmental laws.

All housing projects will need to comply with all relevant federal, state, and local building zone requirements including floodplain ordinances.

HUD Program Overviews: Grantees can use CDBG-DR funds to buy properties, both commercial and residential, in a target area with the intent to demolish the structures and create park amenities, open space, or flood storage/overflow areas. Such programs are typically part of a multi-pronged approach to community revitalization that includes relocation of residents and businesses in addition to business development activities. Buyout programs are especially effective in communities that have endured multiple disasters in the same neighborhood in the recent past, or sustained severe damage where there is high risk of additional disasters, such as a 100-year flood plain. These programs can help reduce the impact of future disasters while encouraging targeted revitalization efforts and public spaces.

Home reconstruction and new construction activities are available for residential dwellings determined to be beyond rehabilitation based on the costs necessary to address safety, damage level, and/or local building code requirements. Eligible activities include demolition of the storm-damaged residence, site / foundation preparation, well and utility line installation, septic and sewerage installation, and building a replacement of a single-family dwelling or installing new manufactured housing.

Reconstruction is defined as a replacement building erected on the original site or at an alternate location on the same property that complies with applicable building codes and floodplain ordinance. New construction is defined as occurring when the storm-damaged building cannot be built on the same property due to environmental or other restrictions and so is moved to a different applicant-owned parcel. Both traditional and manufactured homes damaged by the storms are eligible. The Housing Assistance Program (HAP) funds may be

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used to address mitigation requirements, accessibility, and elevating the new residential dwelling. If the new construction option is selected, the cost to purchase new land is not an eligible program activity.

Buyout Program: Provides funding primarily for low-to-moderate-income, owner-occupied, single-family housing (including manufactured housing) damaged by flooding. Allows homeowners to be reimbursed for certain out-of-pocket expenses incurred for repairs to their dwelling, including (but not limited to) demolition, elevation, wells and septic damages, reconstruction, rehabilitation, manufactured house replacement, and mitigation, up to \$50,000. It also include the new construction of a home on a new parcel of land.

Homeowner Assistance Program - Provides funding primarily for low- to-moderate-income homeowners with direct construction support for storm-impacted, owner-occupied, single-family residential housing. The activities covered by this program include demolition; rehabilitation; reconstruction; manufactured house replacement or new construction; and their associated elevation, mitigation, utility, and site improvements, as needed. Homes that sustained damages greater than \$65,000 will be eligible for reconstruction or new construction activities.

Since project locations are not precisely identified at this level of review, all potential environmental effects at the site-specific level cannot be evaluated. Nonetheless, the broad analysis can generally describe the environmental conditions and factors that must be considered during execution of a Program. This is performed in Appendix A. Where compliance cannot be determined, the broad-level review must define a protocol for how compliance will be achieved at the site-specific level. This protocol should not merely state that the factor will be addressed in the site-specific review; rather, the Broad Review must define a strategy including procedures to be followed to determine compliance, mitigate impacts where possible, and dismiss sites that cannot be made compliant. This is performed in Appendix B.

When the exact location of an individual project is identified, a site-specific review must be

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completed prior to committing HUD CDBG-DR funds to the project. This review concentrates on the issues that were not resolved in the broad-level review as described in the HUD Tiered Environmental Review guidance. Using the protocols established at the broad level review, the site-specific review will determine and document the project's adherence to all established protocols and remaining requirements and dismiss sites that cannot be made compliant. Reviews may also include direct field observation and coordination with resource agencies. If there are no impacts or impacts will be fully mitigated through individual site conditions, then that project will proceed without further notice to the public. Table 3 below identifies the possible activities occurring at the locations awarded the funding.

Each HAP and Buyout applicant's single-family residential project will be assigned to one of the following activities, designated as "Proposed Actions." If project activities will involve more than one category listed below, then the environmental review will default to the Proposed Action with the most stringent review requirements. The four Proposed Actions are:

1. Rehabilitating (repairing, possibly including elevating) an existing single-family, storm-damaged residential dwelling on the previously disturbed parcel footprint ("Proposed Action 1").
2. Reconstructing (erecting a new dwelling) to replace the storm-damaged, single-family residence on the previously disturbed land parcel ("Proposed Action 2"). This action also includes new additions built to attach to the existing storm-damaged building when required to meet federal, state, and local building codes or HUD housing guidelines. The original ground (first floor) building footprint cannot be increased by 20.0 percent or more for this category to be applicable.
3. Reconstructing (erecting a new dwelling) to replace the storm-damaged, single-family residence in a new area on the original parcel, or in the original footprint if the work exceeds the 20.0 percent expansion threshold ("Proposed Action 3").

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This action also includes installing septic fields and new water wells, if located in a location other than what existed before the storm.

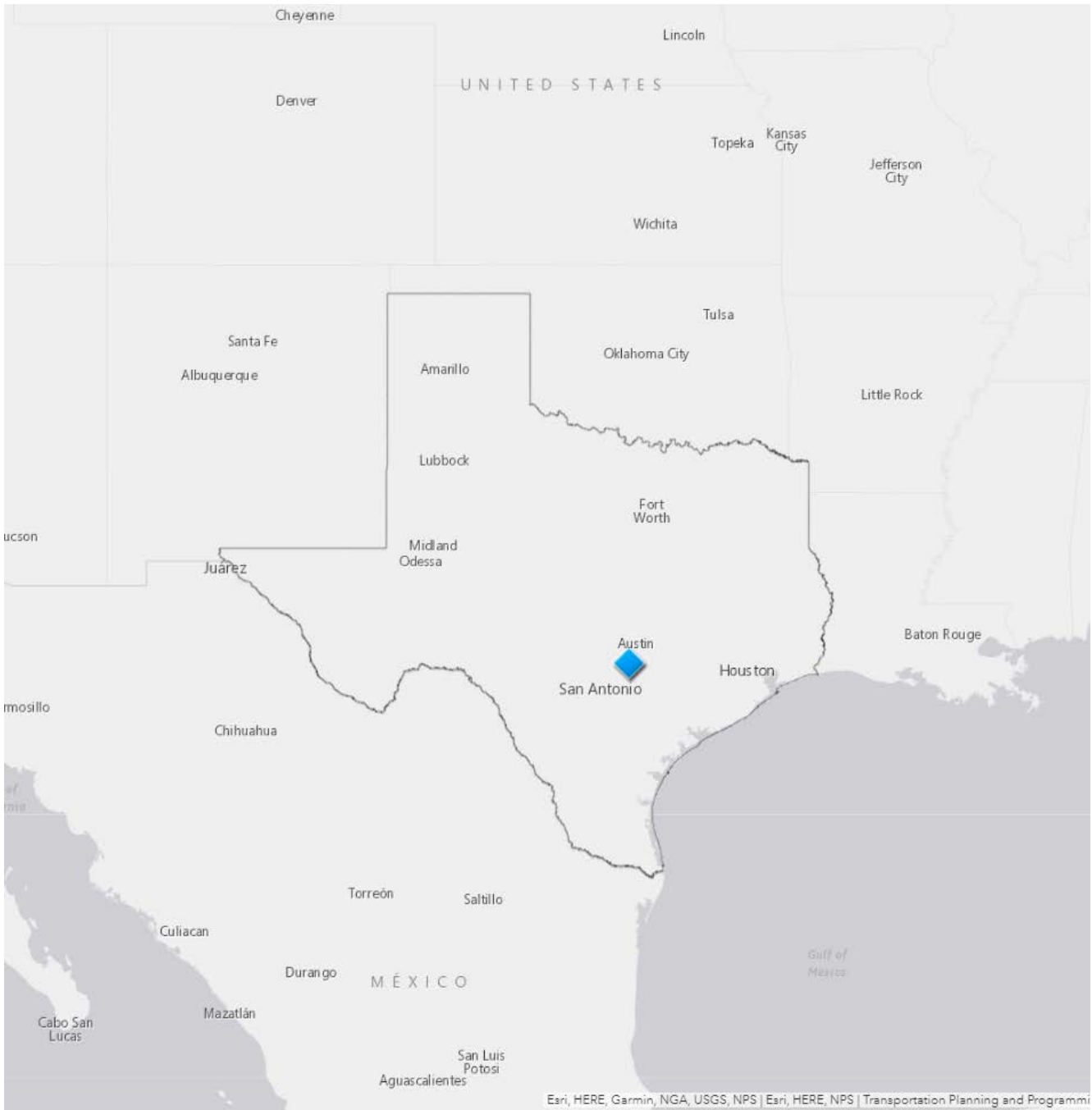
4. Property buyout and demo with new construction to replace a demolished and removed storm-damaged building on the original land parcel and erecting a new single-family residential dwelling on a different land parcel that is owned by the applicant in the same county (“Proposed Action 4”).

	Proposed Actions			
	1	2	3	4
HUD Environmental Review Topic	Rehabilitate original building in pre-storm footprint	Rehabilitate, Replace or Reconstruct dwelling w/i 20% of original footprint	Rehabilitate, Replace or Reconstruct dwelling elsewhere on same parcel	Buyout of Property and Demo Existing Structures Build or install New Dwelling on New Parcel
Airport Hazards	Broad Review	Broad Review	Broad Review	Broad Review
Clean Air	Broad Review	Broad Review	Broad Review	Broad Review
Coastal Barrier Resources	Broad Review	Broad Review	Broad Review	Broad Review
Coastal Zone Management	Broad Review	Broad Review	Broad Review	Broad Review
Contamination and Toxic Substances	Site Specific	Site Specific	Site Specific	Site Specific
Endangered Species and Migratory Birds	Desktop Review Only	Desktop Review Only	Site Specific	Site Specific
Environmental Justice	Broad Review	Broad Review	Broad Review	Broad Review
Explosive and Flammable Hazards	Site Specific	Site Specific	Site Specific	Site Specific
Farmlands Protection	Desktop Review Only	Desktop Review Only	Desktop Review Only	Site Specific
Flood Insurance	Site Specific	Site Specific	Site Specific	Site Specific
Floodplain Management	Site Specific	Site Specific	Site Specific	Site Specific
Historic Preservation	Site Specific	Site Specific	Site Specific	Site Specific
Noise Abatement and Control	Broad Review	Broad Review	Broad Review	Broad Review
Sole Source Aquifers	Broad Review	Broad Review	Site Specific	Site Specific
Wetlands Protection	Site Specific	Site Specific	Site Specific	Site Specific
Wild and Scenic Rivers	Broad Review	Broad Review	Broad Review	Broad Review



Table 3

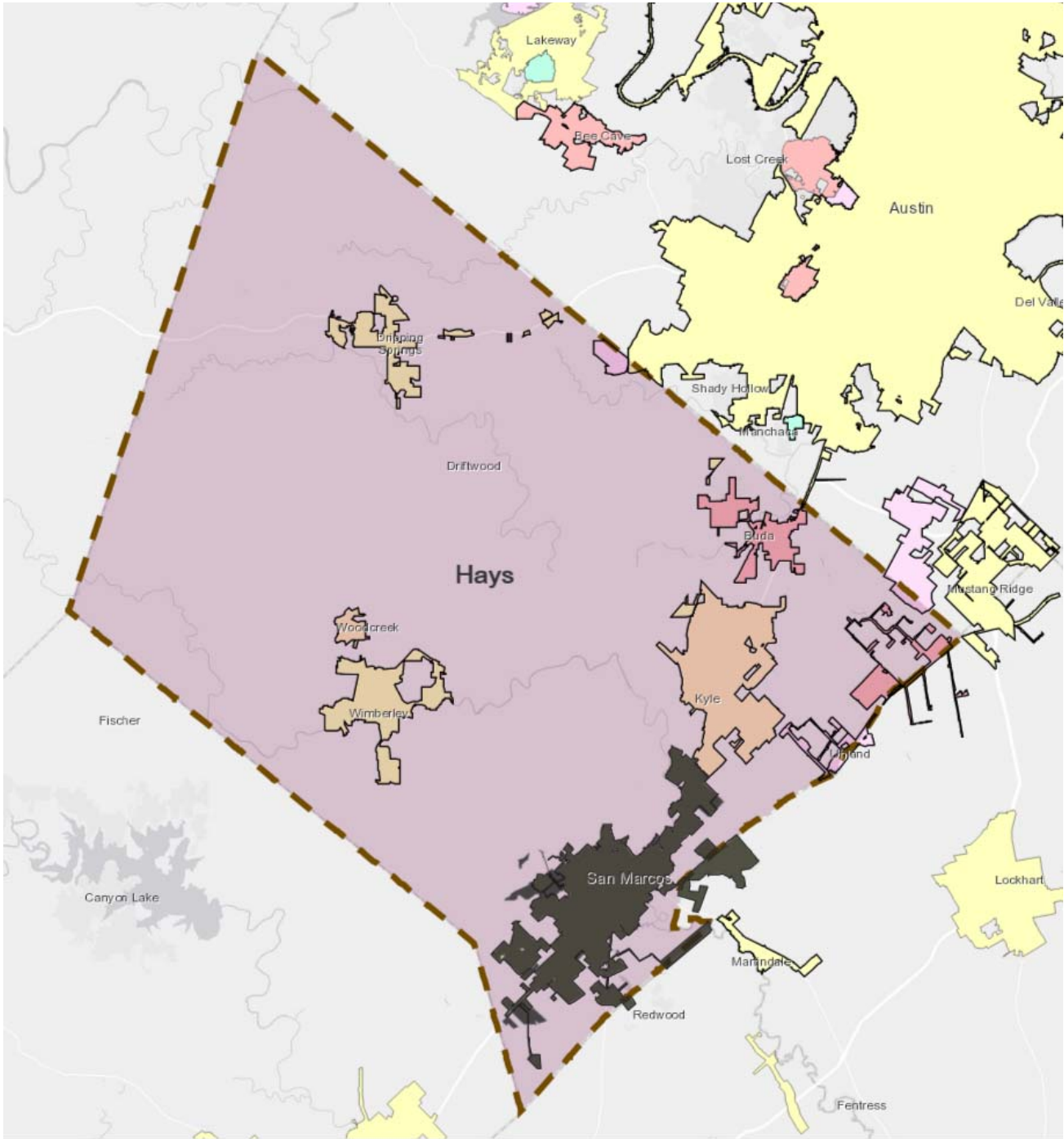
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PROJECT LOCATIONS




Hays County is located in central Texas

Client Name	Hays County	Future Link Technologies  
Contract #	CDBG Disaster Recovery	PO Box 90696, Austin, TX 78709
Map Information	General Location Maps	512-443-4100
Date	May 19	Environmental Service Provider



Hays County Tier 1 Area Benefit – Does not include San Marcos, TX (Different Allocation)

Client Name	Hays County	Future Link Technologies 
Contract #	CDBG Disaster Recovery	PO Box 90696, Austin, TX 78709
Map Information	General Location Maps	512-443-4100
Date	May 19	Environmental Service Provider



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Broad-Level Tiered Environmental Assessment Determinations and Compliance Findings for HUD – assisted Projects Pursuant to 24 CFR Part 58

Project Information

Project Name: Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program

Responsible Entity: Hays County, Texas; GLO Contract No. 18-421-000-B130

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: County of Hays, Texas

Preparer: Latrice Hertzler, Future Link Technologies, Inc.

Certifying Officer Name and Title: Ruben Becerra, Hays County Judge

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Langford Community Management Services

**Direct Comments to: Lindsay McClune
Hays County
712 S. Stagecoach Trail
San Marcos, Texas 78666**

Project Location: Hays County, Texas – county-wide

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The CDBG-DR funds allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245 will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program. Total available housing activity funds as of today's date are \$2,349,747.24.

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Grantees can use CDBG-DR funds to buy properties, both commercial and residential, in a target area with the intent to demolish the structures and create park amenities, open space, or flood storage/overflow areas. Such programs are typically part of a multi-pronged approach to community revitalization that includes relocation of residents and businesses in addition to business development activities. Buyout programs are especially effective in communities that have endured multiple disasters in the same neighborhood in the recent past, or sustained severe damage where there is high risk of additional disasters, such as a 100-year flood plain. These programs can help reduce the impact of future disasters while encouraging targeted revitalization efforts and public spaces.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: Severe flooding during May (DR-4223) and October of 2015 (DR-4245) damaged homes throughout Hays County, Texas. The CDB-DR funding will be used to rehabilitate, repair, or reconstruct residences damaged by flooding. Buyout of properties may occur when residential properties are located in a floodplain or residing in a repetitive flood area.

Existing Conditions and Trends [24 CFR 58.40(a)]: Homeowners with access to private insurance or other funding sources (e.g., Federal Emergency Management Agency [FEMA] direct assistance) have or are restoring their homes as funding becomes available. Many individuals, particularly low-to moderate-income families, have not been able to complete repairs or afford to vacate frequently flooded properties. In the absence of the proposed programs, damaged homes would remain in an unrepaired state or remain in a flood prone area, resulting in increased slum and blight, safety concerns, and future storm hazards.

Funding Information

Grant Number	HUD Program	Funding Amount
18-421-000-B130	CDBG-DR	\$2,349,747.24

Estimated Total HUD Funded Amount: \$2,349,747.24

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,349,747.24

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item in the Broad Review, as described below. The county does not contain any civil commercial service or military airports within its confines. There is a civil airport within 2500 feet of applicants as the City of San Marcos airport is located outside Hays County in Caldwell County, south and adjacent to Hays County. No military airports within 15,000 feet of the county borders (see Attachment A). Mitigation for housing sites within 2500 feet of a civil airport will be reviewed case by case basis. However, the proposed actions are located on already disturbed ground and will not affect or be affected by the presence of an airport near the site. The closest civil airport is the San Marcos Regional Airport.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item. Hays County is not a coastal county. It is located in central Texas and is not in a coastal management zone. Hence there are no residences within a Coastal Barrier Resource area. No further review is required. See Attachment B.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Consistency with this item will be achieved during the site-specific review, as described below. The county contains FEMA-designated Special Flood Hazard Areas, which are occupied by residential properties in certain parts of the county (See Attachment J) The HUD 8-step decision-making process (24 CFR 55.20) has been prescribed for proposed project activities in floodplains (see Exhibit A9-2). The site-specific application review will assess project activities using the most current FEMA Flood Insurance Rate Map (https://msc.fema.gov/portal/home). Specific compliance and mitigation requirements will become a condition of CDBG-DR assistance and will accord with

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		federal regulations and local floodplain ordinances See also Site-Specific Review Strategy, Appendix B. The County and local communities where projects may occur participates in the NFIP program. See Attachment C for proof of participation and map.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project is consistent with this item in the Broad Review, as described below. The county is not classified as an area of non-attainment, as viewed on the EPA’s “Counties Designated Nonattainment” map. See Attachment D</p> <p>The project area is considered an Early Action Compact Area. This SIP area is labeled as Austin-Round Rock but includes Travis, Williamson, Bastrop, Hays and Caldwell Counties. The area is in attainment, but the compact continues voluntary emission reduction measures and analysis of measure effectiveness.</p> <p>Project construction activities will only be completed on single family homes and will not delay attainment of national ambient air quality standards or contribute to a new or existing activities to reduce emissions. Site demolition and construction may result in temporary elevated dust levels surrounding the project site but are not anticipated to affect air quality. Dusts will be actively controlled using standard dust suppression best management practices (BMPs) and engineering controls. Radon gas has been identified by the U.S. Environmental Protection Agency (EPA) as an indoor and outdoor air quality issue. The county is in Zone 3 (Exhibit A4b) EPA’s lowest potential rating, and it is therefore not a program concern. Zone 3: Counties with predicted average indoor radon screening levels less than 2 pCi/L.</p>

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item as Hays County is not a coastal county. It is located in central Texas. See Attachment E
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Consistency with this item will be achieved during the site-specific review, as described below. The county contains sites that are known to be contaminated, or may potentially be contaminated, with toxic chemicals or radioactive materials as displayed in Attachment F. Site-specific inspection will determine the potential for toxic chemicals or radioactive materials to be identified on, adjacent to, or near a residential project site. Mitigation measures may include removal of hazards in accordance with regulatory requirements or relocating the housing project to another location. The programs will meet HUD policies that at completion all homes be free of hazardous materials that could affect occupant health, including lead-based paint, asbestos containing materials, and mold. See also Site-Specific Review Strategy, Appendix B.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Consistency with this item will be achieved during the site-specific review, as described below. Threatened, endangered, and migratory bird species were identified by reviewing data from the Texas Parks and Wildlife Department’s (TPWD’s) and U.S. Fish and Wildlife Service’s (USFWS’s) county listing databases (Attachment 6). In addition, critical species habitat was reviewed through the USFWS Critical Habitat Portal (Attachment G). Projects located on already disturbed ground will not affect species habitat levels. Buy out of the sites project construction activities have the potential to affect species habitat and will be reviewed at the site-specific level. Mitigation measures for housing sites in proximity to wildlife habitat will include the implementation of BMPs for stormwater management and soil erosion control, the establishment of work

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		<p>exclusion zones, and may include restricted work schedules and biological monitoring. The work exclusion zones will restrict project activities to a designated construction area.</p> <p>Hays County has a Regional Habitat Conservation Plan where pursuant to Endangered Species Act Section 10(a)(1)(B), the RHCP describes a locally controlled approach for compliance with the ESA. The County’s permit authorizes incidental “take” of the golden-cheeked warbler and black-capped vireo, and the RHCP describes the mitigation provided for the impacts of such take. The RHCP is also designed to benefit a host of other wildlife species, water resources, and people. The plan covers a period of 30 years from 2010 to 2040. See the plan in Attachment G. Activities will be consistent with the RHCP.</p> <p>The RHCP provides a streamlined process for ESA compliance for County sponsored projects, such as the construction or improvement of roads, bridges, and other County infrastructure. The RHCP is compatible with other County initiatives to protect open spaces, such as described in the Parks and Open Space Master Plan and envisioned by the 2006 Parks and Open Space bond program. Construction staging is restricted to the residential property and its adjacent roads. See also Site-Specific Review Strategy, Appendix B.</p>
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Consistency with this item will be achieved during the site-specific review, as described below.</p> <p>Aboveground storage tanks (ASTs) containing potentially explosive and/or flammable facilities are present in the county. The potential exists for explosive and/or flammable facilities or individual ASTs to be located near program residential projects. The standard HUD evaluation threshold is 100 gallons or greater volume. These ASTs can therefore also include privately owned propane tanks located on the project property or on neighboring properties.</p>

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		<p>Using maps, aerial imagery, and field data, the site-specific review will identify potentially explosive and/or flammable facilities and/or individual tanks located within 1 mile of the program application site. If present, an acceptable separation distance (ASD) will be calculated for the largest and/or closest ASTs to determine the minimum distance from the hazardous site for which a dwelling can be placed. ASD calculations will be completed using HUD’s online ASD electronic assessment tool at https://www.hudexchange.info/environmentalreview/asd-calculator/</p> <p>Unless intervening factors apply, the housing project will require mitigation if the distance between a facility’s tanks and the project is less than the ASD. Mitigation measures may include removal of the hazard, the movement of the hazard to an acceptable separation distance, or relocation of the housing project to an alternate property, if necessary.</p> <p>Texas Commission on Environmental Quality (TCEQ) databases will be consulted to determine locations of above ground fuel tanks and the locations of stationary propane tanks will be identified from Texas Railroad Commission data. See Attachment H</p> <p>See also Site-Specific Review Strategy, Appendix B.</p>
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is consistent with this item as the homes proposed for improvement are existing and in already disturbed areas. The county contains land areas designated as prime farmland as identified within the National Resource Conservation Service (NRCS) soils review. Some areas proposed for construction may

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
658		occur in areas already converted to urban land while other homes may be located in rural areas. In any event, it is expected that construction on existing homes, acquisition to return an area to green space and/or new construction will be on land parcels where previous disturbance has occurred indicating consistency with activities not subject to Farmland Protection Policy Act (FPPA). See Attachment I.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project consistency will be achieved during site-specific review. The county contains FEMA designated Special Flood Hazard Areas (SFHA) in the 100-year floodplain, the 500-year floodplain and within floodways. The 8-step decision-making process is prescribed for proposed program activities in the SFHA and wetlands (see Attachment J). Site-specific compliance and mitigation measures will be required by the programs to accord with federal regulations and local floodplain ordinance. Site-specific application review will include a flood zone determination using the most current FEMA Flood Insurance Rate Map (https://msc.fema.gov/portal/home). Specific compliance and mitigation requirements will become a condition of federal assistance. See site specific review strategy, Appendix B.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project consistency will be achieved during site-specific review. Primarily the activities associated with this project will fall under the Program Agreement (PA) between the Texas Historical Commission (THC) and the Texas General Land Office (TGLO). See Attachment K. Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		<p>association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.</p> <p>However, a site-specific review of the structures will be necessary as the County has areas registered with the National Registry of Historic Places which require consultation with the THC. In addition, the structures impacted may be considered older than 45 years and would not meet the minimum requirements of the PA, indicating subjectivity to further review.</p> <p>With regard to tribal consultation, the decision to consult tribes includes: significant ground disturbance (digging); new construction in undeveloped natural areas; incongruent visual changes; incongruent audible changes; incongruent atmospheric changes; work on a building of significant tribal association; or transfer, lease, or sale of historic property of religious and cultural significance.</p> <p>For those site-specific assessments with subjectivity to review by THC or tribal review, consultation will be conducted.</p>
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project is consistent with this item. Project construction activities under the programs will only be completed on single-family homes and will result in the same level of development that existed prior to the Hays County floods.</p> <p>The proposed activities may cause temporary noise level increases. These will be mitigated by complying with local noise ordinances. This includes new construction and demolition to return impacted areas to green space or rehabilitation of existing structures.</p>

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
		<p>HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR 51.101(a)(3): “The policy does not apply to...any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.” Attachment L.</p> <p>https://www.law.cornell.edu/cfr/text/24/51.101).</p>
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Primarily, the project is consistent with this item. The Edwards Aquifer is the only sole source aquifer in the state of Texas. Regulatory requirements are found at 30 TAC 213.</p> <p>According to the Texas Commission on Environmental Quality (TCEQ) Edwards Aquifer program, portions of Hays County are located within the following zones of the Edwards Aquifer Recharge, Transition, Contributing, and Contributing within the Transition Zone. The homes selected for improvements will not fall under the requirements associated with this item because they are primarily renovation and not a part of a larger planned development project. In addition, applicability of activities located over the contributing zone and transition and contributing zone are limited to areas impacting 5 or more acres. According to regulatory requirements, if new construction is planned for an area located within the jurisdictional area of the Edwards Aquifer, See Attachment M, the project may be subject to regulatory requirements in 30 TAC 213.</p> <p>The Edwards Aquifer Authority (EAA) has regulatory jurisdiction over the withdrawal of water from the Edwards Aquifer. A jurisdictional map reflects some areas of the county are regulated by the EAA. This includes water wells and irrigation systems. Water quality activities such as the installation of underground and above ground storage tanks preservation of water</p>

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		<p>quality is also regulated by the EAA. Hays County is located within the Hays Trinity Groundwater Conservation District.</p> <p>Considering the nature of the project construction, the home selected for rehab/renovation or buy out will not be impacted by this item. However, a site-specific review of the activities shall include an assessment of potential impact and consultation letters will be sent if needed.</p>
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project consistency will be achieved during site-specific review.</p> <p>There are locations within Hays County where wetlands exist. A site -specific review of each home selected for funding will be conducted to ensure no impact to wetlands occurs as a result of the need for rehab, renovation or buy out.</p> <p>As a general rule, however, impact to wetlands is not expected considering most homes will not be located at or adjacent to wetlands.</p> <p>An 8-step process has been conducted in order to document the potential impact to wetlands if the activities is located at or adjacent to a wetland according to the USFWS National Wetland Inventory.</p> <p>See Attachment N.</p>
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The project is consistent with this item. Hays County is located in central Texas. The closest wild and scenic river is located approximately 350 miles west of the Hays County. The Pedernales in the northern corner of Hays County is the only river listed on the National Rivers Inventory. Based upon the application locations received for home assistance, there are no homes within close proximity to the Pedernales river. No impact is expected. See Attachment O</p>
ENVIRONMENTAL JUSTICE		
Environmental Justice	Yes No	The project is consistent with this item. See Attachment

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Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
Executive Order 12898	<input type="checkbox"/> <input checked="" type="checkbox"/>	<p>P</p> <p>The proposed program activities would assist residents in the areas most affected by flood conditions in May and October of 2015 in Hays County. The funding will assist residents to return to preflood living conditions in existing communities. The construction will ensure home owners receiving assistance have homes that are structurally improved and that ensure human health and safe living. The DR program targets low to moderate income households receiving 70 percent of the proposed program funding. The funding helps to prevent future impact from flooding and to preserve human health through elevating structures above flood levels and by eliminating asbestos containing materials and lead based paint in the residence.</p> <p>Low to moderate-income households would be disproportionately encouraged in a positive manner to obtain safe and sanitary housing. Therefore, the proposed programs will comply with Executive Order 12898.</p>

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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	3	<p>The project is consistent with this item. The Flood Allocation Housing Assistance and Buyout Program aids qualified applicants for construction activities that improve conditions for homes within existing residential areas impacted by flood conditions in May and October in 2015.</p> <p>The activities will be consistent with local construction permitting and zoning requirements where contractors will obtain appropriate authorizations to conduct site-specific construction activities. There will be no change in land use as a part of this construction and there will be no increase in residential densities.</p> <p>Applicants will be required to design and construct homes located in Certified Local Government historic districts in a manner that receives a Certificate of Appropriateness from the local Historic Preservation Commission.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	Considering the residences selected for participation in the program already exist in residential areas, area soils have been determined to be suitable for development. Selected properties will consider slope, erosion, soil instability or poor drainage and new site selection if needed will prevent construction in

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		areas where poor drainage, slope, erosion or soil instability occurs. Mitigation for elevation and new construction activities on a different footprint will require contractor to use BMPs and comply with local and/or county building permit requirements. Soils will be adequately prepared for construction activity. For construction on new footprints the contractor will enact BMPs to avoid water quality contamination during construction.
Hazards and Nuisances including Site Safety and Noise	2	Hazards and nuisances including site safety and noise will be considered on a site-specific review. Sites which reflect consistency with this item will not be selected for funding. Noise. The project will represent only initial impact during construction period and will not represent impact over the longer term. Contractors will be responsible for identifying and complying with site specific noise ordinances. Scheduling and project management will be needed to ensure construction noise is minimized for the local residents.
Energy Consumption	2	The project will increase energy consumption on a temporary basis during construction activities. No impact is expected.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	Employment and income patterns will be temporarily impacted. Contractors will increase employment in the community in order to complete the project, but long term employment and income patterns will not be impacted longer term. No impact is expected.
Demographic Character Changes, Displacement	2	The improvements to local residences will not represent demographic character changes and any buy-out programs will be consistent with the Uniform Government Management Standards. The project will be consistent with this item.

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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The location of educational and cultural facilities within close proximity of the selected residential recipients will be determined on site-specific review. Accessibility to educational and cultural facilities will not be impacted by construction activities as construction will occur at existing residential properties. In addition, where potential impact occurs, precautions will be taken by contractors to manage schedules, use signage and regulate traffic at the construction site.
Commercial Facilities	2	No impact is expected as the project is focused on homes in residential areas. Where commercial businesses may be adjacent to construction areas at selected grant recipients, impact of increased traffic volume will be temporary.
Health Care and Social Services	2	No impact to health care or social services is expected from the project activities as construction will occur in residential areas. Construction activities will be temporary. Precautions will be taken to prevent impact to health care or social services located within close proximity to the construction areas through schedule management, signage and regulation of traffic at the construction site.
Solid Waste Disposal / Recycling	3	The project is consistent with this item. Construction will generate waste from demolition at the proposed residences selected for funding. Contractors will ensure appropriate waste separation and classification for disposal consistent with federal, state and local regulations. Some of these may include asbestos containing materials, lead based paint, or other hazardous materials found onsite.
Waste Water / Sanitary Sewers	2	No impact is expected as the construction activities will be consistent with local and state requirements for waste water management at the project site. This includes improvements to septic systems where needed. The project is not intended to increase housing stock; it is intended to improve current conditions for communities impacted by flooding in the Hays County area in May and October of 2015.
Water Supply	2	No impact is expected as the construction activities will be consistent with local and state requirements for safe drinking water at the project sites. The site-specific review will ensure the source of drinking water will be consistent with previous conditions where possible, but will be altered if drinking water is unsafe.

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Public Safety - Police, Fire and Emergency Medical	2	No impact is expected as the construction activities will be conducted at existing residential sites. The project would not require increased public safety or emergency medical operations. Construction will be consistent with state and local permitting regulations and ensure appropriately certified workers are contracted to perform activities. Scheduling and management of construction activities will ensure no impact to public safety operations like traffic controls, etc..
Parks, Open Space and Recreation	2	No impact is expected. The project is limited to improvements to residential areas in need of assistance. Access to parks and open spaces will not be inhibited by construction activities.
Transportation and Accessibility	2	No long-term impact is expected as the construction activities will be focused on residential improvements. Traffic will increase temporarily during construction timeframes. The use of scheduling, signage and construction management will mitigate short term impact. Accessibility at individual homes will be achieved through site and building improvements that comply with documented resident needs per the Americans with Disabilities Act.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	No impact is expected as the construction activities will be at existing residences where no impact to area unique natural features and water resources is expected. With regard to impact to water resources, the activities will improve conditions and minimal impact to area groundwater and surface water resources is expected. The site-specific review will determine precautions needed to preserve area water resources like using best management practices including silt fencing, berming or other erosion controls.
Vegetation, Wildlife	2	No impact is expected as the construction activities will be at existing residences where no impact to area unique natural features and water resources is expected. Area vegetation will be reviewed on a site-specific basis. Precautions will be taken to return the construction areas to pre flood conditions and to be consistent with area ecology. All construction projects that could adversely affect protected species of concern will be identified and referred to the USFWS or the TPWD for review and comment. Applicants and their contractors will be required to fulfill any resulting building condition that is identified.

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Additional Studies Performed: No additional studies were performed or expected as a part of this project.

Field Inspection (Date and completed by):

Where necessary, field inspections will occur during the site- specific reviews and reported for the

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

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Texas Commission on Environmental Quality - <http://www.tceq.state.tx.us/>

Texas Water Development Board - <http://www.twdb.state.tx.us>

Texas Parks and Wildlife – <http://www.tpwd.state.tx.us>

US Fish & Wildlife – <http://fws.com/>

National Resource Conservation Center -<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

Google Earth - http://www.google.com/google_earth.htm

Federal Emergency Management Agency - <http://www.msc.fema.gov/>

Federal Aviation Administration -http://www.faa.gov/airports_airtraffic/airports/planning_capacity/npias/

National Response Center -<http://www.nrc.uscg.mil/pls/html/bf?p=109:1:139040664473>

Council of Government - <http://www.capcog.org/>

Texas Association of Regional Councils - <http://www.txregionalcouncil.org/index.php>

Environmental Protection Agency -<http://epa.gov>

US Census – <http://www.census.gov>

Bureau of Economic Analysis – <http://www.bea.gov>

Texas General Land Office – www.glo.state.tx.us/coastal/cmp.html

Wild and Scenic Rivers in Texas - <http://www.nps.gov/rigr/planyourvisit/wildscenic.htm>

County of Hays - c <http://www.capcog.org/>

Texas Association of Regional Councils - <http://www.txregionalcouncil.org/index.php>

Texas Education Agency – <http://www.tea.state.tx.us/>

Assisted Living Federation of America – http://www.alfa.org/alfa/About_ALFA.asp?SnID=390678837

Texas Historical Commission - <http://www.thc.state.tx.us/>

Texas Department of Aging and Disabilities - <http://www.dads.state.tx.us/>

US Housing & Urban Development – NEPASSIST- <http://www.epa.gov/oecaerth/nepa/nepassistmapping.html>

US Housing & Urban Development - Tribal Interest Website

<http://egis.hud.gov/tdat/countyQuery.aspx?state=Texas>

Texas Railroad Commission – <http://www.rrc.state.tx.us>

List of Permits Obtained: All permits will be obtained at the site specific level.

No permits needed at this time.

Public Outreach [24 CFR 50.23 & 58.43]:

Two publications were conducted for this project. 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 and Protection of Wetlands, a 15-day Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain was published in the San Marcos Record on July 18, 2018 as a portion of the project areas are located within the 100-year floodplain. No comments were received.

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A Combined Notice of Finding of No Significant Impact and Intent to Request Release of Funds- and Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain was published in accordance with HUD regulations for a project identified as an Environmental Assessment. The publication was placed in the San Marcos Record on August 08, 2018 for a 15-day comment period. ____ comments were received.

Cumulative Impact Analysis [24 CFR 58.32]:

The U.S. Department of Housing and Urban Development (HUD), through Congressional appropriation, issued Community Development Block Grant disaster recovery (CDBG-DR) funding to Texas for Disaster Events DR-4223 and DR-4245 occurring in 2015. The Texas General Land Office (GLO) is the state agency designated to administer CDBG-DR funding to counties included in the disaster declarations. As the city of San Marcos received a direct Congressional allocation, it is not included in Hays County’s Method of Distribution (MOD).

In addition to the approximately \$7.4 million awarded in 2016, the county has been awarded an additional amount of approximately \$4.2 million in CDBG-DR funds. Total funding to the county is now approximately \$11.6 million, including non-housing project funding of \$7,869,851 and housing project funding of \$3,703,459 to support programs and projects that address an identified priority need and primarily benefit low- to moderate-income persons affected by 2015 flooding in the unincorporated areas of Hays County and the cities of Buda, Dripping Springs, Kyle, Umland and Wimberley. Any funds not committed or expended will be returned to Hays County for reallocation. If the county cannot identify any projects that can utilize funding, unused funds will be returned to the GLO.

GLO has designed funds to identify environmental conditions at both the site-specific and county level so that there will be no significant lasting changes to the existing environment. This funding is focused on restoring single family residential homes on residential lots that existed before the floods in 2015. Acceptable reasons to move from the preexisting footprint include, but are not limited to, setbacks and easements required to meet municipal zoning codes, unsuitable soils, presence in floodways, HUD safe housing guideline requirements, proximity to a toxic or flammable facility, and locations within wetlands.

As documented in Appendices A and B, all issues that could cause environmental concerns will be identified and mitigated through appropriate agency consultation and adjustments to project design. If mitigation is not possible, then they will not be eligible for funding consideration.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The County examined the options to avoiding construction in the 100-year floodplain, however, some single-family structures presented for improvement may already be located in flood prone areas. Hence, activities like elevating structures already located in flood prone areas will occur to mitigate the condition. Site specific level review of environmental conditions will determine provide further impacts to the 100-year floodplain.

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In addition, relocating all individuals living in single-family structures located within the 100-year floodplain would not be feasible as low-to-moderate income individuals forced to leave their homes, friends and community would promote slum and blight for vacated structures. If individuals refuse to leave their homes, their health and safety would be in jeopardy.

No Action Alternative [24 CFR 58.40(e)]:

Not conducting the improvements to failing single-family structures impacted by the May and October 2015 floods would not practicable as residents electing to remain in their homes would represent potential harm to human health and lack of cleanup would potentially increase the impact to the environment.

Summary of Findings and Conclusions:

Under this environmental assessment, no significant changes to existing environmental conditions will result in relation to the following impact categories implemented by HUD in response to the National Environmental Policy Act (NEPA) of 1969:

- Airport Hazards
- Coastal Barrier Resources
- Coastal Zone Management
- Clean Air
- Noise Abatement and Control
- Wild and Scenic Rivers
- Environmental Justice

The following subject areas require site-specific analysis before the environmental review can be concluded as causing no significant impacts to the environment:

- Flood Insurance
- Contamination and Toxic Substances
- Endangered Species
- Explosive and Flammable Hazards
- Farmlands Protection
- Floodplain Management
- Historic Preservation
- Wetlands Protection
- Sole Source Aquifers

For these, the site-specific checklist and strategy included in Appendix B must be completed, prior to any funding being provided for the requested construction activities.

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Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

1. Acquire all required federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
2. Must meet Green Building Standards as defined by one or more of the following categories: ENERGY STAR; EPA Indoor AirPlus; LEED; and/or ICC-700 National Green Building Standards
3. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the NEPA.
4. If project construction uncovers significant archaeological deposits the applicant agrees to immediately stop all work in that area and inform the Program. Work will not commence again in that area until the Program has conferred with the State Historic Preservation Office (SHPO) and/or Native American Tribes and informed the applicant that work can re-commence.
5. If project construction will occur on a new footprint and clearing of potential migratory bird habitat will occur within 50 feet of the construction site between March 15 and September 15, then a nest survey must be undertaken by a qualified biologist. If nests are identified, then a minimum 50-foot buffer from the work is required until the nest is no longer active. If an active migratory bird nest is incidentally disturbed during clearing, then the contractor shall collect and immediately transport the eggs to a wildlife rehabilitator. The GLO shall be notified of this action by the contractor so it can be placed into the ERR.
6. All proposed reconstruction, manufactured housing replacement, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or local municipal and county floodplain zoning requirements, whichever is more strict.
7. All residences in, or partially in, the 100-year floodplain shown on the current effective FEMA Flood Insurance Rate Map must be covered by flood insurance and the flood insurance must be maintained per program guidelines.
8. Applications approved to build within the “Coastal High Hazard” areas (“V” or “VE” Zones shown on the current effective FEMA Flood Insurance Rate Map) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).
9. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.

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10. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.
11. Outfit all heavy equipment with operating mufflers.
12. Comply with the applicable local noise ordinance.
13. If application site is in a high noise area then use appropriate Green Building Standard methods (see Condition 2) to attenuate.
14. Use water or chemical dust suppressant in exposed areas to control excessive dust.
15. Cover the load compartments of trucks hauling dust-generating materials.
16. Reduce vehicle speed on non-paved areas and keep paved areas clean.
17. Retrofit older equipment with pollution controls.
18. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
19. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
20. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with all applicable local and county regulations.
21. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
22. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods).
23. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR 35(b)(h)(j) and GLO's Lead-Based Paint Mitigation Policy Standard Operating Procedure.
24. Project rehabilitation and new construction shall apply appropriate materials and construction techniques to prevent radon gas contamination (<https://www.epa.gov/radon/radon-resources-builders-and-contractors>).
25. Upon completion all rehabilitated residential dwellings must be free of mold attributable to May and October 2015 flood events.
26. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks.
27. Storage tanks installed below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

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Determination:


- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.
- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.



Preparer Signature: _____ Date: 08/05/2019

Name/Title/Organization: Latrice Hertzler, Environmental Service Provider

Future Link Technologies, Inc.



Certifying Officer Signature: _____ Date: 08/08/2019

Name/Title: Ruben Becerra, Hays County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

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Attachment A: Airport Hazards

Airport Hazards (CEST and EA)

General policy	Legislation	Regulation
It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

1. To ensure compatible land use development, you must determine your site’s proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

Yes → *Continue to Question 2.*

2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?

Yes, project is in an APZ → *Continue to Question 3.*

Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

No, project is not within an APZ or RPZ/CZ

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

3. Is the project in conformance with DOD guidelines for APZ?

Yes, project is consistent with DOD guidelines without further action.

Explain how you determined that the project is consistent:

→ *Based on the response, the review is in compliance with this section. Continue to the*

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Worksheet Summary below. Provide any documentation supporting this determination.

No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

Explain approval process:

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet

Summary

Compliance

Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

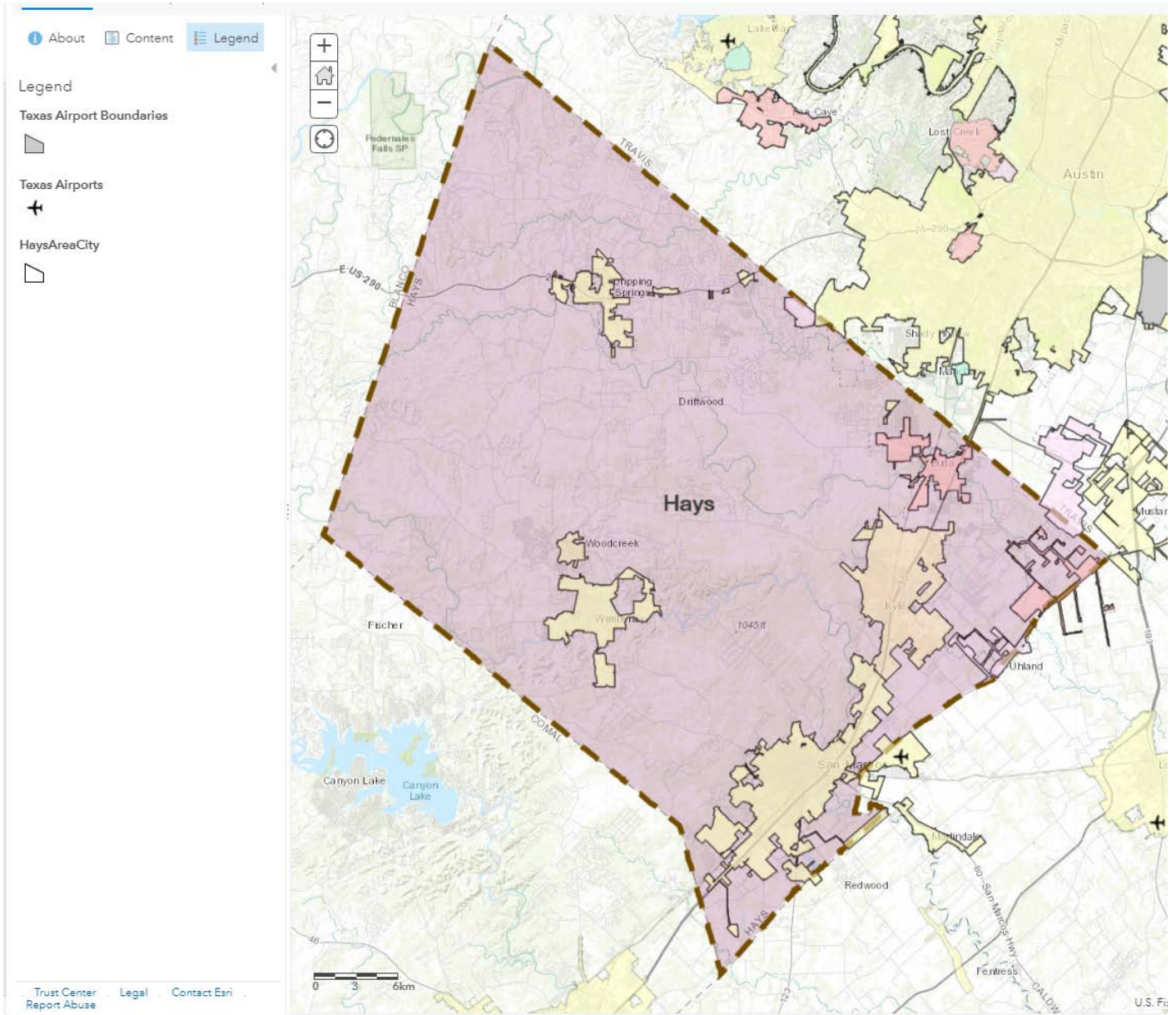
**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015**

See Attachment 1 for maps. The closest civil airport is the San Marcos Regional Airport. It is located approximately 650 linear feet from the airport property boundary. However, the closest airport protection zone is runway 4 which is approximately 3500 linear feet from the project structures located on Boogie Drive southeast of the San Marcos City Limits.


Are formal compliance steps or mitigation required?

Yes

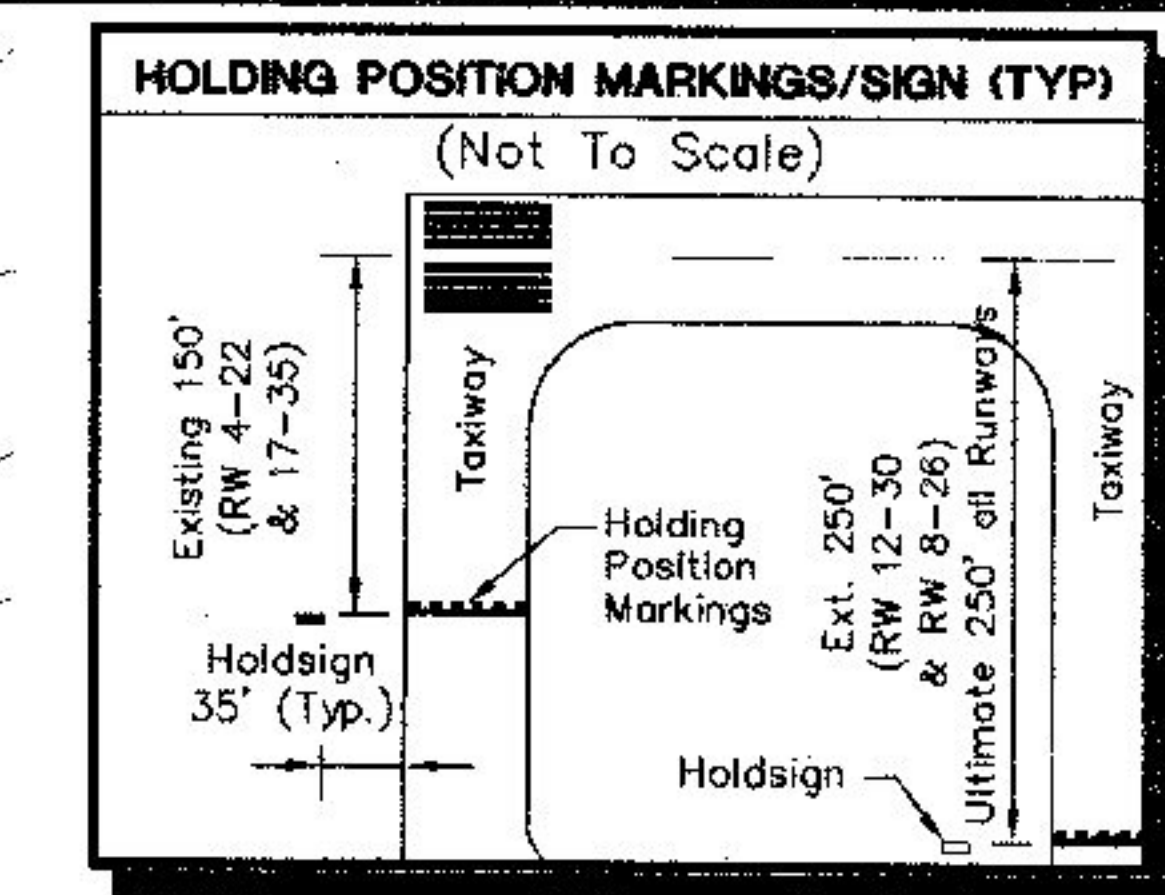
No



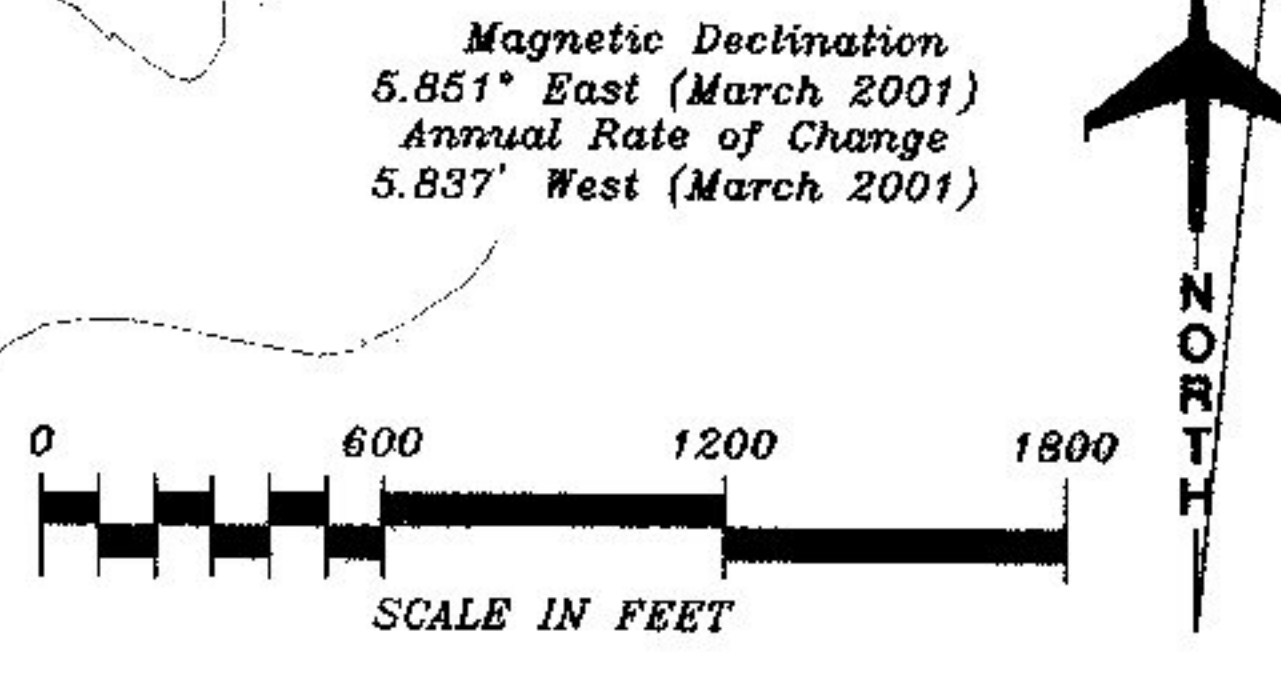
Hays County – Tier 1 – TXDoT Civil and Military Airport Locations

Client Name	Hays County	Future Link Technologies 
Contract #	CDBG Disaster Recovery	PO Box 90696, Austin, TX 78709
Map Information	General Location Maps	512-443-4100
Date	June 19	Environmental Service Provider

LEGEND		DESCRIPTION
EXISTING	ULTIMATE	AIRPORT PROPERTY LINE
EXISTING	ULTIMATE	AIRPORT REFERENCE POINT (ARP)
EXISTING	ULTIMATE	AIRPORT ROTATING BEACON
EXISTING	ULTIMATE	BUILDING CONSTRUCTION
EXISTING	ULTIMATE	BUILDING RESTRICTION LINE (BRL)
EXISTING	ULTIMATE	DRAINAGE
EXISTING	ULTIMATE	FACILITY CONSTRUCTION
EXISTING	ULTIMATE	FENCING
EXISTING	ULTIMATE	NAVIGATIONAL AID INSTALLATION (GVC)
EXISTING	ULTIMATE	RUNWAY THRESHOLD LIGHTS and REIL
EXISTING	ULTIMATE	HOLDING POSITION MARKING
EXISTING	ULTIMATE	SEGMENTED CIRCLE/WIND INDICATOR
EXISTING	ULTIMATE	WIND INDICATOR (Lighted)
EXISTING	ULTIMATE	TOPOGRAPHY (source)
EXISTING	ULTIMATE	DIRT ROAD

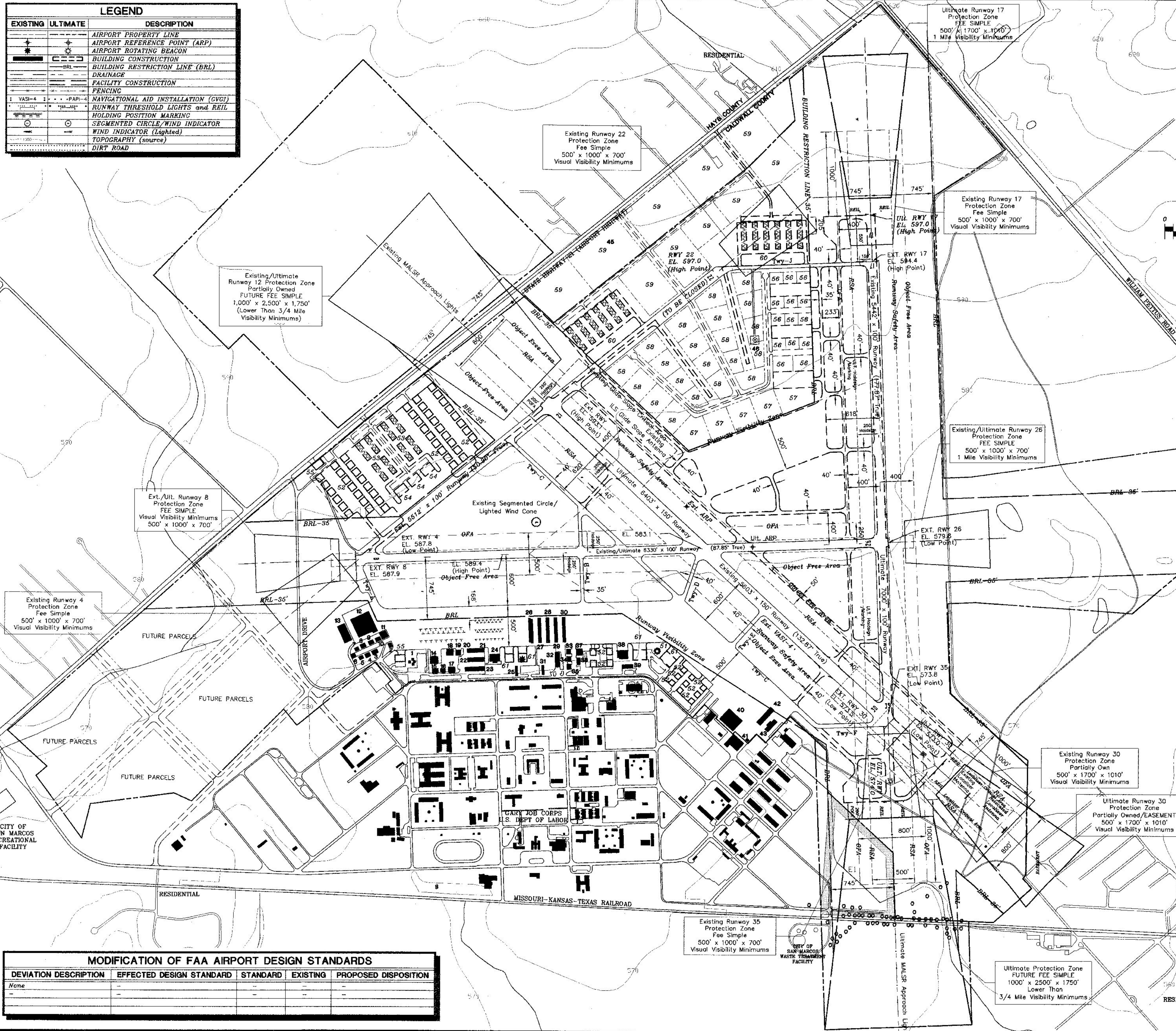


BUILDINGS/FACILITIES		
EXISTING	DESCRIPTION	ELEVATION
1	GENERAL TERMINAL BUILDING	
2	EXECUTIVES HANGAR	596 MSL
3	EXECUTIVES HANGAR	
4	EXECUTIVES HANGAR	
5	EXECUTIVES HANGAR	
6	EXECUTIVES HANGAR	
7	EXECUTIVES HANGAR	
8	EXECUTIVES HANGAR	
9	EXECUTIVES HANGAR	
10	EXECUTIVES HANGAR	
11	EXECUTIVES HANGAR	604 MSL
12	BERRY AVIATION HANGAR	605 MSL
13	BERRY AVIATION HANGAR	612 MSL
14	SOUTHWEST TEXAS AVIATION #1	615 MSL
15	EXECUTIVES HANGAR	
16	EXECUTIVES HANGAR	
17	EXECUTIVES HANGAR	
18	SOUTHWEST TEXAS AVIATION #2	597 MSL
19	HANGAR	601 MSL
20	GAFFORD AERO	596 MSL
21	T-HANGAR "A"	596 MSL
22	T-HANGAR "B"	
23	T-HANGAR "C"	
24	McKEE AIRCRAFT	606 MSL
25	CIVIL AIR PATROL	594 MSL
26	SHANE HANGAR	
27	T-HANGAR	
28	T-HANGAR	
29	T-HANGAR	
30	T-HANGAR	
31	CIVIL AIR PATROL	601 MSL
32	HANGAR	
33	EXECUTIVES HANGAR	
34	EXECUTIVES HANGAR	
35	EXECUTIVES HANGAR	
36	EXECUTIVES HANGAR	
37	EXECUTIVES HANGAR	
38	GEYBON AVIATION	598 MSL
39	BUILDING	
40	CONFEDERATE AIR FORCE	625 MSL
41	PORTABLE HANGAR	
42	T-HANGAR	603 MSL
43	HANGAR	
44	FUEL STORAGE	
45	S.W.T.S.U. TRAINING FACILITY	
46	DECOMMISSIONED VORTAC	



ULTIMATE BUILDINGS/FACILITIES	
ULTIMATE	DESCRIPTION
57	AIR TRAFFIC CONTROL TOWER (ATCT)
58	RESERVED EXECUTIVE HANGARS AREA
59	RESERVED T-HANGARS AREA (Nested 10 units)
60	RESERVED FIRED BASE OPERATION HANGARS AREA (FBO)
61	AIRPORT RESCUE and FIREFIGHTING (ARFF)
62	CORPORATE PARCELS
63	FBO PARCELS SPECIALTY OPERATOR
64	COMMERCIAL/INDUSTRIAL AVIATION RELATED PARCELS
65	COMMERCIAL/INDUSTRIAL NON-AVIATION RELATED PARCELS
66	RESERVED T-HANGARS AREA (14 units)
67	RESERVED CONVENTIONAL HANGARS AREA

- GENERAL NOTES:**
1. Depiction of features and objects, including related elevations and clearances, within the runway protection zones are depicted on the INNER PORTION OF RUNWAY APPROACH SURFACE DRAWING.
 2. Details concerning terminal improvements are depicted on the TERMINAL AREA DRAWING.
 3. Recommended land uses within the airport environs are depicted on the AIRPORT LAND USE DRAWING.
 4. As of August, 2001 there are no Obstacle Free Zone (OFZ) Object Penetrations.
 5. As of August, 2001 there are no Threshold Siting Surface Object Penetrations.
 6. Runway elevation, length and coordinates are from jccbi.gov/datasheet (ADS).
 7. A 7480 notice of landing area proposal would need to be completed to close Runway 4-22.
 8. San Marcos Municipal Airport Layout Drawings reflect Horizontal Datum (NAD-83), Vertical Datum (NGVD-29), USGS Base Map and Runway Elevations (NAVD-88).



MODIFICATION OF FAA AIRPORT DESIGN STANDARDS				
DEVIATION DESCRIPTION	EFFECTED DESIGN STANDARD	STANDARD	EXISTING	PROPOSED DISPOSITION
None				

NO.		REVISIONS		BY	CHK'D	DATE

TEXAS DEPARTMENT OF TRANSPORTATION
AVIATION DIVISION

AIRPORT SPONSOR

ALP APPROVED ACCORDING TO FAA AC 150/5300-13 CH 7 PLUS THE REQUIREMENTS OF A FAVORABLE ENVIRONMENTAL FINDING PRIOR TO THE START OF ANY LAND ACQUISITION OR CONSTRUCTION AND AN FAA FORM 7450-1 SUBMITTED PRIOR TO ANY CONSTRUCTION ON AIRPORT PROPERTY

ALP APPROVED ACCORDING TO FAA AC 150/5300-13 CH 7 PLUS THE CONDITIONS/COMMENTS IN LETTER DATED:

PREPARED BY: **Goffman Associates**
Airport Consultants
www.goffmanassociates.com

DESIGNED BY: **Mike W. Dmylenko** November 19, 2002
DRAWN BY: **Larry D. Johnson** November 19, 2002
CHECKED BY: **James M. Harris** November 19, 2002

AIRPORT LAYOUT DRAWING
SAN MARCOS MUNICIPAL AIRPORT
San Marcos, Texas

TEXAS DEPARTMENT OF TRANSPORTATION
Aviation Division

SHEET 3 OF 16

Goffman Associates - D:\Projects\San Marcos\13-2002-08-02.dwg

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment B: Coastal Barrier Resources

Coastal Barrier Resources (CEST and EA)

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*
- Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

- After consultation with the FWS the project was given approval to continue
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*
- Project was not given approval
Project cannot proceed at this location.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Worksheet Summary

Compliance Determination

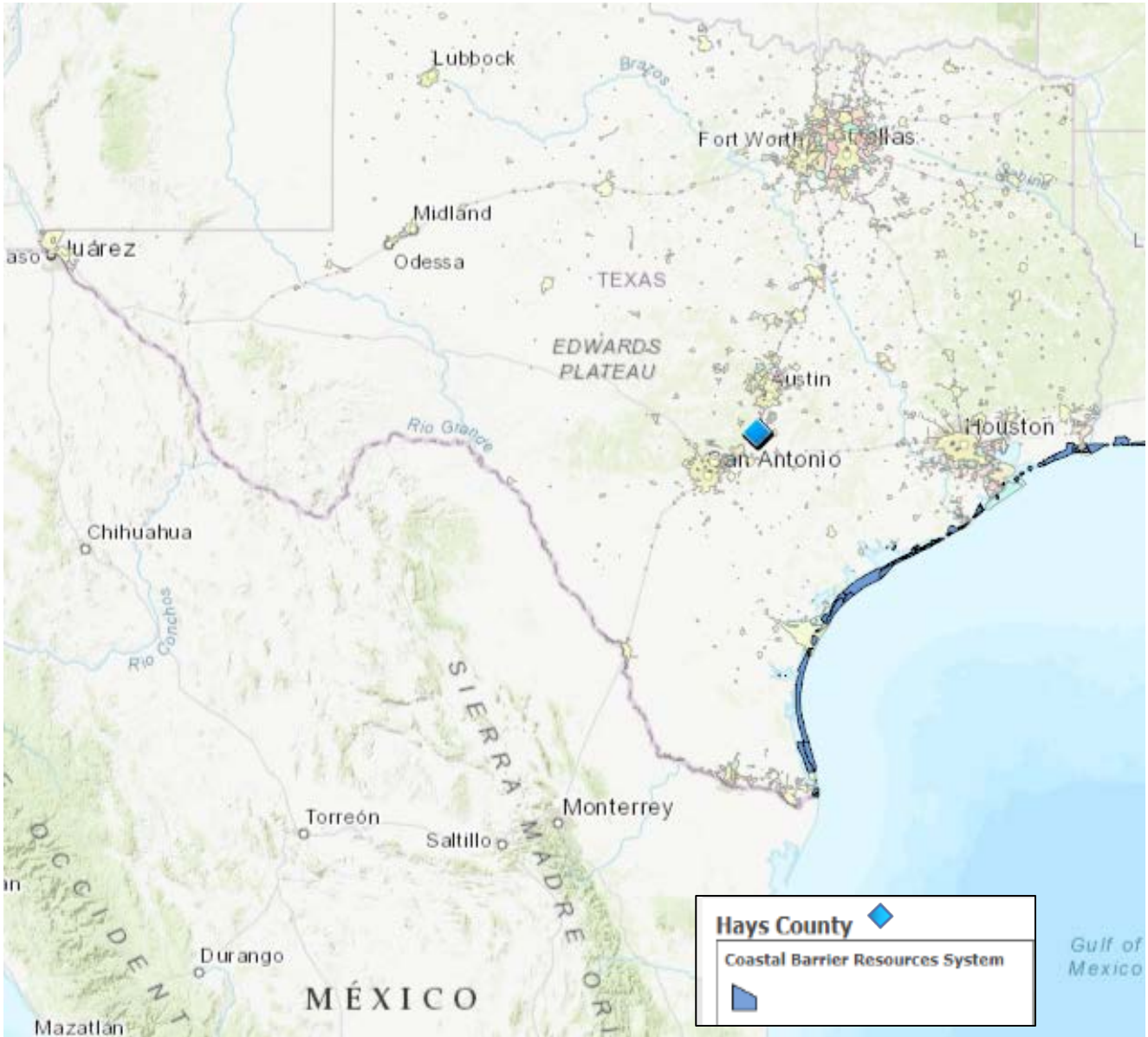
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is not located in a coastal region of Texas. See general location maps.



Are formal compliance steps or mitigation required?

- Yes
 No



Hays County – Tier 1 – Coastal Barrier Resource System

Hays County is located in central Texas approximately 350 miles from the Gulf Coast.

Client Name	Hays County	 Future Link Technologies 
Contract #	CDBG Disaster Recovery	
Map Information	General Location Maps	512-443-4100
Date	June 19	Environmental Service Provider

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment C: Flood Insurance

Flood Insurance (CEST and EA)

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).
Reference		
https://www.hudexchange.info/environmental-review/flood-insurance		

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance. → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 2.*

2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No → *Continue to the Worksheet Summary.*

Yes → *Continue to Question 3.*

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

→ *Continue to the Worksheet Summary.*

- Yes, less than one year has passed since FEMA notification of Special Flood Hazards. If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.

→ *Continue to the Worksheet Summary.*

- No. The community is not participating, or its participation has been suspended. Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The County and local communities where projects may occur participates in the NFIP program. See Exhibit 3 for proof of participation and general location map.

Are formal compliance steps or mitigation required?

- Yes
 No

Federal Emergency Management Agency Community Status Book Report TEXAS

Communities Participating in the National Flood Program

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal
	The city of Aurora has adopted the wise county map						
480704#	AUSTIN COUNTY *	AUSTIN COUNTY	02/25/77	01/17/90	09/03/10	01/17/90	No
480624#	AUSTIN, CITY OF	HAYS COUNTY/WILLIAMSON COUNTY/TRAVIS COUNTY	09/13/74	09/02/81	01/06/16	09/02/81	No
481086A	AUSTWELL, CITY OF	REFUGIO COUNTY	05/28/76	09/04/85	09/26/14	09/04/85	No
480983	AVERY, CITY OF	RED RIVER COUNTY	08/13/76	09/14/82	09/14/82(M)	09/14/82	No
480584#	AZLE, CITY OF	PARKER COUNTY/TARRANT COUNTY	03/08/74	10/15/85	09/25/09	10/15/85	No
481206	BAILEY COUNTY *	BAILEY COUNTY				03/06/01(E)	No
480065#	BAILEY'S PRAIRIE, VILLAGE OF	BRAZORIA COUNTY	11/08/74	12/15/83	06/05/89	12/15/83	No
480808#	BAILEY, CITY OF	FANNIN COUNTY	11/05/76	07/01/92	02/18/11(M)	07/01/92	No
480722	BAIRD, CITY OF	CALLAHAN COUNTY	06/11/76	04/01/87	04/01/87(L)	04/01/87	No
480166#	BALCH SPRINGS, CITY OF	DALLAS COUNTY	03/08/74	09/03/80	07/07/14	09/03/80	No
481094#	BALCONES HEIGHTS, CITY OF	BEXAR COUNTY	08/15/75	04/15/80	09/29/10	04/15/80	No
480549#	BALLINGER, CITY OF	RUNNELS COUNTY	06/28/74	02/16/90	02/16/90	02/16/90	No
480537#	BALMORHEA, CITY OF	REEVES COUNTY	06/28/74	09/16/88	09/16/88	11/01/85	No
480020#	BANDERA COUNTY *	BANDERA COUNTY	06/18/76	11/01/78	02/04/11	11/01/78	No
480021#	BANDERA, CITY OF	BANDERA COUNTY	04/12/74	12/01/77	02/04/11	12/01/77	No
480718A	BANGS, CITY OF	BROWN COUNTY	08/06/76	06/19/85	08/28/18(M)	06/19/85	No
481087#	BARDWELL, CITY OF	ELLIS COUNTY	07/30/76	03/01/91	06/03/13	03/01/91	No
480951#	BARRY, CITY OF	NAVARRO COUNTY	07/30/76	06/05/12	06/05/12(M)	06/05/12	No
480707#	BARTLETT, CITY OF	WILLIAMSON COUNTY/BELL COUNTY	09/12/75	11/02/95	09/26/08(M)	03/25/85	No
481501#	BARTONVILLE, TOWN OF	DENTON COUNTY	06/12/79	09/01/87	04/18/11	09/01/87	No
481193B	BASTROP COUNTY *	BASTROP COUNTY	08/09/77	08/19/91	01/06/16	08/19/91	No
480022#	BASTROP, CITY OF	BASTROP COUNTY	03/19/76	08/19/91	01/19/06	08/19/91	No
485455#	BAY CITY, CITY OF	MATAGORDA COUNTY		04/23/71	06/05/85	04/23/71	No
481207#	BAYLOR COUNTY*	BAYLOR COUNTY		04/15/86	04/15/86(M)	04/15/86	No
481589#	BAYOU VISTA, CITY OF	GALVESTON COUNTY				04/09/71	No
	USE THE GALVESTON COUNTY [485470] FIRM.						
481586#	BAYSIDE, CITY OF	REFUGIO COUNTY		03/18/85	09/26/14	03/18/85	No
485456F	BAYTOWN, CITY OF	CHAMBERS COUNTY/HARRIS COUNTY	02/26/70	02/26/70	01/19/18	07/01/74	No
480102A	BAYVIEW, TOWN OF	CAMERON COUNTY	04/25/75	02/16/18	02/16/18	09/01/81	No
480121B	BEACH CITY, CITY OF	CHAMBERS COUNTY	05/20/77	01/19/83	05/04/15	01/19/83	No
481679#	BEAR CREEK, VILLAGE OF	HAYS COUNTY		02/18/98	09/02/05	03/24/98	No
	THE VILLAGE OF BEAR CREEK HAS ADOPTED THE HAYS COUNTY (480321) FIRM.						
481654B	BEASLEY, CITY OF	FORT BEND COUNTY	07/09/76	08/05/86	12/21/17	04/01/04	No
485457#	BEAUMONT, CITY OF	JEFFERSON COUNTY	09/02/70	09/02/70	08/06/02	10/30/70	No
480585B	BEDFORD, CITY OF	TARRANT COUNTY	12/28/73	07/18/77	03/21/19	07/18/77	No
481610#	BEE CAVE, CITY OF	TRAVIS COUNTY		09/26/08	09/26/08	04/12/88	No
480026#	BEE COUNTY *	BEE COUNTY	10/18/74	04/01/82	05/20/10	04/01/82	No
480027#	BEEVILLE, CITY OF	BEE COUNTY	05/10/74	01/20/82	05/20/10	01/20/82	No
480706#	BELL COUNTY *	BELL COUNTY	01/10/75	02/15/84	09/26/08	02/15/84	No
	THE CITY OF SALED0, BELL COUNTY (480033) IS A PART OF THE UNINCORPORATED AREA OF BELL COUNTY (480706).						
480289#	BELLAIRE, CITY OF	HARRIS COUNTY	06/28/74	09/30/81	06/18/07	09/30/81	No
480457#	BELLMEAD, CITY OF	MCLENNAN COUNTY	03/15/74	09/15/78	09/26/08	09/15/78	No
481095#	BELLVILLE, CITY OF	AUSTIN COUNTY	11/19/76	01/17/90	09/03/10(M)	06/17/98	No
480028#	BELTON, CITY OF	BELL COUNTY	03/08/74	07/05/82	09/26/08	07/05/82	No

Federal Emergency Management Agency Community Status Book Report TEXAS

Communities Participating in the National Flood Program

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal
480677#	BRIDGEPORT, CITY OF	WISE COUNTY	06/14/74	03/19/90	12/16/11(M)	08/01/87	No
480128#	BRONTE, CITY OF	COKE COUNTY	03/29/74	03/04/86	03/04/86(M)	03/04/86	No
481196#	BROOKS COUNTY*	BROOKS COUNTY	01/29/80	07/01/87	10/06/10	07/01/87	No
481097#	BROOKSHIRE, CITY OF	WALLER COUNTY	05/12/77	09/02/81	02/18/09	09/02/81	No
480067#	BROOKSIDE VILLAGE, CITY OF	BRAZORIA COUNTY	06/28/74	11/01/84	09/22/99	11/01/84	No
480717A	BROWN COUNTY*	BROWN COUNTY	01/24/78	03/01/91	08/28/18	03/01/91	No
480620#	BROWNFIELD, CITY OF	TERRY COUNTY	06/28/74	09/30/81	09/30/81	09/30/81	No
480325#	BROWNSBORO, CITY OF	HENDERSON COUNTY	12/10/76	09/01/87	04/05/10(M)	09/01/87	No
480103A	BROWNSVILLE, CITY OF	CAMERON COUNTY	05/24/74	12/01/78	02/16/18	12/01/78	No
480087A	BROWNWOOD, CITY OF	BROWN COUNTY	05/24/74	04/15/81	08/28/18	04/15/81	No
481302#	BRUCEVILLE-EDDY, CITY OF	FALLS COUNTY/MCLENNAN COUNTY	05/02/78	06/18/80	09/26/08	10/04/04	No
480082#	BRYAN, CITY OF	BRAZOS COUNTY	03/15/74	05/19/81	04/02/14	05/19/81	No
480877	BRYSON, CITY OF	JACK COUNTY	07/11/75	11/01/89	11/01/89(L)	11/01/89	No
481549B	BUCKHOLTS, CITY OF	MILAM COUNTY	03/18/80	04/01/07	04/01/07(L)	04/01/07	No
481640#	BUDA, CITY OF	HAYS COUNTY		06/02/93	09/02/05	05/28/02	No
481138#	BUFFALO GAP, TOWN OF	TAYLOR COUNTY	11/19/76	03/16/88	01/06/12(M)	03/16/88	No
481688#	BUFFALO SPRINGS, VILLAGE OF	LUBBOCK COUNTY		09/18/02	09/28/07	02/13/03	No
480904A	BUFFALO, CITY OF	LEON COUNTY	08/20/76	10/01/07	11/20/13	10/01/07	No
480568#	BULLARD, CITY OF	SMITH COUNTY	11/12/76	04/24/79	04/16/14	04/24/79	No
481681#	BULVERDE, CITY OF	COMAL COUNTY		07/17/95	09/02/09	03/24/98	No
	THE CITY OF BULVERDE NORTH AND THE CITY OF BULVERDE SOUTH DISSOLVED IN 1999 AND MERGED WITH THE CITY OF BULVERDE (CID 481681). THE ENTIRE COMMUNITY IS CALLED THE CITY OF BULVERDE.						
480290#	BUNKER HILL VILLAGE, CITY OF	HARRIS COUNTY	05/03/74	04/17/79	(NSFHA)	04/17/79	No
480658#	BURKBURNETT, CITY OF	WICHITA COUNTY	06/07/74	12/15/82	02/03/10	12/15/82	No
481169#	BURLESON COUNTY*	BURLESON COUNTY	06/17/77	01/18/89	01/06/11	01/18/89	No
485459B	BURLESON, CITY OF	TARRANT COUNTY/JOHNSON COUNTY		11/02/73	03/21/19	11/02/73	No
481209#	BURNET COUNTY *	BURNET COUNTY	11/22/77	11/16/90	03/15/12	11/16/90	No
480092#	BURNET, CITY OF	BURNET COUNTY	05/17/74	09/18/87	03/15/12	09/18/87	No
480649#	BURTON, CITY OF	WASHINGTON COUNTY	12/20/74	04/01/07	08/16/11(M)	04/01/07	No
480744#	BYERS, CITY OF	CLAY COUNTY	06/27/75	04/02/91	(NSFHA)	12/14/01	No
480490	CACTUS, CITY OF	MOORE COUNTY	06/14/74		03/26/76	03/25/08(E)	No
480364#	CADDO MILLS, CITY OF	HUNT COUNTY	06/28/74	09/04/91	01/06/12(M)	03/06/08	No
480094#	CALDWELL COUNTY*	CALDWELL COUNTY	05/27/77	03/15/82	06/19/12	03/15/82	No
480089#	CALDWELL, CITY OF	BURLESON COUNTY	05/03/74	09/30/88	01/06/11	09/30/88	No
480097B	CALHOUN COUNTY *	CALHOUN COUNTY	06/16/70	03/19/71	08/02/18	03/19/71	No
480720	CALLAHAN COUNTY*	CALLAHAN COUNTY				08/16/07(E)	No
480260#	CALLISBURG, CITY OF	COOKE COUNTY		01/16/08	01/16/08	07/02/09	No
480989#	CALVERT, CITY OF	ROBERTSON COUNTY	08/13/76	07/06/82	07/18/11(M)	07/06/82	No
480101A	CAMERON COUNTY *	CAMERON COUNTY		06/15/79	02/16/18	06/15/79	No
480478#	CAMERON, CITY OF	MILAM COUNTY	06/14/74	08/19/85	12/02/92	08/19/85	No
480979	CAMP WOOD, CITY OF	REAL COUNTY	07/02/76	02/15/85	02/15/85(M)	02/15/85	No
480323	CANADIAN, CITY OF	HEMPHILL COUNTY	06/28/74	06/01/88	06/01/88(L)	06/01/88	No
481550#	CANEY CITY, CITY OF	HENDERSON COUNTY	06/17/80	09/27/91	04/05/10	06/20/11	No
480632#	CANTON, CITY OF	VAN ZANDT COUNTY	05/10/74	09/29/86	12/17/10	09/29/86	No
480533#	CANYON, CITY OF	RANDALL COUNTY	02/01/74	06/04/10	06/04/10	09/20/82	No
481505#	CARMINE, CITY OF	FAYETTE COUNTY	04/03/79	07/18/85	10/17/06(M)	07/18/85	No
480199	CARRIZO SPRINGS, CITY OF	DIMMIT COUNTY	05/03/74	07/01/87	07/01/87(L)	07/01/87	No
480167B	CARROLLTON, CITY OF	COLLIN COUNTY/DENTON	06/28/74	07/16/80	06/07/17	07/16/80	No

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481515#	DOMINO, TOWN OF	CASS COUNTY	07/10/79	04/03/12	04/03/12(M)	03/24/10	No
480336	DONNA, CITY OF	HIDALGO COUNTY	02/01/74	06/19/85	06/19/85(M)	06/19/85	No
481516#	DOUBLE OAK, TOWN OF	DENTON COUNTY	06/19/79	03/04/87	04/18/11	03/04/87	No
481667#	DRIPPING SPRINGS, CITY OF	HAYS COUNTY		02/18/98	(NSFHA)	09/06/02	No
480507#	DRISCOLL, CITY OF	NUECES COUNTY	03/01/74	07/16/81	07/16/81	07/16/81	No
480219#	DUBLIN, CITY OF	ERATH COUNTY	08/30/74	08/08/78	11/16/11(M)	08/08/78	No
481502	DUMAS, CITY OF	MOORE COUNTY				10/31/00(E)	No
480173E	DUNCANVILLE, CITY OF	DALLAS COUNTY	02/08/74	04/15/81	03/21/19	04/15/81	No
480202#	DUVAL COUNTY*	DUVAL COUNTY	06/03/77	05/01/87	02/04/11	05/01/87	No
480146#	EAGLE LAKE, CITY OF	COLORADO COUNTY	05/10/74	01/03/90	02/04/11	04/01/87	No
480471#	EAGLE PASS, CITY OF	MAVERICK COUNTY	05/24/74	06/01/81	04/04/11	06/01/81	No
480088A	EARLY, CITY OF	BROWN COUNTY	05/17/74	07/01/87	08/28/18	07/01/87	No
480895	EARTH, CITY OF	LAMB COUNTY	05/02/75	07/18/85	07/18/85(M)	07/18/85	No
480650B	EAST BERNARD, CITY OF	WHARTON COUNTY		04/05/06	12/21/17	07/22/04	No
	USE THE WHARTON COUNTY, TX (CID 480652) FIRM PANEL 0150.						
480793A	EASTLAND COUNTY*	EASTLAND COUNTY	05/17/74	07/01/99	04/05/19(M)	09/01/07	No
480204#	EASTLAND, CITY OF	EASTLAND COUNTY	04/12/74	08/01/87	08/05/97	08/01/87	No
481145A	EASTON, CITY OF	RUSK COUNTY/GREGG COUNTY	07/18/75	12/01/89	09/03/14	12/01/89	No
480796#	ECTOR COUNTY*	ECTOR COUNTY	11/29/77	03/04/91	03/15/12	03/04/91	No
480809#	ECTOR, CITY OF	FANNIN COUNTY	07/11/75	10/01/07	02/18/11(M)	10/01/07	No
480337	EDCOUCH, CITY OF	HIDALGO COUNTY	03/19/78		(NSFHA)	05/25/78	No
480763	EDEN, CITY OF	CONCHO COUNTY	05/02/75	09/04/85	09/04/85(M)	09/04/85	No
480592B	EDGECLIFF VILLAGE, TOWN OF	TARRANT COUNTY	12/28/73	08/19/86	03/21/19	08/19/86	No
480338#	EDINBURG, CITY OF	HIDALGO COUNTY	06/28/74	03/02/82	06/06/00	05/02/77	No
485465#	EDNA, CITY OF	JACKSON COUNTY	11/12/71	11/12/71	09/17/14	11/12/71	No
480653#	EL CAMPO, CITY OF	WHARTON COUNTY	06/07/74	06/04/80	04/05/06	06/04/80	No
480070#	EL CENIZO, CITY OF	WEBB COUNTY		05/17/82	04/02/08(M)	06/21/07	No
481000	EL DORADO, CITY OF	SCHLEICHER COUNTY	08/13/76	09/01/04	09/01/04	09/01/04	No
485466F	EL LAGO, CITY OF	HARRIS COUNTY		07/02/71	01/06/17	07/02/71	No
480212#	EL PASO COUNTY *	EL PASO COUNTY	09/13/74	09/04/91	09/04/91	09/04/91	No
	Fabens and Canutillo are Census Designated Places (CDP). Both of these communities should be covered by the Unincorporated Areas of EL PASO County.						
480214#	EL PASO, CITY OF	EL PASO COUNTY	11/29/77	10/15/82	02/16/06	10/15/82	No
480659#	ELECTRA, CITY OF	WICHITA COUNTY	12/03/76	02/03/10	02/03/10(M)	08/03/84	No
480023#	ELGIN, CITY OF	BASTROP COUNTY	06/21/74	07/01/88	(NSFHA)	07/01/88	No
480002#	ELKHART, TOWN OF	ANDERSON COUNTY	03/29/74	06/25/76	02/03/10(M)	06/25/76	No
480798#	ELLIS COUNTY*	ELLIS COUNTY	08/16/77	08/19/87	06/03/13	08/19/87	No
480710#	ELMENDORF, CITY OF	BEXAR COUNTY	06/11/76	09/03/80	09/29/10	10/15/04	No
480339	ELSA, CITY OF	HIDALGO COUNTY	04/23/76		(NSFHA)	05/25/78	No
480977#	EMORY, CITY OF	RAINS COUNTY	08/08/75	04/17/12	04/17/12(M)	04/17/12	No
481634#	ENCHANTED OAKS, TOWN OF	HENDERSON COUNTY		09/27/91	04/05/10	09/27/91	No
481692	ENCINAL, CITY OF	LA SALLE COUNTY			(NSFHA)	02/11/09	No
480207#	ENNIS, CITY OF	ELLIS COUNTY	06/28/74	06/15/82	06/03/13	06/15/82	No
480218B	ERATH COUNTY*	ERATH COUNTY	12/27/77	04/01/04	04/05/19	04/01/04	No
480593B	EULESS, CITY OF	TARRANT COUNTY	03/22/74	04/03/85	03/21/19	04/03/85	No
480327#	EUSTACE, CITY OF	HENDERSON COUNTY	06/11/76	09/27/91	04/05/10(M)	09/02/11	No
480594B	EVERMAN, CITY OF	TARRANT COUNTY	12/17/73	09/17/80	03/21/19	09/17/80	No
481644#	FAIR OAKS RANCH, CITY OF	COMAL COUNTY/KENDALL COUNTY/BEXAR COUNTY		02/02/06	12/17/10	12/20/93	No

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480380#	MILDRED, TOWN OF	NAVARRO COUNTY		06/05/12	06/05/12(M)	05/17/16	No
480992	MILES, CITY OF	RUNNELS COUNTY	08/13/76	04/01/07	04/01/07(L)	04/01/07	No
480802#	MILFORD, CITY OF	ELLIS COUNTY	08/29/75	01/20/99	06/03/13	03/06/01	No
480583#	MILLER'S COVE, TOWN OF	TITUS COUNTY		09/29/10	09/29/10(M)	08/24/12	No
480935	MILLS COUNTY*	MILLS COUNTY				04/28/92(E)	No
480107B	MILLSAP, CITY OF	PARKER COUNTY		09/26/08	04/05/19(M)	08/28/13	No
480679#	MINEOLA, CITY OF	WOOD COUNTY	06/04/76	09/03/10	09/03/10(M)	09/03/10	No
480517B	MINERAL WELLS, CITY OF	PARKER COUNTY/PALO PINTO COUNTY	05/03/74	12/01/77	04/05/19	12/01/77	No
480518B	MINGUS, CITY OF	PALO PINTO COUNTY	05/02/75	09/01/04	04/05/19	09/01/04	No
481578#	MISSION BEND M.U.D. #1	FORT BEND COUNTY/HARRIS COUNTY	05/26/70	08/05/86	(NSFHA)	09/04/87	No
	THIS COMMUNITY IS NOW A PART OF HARRIS COUNTY (CID 480287)						
480345#	MISSION, CITY OF	HIDALGO COUNTY	02/15/74	08/15/79	11/20/91	08/15/79	No
480304F	MISSOURI CITY, CITY OF	HARRIS COUNTY/FORT BEND COUNTY	01/17/75	01/06/82	05/02/19	01/06/82	No
480937#	MITCHELL COUNTY *	MITCHELL COUNTY	10/23/81	05/15/85	05/15/85(M)	05/15/85	No
480644	MONAHANS, CITY OF	WARD COUNTY	06/11/76	02/01/88	02/01/88(L)	02/01/88	No
480122B	MONT BELVIEU, CITY OF	LIBERTY COUNTY/CHAMBERS COUNTY	12/24/76	08/16/82	01/19/18	08/16/82	No
480939#	MONTAGUE COUNTY*	MONTAGUE COUNTY		01/17/91	08/16/11	01/17/91	No
480483#	MONTGOMERY COUNTY*	MONTGOMERY COUNTY	04/25/78	08/01/84	08/18/14	08/01/84	No
481483#	MONTGOMERY, CITY OF	MONTGOMERY COUNTY	11/26/76	11/17/82	08/18/14	09/30/97	No
480930#	MOODY, CITY OF	MCLENNAN COUNTY	07/09/76	09/26/08	(NSFHA)	09/26/08	No
481525#	MORGAN'S POINT RESORT, CITY OF	BELL COUNTY	06/19/79	09/26/08	09/26/08(M)	09/26/08	No
480305F	MORGANS POINT, CITY OF	HARRIS COUNTY	06/28/74	12/01/83	01/06/17	12/01/83	No
480943A	MORRIS COUNTY*	MORRIS COUNTY	08/09/77	04/01/07	04/01/07(L)	04/01/07	No
480127#	MORTON, CITY OF	COCHRAN COUNTY	06/14/74	08/03/82	08/03/82(M)	08/03/82	No
480945	MOTLEY COUNTY*	MOTLEY COUNTY				05/03/01(E)	No
480433#	MOULTON, CITY OF	LAVACA COUNTY	04/05/74	03/04/86	11/26/10(M)	03/04/86	No
480863A	MOUNT CALM, CITY OF	HILL COUNTY	11/05/76	06/02/11	06/02/11(M)	06/02/11	No
481124#	MOUNT ENTERPRISE, CITY OF	RUSK COUNTY		09/29/10	09/29/10(M)	09/29/10	No
480621#	MOUNT PLEASANT, CITY OF	TITUS COUNTY	02/01/74	12/16/80	09/29/10	12/16/80	No
480821	MOUNT VERNON, CITY OF	FRANKLIN COUNTY	07/23/76	06/19/85	06/19/85(M)	06/19/85	No
481671#	MOUNTAIN CITY, CITY OF	HAYS COUNTY		02/18/98	09/02/05	11/06/07	No
480767#	MUENSTER, CITY OF	COOKE COUNTY	07/25/75	06/05/85	01/16/08	06/05/85	No
480019#	MULESHOE, CITY OF	BAILEY COUNTY	05/25/74	10/17/89	10/17/89	10/17/89	No
480330#	MURCHISON, CITY OF	HENDERSON COUNTY	06/11/76	05/18/82	04/05/10(M)	05/18/82	No
480137#	MURPHY, CITY OF	COLLIN COUNTY	12/07/73	04/01/80	06/02/09	04/01/80	No
481687#	MUSTANG RIDGE, CITY OF	CALDWELL COUNTY/TRAVIS COUNTY	03/07/78	04/01/82	01/06/16	06/15/00	No
	ADOPTED FIRM FOR TRAVIS COUNTY (481026) Panels 0140, 0145, 0180, AND 0185 AND THE FIRM FOR CALDWELL COUNTY (480097) PANEL 0025.						
480947#	NACOGDOCHES COUNTY*	NACOGDOCHES COUNTY	12/27/77	03/01/91	05/20/10	03/01/91	No
480497#	NACOGDOCHES, CITY OF	NACOGDOCHES COUNTY	06/28/74	02/18/81	05/20/10	02/18/81	No
480494#	NAPLES, CITY OF	MORRIS COUNTY	04/12/74	11/21/78	11/21/78(M)	11/21/78	No
480058B	NASH, CITY OF	BOWIE COUNTY	01/23/74	06/21/77	12/21/17(M)	06/21/77	No
485491F	NASSAU BAY, CITY OF	HARRIS COUNTY		11/13/70	01/06/17	11/13/70	No
481112#	NATALIA, CITY OF	MEDINA COUNTY	11/05/76	04/15/80	04/03/12	04/15/80	No
480950#	NAVARRO COUNTY*	NAVARRO COUNTY	12/27/77	04/01/04	06/05/12	04/01/04	No
480265#	NAVASOTA, CITY OF	GRIMES COUNTY	10/08/76	02/04/88	04/03/12	02/04/88	No

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485492#	NEDERLAND, CITY OF	JEFFERSON COUNTY	11/17/70	11/17/70	06/03/91	11/13/70	No
480820#	NEEDVILLE, CITY OF	FORT BEND COUNTY	12/20/77	03/04/87	04/02/14	07/31/81	No
481625#	NEW BERLIN, CITY OF	BEXAR COUNTY/GUADALUPE COUNTY		11/20/98	09/29/10	12/01/04	No
	Use Guadalupe County FIRM dated 11/20/98, panels 205, 215, and 225.						
480059#	NEW BOSTON, CITY OF	BOWIE COUNTY	12/17/73	11/21/78	10/19/10(M)	11/21/78	No
485493#	NEW BRAUNFELS, CITY OF	GUADALUPE COUNTY/COMAL COUNTY	12/02/72	12/02/72	09/02/09	12/01/72	No
	USE FIRM DATED JANUARY 5, 2006 FOR PORTIONS OF THE CITY IN COMAL COUNTY.						
481315#	NEW DEAL, CITY OF	LUBBOCK COUNTY	05/16/78	09/18/02	09/28/07(M)	11/06/02	No
481629#	NEW FAIRVIEW, CITY OF	WISE COUNTY		03/19/90	12/16/11(M)	04/10/12	No
480920	NEW HOME, CITY OF	LYNN COUNTY	09/05/75			12/04/00(E)	No
480138#	NEW HOPE, TOWN OF	COLLIN COUNTY		01/19/96	06/02/09(M)	04/19/96	No
481113#	NEW LONDON, CITY OF	RUSK COUNTY	11/05/76	06/19/85	09/29/10(M)	06/19/85	No
481153#	NEW SUMMERFIELD, CITY OF	CHEROKEE COUNTY	11/19/76	01/06/11	01/06/11(M)	01/06/11	No
481043A	NEW WAVERLY, CITY OF	WALKER COUNTY	06/25/76	08/16/11	08/16/11(M)	08/16/11	No
481058#	NEWCASTLE, CITY OF	YOUNG COUNTY	12/17/76	01/02/91	07/18/11(M)	03/10/10	No
480499A	NEWTON COUNTY*	NEWTON COUNTY	07/05/77	04/01/87	11/16/18	04/01/87	No
480500A	NEWTON, CITY OF	NEWTON COUNTY	06/07/74	09/21/98	11/16/18	08/16/10	No
481670#	NIEDERWALD, CITY OF	CALDWELL COUNTY/HAYS COUNTY		02/18/98	06/19/12	06/10/05	No
481114#	NIXON, CITY OF	WILSON COUNTY/GONZALES COUNTY	06/27/75	11/26/10	12/03/10(M)	08/26/77	No
480482#	NOCONA, CITY OF	MONTAGUE COUNTY	05/10/74	11/21/78	08/16/11(M)	11/21/78	No
481240#	NOLAN COUNTY*	NOLAN COUNTY		08/02/90	08/02/90	08/02/90	No
480032#	NOLANVILLE, CITY OF	BELL COUNTY	05/24/74	06/01/81	09/26/08	06/01/81	No
481297#	NOME, CITY OF	JEFFERSON COUNTY	07/12/77	02/02/83	02/02/83	04/16/90	No
480183#	NOONDAY, CITY OF	SMITH COUNTY	01/03/78	09/26/08	04/16/14	10/27/08	No
480436#	NORMANGEE, CITY OF	MADISON COUNTY/LEON COUNTY	08/16/74	07/06/82	11/20/13(M)	07/06/82	No
480607B	NORTH RICHLAND HILLS, CITY OF	TARRANT COUNTY	06/28/74	04/01/81	03/21/19	04/01/81	No
480782#	NORTHLAKE, TOWN OF	DENTON COUNTY		04/16/90	04/18/11	09/30/94	No
485494#	NUECES COUNTY*	NUECES COUNTY		09/27/72	05/04/92	09/22/72	No
480852	O'BRIEN, CITY OF	HASKELL COUNTY	07/25/75	11/01/07	11/01/07(L)	11/01/07	No
481672#	OAK LEAF, CITY OF	ELLIS COUNTY		01/20/99	06/03/13	09/15/00	No
481639#	OAK POINT, CITY OF	DENTON COUNTY		06/24/91	04/18/11	06/24/91	No
	USE THE DENTON COUNTY [480774] FIRM.						
481560#	OAK RIDGE NORTH, CITY OF	MONTGOMERY COUNTY		12/18/84	08/18/14	12/18/84	No
481534#	OAK RIDGE, CITY OF	KAUFMAN COUNTY	06/26/79	07/03/12	07/03/12(M)	07/03/12	No
480216#	OAK RIDGE, TOWN OF	COOKE COUNTY		01/16/08	(NSFHA)	04/01/11	No
480437#	OAKWOOD, TOWN OF	LEON COUNTY	05/24/74	11/20/13	11/20/13	11/20/13	No
480558A	ODEM, CITY OF	SAN PATRICIO COUNTY	03/29/74	07/16/81	11/04/16	07/16/81	No
480206#	ODESSA, CITY OF	MIDLAND COUNTY/ECTOR COUNTY	06/28/74	03/04/91	03/15/12	03/04/91	No
480769#	OGLESBY, CITY OF	CORYELL COUNTY	11/12/76	11/01/07	02/17/10(M)	11/01/07	No
481637B	OLD RIVER-WINFREE, CITY OF	LIBERTY COUNTY/CHAMBERS COUNTY	08/09/74	06/15/83	01/19/18	08/10/99	No
480959	OLDHAM COUNTY*	OLDHAM COUNTY				10/19/01(E)	No
481540#	OLMOS PARK, CITY OF	BEXAR COUNTY		02/16/96	(NSFHA)	05/28/99	No
	USE UTAH COUNTY (495517) FIRM PANELS 205 and 210.						
480686#	OLNEY, CITY OF	YOUNG COUNTY	04/12/74	12/04/85	07/18/11	12/04/85	No

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	As of today March 15,2010 and by letter from the community dated February 2010 the City of Weston Lakes (CID 481197) assumes responsibility for area previously held by the Fort Bend City MUD #81 (CID 481600). PDS						
481324#	WESTON, CITY OF	COLLIN COUNTY	05/23/78	04/02/91	06/02/09(M)	11/16/09	No
480615B	WESTOVER HILLS, TOWN OF	TARRANT COUNTY	08/30/74	06/05/85	03/21/19	06/05/85	No
480616B	WESTWORTH VILLAGE, CITY OF	TARRANT COUNTY	03/08/74	06/03/86	03/21/19	06/03/86	No
480652B	WHARTON COUNTY*	WHARTON COUNTY	08/02/74	04/18/83	12/21/17	02/27/87	No
480654B	WHARTON, CITY OF	WHARTON COUNTY	12/31/76	09/16/82	12/21/17	09/16/82	No
480657	WHEELER, CITY OF	WHEELER COUNTY	03/29/74	07/01/88	07/01/88(L)	07/01/88	No
480729	WHITE DEER, TOWN OF	CARSON COUNTY	07/02/76		07/02/76	06/08/12(E)	No
480841A	WHITE OAK, CITY OF	GREGG COUNTY	08/22/75	12/01/89	09/03/14	12/01/89	No
480617B	WHITE SETTLEMENT, CITY OF	TARRANT COUNTY	05/24/74	07/17/86	03/21/19	07/17/86	No
480747	WHITEFACE, CITY OF	COCHRAN COUNTY				02/05/01(E)	No
480572#	WHITEHOUSE, CITY OF	SMITH COUNTY	05/17/74	02/13/79	04/16/14	02/13/79	No
480839#	WHITEWRIGHT, CITY OF	FANNIN COUNTY/GRAYSON COUNTY	11/05/76	06/19/85	02/18/11(M)	06/19/85	No
480865#	WHITNEY, CITY OF	HILL COUNTY	07/02/76	02/16/90	06/02/11	02/16/90	No
481189#	WICHITA COUNTY*	WICHITA COUNTY	08/01/78	03/02/83	02/03/10	03/02/83	No
480662#	WICHITA FALLS, CITY OF	WICHITA COUNTY	06/28/74	10/16/79	02/03/10	10/16/79	No
481190	WILBARGER COUNTY*	WILBARGER COUNTY				03/14/94(E)	No
480664A	WILLACY COUNTY *	WILLACY COUNTY	08/16/77	02/15/84	04/05/17	02/15/84	No
481079#	WILLIAMSON COUNTY *	WILLIAMSON COUNTY	11/01/77	09/27/91	09/26/08	09/27/91	No
480942#	WILLIS, CITY OF	MONTGOMERY COUNTY	07/02/76	08/01/84	08/18/14	08/01/84	No
481603#	WILLOW FORK DRAINAGE DISTRICT	HARRIS COUNTY/FORT BEND COUNTY	07/09/76	09/30/92	04/02/14	09/08/86	No
	USE THE HARRIS COUNTY [480287] FIRM AND THE FORT BEND COUNTY [480228] FIRM						
481164B	WILLOW PARK, CITY OF	PARKER COUNTY	11/12/76	03/18/87	04/05/19	03/18/87	No
480633#	WILLS POINT, CITY OF	VAN ZANDT COUNTY	05/17/74	03/01/88	12/17/10(M)	03/01/88	No
480190#	WILMER, CITY OF	DALLAS COUNTY	02/01/74	09/17/80	07/07/14	09/17/80	No
480230#	WILSON COUNTY *	WILSON COUNTY		03/15/78	11/26/10	03/15/78	No
480922	WILSON, CITY OF	LYNN COUNTY	07/16/76		07/16/76	11/19/02(E)	No
481694#	WIMBERLEY, CITY OF	HAYS COUNTY		02/18/98	09/02/05	01/04/02	No
	USE HAYS COUNTY (480321) FIRM PANELS 0160, AND 0094						
480689#	WINDCREST, CITY OF	BEXAR COUNTY	05/17/74	08/15/77	09/29/10	08/15/77	No
481165#	WINDOM, TOWN OF	FANNIN COUNTY		02/18/11	02/18/11(M)	02/18/11	No
480680#	WINNSBORO, CITY OF	HOPKINS COUNTY/WOOD COUNTY	06/28/74	12/07/82	(NSFHA)	12/07/82	No
480550	WINTERS, CITY OF	RUNNELS COUNTY	05/14/76		(NSFHA)	05/25/78	No
481051#	WISE COUNTY*	WISE COUNTY	06/07/77	03/19/90	12/16/11	03/19/90	No
481636#	WIXON VALLEY, CITY OF	BRAZOS COUNTY		07/02/92	05/16/12(M)	09/04/01	No
480918C	WOLFFORTH, CITY OF	LUBBOCK COUNTY		09/18/02	02/03/17	10/25/02	No
481055#	WOOD COUNTY*	WOOD COUNTY	05/31/77	08/01/08	09/03/10(M)	08/01/08	No
480694#	WOODBOROUGH, CITY OF	MONTGOMERY COUNTY	07/02/76	08/15/84	08/18/14	08/15/84	No
481641#	WOODCREEK, CITY OF	HAYS COUNTY		06/02/93	09/02/05	06/02/93	No
481168#	WOODLOCH, TOWN OF	MONTGOMERY COUNTY	12/31/76	01/03/85	08/18/14	01/03/85	No
480987#	WOODSBORO, TOWN OF	REFUGIO COUNTY	07/02/76	07/16/81	09/26/14	07/16/81	No
481022	WOODSON, CITY OF	THROCKMORTON COUNTY	10/22/76	04/01/91	04/01/91(L)	04/01/91	No
481035#	WOODVILLE, CITY OF	TYLER COUNTY	07/02/76	10/26/82	04/04/11(M)	10/26/82	No
480462#	WOODWAY, CITY OF	MCLENNAN COUNTY	01/23/74	05/01/79	09/26/08	05/01/79	No

Federal Emergency Management Agency Community Status Book Report TEXAS

Communities Participating in the National Flood Program

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal
480826	WORTHAM, TOWN OF	FREESTONE COUNTY	10/29/76	09/04/85	09/04/85(M)	09/04/85	No
480759#	WYLIE, CITY OF	ROCKWALL COUNTY/DALLAS COUNTY/COLLIN COUNTY	11/12/76	06/04/80	07/07/14	06/04/80	No
481167#	YANTIS, CITY OF	WOOD COUNTY	07/09/76	10/26/82	09/03/10(M)	10/26/82	No
480434#	YOAKUM, CITY OF	DEWITT COUNTY/LAVACA COUNTY	05/10/74	09/01/87	01/06/11(M)	09/01/87	No
480197#	YORKTOWN, CITY OF	DEWITT COUNTY	04/02/74	03/01/87	01/06/11(L)	03/01/87	No
480684B	YOUNG COUNTY *	YOUNG COUNTY	02/07/78	01/02/91	04/05/19	01/02/91	No
480687#	ZAPATA COUNTY *	ZAPATA COUNTY	08/02/74	07/17/12	07/17/12(M)	07/17/12	No
481191#	ZAVALA COUNTY*	ZAVALA COUNTY	03/04/80	09/01/87	09/01/87(L)	09/01/87	No
485527#	ZAVALLA, CITY OF	ANGELINA COUNTY		09/29/10	09/29/10(M)	09/29/10	No

Summary:

Total In Flood Program	1,255
Total In Emergency Program	70
Total In the Regular Program	1,185
Total In Regular Program with No Special Flood Hazard	51
Total In Regular Program But Minimally Flood Prone	353

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and Buyout Program**

Attachment D: Clean Air

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Air Quality (CEST and EA)

General Requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

Scope of Work

- 1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

→ *Continue to Question 2.*

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project’s County or Air Quality Management District

- 2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

No, project’s county or air quality management district is in attainment status for all criteria pollutants

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

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- Yes, project’s management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

→ Continue to Question 3.

- 3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

- Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Hays County has received disaster recovery funding from the Texas General Land Office through the Housing Assistance Program (HAP) and Buyout Program and Project construction activities will only be completed on single family homes and will not delay attainment of national ambient air quality standards or contribute to a new or existing violation. Site demolition and construction may result in temporary elevated dust levels surrounding the project site but are not anticipated to affect air quality. Dusts will be actively controlled using standard dust suppression best management practices (BMPs) and engineering controls.

The project area is considered an Early Action Compact Area. This SIP area is labeled as Austin-Round Rock but includes Travis, Williamson, Bastrop, Hays and Caldwell Counties. The area is in attainment, but the compact continues voluntary emission reduction measures and analysis of measure effectiveness.









Are formal compliance steps or mitigation required?

- Yes
- No



Home Air Land Water Licenses
 Permits Reporting



-  [Data](#)
-  [Forms](#)
-  [Maps](#)
-  [Public Notices](#)
-  [Publications](#)
-  [Records](#)
-  [Webcasts](#)
-  [TCEQ Online Services](#)
 e-Pay,
 Permits
 Licenses,
 Reporting
 Filing,
 Comments

[Home](#) / [Air Quality](#) / [SIP](#) / [Austin SIP](#)

>> [Questions or Comments:](#)
siprules@tceq.texas.gov

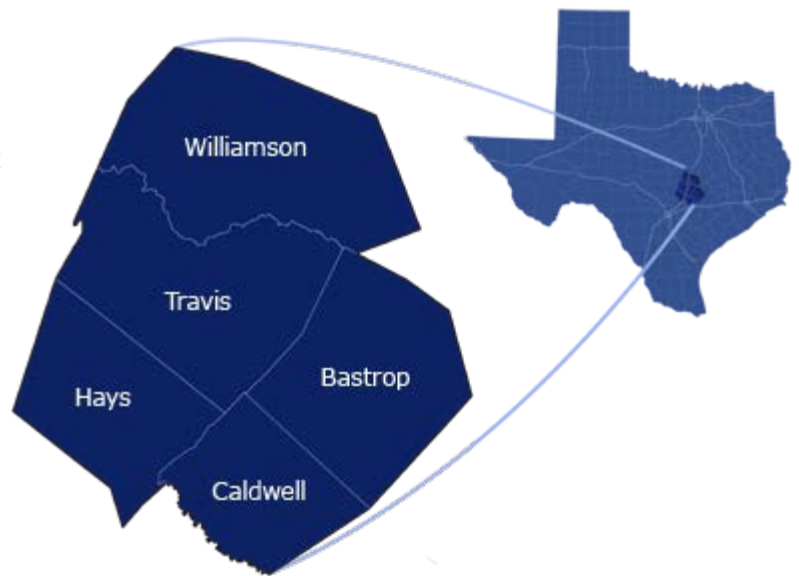
Austin-Round Rock and the State Implementation Plan

Information on the State Implementation Plan (SIP) to improve air quality in the Austin-Round Rock area and meet the requirements of the Federal Clean Air Act. The area includes Travis, Williamson, Bastrop, Hays, and Caldwell counties.

Attainment Status

Current air quality designations for the six criteria pollutants

- [Current Attainment Status](#)
- [Ozone Design Values](#)



Air Quality History


Austin air quality history from the 1990s to the present

[Ozone History](#)

Latest Activities

Information about the latest events and activities related to Austin and the SIP

- [Cleanups, Remediation](#)
- [Emergency Response](#)
- [Licensing](#)
- [Permits, Registration](#)
- [Preventing Pollution](#)
- [Recycling](#)
- [Reporting](#)
- [Rules](#)

 [How are we doing? Take our customer satisfaction](#)

[survey](#)

- [Latest Ozone Planning Activities](#)

Air Quality Plans

Adopted SIP revisions and agreements from the 1970s to the present

- [Current Ozone Air Quality Plan](#)
- [Complete List of Texas SIP Revisions](#) (see *AUS* column)

Air Quality Control Measures

Information on air quality control measures implemented in Texas

- [Texas Air Quality Rules](#)
 - [Stationary Source Rules for the Austin-Round Rock Area](#)

Contact Information and Related Links

[How to contact](#) TCEQ SIP staff, local air quality planning groups, and other helpful links

[Home](#)

[About Us](#)

[Online](#)

[Services](#)

[Environmental](#)

[Emergency](#)

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Employees

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[Programs](#)

[Air](#)

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[Water](#)

[Permits](#)

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[Reporting](#)

[Documents](#)

[Data and](#)

[Records](#)

[Rules](#)

[Forms](#)

[Publications](#)

[Maps](#)

[Public Notices](#)

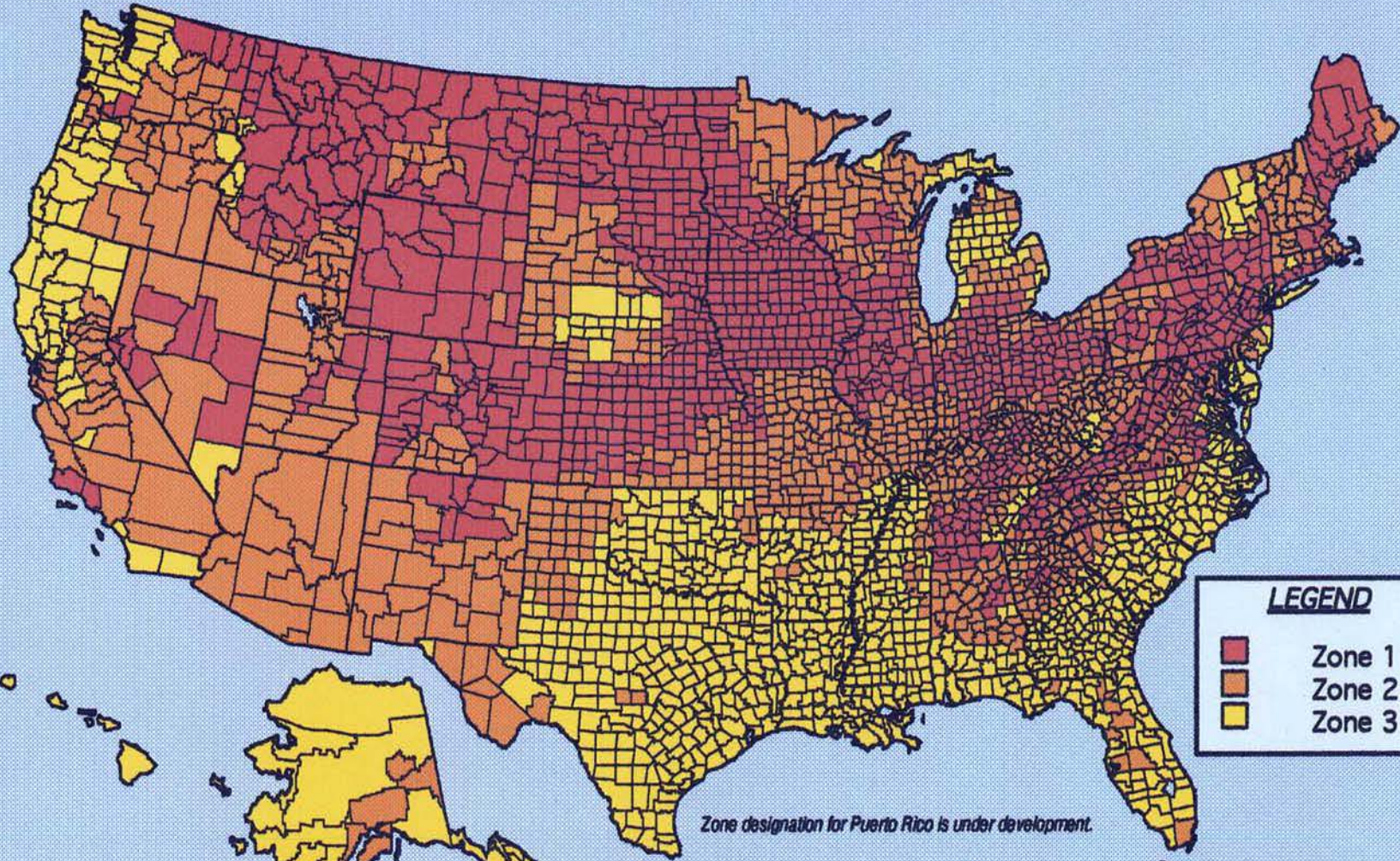
[Site Help](#) | [Disclaimer](#) | [Site Policies](#) | [Accessibility](#) | [Our Compact with Texans](#) | [TCEQ Homeland Security](#)

Statewide Links: [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

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Last Modified 2018-10-15

EPA Map of Radon Zones



LEGEND	
	Zone 1
	Zone 2
	Zone 3

Zone designation for Puerto Rico is under development.

The purpose of this map is to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. This map is not intended to be used to determine if a home in a given zone should be tested for radon. Homes with elevated levels of radon have been found in all three zones. All homes should be tested regardless of geographic location.

IMPORTANT : Consult the EPA Map of Radon Zones document (EPA-402-R-93-071) before using this map. This document contains information on radon potential variations within counties. EPA also recommends that this map be supplemented with any available local data in order to further understand and predict the radon potential of a specific area.



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Attachment E: Coastal Zone Management

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Coastal Zone Management Act (CEST and EA)

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes → *Continue to Question 2.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

2. Does this project include activities that are subject to state review?

Yes → *Continue to Question 3.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, with mitigation. → *Continue to Question 4.*

Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

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No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

See General Location Maps.

Are formal compliance steps or mitigation required?

- Yes
 No

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Attachment F: Contamination and Toxic Substances

Contamination and Toxic Substances (Single Family Properties)

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
https://www.hudexchange.info/programs/environmental-review/site-contamination		

1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?

Provide a map or other documentation of absence or presence of contamination¹ and explain evaluation of site contamination in the Worksheet below.

No

Explain:

This item will be handled on the site specific review. The county contains sites that are known to be contaminated, or may potentially be contaminated, with toxic chemicals or radioactive materials as displayed in Exhibit A5-1. Site-specific inspection will determine the potential for toxic chemicals or radioactive materials to be identified on, adjacent to, or near a residential project site. →

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

→ Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 2.

¹ Utilize EPA's Enviromapper and state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action

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and/or further investigation. Additional supporting documentation may include other inspections and reports.

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

2. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental mitigation cannot be mitigated, then HUD assistance may not be used for the project at this site.

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated
→ Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.
→ *Provide all mitigation requirements² and documents. Continue to Question 3.*

3. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls³, or use of institutional controls⁴.

Mitigation measures may include removal of hazards in accordance with regulatory requirements or relocating the housing project to another location. The programs will meet HUD policies that at completion all homes be free of hazardous materials that could affect occupant health, including lead-based paint, asbestos containing materials, and mold. See also Site-Specific Review Strategy, Appendix B.

**If
a**

remediation plan or clean-up program was necessary, which standard does it follow?

² Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

³ Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

⁴ Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may

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include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

- Complete removal
- Risk-based corrective action (RBCA)
- Other

→ *Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Hays County possesses environmentally regulated facilities tracked by the US Environmental Protection Agency (EPA). A review of the EPA Enviromapper database which includes environmental activities that may affect air, water, and land anywhere in the United States. A review of available data tracked at the Hays county levels reflects 166 facilities are located within the county.

A site-specific assessment of the location and proximity to these sites will be conducted once the final homes are selected. The proximity to these sites will be based upon guidance provided by HUD regarding acceptable distances from various types of contamination generated or occurring as a result of a compliance or enforcement matters.

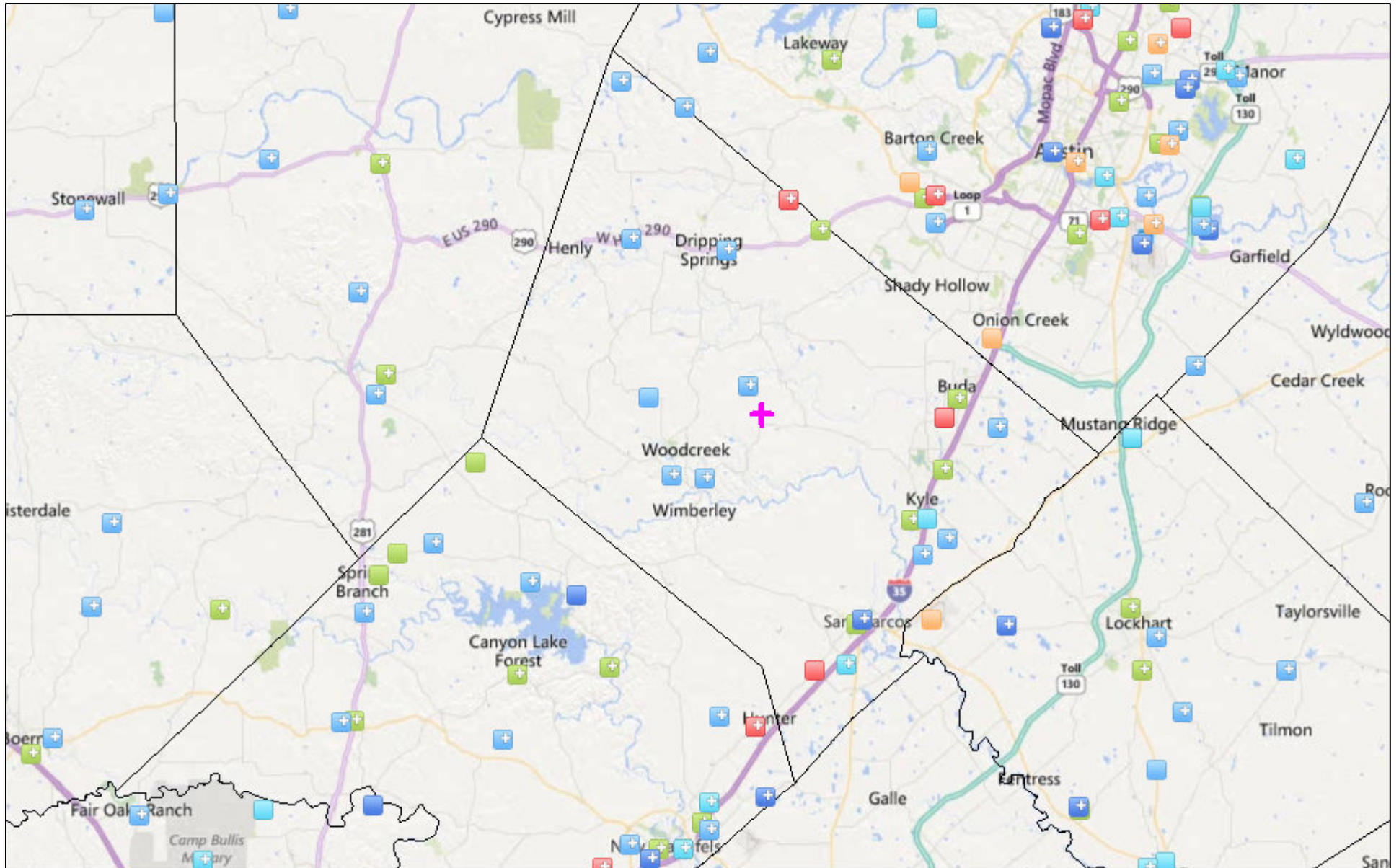
Types of specific hazards to be assessed within the homes include Lead hazard, Radon hazards, Evidence of mold, Asbestos Containing Materials, Compliance and enforcement, pollution prevention and toxics, and potential site contamination from spills .

See Exhibit A, Attachment F for mapping of entire area. Mitigation measures may include removal of hazards in accordance with regulatory requirements or relocating the housing project to another location. The programs will meet HUD policies that at completion all homes be free of hazardous materials that could affect occupant health, including lead-based paint, asbestos containing materials, and mold. See also Site-Specific Review Strategy, Appendix B.

Are formal compliance steps or mitigation required?

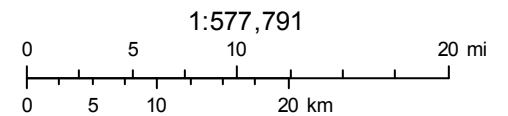
- Yes
- No

Hays County Contamination & Toxic Substances



May 7, 2019

- | | | | | | | | |
|--|-------------------|--|-----------------|--|----------------------|--|-----------------------|
| | TSCA (clustered) | | TRI (clustered) | | AIRS (clustered) | | Search Result (point) |
| | TSCA (single) | | TRI (single) | | AIRS (single) | | Counties |
| | ACRES (clustered) | | PCS (clustered) | | RCRAINFO (clustered) | | |
| | ACRES (single) | | PCS (single) | | RCRAINFO (single) | | |





Future Link Technologies

Environmental and Technology Consulting

**Hays County
Community Development Block Grant
Supplemental Disaster Recovery
Contract No. 18-421-000-B130**

**Research
Hazardous Materials Search Results**

Database searched	Search Distance (in miles)	Number of Sites found
<i>Federal Databases</i>		166
NPL site list	1.0	
Delisted NPL site list	0.5	
CERCLIS list	0.5	
CERCLIS NFRAP site list	0.5	
RCRA CORRACTS facilities list	1.0	
RCRA non-CORRACTS TSD facilities list	0.5	
RCRA generators list	property and adjoining properties	
Institutional control/engineering control registries	property only	
ERNS list	property only	
<i>State/Tribal Databases</i>		624
NPL	1.0	
CERCLIS	0.5	
Landfill and/or solid waste disposal site lists	0.5	
Leaking storage tank list	0.5	
Registered storage tank list	property and adjoining properties	
Institutional control/engineering control registries	property only	
Voluntary cleanup sites Owner/Operator	0.5	
Brownfield sites	0.5	0
Current Spills Report	At Project location or within close proximity to Site	

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Attachment G: Endangered Species

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Pursuant to 24 CFR Part 58
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Endangered Species Act (CEST and EA)

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402
References		
https://www.hudexchange.info/environmental-review/endangered-species		

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

Explain your determination:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes, the activities involved in the project have the potential to affect species and/or habitats. → *Continue to Question 2.*

**Broad-Level Tiered Environmental Assessment
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2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Documentation

may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

No Effect: Based on the specifics of both the project and any federally listed species in the

action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

→ *Continue to Question 4, Informal Consultation.*

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) *A biological evaluation or equivalent document*
- (2) *Concurrence(s) from FWS and/or NMFS*
- (3) *Any other documentation of informal consultation*

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding. → *Continue to Question 5.*

5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ *Once consultation is complete, the review is in compliance with this section.*

Continue to Question 6 and provide the following:

- (1) *A biological assessment, evaluation, or equivalent document*
- (2) *Biological opinion(s) issued by FWS and/or NMFS*
- (3) *Any other documentation of formal consultation*

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

No mitigation is necessary.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Explain why mitigation will not be made here:

Worksheet

Summary

Compliance

Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Threatened, endangered, and migratory bird species were identified by reviewing data from the Texas Parks and Wildlife Department's (TPWD's) and U.S. Fish and Wildlife Service's (USFWS's) county listing databases (Attachment 6). In addition, critical species habitat was reviewed through the USFWS Critical Habitat Portal (Exhibit A6-1).

Projects located on already disturbed ground will not affect species habitat levels. Buy out of the sites project construction activities have the potential to affect species habitat and will be reviewed at the site-specific level. Mitigation measures for housing sites in proximity to wildlife habitat will include the implementation of BMPs for stormwater management and soil erosion control, the establishment of work exclusion zones, and may include restricted work schedules and biological monitoring. The work exclusion zones will restrict project activities to a designated construction area.

Construction debris will be properly handled and disposed of to avoid impact on surrounding wildlife habitat. Construction staging is restricted to the residential property and its adjacent roads

Are formal compliance steps or mitigation required?

Yes

No

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Texas



Local office

Austin Ecological Services Field Office

☎ (512) 490-0057

📅 (512) 490-0974

10711 Burnet Road, Suite 200
Austin, TX 78758-4460

<http://www.fws.gov/southwest/es/AustinTexas/>

<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Birds

NAME

STATUS

Golden-cheeked Warbler (=wood) <i>Dendroica chrysoparia</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/33	Endangered
Least Tern <i>Sterna antillarum</i> This species only needs to be considered if the following condition applies: <ul style="list-style-type: none"> • Wind Energy Projects No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8505	Endangered
Piping Plover <i>Charadrius melodus</i> This species only needs to be considered if the following condition applies: <ul style="list-style-type: none"> • Wind Energy Projects There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> This species only needs to be considered if the following condition applies: <ul style="list-style-type: none"> • Wind Energy Projects No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/758	Endangered

Amphibians

NAME	STATUS
Austin Blind Salamander <i>Eurycea waterlooensis</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5737	Endangered
Barton Springs Salamander <i>Eurycea sosorum</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1113	Endangered

Jollyville Plateau Salamander <i>Eurycea tonkawae</i>	Threatened
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/3116	
San Marcos Salamander <i>Eurycea nana</i>	Threatened
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/6374	
Texas Blind Salamander <i>Typhlomolge rathbuni</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5130	

Fishes

NAME	STATUS
Fountain Darter <i>Etheostoma fonticola</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/5858	
San Marcos Gambusia <i>Gambusia georgei</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/7519	

Clams

NAME	STATUS
Golden Orb <i>Quadrula aurea</i>	Candidate
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9042	
Smooth Pimpleback <i>Cyclonaias houstonensis</i>	Candidate
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8967	
Texas Fatmucket <i>Lampsilis bracteata</i>	Candidate
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9041	
Texas Fawnsfoot <i>Truncilla macrodon</i>	Candidate
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8965	

Texas Pimpleback <i>Quadrula petrina</i>	Candidate
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8966	

Insects

NAME	STATUS
Comal Springs Dryopid Beetle <i>Stygoparnus comalensis</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/7175	
Comal Springs Riffle Beetle <i>Heterelmis comalensis</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/3403	
Kretschmarr Cave Mold Beetle <i>Texamaurops reddelli</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/3140	
Tooth Cave Ground Beetle <i>Rhadine persephone</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5625	

Arachnids

NAME	STATUS
Bee Creek Cave Harvestman <i>Texella reddelli</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2464	
Bone Cave Harvestman <i>Texella reyesi</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5306	
Tooth Cave Pseudoscorpion <i>Tartarocreagris texana</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6667	
Tooth Cave Spider <i>Neoleptoneta myopica</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2360	

Crustaceans

NAME	STATUS
Peck's Cave Amphipod <i>Stygobromus (=Stygonectes) pecki</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8575	Endangered

Flowering Plants

NAME	STATUS
Bracted Twistflower <i>Streptanthus bracteatus</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2856	Candidate
Texas Wild-rice <i>Zizania texana</i> There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/805	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

This location overlaps the critical habitat for the following species:

NAME	TYPE
Comal Springs Dryopid Beetle <i>Stygoparnus comalensis</i> https://ecos.fws.gov/ecp/species/7175#crithab	Final
Comal Springs Riffle Beetle <i>Heterelmis comalensis</i> https://ecos.fws.gov/ecp/species/3403#crithab	Final
Fountain Darter <i>Etheostoma fonticola</i> https://ecos.fws.gov/ecp/species/5858#crithab	Final
San Marcos Gambusia <i>Gambusia georgei</i> https://ecos.fws.gov/ecp/species/7519#crithab	Final
San Marcos Salamander <i>Eurycea nana</i> https://ecos.fws.gov/ecp/species/6374#crithab	Final
Texas Wild-rice <i>Zizania texana</i> https://ecos.fws.gov/ecp/species/805#crithab	Final

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE.

"BREEDS ELSEWHERE" INDICATES
 THAT THE BIRD DOES NOT LIKELY
 BREED IN YOUR PROJECT AREA.)

<p>American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626</p>	Breeds Sep 1 to Jul 31
<p>Black Throated Sparrow <i>Amphispiza bilineata</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Mar 15 to Sep 5
<p>Buff-breasted Sandpiper <i>Calidris subruficollis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9488</p>	Breeds elsewhere
<p>Harris's Sparrow <i>Zonotrichia querula</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679</p>	Breeds elsewhere
<p>Long-billed Curlew <i>Numenius americanus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5511</p>	Breeds elsewhere
<p>Orchard Oriole <i>Icterus spurius</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Jun 10 to Aug 15
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10

Semipalmated Sandpiper *Calidris pusilla*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Sprague's Pipit *Anthus spragueii*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/8964>

Willet *Tringa semipalmata*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

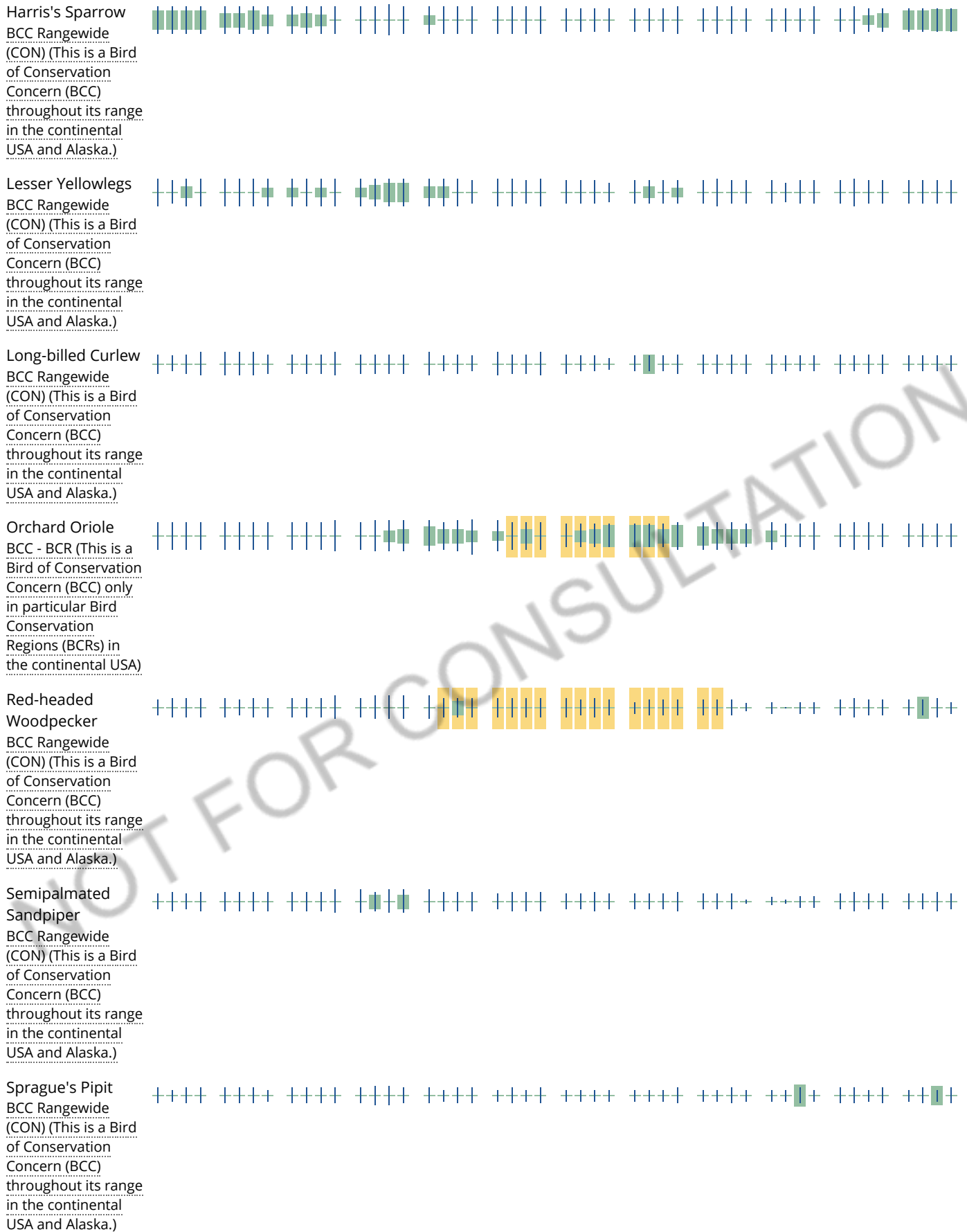
No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Willet

BCC Rangewide
(CON) (This is a Bird
of Conservation
Concern (BCC)
throughout its range
in the continental
USA and Alaska.)

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

This location overlaps the following [National Fish Hatcheries](#). Please contact them for further guidance.

HATCHERY	ACRES
San Marcos Aquatic Resources Center	128.88 acres
<p>☎ (512) 353-0011 📠 (512) 353-0856 500 East Mccarty Lane San Marcos, TX 78666-1024 https://www.fws.gov/offices/Directory/OfficeDetail.cfm?OrgCode=21230</p>	

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

The area of this project is too large for IPaC to load all NWI wetlands in the area. The list below may be incomplete. Please contact the local U.S. Fish and Wildlife Service office or visit the [NWI map](#) for a full list.

FRESHWATER EMERGENT WETLAND

[PEM1A](#)

[PEM1Ah](#)[PEM1Ch](#)[PEM1Fh](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PFO1A](#)[PFO1/SS1A](#)

FRESHWATER POND

[PUBF](#)[PUBH](#)[PUSCh](#)[PUSAh](#)[PUBHh](#)[PUBFh](#)[PUSA](#)[PAB3Fh](#)[PAB4Fh](#)[PUBFx](#)[PUBHx](#)[PUSAx](#)

LAKE

[L1UBHh](#)[L](#)[L2USAh](#)

RIVERINE

[R4SBC](#)[R4SBA](#)[R2USC](#)[R5UBFx](#)[R5UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Last Update: 4/18/2019

HAYS COUNTY

AMPHIBIANS

Barton Springs salamander *Eurycea sosorum*

Dependent upon water flow/quality from the Barton Springs pool of the Edwards Aquifer; known from the outlets of Barton Springs and subterranean water-filled caverns; found under rocks, in gravel, or among aquatic vascular plants and algae, as available; feeds primarily on amphipods

Federal Status: LE	State Status: E	SGCN: Y
Endemic: Y	Global Rank: G1	State Rank: S1

Blanco blind salamander *Eurycea robusta*

Troglobitic; water-filled subterranean caverns; may inhabit deep levels of the Balcones aquifer to the north and east of the Blanco River

Federal Status:	State Status: T	SGCN: Y
Endemic: Y	Global Rank: G1Q	State Rank: S1

Blanco River Springs salamander *Eurycea pterophila*

Subaquatic; springs and caves in the Blanco River drainage

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G2	State Rank: S3

Pedernales River Springs salamander *Eurycea sp. 6*

Known only from springs

Federal Status:	State Status:	SGCN: N
Endemic: Y	Global Rank: G1	State Rank: S1S2

San Marcos salamander *Eurycea nana*

Water over gravelly substrate characterized by dense mats of algae (*Lyng bya*) and aquatic moss (*Leptodictym riparium*), and water temperatures of 21-22 degrees C. and 30-40% dissolved oxygen preferred. Headwaters of the San Marcos River downstream to ca. 1/2 mile past IH-35; diet includes amphipods, midge larve, and aquatic snails

Federal Status: LT	State Status: T	SGCN: Y
Endemic: Y	Global Rank: G1	State Rank: S1

Strecker's chorus frog *Pseudacris streckeri*

Wooded floodplains and flats, prairies, cultivated fields and marshes. Likes sandy substrates.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

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HAYS COUNTY

AMPHIBIANS

Texas blind salamander *Eurycea rathbuni*

Troglobitic; water-filled subterranean caverns along a six mile stretch of the San Marcos Spring Fault, in the vicinity of San Marcos; eats small invertebrates, including snails, copepods, amphipods, and shrimp

Federal Status: LE State Status: E SGCN: Y
Endemic: Y Global Rank: G1 State Rank: S1

Texas salamander *Eurycea neotenes*

Troglobitic; springs, seeps, cave streams, and creek headwaters; often hides under rocks and leaves in water; restricted to Helotes and Leon Creek drainages

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1 State Rank: S1S2

Woodhouse's toad *Anaxyrus woodhousii*

Extremely catholic up to 5000 feet, does very well (except for traffic) in association with man.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: SU

ARACHNIDS

No accepted common name *Cicurina russelli*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Cicurina ubicki*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Texella mulaiki*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G2G3 State Rank: S2

No accepted common name *Texella renkesae*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

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HAYS COUNTY

ARACHNIDS

No accepted common name *Cicurina ezelli*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Texella diplospina*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Texella grubbsi*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Tartarocreagris grubbsi*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

BIRDS

bald eagle *Haliaeetus leucocephalus*

Found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds

Federal Status: State Status: T SGCN: Y
Endemic: N Global Rank: G5 State Rank: S3B,S3N

black-capped vireo *Vireo atricapilla*

Oak-juniper woodlands with distinctive patchy, two-layered aspect; shrub and tree layer with open, grassy spaces; requires foliage reaching to ground level for nesting cover; return to same territory, or one nearby, year after year; deciduous and broad-leaved shrubs and trees provide insects for feeding; species composition less important than presence of adequate broad-leaved shrubs, foliage to ground level, and required structure; nesting season March-late summer

Federal Status: State Status: E SGCN: Y
Endemic: N Global Rank: G3 State Rank: S2B

Franklin's gull *Leucophaeus pipixcan*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4G5 State Rank: S2N

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HAYS COUNTY

BIRDS

golden-cheeked warbler *Setophaga chrysoparia*

Ashe juniper in mixed stands with various oaks (*Quercus* spp.). Edges of cedar brakes. Dependent on Ashe juniper (also known as cedar) for long fine bark strips, only available from mature trees, used in nest construction; nests are placed in various trees other than Ashe juniper; only a few mature junipers or nearby cedar brakes can provide the necessary nest material; forage for insects in broad-leaved trees and shrubs; nesting late March-early summer.

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G2	State Rank: S2B

interior least tern *Sternula antillarum athalassos*

Sand beaches, flats, bays, inlets, lagoons, islands. Subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G4T2Q	State Rank: S1B

mountain plover *Charadrius montanus*

Breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2

piping plover *Charadrius melodus*

Beaches, sandflats, and dunes along Gulf Coast beaches and adjacent offshore islands. Also spoil islands in the Intracoastal Waterway. Based on the November 30, 1992 Section 6 Job No. 9.1, Piping Plover and Snowy Plover Winter Habitat Status Survey, algal flats appear to be the highest quality habitat. Some of the most important aspects of algal flats are their relative inaccessibility and their continuous availability throughout all tidal conditions. Sand flats often appear to be preferred over algal flats when both are available, but large portions of sand flats along the Texas coast are available only during low-very low tides and are often completely unavailable during extreme high tides or strong north winds. Beaches appear to serve as a secondary habitat to the flats associated with the primary bays, lagoons, and inter-island passes. Beaches are rarely used on the southern Texas coast, where bayside habitat is always available, and are abandoned as bayside habitats become available on the central and northern coast. However, beaches are probably a vital habitat along the central and northern coast (i.e. north of Padre Island) during periods of extreme high tides that cover the flats. Optimal site characteristics appear to be large in area, sparsely vegetated, continuously available or in close proximity to secondary habitat, and with limited human disturbance.

Federal Status: LT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2N

tropical parula *Setophaga pitiayumi*

Semi-tropical evergreen woodland along rivers and resacas. Texas ebony, anacua and other trees with epiphytic plants hanging from them. Dense or open woods, undergrowth, brush, and trees along edges of rivers and resacas; breeding April to July.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3B

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HAYS COUNTY

BIRDS

western burrowing owl *Athene cunicularia hypugaea*

Open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4T4	State Rank: S2

white-faced ibis *Plegadis chihi*

Prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; currently confined to near-coastal rookeries in so-called hog-wallow prairies. Nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4B

whooping crane *Grus americana*

Small ponds, marshes, and flooded grain fields for both roosting and foraging. Potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties.

Federal Status: LE	State Status: E	SGCN: Y
Endemic: N	Global Rank: G1	State Rank: S1N

wood stork *Mycteria americana*

Prefers to nest in large tracts of baldcypress (*Taxodium distichum*) or red mangrove (*Rhizophora mangle*); forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: SHB,S2N

zone-tailed hawk *Buteo albonotatus*

Arid open country, including open deciduous or pine-oak woodland, mesa or mountain county, often near watercourses, and wooded canyons and tree-lined rivers along middle-slopes of desert mountains; nests in various habitats and sites, ranging from small trees in lower desert, giant cottonwoods in riparian areas, to mature conifers in high mountain regions

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3B

CRUSTACEANS

Balcones Cave amphipod *Stygobromus balconis*

Subaquatic, subterranean obligate amphipod

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G2G3	State Rank: S2

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HAYS COUNTY

CRUSTACEANS

Ezell's Cave amphipod	<i>Stygobromus flagellatus</i>		
Known only from artesian wells			
Federal Status:	State Status:	SGCN:	Y
Endemic: Y	Global Rank: G2G3	State Rank:	S3
No accepted common name	<i>Artesia subterranea</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:	SGCN:	Y
Endemic: Y	Global Rank: G1G2	State Rank:	S2
No accepted common name	<i>Texiweckelia texensis</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:	SGCN:	Y
Endemic: Y	Global Rank: G2G3	State Rank:	S2
No accepted common name	<i>Palaemonetes texanus</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:	SGCN:	Y
Endemic: Y	Global Rank: G1G2	State Rank:	S1?
No accepted common name	<i>Cyclops cavernarum</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:	SGCN:	N
Endemic: Y	Global Rank: GNR	State Rank:	SU
No accepted common name	<i>Calathaemon holthuisi</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:	SGCN:	Y
Endemic: Y	Global Rank: G1G2	State Rank:	S1
Texas troglobitic water slater	<i>Lirceolus smithii</i>		
Subaquatic, subterranean obligate, aquifer.			
Federal Status:	State Status:	SGCN:	Y
Endemic: Y	Global Rank: G1G2	State Rank:	S1

FISH

alligator gar	<i>Atractosteus spatula</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:	SGCN:	Y

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HAYS COUNTY

FISH

Endemic: N Global Rank: G3G4 State Rank: S4

american eel *Anguilla rostrata*

Coastal waterways below reservoirs to gulf; spawns January to February in ocean, larva move to coastal waters, metamorphose, then females move into freshwater; most aquatic habitats with access to ocean, muddy bottoms, still waters, large streams, lakes; can travel overland in wet areas; males in brackish estuaries; diet varies widely, geographically, and seasonally

Federal Status: State Status: SGCN: Y

Endemic: N Global Rank: G4 State Rank: S4

chub shiner *Notropis potteri*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

Endemic: N Global Rank: G4 State Rank: S4

fountain darter *Etheostoma fonticola*

Plants include Elodea, Hydrilla, Ludwigia, and Rhyzoclonium. Known only from the San Marcos and Comal rivers; springs and spring-fed streams in dense beds of aquatic plants growing close to bottom, which is normally mucky; feeding mostly diurnal; spawns year-round with August and late winter to early spring peaks.

Federal Status: LE State Status: E SGCN: Y

Endemic: Y Global Rank: G1 State Rank: S1

Guadalupe bass *Micropterus treculii*

Endemic to perennial streams of the Edwards Plateau region; introduced in Nueces River system

Federal Status: State Status: SGCN: Y

Endemic: Y Global Rank: G3 State Rank: S3

Guadalupe darter *Percina apristis*

Most common over gravel or gravel and sand raceways of large streams and rivers.

Federal Status: State Status: SGCN: Y

Endemic: Y Global Rank: G4 State Rank: SNR

headwater catfish *Ictalurus lupus*

Originally throughout streams of the Edwards Plateau and the Rio Grande basin, currently limited to Rio Grande drainage, including Pecos River basin; springs, and sandy and rocky riffles, runs, and pools of clear creeks and small rivers

Federal Status: State Status: SGCN: Y

Endemic: N Global Rank: G3 State Rank: S2

ironcolor shiner *Notropis chalybaeus*

Big Cypress Bayou and Sabine River basins; spawns April-September, eggs sink to bottom of pool; pools and slow runs of low gradient small acidic streams with sandy substrate and clear well vegetated water; feeds mainly on small insects, ingested plant material not digested

Federal Status: State Status: SGCN: Y

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HAYS COUNTY

FISH

Endemic: N Global Rank: G4 State Rank: S3

Mexican goby *Ctenogobius claytonii*
Southern coastal area; brackish and freshwater coastal streams

Federal Status: State Status: T SGCN: Y
Endemic: N Global Rank: GNR State Rank: S1

sharpnose shiner *Notropis oxyrhynchus*

Endemic to Brazos River drainage; also, apparently introduced into adjacent Colorado River drainage; large turbid river, with bottom a combination of sand, gravel, and clay-mud

Federal Status: LE State Status: SGCN: Y
Endemic: Y Global Rank: G3 State Rank: S3

silverband shiner *Notropis shumardi*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S4

smalleye shiner *Notropis buccula*

Endemic to upper Brazos River system and its tributaries (Clear Fork and Bosque); apparently introduced into adjacent Colorado River drainage; medium to large prairie streams with sandy substrate and turbid to clear warm water; presumably eats small aquatic invertebrates

Federal Status: LE State Status: SGCN: Y
Endemic: Y Global Rank: G2 State Rank: S2

Texas shiner *Notropis amabilis*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 State Rank: S4

INSECTS

a cave obligate beetle *Rhadine austinica*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1S2

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HAYS COUNTY

INSECTS

a mayfly *Proclotron distinctum*

Mayflies distinguished by aquatic larval stage; adult stage generally found in shoreline vegetation

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G3Q State Rank: S2?

American bumblebee *Bombus pensylvanicus*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Global Rank: G3G4 State Rank: SNR

Comal Springs diving beetle *Comaldessus stygius*

Known only from the outflows at Comal Springs; aquatic; diving beetles generally inhabit the water column

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1 State Rank: S1

Comal Springs dryopid beetle *Stygoparnus comalensis*

Dryopids usually cling to objects in a stream; dryopids are sometimes found crawling on stream bottoms or along shores; adults may leave the stream and fly about, especially at night; most dryopid larvae are vermiform and live in soil or decaying wood

Federal Status: LE State Status: E SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

Comal Springs riffle beetle *Heterelmis comalensis*

Comal and San Marcos Springs

Federal Status: LE State Status: E SGCN: Y
Endemic: Global Rank: G1 State Rank: S1

Edwards Aquifer diving beetle *Haideoporus texanus*

Habitat poorly known; known from an artesian well in Hays County

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Rhadine insolita*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Batrisodes grubbsi*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

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HAYS COUNTY

INSECTS

Endemic: Y Global Rank: G1G2 State Rank: S1

No accepted common name *Neotrichia juani*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

Endemic: Global Rank: G1 State Rank: S1

No accepted common name *Oxyelophila callista*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

Endemic: Global Rank: GNR State Rank: SNR

No accepted common name *Ochrotrichia capitana*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

Endemic: Y Global Rank: G1G3 State Rank: S2?

No accepted common name *Plauditus texanus*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

Endemic: N Global Rank: G2G3 State Rank: S1?

No accepted common name *Xiphocentron messapus*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y

Endemic: Y Global Rank: G1G3 State Rank: S2?

San Marcos saddle-case caddisfly *Protoptila arca*

Known from an artesian well in Hays County; locally very abundant; swift, well-oxygenated warm water about 1-2 m deep; larvae and pupal cases abundant on rocks

Federal Status: State Status: SGCN: Y

Endemic: Y Global Rank: G1 State Rank: S1

Texas austrotinodes caddisfly *Austrotinodes texensis*

Appears endemic to the karst springs and spring runs of the Edwards Plateau region; flow in type locality swift but may drop significantly during periods of little drought; substrate coarse and ranges from cobble and gravel to limestone bedrock; many limestone outcroppings also found along the streams

Federal Status: State Status: SGCN: Y

Endemic: Y Global Rank: G2 State Rank: S2

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HAYS COUNTY

MAMMALS

American badger *Taxidea taxus*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S5

big brown bat *Eptesicus fuscus*

Any wooded areas or woodlands except south Texas. Riparian areas in west Texas.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S5

big free-tailed bat *Nyctinomops macrotis*

Habitat data sparse but records indicate that species prefers to roost in crevices and cracks in high canyon walls, but will use buildings, as well; reproduction data sparse, gives birth to single offspring late June-early July; females gather in nursery colonies; winter habits undetermined, but may hibernate in the Trans-Pecos; opportunistic insectivore

Federal Status: State Status: SGCN: Y
Endemic: Global Rank: G5 State Rank: S3

cave myotis bat *Myotis velifer*

Colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (*Hirundo pyrrhonota*) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4G5 State Rank: S4

eastern red bat *Lasiurus borealis*

Found in a variety of habitats in Texas. Usually associated with wooded areas. Found in towns especially during migration.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G3G4 State Rank: S4

hoary bat *Lasiurus cinereus*

Known from montane and riparian woodland in Trans-Pecos, forests and woods in east and central Texas.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G3G4 State Rank: S4

long-tailed weasel *Mustela frenata*

Includes brushlands, fence rows, upland woods and bottomland hardwoods, forest edges & rocky desert scrub. Usually live close to water.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S5

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HAYS COUNTY

MAMMALS

Mexican free-tailed bat *Tadarida brasiliensis*

Roosts in buildings in east Texas. Largest maternity roosts are in limestone caves on the Edwards Plateau. Found in all habitats, forest to desert.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S5

Mexican long-tongued bat *Choeronycteris mexicana*

Only Texas record is from riparian forest; in general--neotropical nectivorous species roosting in caves, mines, and large crevices found in deep canyons along the Rio Grande ; also found in buildings and often associated with big-eared bats (*Plecotus* spp.); single TX record from Santa Ana NWR

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G3G4 State Rank: S1

mink *Neovison vison*

Intimately associated with water; coastal swamps & marshes, wooded riparian zones, edges of lakes. Prefer floodplains.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S4

mountain lion *Puma concolor*

Rugged mountains & riparian zones.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S2S3

plains spotted skunk *Spilogale putorius interrupta*

Catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

Federal Status: State Status: SGCN: N
Endemic: N Global Rank: G4T4 State Rank: S1S3

swamp rabbit *Sylvilagus aquaticus*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S5

tricolored bat *Perimyotis subflavus*

Forest, woodland and riparian areas are important. Caves are very important to this species.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G2G3 State Rank: S3S4

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HAYS COUNTY

MAMMALS

western hog-nosed skunk *Conepatus leuconotus*

Habitats include woodlands, grasslands & deserts, to 7200 feet, most common in rugged, rocky canyon country; little is known about the habitat of the ssp. *telmalestes*

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 State Rank: S4

western spotted skunk *Spilogale gracilis*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S5

woodland vole *Microtus pinetorum*

Include grassy marshes, swamp edges, old-field/pine woodland ecotones, tallgrass fields; generally sandy soils.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S3

MOLLUSKS

false spike mussel *Fusconaia mitchelli*

Possibly extirpated in Texas; probably medium to large rivers; substrates varying from mud through mixtures of sand, gravel and cobble; one study indicated water lilies were present at the site; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins

Federal Status: State Status: T SGCN: Y
Endemic: N Global Rank: G1 State Rank: S1

glossy wolfsnail *Euglandina texasiana*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Global Rank: G1G2 State Rank: S1S2

golden orb *Quadrula aurea*

Sand and gravel in some locations and mud at others; found in lentic and lotic; Guadalupe, San Antonio, Lower San Marcos, and Nueces River basins

Federal Status: C State Status: T SGCN: Y
Endemic: Y Global Rank: G1 State Rank: S2

No accepted common name *Holospira goldfussi*

Habitat description is not available at this time.

Federal Status: State Status: SGCN: Y
Endemic: Global Rank: G2G3 State Rank: S2?

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HAYS COUNTY

MOLLUSKS

No accepted common name	<i>Millerelix gracilis</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic:	Global Rank: G2G3		State Rank: S2?
No accepted common name	<i>Elimia comalensis</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic: Y	Global Rank: G2		State Rank: S2?
No accepted common name	<i>Phreatodrobia conica</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic: Y	Global Rank: G1		State Rank: S2
No accepted common name	<i>Phreatodrobia micra</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic: Y	Global Rank: G2G3		State Rank: S2
No accepted common name	<i>Phreatodrobia plana</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic: Y	Global Rank: G2		State Rank: S2
No accepted common name	<i>Phreatodrobia punctata</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic: Y	Global Rank: G2		State Rank: S1
No accepted common name	<i>Phreatodrobia rotunda</i>		
Habitat description is not available at this time.			
Federal Status:	State Status:		SGCN: Y
Endemic: Y	Global Rank: G1G2		State Rank: S2

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HAYS COUNTY

MOLLUSKS

No accepted common name *Cyclonaias necki*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: N
Endemic: Y	Global Rank: GNR	State Rank: SNR

Texas fatmucket *Lampsilis bracteata*

Streams and rivers on sand, mud, and gravel substrates; intolerant of impoundment; broken bedrock and coarse gravel or sand in moderately flowing water; Colorado and Guadalupe River basins

Federal Status: C	State Status: T	SGCN: Y
Endemic: Y	Global Rank: G1	State Rank: S1

Texas pimpleback *Cyclonaias petrina*

Mud, gravel and sand substrates, generally in areas with slow flow rates; Colorado River basin.

Federal Status: C	State Status: T	SGCN: Y
Endemic: Y	Global Rank: G2	State Rank: S1

REPTILES

American alligator *Alligator mississippiensis*

Coastal marshes; inland natural rivers, swamps and marshes; manmade impoundments.

Federal Status:	State Status:	SGCN: N
Endemic: N	Global Rank: G5	State Rank: S4

Cagle's map turtle *Graptemys caglei*

Guadalupe River System; shallow water with swift to moderate flow and gravel or cobble bottom, connected by deeper pools with a slower flow rate and a silt or mud bottom; gravel bar riffles and transition areas between riffles and pools especially important in providing insect prey items; nests on gently sloping sand banks within ca. 30 feet of waters edge

Federal Status:	State Status: T	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S1

common garter snake *Thamnophis sirtalis*

Irrigation canals and riparian-corridor farmlands in west; marshy, flooded pastureland, grassy or brushy borders of permanent bodies of water; coastal salt marshes.

Federal Status:	State Status:	SGCN: N
Endemic:	Global Rank: G5	State Rank: S2

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HAYS COUNTY

REPTILES

eastern box turtle *Terrapene carolina*

Eastern box turtles inhabit forests, fields, forest-brush, and forest-field ecotones. In some areas they move seasonally from fields in spring to forest in summer. They commonly enters pools of shallow water in summer. For shelter, they burrow into loose soil, debris, mud, old stump holes, or under leaf litter. They can successfully hibernate in sites that may experience subfreezing temperatures. In Maryland bottomland forest, some hibernated in pits or depressions in forest floor (usually about 30 cm deep) usually within summer range; individuals tended to hibernate in same area in different years (Stickel 1989). Also attracted to farms, old fields and cut-over woodlands, as well as creek bottoms and dense woodlands. Egg laying sites often are sandy or loamy soils in open areas; females may move from bottomlands to warmer and drier sites to nest. In Maryland, females used the same nesting area in different years (Stickel 1989).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

keeled earless lizard *Holbrookia propinqua*

Coastal dunes, barrier islands, and other sandy areas; eats insects and likely other small invertebrates; eggs laid underground March-September (most May-August)

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3

northern spot-tailed earless lizard *Holbrookia lacerata lacerata*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3G4TNR	State Rank: S2

slender glass lizard *Ophisaurus attenuatus*

Prefers relatively dry microhabitats, usually associated with grassy areas. Habitats include open grassland, prairie, woodland edge, open woodland, oak savannas, longleaf pine flatwoods, scrubby areas, fallow fields, and areas near streams and ponds, often in habitats with sandy soil. This species often appears on roads in spring. During inactivity, it occurs in underground burrows. In Kansas, slender glass lizards were scarce in heavily grazed pastures, increased as grass increased with removal of grazing, and declined as brush and trees replaced grass (Fitch 1989). Eggs are laid underground, under cover, or under grass clumps (Ashton and Ashton 1985); in cavities beneath flat rocks or in abandoned tunnels of small mammals (Scalopus, Microtus) (Fitch 1989).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

spot-tailed earless lizard *Holbrookia lacerata*

Central and southern Texas and adjacent Mexico; moderately open prairie-brushland; fairly flat areas free of vegetation or other obstructions, including disturbed areas; eats small invertebrates; eggs laid underground

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S2

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HAYS COUNTY

REPTILES

Texas garter snake *Thamnophis sirtalis annectens*

Irrigation canals and riparian-corridor farmlands in west; marshy, flooded pastureland, grassy or brushy borders of permanent bodies of water; coastal salt marshes. Wet or moist microhabitats are conducive to the species occurrence, but is not necessarily restricted to them; hibernates underground or in or under surface cover; breeds March-August.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G5T4 State Rank: S1

Texas horned lizard *Phrynosoma cornutum*

Occurs to 6000 feet, but largely limited below the pinyon-juniper zone on mountains in the Big Bend area. Open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September.

Federal Status: State Status: T SGCN: Y
Endemic: N Global Rank: G4G5 State Rank: S3

Texas map turtle *Graptemys versa*

Rivers with moderate current, abundant aquatic vegetation, and basking logs; also associated oxbows and lakes (Bartlett and Bartlett 1999).

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G4 State Rank: SU

western box turtle *Terrapene ornata*

Ornate or western box turtles inhabit prairie grassland, pasture, fields, sandhills, and open woodland. They are essentially terrestrial but sometimes enter slow, shallow streams and creek pools. For shelter, they burrow into soil (e.g., under plants such as yucca) (Converse et al. 2002) or enter burrows made by other species; winter burrow depth was 0.5-1.8 meters in Wisconsin (Doroff and Keith 1990), 7-120 cm (average depth 54 cm) in Nebraska (Converse et al. 2002). Eggs are laid in nests dug in soft well-drained soil in open area (Legler 1960, Converse et al. 2002). Very partial to sandy soil.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S3

western hognose snake *Heterodon nasicus*

Habitat consists of areas with sandy or gravelly soils, including prairies, sandhills, wide valleys, river floodplains, bajadas, semiagricultural areas (but not intensively cultivated land), and margins of irrigation ditches (Degenhardt et al. 1996, Hammerson 1999, Werler and Dixon 2000, Stebbins 2003). Also thornscrub woodlands and chaparral thickets. Seems to prefer sandy and loamy soils, not necessarily flat. Periods of inactivity are spent burrowed in the soil or in existing burrows. Eggs are laid in nests a few inches below the ground surface (Platt 1969).

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S4

PLANTS

bigflower cornsalad *Valerianella stenocarpa*

Usually along creekbeds or in vernal moist grassy open areas (Carr 2015).

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G3 State Rank: S3

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HAYS COUNTY

PLANTS

bracted twistflower

Streptanthus bracteatus

Shallow, well-drained gravelly clays and clay loams over limestone in oak juniper woodlands and associated openings, on steep to moderate slopes and in canyon bottoms; several known soils include Tarrant, Brackett, or Speck over Edwards, Glen Rose, and Walnut geologic formations; populations fluctuate widely from year to year, depending on winter rainfall; flowering mid April-late May, fruit matures and foliage withers by early summer

Federal Status: C

State Status:

SGCN: Y

Endemic: Y

Global Rank: G1

State Rank: S1

Buckley tridens

Tridens buckleyanus

Occurs in juniper-oak woodlands on rocky limestone slopes; Perennial; Flowering/Fruiting April-Nov

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G3G4

State Rank: S3S4

canyon mock-orange

Philadelphus texensis var. *ernestii*

Usually found growing from honeycomb pits on outcrops of Cretaceous limestone exposed as rimrock along mesic canyons, usually in the shade of mixed evergreen-deciduous canyon woodland; flowering April-June, fruit dehiscing September-October

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G2

State Rank: S3

Engelmann's bladderpod

Physaria engelmannii

Grasslands and calcareous rock outcrops in a band along the eastern edge of the Edwards Plateau, ranging as far north as the Red River (Carr 2015).

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4

State Rank: S3

Glass Mountains coral-root

Hexalectris nitida

Apparently rare in mixed woodlands in canyons in the mountains of the Brewster County, but encountered with regularity, albeit in small numbers, under *Juniperus ashei* in woodlands over limestone on the Edwards Plateau, Callahan Divide and Lampasas Cutplain; Perennial; Flowering June-Sept; Fruiting July-Sept

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S3

gravelbar brickellbush

Brickellia dentata

Essentially restricted to frequently-scoured gravelly alluvial beds in creek and river bottoms; Perennial; Flowering June-Nov; Fruiting June-Oct

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G3G4

State Rank: S3S4

Hall's prairie clover

Dalea hallii

In grasslands on eroded limestone or chalk and in oak scrub on rocky hillsides; Perennial; Flowering May-Sept; Fruiting June-Sept

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G3

State Rank: S3

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HAYS COUNTY

PLANTS

- Heller's beardtongue** *Penstemon triflorus ssp. integrifolius*
Occurs sparingly on rock outcrops and in grasslands associated with juniper-oak woodlands (Carr 2015).
Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G3T2 State Rank: S2
- Heller's marbleseed** *Onosmodium helleri*
Occurs in loamy calcareous soils in oak-juniper woodlands on rocky limestone slopes, often in more mesic portions of canyons; Perennial; Flowering March-May
Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G3 State Rank: S3
- Hill Country wild-mercury** *Argythamnia aphoroides*
Mostly in bluestem-grama grasslands associated with plateau live oak woodlands on shallow to moderately deep clays and clay loams over limestone on rolling uplands, also in partial shade of oak-juniper woodlands in gravelly soils on rocky limestone slopes; Perennial; Flowering April-May with fruit persisting until midsummer
Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G2G3 State Rank: S2S3
- narrowleaf brickellbush** *Brickellia eupatorioides var. gracillima*
Moist to dry gravelly alluvial soils along riverbanks but also on limestone slopes; Perennial; Flowering/Fruiting April-Nov
Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G5T3 State Rank: S3
- net-leaf bundleflower** *Desmanthus reticulatus*
Mostly on clay prairies of the coastal plain of central and south Texas; Perennial; Flowering April-July; Fruiting April-Oct
Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G3 State Rank: S3
- Osage Plains false foxglove** *Agalinis densiflora*
Most records are from grasslands on shallow, gravelly, well drained, calcareous soils; Prairies, dry limestone soils; Annual; Flowering Aug-Oct
Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G3 State Rank: S2
- Plateau loosestrife** *Lythrum ovalifolium*
Banks and gravelly beds of perennial (or strong intermittent) streams on the Edwards Plateau, Llano Uplift and Lampasas Cutplain; Perennial; Flowering/Fruiting April-Nov
Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G3G4 State Rank: S3S4

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HAYS COUNTY

PLANTS

plateau milkvine

Matelea edwardsensis

Occurs in various types of juniper-oak and oak-juniper woodlands; Perennial; Flowering March-Oct; Fruiting May-June

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S3

scarlet leather-flower

Clematis texensis

Usually in oak-juniper woodlands in mesic rocky limestone canyons or along perennial streams; Perennial; Flowering March-July; Fruiting May-July

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3G4	State Rank: S3S4

spreading lestdaisy

Chaetopappa effusa

Limestone cliffs, ledges, bluffs, steep hillsides, sometimes in seepy areas, oak-juniper, oak, or mixed deciduous woods, 300-500 m elevation; Perennial; Flowering (May) July-Oct

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3G4	State Rank: S3S4

sycamore-leaf snowbell

Styrax platanifolius ssp. platanifolius

Rare throughout range, usually in oak-juniper woodlands on steep rocky banks and ledges along intermittent or perennial streams, rarely far from some reliable source of moisture; Perennial; Flowering April-May; Fruiting May-Aug.

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3T3	State Rank: S3

Texas amorphia

Amorpha roemeriana

Juniper-oak woodlands or shrublands on rocky limestone slopes, sometimes on dry shelves above creeks; Perennial; Flowering May-June; Fruiting June-Oct

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

Texas barberry

Berberis swaseyi

Shallow calcareous stony clay of upland grasslands/shrublands over limestone as well as in loamier soils in openly wooded canyons and on creek terraces; Perennial; Flowering/Fruiting March-June

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S3

Texas claret-cup cactus

Echinocereus coccineus var. paucispinus

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5T3	State Rank: S3

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HAYS COUNTY

PLANTS

Texas fescue *Festuca versuta*

Occurs in mesic woodlands on limestone-derived soils on stream terraces and canyon slopes; Perennial; Flowering/Fruiting April-June

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

Texas seymeria *Seymeria texana*

Found primarily in grassy openings in juniper-oak woodlands on dry rocky slopes but sometimes on rock outcrops in shaded canyons; Annual; Flowering May-Nov; Fruiting July-Nov

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S3

Texas wild-rice *Zizania texana*

Spring-fed river, in clear, cool, swift water mostly less than 1 m deep, with coarse sandy soils rather than finer clays; flowering year-round, peaking March-June

Federal Status: LE	State Status: E	SGCN: Y
Endemic: Y	Global Rank: G1	State Rank: S1

threeflower penstemon *Penstemon triflorus ssp. triflorus*

Occurs sparingly on rock outcrops and in grasslands associated with juniper-oak woodlands (Carr 2015).

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3T3	State Rank: S3

tree dodder *Cuscuta exaltata*

Parasitic on various *Quercus*, *Juglans*, *Rhus*, *Vitis*, *Ulmus*, and *Diospyros* species as well as *Acacia berlandieri* and other woody plants; Annual; Flowering May-Oct; Fruiting July-Oct

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

turnip-root scurfea *Pediomelum cyphocalyx*

Grasslands and openings in juniper-oak woodlands on limestone substrates on the Edwards Plateau and in north-central Texas (Carr 2015).

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3G4	State Rank: S3S4

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HAYS COUNTY

PLANTS

Warnock's coral-root *Hexalectris warnockii*

In leaf litter and humus in oak-juniper woodlands on shaded slopes and intermittent, rocky creekbeds in canyons; in the Trans Pecos in oak-pinyon-juniper woodlands in higher mesic canyons (to 2000 m [6550 ft]), primarily on igneous substrates; in Terrell County under *Quercus fusiformis* mottes on terraces of spring-fed perennial streams, draining an otherwise rather xeric limestone landscape; on the Callahan Divide (Taylor County), the White Rock Escarpment (Dallas County), and the Edwards Plateau in oak-juniper woodlands on limestone slopes; in Gillespie County on igneous substrates of the Llano Uplift; flowering June-September; individual plants do not usually bloom in successive years

Federal Status:

State Status:

SGCN: Y

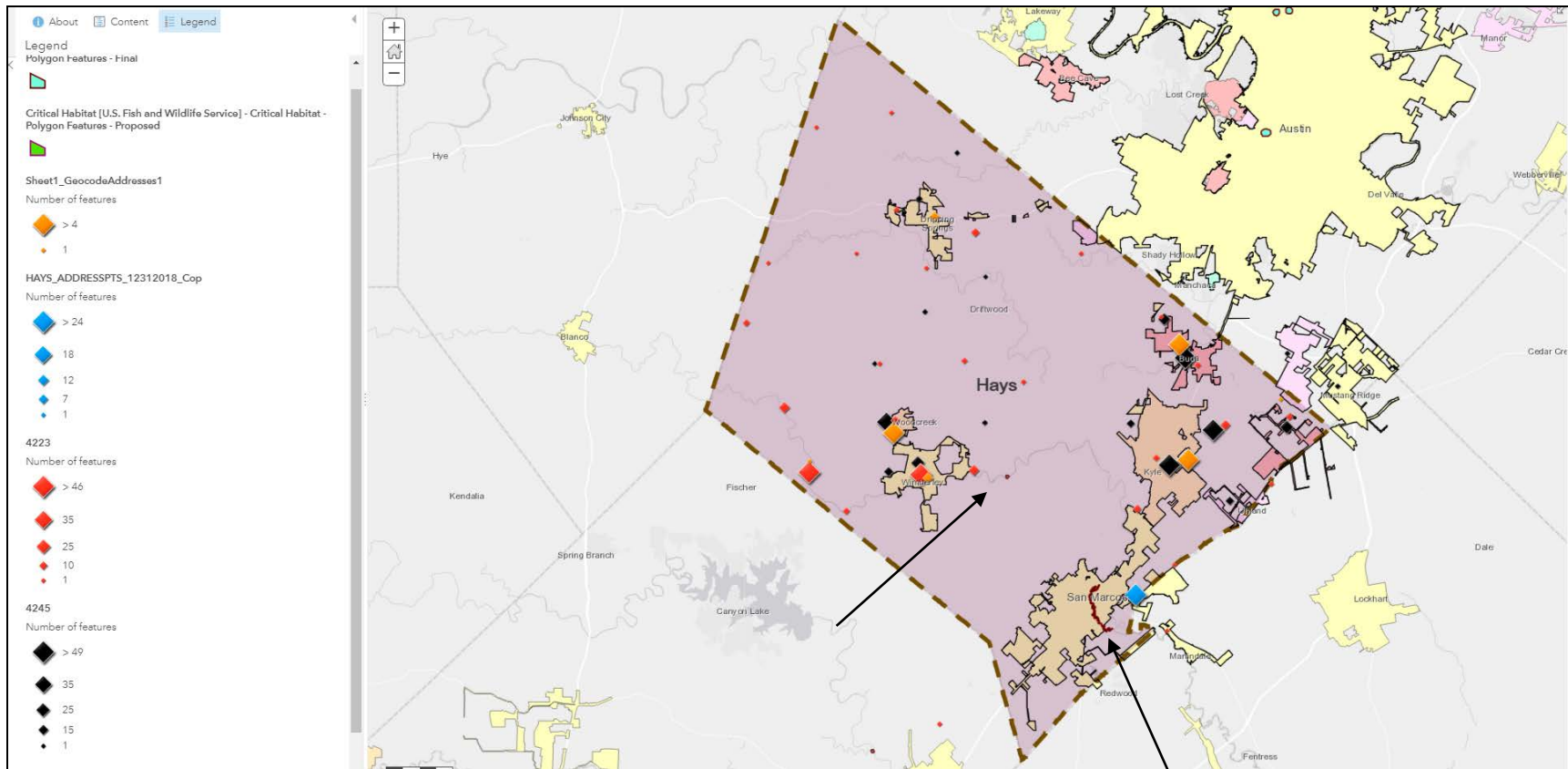
Endemic: N

Global Rank: G2G3


State Rank: S2

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Critical Habitat located in Central Hays County

Client Name	Hays County	Future Link Technologies 
Contract #	CDBG – DR – May 2015 Floods	PO Box 90696, Austin, TX 78709
Map Information	USFWS Critical Habitat	512-443-4100
Date	May 19	Environmental Service Provider

TEXAS BLACKLAND PRAIRIES SPECIES OF GREATEST CONSERVATION NEED						
Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
		Federal	State	Global	State	
MAMMALS						
<i>Blarina hylophaga plumblea</i>	Elliot's short-tailed shrew			G5T1Q	S1	Savanna/Open Woodland
<i>Geomys attwateri</i>	Attwater's pocket gopher			G4	S4	Shrubland
<i>Lutra canadensis</i>	River otter			G5	S4	Riparian
<i>Mustela frenata</i>	Long-tailed weasel			G5	S5	Forest, Woodland, Desert Scrub, Shrubland, Savanna/Open Woodland
<i>Myotis austroriparius</i>	Southeastern myotis			G3G4	S3	Caves/Karst, Forest, Riparian
<i>Myotis velifer</i>	Cave myotis			G5	S4	Caves/Karst,
<i>Puma concolor</i>	Mountain lion			G5	S2	Forest, Woodland, Desert Scrub, Shrubland, Savanna/Open Woodland, Riparian
<i>Spilogale putorius</i>	Eastern spotted skunk			G4T	S4	Savanna/Open Woodland, Grassland
<i>Sylvilagus aquaticus</i>	Swamp rabbit			G5	S5	Riparian, Freshwater Wetland
<i>Tadarida brasiliensis</i>	Brazilian free-tailed bat			G5	S5	Cave/Karst, Artificial Refugia
<i>Taxidea taxus</i>	American badger			G5	S5	Grassland, Desert scrub, Woodland, Savanna/Open Woodland, Forest
<i>Ursus americanus</i>	Black bear	SAT	T	G5	S3	Forest, Woodland, Savanna/Open Woodland, Desert Scrub, Shrubland
BIRDS						
<i>Anas acuta</i>	Northern Pintail			G5	S3B,S5N	Lacustrine, freshwater wetland, saltwater wetland, coastal, marine
<i>Colinus virginianus</i>	Northern Bobwhite			G5	S4B	Grassland, Shrubland, Savanna/Open Woodland
<i>Tympanuchus cupido</i>	Greater Prairie-Chicken (Interior)			G4	S1B	Grassland
<i>Meleagris gallopavo</i>	Wild Turkey			G5	S5B	Shrubland, Savanna/Open Woodland, Forest, Riparian, Agricultural
<i>Ixobrychus exilis</i>	Least Bittern			G5	S4B	Lacustrine, Freshwater Wetland, Saltwater Wetland, Estuary
<i>Egretta thula</i>	Snowy Egret			G5	S5B	Riparian, Riverine, Lacustrine, Freshwater Wetland, Saltwater Wetland, Estuary, Coastal, Cultural Aquatic
<i>Egretta caerulea</i>	Little Blue Heron			G5	S5B	Riparian, Riverine, Lacustrine, Freshwater Wetland, Saltwater Wetland, Estuary, Coastal, Cultural Aquatic
<i>Butorides virescens</i>	Green Heron			G5	S5B	Riparian, Riverine, Lacustrine, Freshwater Wetland, Cultural Aquatic
<i>Mycteria americana</i>	Wood Stork		T	G4	SHB,S2N	Riverine, Freshwater wetland
<i>Ictinia mississippiensis</i>	Mississippi Kite			G5	S4B	Woodland, Forest, Riparian, Developed:Urban/Suburban/Rural
<i>Haliaeetus leucocephalus</i>	Bald Eagle			G5	S3B,S3N	Riparian, Lacustrine, Freshwater Wetland, Saltwater Wetland
<i>Circus cyaneus</i>	Northern Harrier			G5	S2B,S3N	Grassland, Shrubland
<i>Buteo lineatus</i>	Red-shouldered Hawk			G5	S4B	Woodland, Forest, Riparian, Freshwater Wetland
<i>Pluvialis dominica</i>	American Golden-Plover			G5	S3	Grassland, Freshwater Wetland, Agricultural
<i>Charadrius montanus</i>	Mountain Plover	PT		G3	S2	Agricultural, Grassland
<i>Scolopax minor</i>	American Woodcock			G5	S2B,S3N	Woodland, Forest, Riparian
<i>Sternula antillarum</i>	Least Tern	LE*	E*	G4	S3B	Riverine, Lacustrine, Freshwater Wetland, Saltwater Wetland, Estuary, Coastal, Marine, Developed: Industrial
<i>Asio flammeus</i>	Short-eared Owl			G5	S4N	Grassland, Shrubland, Agricultural
<i>Caprimulgus carolinensis</i>	Chuck-will's-widow			G5	S3S4B	Woodland, Forest, Riparian
<i>Melanerpes erythrocephalus</i>	Red-headed Woodpecker			G5	S3B	Savanna/Open Woodland, Woodland, Forest, Riparian, Developed: Urban/Suburban/Rural
<i>Dryocopus pileatus</i>	Pileated Woodpecker			G5	S4B	Savanna/Open Woodland, Woodland, Forest, Riparian, Developed: Urban/Suburban/Rural
<i>Tyrannus forficatus</i>	Scissor-tailed Flycatcher			G5	S3B	Desert Scrub, Grassland, Shrubland, Agricultural, Developed
<i>Lanius ludovicianus</i>	Loggerhead Shrike			G4	S4B	Desert Scrub, Grassland, Shrubland, Savanna/Open Woodland, Agricultural, Developed
<i>Vireo bellii</i>	Bell's Vireo			G5	S3B	Desert scrub, Shrubland, Riparian
<i>Poecile carolinensis</i>	Carolina Chickadee			G5	S5B	Woodland, Forest, Riparian, Developed: Urban/Suburban/Rural

Texas Blackland Prairies Ecoregion Species of Greatest Conservation Need

Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
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<i>Thryomanes bewickii (bewickii)</i>	Bewick's Wren			G5	S5B	Shrubland, Savanna/Open Woodland, Woodland, Developed: Urban/Suburban/Rural
<i>Cistothorus platensis</i>	Sedge Wren			G5	S4	Grassland, Freshwater Wetland
<i>Hylocichla mustelina</i>	Wood Thrush			G5	S4B	Woodland, Forest, Riparian
<i>Anthus spragueii</i>	Sprague's Pipit	C		G4	S3N	Barren/Sparse Vegetation, Grassland, Shrubland, Agricultural
<i>Dendroica dominica</i>	Yellow-throated Warbler			G5	S4B	Woodland, Forest, Riparian
<i>Protonotaria citrea</i>	Prothonotary Warbler			G5	S3B	Woodland, Forest, Riparian, Lacustrine, Freshwater Wetland
<i>Limothlypis swainsonii</i>	Swainson's Warbler			G4	S3B	Woodland, Forest, Riparian
<i>Seiurus motacilla</i>	Louisiana Waterthrush			G5	S3B	Woodland, Forest, Riparian
<i>Oporornis formosus</i>	Kentucky Warbler			G5	S3B	Woodland, Forest
<i>Spizella pusilla</i>	Field Sparrow			G5	S5B	Grassland, Shrubland, Savanna/Open Woodland
<i>Ammodramus savannarum</i>	Grasshopper Sparrow			G5	S3B	Grassland, Agricultural
<i>Chondestes grammacus</i>	Lark Sparrow			G5	S4B	Grassland, Shrubland, Savanna/Open Woodland
<i>Ammodramus henslowii</i>	Henslow's Sparrow			G4	S2S3N,SXB	Grassland, Savanna/Open Woodland
<i>Ammodramus leconteii</i>	Le Conte's Sparrow					Grassland
<i>Zonotrichia querula</i>	Harris's Sparrow			G5	S4	Shrubland, Agricultural
<i>Calcarius mccownii</i>	McCown's Longspur			G4	S4	Grassland, Agricultural
<i>Calcarius pictus</i>	Smith's Longspur					Grassland, Agricultural
<i>Piranga rubra</i>	Summer Tanager			G5	S5B	Savanna/Open Woodland, Woodland, Forest, Riparian, Developed: Urban/Suburban/Rural
<i>Passerina ciris</i>	Painted Bunting			G5	S4B	Shrubland, Agricultural
<i>Spiza americana</i>	Dickcissel			G5	S4B	Grassland, Agricultural
<i>Sturnella magna</i>	Eastern Meadowlark			G5	S5B	Grassland, Shrubland, Savanna/Open Woodland
<i>Euphagus carolinus</i>	Rusty Blackbird			G4	S3	Woodland, Forest, Riparian, Lacustrine, Freshwater Wetland
<i>Icterus spurius</i>	Orchard Oriole			G5	S4B	Shrubland, Savanna/Open Woodland, Woodland, Riparian
REPTILES AND AMPHIBIANS						
<i>Anaxyrus (Bufo) woodhousii</i>	Woodhouse's toad			G5	SU	woodland, forest, freshwater wetland
<i>Apalone mutica</i>	smooth softshell turtle					riparian, riverine, lacustrine, freshwater wetland
<i>Apalone spinifera</i>	spiny softshell turtle					riparian, riverine, lacustrine, freshwater wetland
<i>Cheylydra serpentina</i>	Common snapping turtle					riparian, riverine
<i>Crotalus atrox</i>	Western diamondback rattlesnake				S4	barren/sparse vegetation, desert scrub, grassland, shrubland, savanna, woodland, caves/karst
<i>Crotalus horridus</i>	Timber (Canebrake) Rattlesnake		T	G4	S4	woodland, forest, riparian
<i>Graptemys caglei</i>	Cagle's map turtle		T	G3	S1	riparian, riverine
<i>Graptemys versa</i>	Texas map turtle			G4	SU	riparian, riverine
<i>Heterodon nasicus</i>	Western hognosed snake					desert scrub, grassland, shrubland
<i>Macrochelys temminckii</i>	alligator snapping turtle		T	G3G4	S3	riparian, riverine, cultural aquatic
<i>Ophisaurus attenuatus</i>	western slender glass lizard					grassland, savanna
<i>Phrynosoma cornutum</i>	Texas horned lizard		T	G4G5	S4	desert scrub, grassland, savanna
<i>Pseudacris streckeri</i>	Strecker's Chorus Frog			G5	S3	grassland, savanna, woodland, riparian, cultural aquatic, freshwater wetland
<i>Sistrurus catenatus</i>	massasauga					grassland, barren/sparse vegetation, shrubland, coastal,
<i>Terrapene carolina</i>	Eastern box turtle			G5	S3	grasslands, savanna, woodland
<i>Terrapene ornata</i>	Ornate box turtle			G5	S3	grassland, barren/sparse vegetation, desert scrub, savanna, woodland
<i>Thamnophis sirtalis annectans</i>	Texas Garter Snake (Eastern/Texas/New Mexico)			G5	S2	riparian, around lacustrine and cultural aquatic sites
<i>Trachemys scripta</i>	Red-eared slider					riparian, riverine, lacustrine, freshwater wetland, cultural aquatic
FRESHWATER FISHES						
<i>Anguilla rostrata</i>	American eel			G4	S5	streams and reservoirs in drainages connected to marine environments
<i>Atractosteus spatula</i>	alligator gar					channel snag, pool-s snag complex, pool-edge, and pool-vegetation habitat

Texas Blackland Prairies Ecoregion Species of Greatest Conservation Need

Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
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<i>Cycleptus elongatus</i>	Blue sucker		T	G3G4	S3	large, deep rivers, and deeper zones of lakes
<i>Etheostoma fonticola</i>	Fountain darter	LE	E	G1	S1	usually in dense beds of <i>Vallisneria</i> , <i>Elodia</i> , <i>Ludwigia</i> and other aquatic plants; substrate normally mucky
<i>Macryhbopsis storeriana</i>	Silver chub					over silt or mud, turbid water with very soft sand/silt substrate
<i>Micropterus treculii</i>	Guadalupe bass			G3	S3	small lentic environments; commonly taken in flowing water
<i>Notropis atrocaudalis</i>	Blackspot shiner					backwater and swiftest currents
<i>Notropis bairdi</i>	Red River shiner					streambeds with widely fluctuating flows subject to high summer temperatures, high rates of evaporation, and
<i>Notropis buccula</i>	Small eye shiner	C		G2Q	S2	condition tolerances (turbidity, salinity, oxygen).
<i>Notropis chalybaeus</i>	Ironcolor shiner					Plain streams and rivers of low to moderate gradient; often at the upstream ends of pools, with a moderate to
<i>Notropis oxyrhynchus</i>	Sharpnose shiner	C		G3	S3	Moderate current velocities and depths, sand bottom
<i>Notropis potteri</i>	Chub shiner		T	G4	S3	turbid, flowing water with silt or sand substrate; tolerant of high salinities
<i>Notropis shumardi</i>	Silverband shiner					channel with moderate to swift current velocities and moderate to deep depths; associated with turbid water
<i>Percina apristis</i>	Guadalupe darter					collections from the clearest waters tributary to the Guadalupe, namely spring heads and the main river west
<i>Polyodon spathula</i>	Paddlefish		T	G4	S3	rivers, sluggish pools, backwaters, bayous, and oxbows with abundant zooplankton; large reservoirs if
<i>Satan eurystomus</i>	Widemouth blindcat		T	G1	S1	Karst: Subterranean waters
<i>Trogloglanis pattersoni</i>	Toothless blindcat		T	G1	S1	Karst: Subterranean waters
INVERTEBRATES						
<i>Bombus pensylvanicus</i>	American bumblebee			GU	SU*	Grassland, Savanna/Open Woodland
<i>Chimarra holzenthali</i>	Holzenthali's Philopotamid caddisfly			G1G2	S1	Riparian, Riverine
<i>Cotinis boylei</i>	A scarab beetle			G2*	S2*	Grassland, Shrubland, Woodland
<i>Nicrophorus americanus</i>	American Burying Beetle	LE		G1	S1	Grassland, Savanna/Open Woodland
<i>Potamilus amphichaenus</i>	Texas heelsplitter		T	G1G2	S1	Riverine
<i>Procambarus regalis</i>	Regal burrowing crayfish			G2G3	S2?*	Freshwater Wetland, Grassland
<i>Procambarus steigmani</i>	Parkhill prairie crayfish			G1G2	S1S2*	Freshwater Wetland, Grassland
<i>Pseudocentropiloides morihari</i>	A mayfly			G2G3	S2?*	Riverine, Riparian
<i>Sphinx eremitoides</i>	Sage sphinx			G1G2	S1?*	Grassland
<i>Susperatus tonkawa</i>	A mayfly			G1	S1*	Riparian, Riverine
PLANTS						
<i>Agalinis densiflora</i>	Osage Plains false foxglove			G3	S2	Savanna/Open Woodland - Outcrops
<i>Astragalus reflexus</i>	Texas milk vetch			G3	S3	Savanna/Open Woodland
<i>Calopogon oklahomensis</i>	Oklahoma grass pink			G3	S1S2	Savanna/Open Woodland; Grassland; Freshwater Wetland
<i>Carex edwardsiana</i>	canyon sedge			G3G4S3S4	S3S4	Woodland (slopes above Riparian)
<i>Carex shinneryi</i>	Shinner's sedge			G3?	S2	Grassland
<i>Crataegus dallasiana</i>	Dallas hawthorn			G3Q	S3	Riparian (creeks in the Blackland Prairie)
<i>Cuscuta exaltata</i>	tree dodder			G3	S3	Woodland
<i>Dalea hallii</i>	Hall's prairie-clover			G3	S3	Savanna/Open Woodland; Grassland
<i>Echinacea atrorubens</i>	Topeka purple-coneflower			G3	S3	Savanna/Open Woodland
<i>Hexalectris nitida</i>	Glass Mountains coral-root			G3	S3	Woodland
<i>Hexalectris warnockii</i>	Warnock's coral-root			G2G3	S2	Woodland
<i>Hymenoxys pygmaea</i>	Pygmy prairie dawn			G1	S1	Barren/Sparse Vegetation with Grassland matrix (saline prairie)
<i>Liatris glandulosa</i>	glandular gay-feather			G3	S3	Savanna/Open Woodland
<i>Paronychia setacea</i>	bristle nailwort			G3	S3	Savanna/Open Woodland
<i>Phlox oklahomensis</i>	Oklahoma phlox			G3	SH	Savanna/Open Woodland
<i>Physaria engelmannii</i>	Engelmann's bladderpod			G3	S3	Savanna/Open Woodland
<i>Polygonella parksii</i>	Parks' jointweed			G2	S2	Savanna/Open Woodland (sandhills); Grassland
<i>Prunus texana</i>	Texas peachbush			G3G4	S3S4	Savanna/Open Woodland; Grassland

Texas Blackland Prairies Ecoregion Species of Greatest Conservation Need

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<i>Thalictrum texanum</i>	Texas meadow-rue			G2	S2	Savanna/Open Woodland; Riparian (bottomland forest)
<i>Zizania texana</i>	Texas wild rice	LE	E	G1	S1	Riverine (spring-fed, clear, thermally constant, moderate current, sand to gravel substrate)

EDWARDS PLATEAU SPECIES OF GREATEST CONSERVATION NEED						
Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
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MAMMALS						
<i>Antrozous pallidus</i>	Pallid bat			G5	S5	Caves/Karst, Desert scrub, Grassland, Shrubland
<i>Conepatus leuconotus</i>	Hog-nosed skunk			G5	S4	Shrubland, Savanna/Open Woodland, Barren/Sparse Vegetation,
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat			G4T4	S3? S4?	Caves/Karst, Desert scrub, Grassland, Shrubland
<i>Cynomys ludovicianus</i>	Black-tailed prairie dog			G5T3	S3	Grassland
<i>Eptesicus fuscus</i>	Big brown bat			G5	S5	Forest, Barren/Sparse Vegetation, Caves/Karst, Artificial Refugia
<i>Geomys texensis bakeri</i>	Frio pocket gopher			G2QT2	S2	Riparian
<i>Geomys texensis texensis</i>	Llano pocket gopher			G3T2	S2	Riparian
<i>Lutra canadensis</i>	River otter			G5	S4	Riparian
<i>Mormoops megalophylla</i>	Ghost-faced bat			G4	S2	Desert Scrub, Riparian, Caves/Karst
<i>Mustela frenata</i>	Long-tailed weasel			G5	S5	Forest, Woodland, Desert Scrub, Shrubland, Savanna/Open Woodland
<i>Mustela nigripes</i>	Black-footed ferret	LE		G1	SH	Grassland
<i>Myotis velifer</i>	Cave myotis			G5	S4	Caves/Karst,
<i>Nasua narica</i>	White-nosed coati		T	G5	S2?	Forest, Desert Scrub, Riparian
<i>Parastrellus hesperus</i>	Canyon Bat (western pipistrelle)			G5	S5	Riparian, Barren Sparse Vegetation
<i>Perimyotis subflavus</i>	Tricolored Bat (eastern pipistrelle)			G5	S5	Caves/Karst, Artificial Refugia, Woodland
<i>Puma concolor</i>	Mountain lion			G5	S2	Forest, Woodland, Desert Scrub, Shrubland, Savanna/Open Woodland, Riparian
<i>Spilogale gracilis</i>	Western spotted skunk			G5	S5	Agricultural, Grassland, Forest, Woodland, Desert Scrub
<i>Spilogale putorius</i>	Eastern spotted skunk			G4T	S4	Savanna/Open Woodland, Grassland
<i>Sylvilagus aquaticus</i>	Swamp rabbit			G5	S5	Riparian, Freshwater Wetland
<i>Tadarida brasiliensis</i>	Brazilian free-tailed bat			G5	S5	Cave/Karst, Artificial Refugia
<i>Taxidea taxus</i>	American badger			G5	S5	Grassland, Desert scrub, Woodland, Savanna/Open Woodland, Forest
<i>Ursus americanus</i>	Black bear	SAT	T	G5	S3	Forest, Woodland, Savanna/Open Woodland, Desert Scrub, Shrubland
<i>Vulpes velox</i>	Swift fox			G3	S3?	Grassland
BIRDS						
<i>Colinus virginianus</i>	Northern Bobwhite			G5	S4B	Grassland, Shrubland, Savanna/Open Woodland
<i>Cyrtonyx montezumae</i>	Montezuma Quail			G4G5	S3B	Grassland, Shrubland
<i>Meleagris gallopavo</i>	Wild Turkey			G5	S5B	Shrubland, Savanna/Open Woodland, Forest, Riparian, Agricultural
<i>Circus cyaneus</i>	Northern Harrier			G5	S2B,S3N	Grassland, Shrubland
<i>Buteogallus anthracinus</i>	Common Black-Hawk		T	G4G5	S2B	Woodland, Riparian
<i>Parabuteo unicinctus</i>	Harris's Hawk			G5	S3B	Desert Scrub, Grassland, Shrubland
<i>Buteo lineatus</i>	Red-shouldered Hawk			G5	S4B	Woodland, Forest, Riparian, Freshwater Wetland
<i>Buteo albonotatus</i>	Zone-tailed Hawk		T	G4	S3B	Barren/Sparse Vegetation, Riparian
<i>Aquila chrysaetos</i>	Golden Eagle			G5	S3B	Desert Scrub, Grassland, Shrubland
<i>Caprimulgus carolinensis</i>	Chuck-will's-widow			G5	S3S4B	Woodland, Forest, Riparian
<i>Tyrannus forficatus</i>	Scissor-tailed Flycatcher			G5	S3B	Desert Scrub, Grassland, Shrubland, Agricultural, Developed
<i>Lanius ludovicianus</i>	Loggerhead Shrike			G4	S4B	Desert Scrub, Grassland, Shrubland, Savanna/Open Woodland, Agricultural, Developed
<i>Vireo bellii</i>	Bell's Vireo			G5	S3B	Desert scrub, Shrubland, Riparian
<i>Vireo atricapilla</i>	Black-capped Vireo	LE	E	G3	S2B	Shrubland
<i>Poecile carolinensis</i>	Carolina Chickadee			G5	S5B	Woodland, Forest, Riparian, Developed: Urban/Suburban/Rural
<i>Anthus spragueii</i>	Sprague's Pipit	C		G4	S3N	Barren/Sparse Vegetation, Grassland, Shrubland, Agricultural

Edwards Plateau Species of Greatest Conservation Need

Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
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<i>Parula pitiayumi</i>	Tropical Parula		T	G5	S3B	Savanna/Open Woodland, Woodland, Forest, Riparian
<i>Dendroica chrysoparia</i> *	Golden-cheeked Warbler	LE	E	G2	S2B	Woodland
<i>Dendroica dominica</i>	Yellow-throated Warbler			G5	S4B	Woodland, Forest, Riparian
<i>Seiurus motacilla</i>	Louisiana Waterthrush			G5	S3B	Woodland, Forest, Riparian
<i>Aimophila cassinii</i>	Cassin's Sparrow			G5	S4B	Grassland, Shrubland
<i>Aimophila ruficeps</i>	Rufous-crowned Sparrow			G5	S4B	Grassland
<i>Spizella pusilla</i>	Field Sparrow			G5	S5B	Grassland, Shrubland, Savanna/Open Woodland
<i>Ammodramus savannarum</i>	Grasshopper Sparrow			G5	S3B	Grassland, Agricultural
<i>Chondestes grammacus</i>	Lark Sparrow			G5	S4B	Grassland, Shrubland, Savanna/Open Woodland
<i>Ammodramus leconteii</i>	Le Conte's Sparrow					Grassland
<i>Zonotrichia querula</i>	Harris's Sparrow			G5	S4	Shrubland, Agricultural
<i>Piranga rubra</i>	Summer Tanager			G5	S5B	Savanna/Open Woodland, Woodland, Forest, Riparian, Developed: Urban/Suburban/Rural
<i>Passerina ciris</i>	Painted Bunting			G5	S4B	Shrubland, Agricultural
<i>Spiza americana</i>	Dickcissel			G5	S4B	Grassland, Agricultural
<i>Sturnella magna</i>	Eastern Meadowlark			G5	S5B	Grassland, Shrubland, Savanna/Open Woodland
<i>Icterus spurius</i>	Orchard Oriole			G5	S4B	Shrubland, Savanna/Open Woodland, Woodland, Riparian
REPTILES AND AMPHIBIANS						
<i>Anaxyrus (Bufo) woodhousii</i>	Woodhouse's toad			G5	SU	woodland, forest, freshwater wetland
<i>Apalone mutica</i>	smooth softshell turtle					riparian, riverine, lacustrine, freshwater wetland
<i>Apalone spinifera</i>	spiny softshell turtle					riparian, riverine, lacustrine, freshwater wetland
<i>Cheylydra serpentina</i>	Common snapping turtle					riparian, riverine
<i>Crotalus atrox</i>	Western diamondback rattlesnake				S4	barren/sparse vegetation, desert scrub, grassland, shrubland, savanna, woodland, caves/karst
<i>Drymarchon melanurus erebennus</i>	Texas Indigo Snake		T	G4	S3	shrubland, savanna
<i>Eurycea latitans</i>	Cascade Caverns salamander		T	G3	S1	caves and karst, freshwater wetland (springs)
<i>Eurycea nana</i>	San Marcos salamander	LT	T	G1	S1	freshwater wetland (springs)
<i>Eurycea naufragia</i>	Georgetown Salamander	C		G1	S1	caves and karst, freshwater wetland (springs)
<i>Eurycea neotenes</i>	Texas salamander			G1	S2	caves and karst, freshwater wetland (springs)
<i>Eurycea pterophila</i>	Blanco River springs salamander			G2	S2	caves and karst, freshwater wetland (springs)
<i>Eurycea rathbuni</i>	Texas blind salamander	LE	E	G1	S1	aquifer, caves, and karst, freshwater wetland (springs)
<i>Eurycea robusta</i>	Blanco blind salamander		T	G1Q	S1	aquifer
<i>Eurycea sosorum</i>	Barton Springs salamander	LE	E	G1	S1	caves and karst, freshwater wetland (springs)
<i>Eurycea tonkawae</i>	Jollyville Plateau Salamander	C		G1	S2S3	caves and karst, freshwater wetland (springs)
<i>Eurycea tridentifera</i>	Comal blind salamander		T	G1	S1	Aquifer, Caves and Karst
<i>Eurycea waterlooensis</i>	Austin blind salamander	C		G1	S1	Aquifer but often found in Freshwater Wetland (springs) and Caves, Karst could apply as well
<i>Gopherus berlandieri</i>	Texas tortoise		T	G4	S2*	savanna, shrubland
<i>Graptemys caglei</i>	Cagle's map turtle		T	G3	S1	riparian, riverine
<i>Graptemys versa</i>	Texas map turtle			G4	SU	riparian, riverine
<i>Heterodon nasicus</i>	Western hognosed snake					desert scrub, grassland, shrubland
<i>Holbrookia lacerata lacerata</i>	Plateau earless lizard				S2	desert scrub, grassland, shrubland, savanna
<i>Nerodia paucimaculata</i>	Concho water snake	LT-PDL		G2	S2	riparian, riverine, cultural aquatic
<i>Ophisaurus attenuatus</i>	western slender glass lizard					grassland, savanna
<i>Phrynosoma cornutum</i>	Texas horned lizard		T	G4G5	S4	desert scrub, grassland, savanna
<i>Pseudacris streckeri</i>	Strecker's Chorus Frog			G5	S3	grassland, savanna, woodland, riparian, cultural aquatic, freshwater wetland
<i>Sistrurus catenatus</i>	massasauga					grassland, barren/sparse vegetation, shrubland, coastal,
<i>Terrapene carolina</i>	Eastern box turtle			G5	S3	grasslands, savanna, woodland

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<i>Terrapene ornata</i>	Ornate box turtle			G5	S3	grassland, barren/sparse vegetation, desert scrub, savanna, woodland
<i>Thamnophis sirtalis annectans</i>	Texas Garter Snake (Eastern/Texas/New Mexico)			G5	S2	riparian, around lacustrine and cultural aquatic sites
<i>Trachemys scripta</i>	Red-eared slider					riparian, riverine, lacustrine, freshwater wetland, cultural aquatic
FRESHWATER FISHES						
<i>Anguilla rostrata</i>	American eel			G4	S5	streams and reservoirs in drainages connected to marine environments
<i>Cyprinella lepida</i>	Plateau shiner			G1G2	S1S2	clear, cool, spring-fed headwater creeks, gravel and limestone substrates
<i>Cyprinella proserpina</i>	Proserpine shiner		T	G3	S2	pool habitats; adapted to flood-prone environments
<i>Cyprinella sp.</i>	Nueces river shiner			G1G2Q	S1S2	clear, cool, spring-fed headwater creeks
<i>Cyprinodon eximius ssp</i>	Devils River pupfish					tributary to larger rivers; rarely in headsprings; shallow, isolated pool habitat in the Devils River; sandy to
<i>Dionda argentosa</i>	Manantial roundnose minnow			G2	S2	Headwaters and runs of spring-influenced waters
<i>Dionda diaboli</i>	Devils River minnow	LT	T	G1	S1	over gravel-cobble substrate, usually associated with aquatic macrophytes
<i>Dionda nigrotaeniata</i>	Guadalupe roundnose minnow			G4	S4	spring-influenced headwaters
<i>Dionda serena</i>	Nueces roundnose minnow			G2	S2	spring-influenced headwaters
<i>Etheostoma grahami</i>	Rio Grande darter		T	G2G3	S2	Gravel and rubble riffles in spring-fed tributaries, creeks, and streams
<i>Gambusia heterochir</i>	Clear Creek gambusia	LE	E	G1	S1	springs
<i>Ictalurus lupus</i>	Headwater catfish			G3	S2	clear streams and rivers with moderate gradients, deep spring runs
<i>Micropterus treculii</i>	Guadalupe bass			G3	S3	small lentic environments; commonly taken in flowing water
<i>Percina apristis</i>	Guadalupe darter					collections from the clearest waters tributary to the Guadalupe, namely spring heads and the main river west
INVERTEBRATES						
<i>Allotxiweckelia hirsuta</i>	A cave obligate amphipod			G2G3	S2?*	Caves/Karst
<i>Almuerzothyas n. sp.</i>	An aquatic mite			G1*	S1*	Caves/Karst
<i>Amblycorypha uhleri</i>	A katydid			G2G3*	S2?*	Savanna/Open Woodland
<i>Apocheiridium reddelli</i>	A cave obligate pseudoscorpion			G1G2	S1*	Caves/Karst
<i>Arethaea ambulator</i>	A katydid			G2G3*	S2?*	Savanna/Open Woodland
<i>Arrenurus n. sp</i>	An aquatic mite			G1*	S1*	Caves/Karst
<i>Artesia subterranea</i>	A cave obligate amphipod			G1G2	S1?*	Caves/Karst
<i>Austrotinodes texensis</i>	Texas Austrotinodes caddisfly			G2	S2	Riparian, Riverine
<i>Baetodes alleni</i>	A mayfly			G1G2	S1?*	Riparian, Riverine
<i>Balconorbis uvaldensis</i>	Balcones ghostsnail			G1G2	S1*	Caves/Karst
<i>Batrisodes cryptotexanus</i>	A cave obligate beetle			G2*	S2*	Caves/Karst
<i>Batrisodes dentifrons</i>	A cave obligate beetle			G1G2*	S1*	Caves/Karst
<i>Batrisodes fanti</i>	A cave obligate beetle			G1G2*	S1*	Caves/Karst
<i>Batrisodes feminiclypeus</i>	A cave obligate beetle			G1G2*	S1*	Caves/Karst
<i>Batrisodes gravesi</i>	A cave obligate beetle			G2*	S2*	Caves/Karst
<i>Batrisodes grubbsi</i>	A cave obligate beetle			G1G2	S1*	Caves/Karst
<i>Batrisodes incisipes</i>	A cave obligate beetle			G1G2*	S1*	Caves/Karst
<i>Batrisodes pekinsi</i>	A cave obligate beetle			G1G2*	S1*	Caves/Karst
<i>Batrisodes reyesi</i>	A cave obligate beetle			G2G3	S2*	Caves/Karst
<i>Batrisodes shadeae</i>	A cave obligate beetle			G1G2*	S1*	Caves/Karst
<i>Batrisodes texanus</i>	A cave obligate beetle	LE		G1G2	S1	Caves/Karst
<i>Batrisodes venyivi</i>	A cave obligate beetle	LE		G1G2	S1	Caves/Karst
<i>Batrisodes wartoni</i>	A cave obligate beetle			G1G2*	S1	Caves/Karst
<i>Bombus pensylvanicus</i>	American bumblebee			GU	SU*	Grassland, Savanna/Open Woodland
<i>Bombus sonorus</i>	Sonoran bumblebee			GU	SU*	Grassland, Savanna/Open Woodland
<i>Bombus variabilis</i>	Variable cuckoo bumblebee			GU	SU*	Grassland, Savanna/Open Woodland

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<i>Brackenridgia reddelli</i>	A cave obligate isopod			G2G3	S2?*	Caves/Karst
<i>Caenis arwini</i>	A mayfly			G1G3	S2?*	Riparian, Riverine
<i>Calathaemon holthuisi</i>	A cave obligate shrimp			G1G2	S1?*	Caves/Karst
<i>Chitrella ellioti</i>	A cave obligate pseudoscorpion			G1G2	S1*	Caves/Karst
<i>Cicurina bandera</i>	A cave obligate spider			G2G3	S2*	Caves/Karst
<i>Cicurina bandida</i>	Bandit Cave spider			G1G2	S1	Caves/Karst
<i>Cicurina baronia</i>	Robber Baron Cave meshweaver	LE		G1G2	S1	Caves/Karst
<i>Cicurina barri</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina browni</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina caliga</i>	A cave obligate spider			G1G2*	S1*	Caves/Karst
<i>Cicurina caverna</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina coryelli</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina ellioti</i>	A cave obligate spider			G2G3	S2*	Caves/Karst
<i>Cicurina ezelli</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina gruta</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina holsingeri</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina hoodensis</i>	A cave obligate spider			G1G2*	S1*	Caves/Karst
<i>Cicurina machete</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina madla</i>	Madla Cave meshweaver	LE		G1G2	S1	Caves/Karst
<i>Cicurina mckenziei</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina medina</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina menardia</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina mixmaster</i>	A cave obligate spider			G1G2*	S1*	Caves/Karst
<i>Cicurina obscura</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina orellia</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina pablo</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina pastura</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina patei</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina porteri</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina puentecilla</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina rainesi</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina reclusa</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina reddelli</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina russelli</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina sansaba</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina selecta</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina serena</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina sheari</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina sprousei</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina stowersi</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina suttoni</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina travisae</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina troglobia</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina ubicki</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina uvalde</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina venefica</i>	A cave obligate spider			G1G2	S1*	Caves/Karst

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<i>Cicurina venii</i>	Braken Bat Cave Meshweaver	LE		G1G2	S1	Caves/Karst
<i>Cicurina vespera</i>	Government Canyon Bat Cave Meshweaver	LE		G1G2	S1	Caves/Karst
<i>Cicurina vibora</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cicurina wartoni</i>	Warton cave Meshweaver	C		G1	S1	Caves/Karst
<i>Cicurina watersi</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Cisthene conjuncta</i>	A lichen moth			G1Q	S1Q*	Forest, Savanna/Open Woodland
<i>Colletes bumeliae</i>	A cellophane bee			G1*	S1*	Grassland, Savanna/Open Woodland
<i>Comaldessus stygius</i>	Comal Springs diving beetle			G1	S1	Aquifer, Riparian
<i>Daedalochila hippocrepis</i>	Horseshoe liptooth			G1	S1	Woodland
<i>Dichopetala catinata</i>	A katydid			G1?*	S1?*	Grassland, Shrubland
<i>Dichopetala seeversi</i>	A katydid			G1*	S1*	Grassland, Shrubland
<i>Dinocheirus cavicolus</i>	A cave obligate pseudoscorpion			G2G3	S2*	Caves/Karst
<i>Eidmennella nastuta</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Eidmennella reclusa</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Elaphoidella n. sp.</i>	A cave obligate copepod			G1*	S1*	Caves/Karst
<i>Haideoporus texanus</i>	Edwards Aquifer diving beetle			G1G2	S1	Aquifer, Freshwater Wetland
<i>Heterelmis comalensis</i>	Comal Springs riffle beetle	LE		G1	S1	Aquifer, Freshwater Wetland
<i>Heterelmis sp.</i>	Fern Bank Springs riffle beetle			G1*	S1*	Aquifer, Freshwater Wetland
<i>Heterelmis sp.</i>	Fessenden Springs riffle beetle			G1*	S1*	Aquifer, Freshwater Wetland
<i>Heterelmis sp.</i>	Devils River Springs riffle beetle			G1*	S1*	Aquifer, Freshwater Wetland
<i>Holcopasites jerryzoeni</i>	A cuckoo bee			G1*	S1*	Grassland, Shrubland
<i>Holospira goldfussi</i>	New Braunfels Holospira			G2G3	S2?*	Woodland
<i>Holsingerius samacos</i>	A cave obligate amphipod			G1G2	S1?*	Caves/Karst
<i>Hyalella texana</i>	Clear Creek amphipod			G1	S1	Aquifer, Freshwater Wetland
<i>Hydroptila melia</i>	A caddisfly			G2G3	S2?*	Riparian, Riverine
<i>Ingolfiella n. sp.</i>	A cave obligate amphipod			G1G2*	S1*	Caves/Karst
<i>Lampsilis bracteata</i>	Texas fatmucket		T	G1	S1*	Riverine
<i>Leucohya texana</i>	A cave obligate pseudoscorpion			G1G2	S1*	Caves/Karst
<i>Lirceolus bisetus</i>	A cave obligate isopod			G1G2	S1*	Caves/Karst
<i>Lirceolus hardeni</i>	A cave obligate isopod			G2G3	S2?*	Caves/Karst
<i>Lirceolus pilus</i>	A cave obligate isopod			G2G3	S2?	Caves/Karst
<i>Lirceolus smithii</i>	Texas troglobitic water slater			G1G2	S1	Caves/Karst
<i>Lymantes nadineae</i>	A cave obligate beetle			G1*	S1*	Caves/Karst
<i>Macrotera parkeri</i>	A mining bee			G1G2*	S1S2*	Grassland, Shrubland
<i>Macrotera robertsi</i>	A mining bee			G1*	S1*	Grassland, Shrubland
<i>Marstonia comalensis</i>	Comal siltsnail			G1	S1	Aquifer, Freshwater Wetland
<i>Mexistenasellus coahuila</i>	A cave obligate isopod			G2G3	S2?*	Caves/Karst
<i>Mexiweckelia hardeni</i>	A cave obligate amphipod			G2G3	S2?*	Caves/Karst
<i>Microceramus texanus</i>	Texas urocoptid			G2	S2*	Woodland
<i>Millerelix gracilis</i>	Edwards Plateau liptooth			G2G3	S2?*	Woodland
<i>Myrmecoderus laevipennis</i>	A narrow-waisted bark beetle			G1*	S1*	Forest, Woodland
<i>Nectopsyche texana</i>	A caddisfly			G1G3	S2?*	Riparian, Riverine
<i>Tayshaneta anopica</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Tayshaneta bullis</i>	A cave obligate spider			G1G2*	S1*	Caves/Karst
<i>Tayshaneta concinna</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Tayshaneta devia</i>	A cave obligate spider			G1G2	S1*	Caves/Karst

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<i>Tayshaneta microps</i>	Government Canyon Bat Cave spider	LE		G1G2	S1	Caves/Karst
<i>Tayshaneta myopica</i>	Tooth Cave spider	LE		G1G2	S1	Caves/Karst
<i>Tayshaneta valverde</i>	A cave obligate spider			G1G2	S1*	Caves/Karst
<i>Neotrichia juani</i>	A caddisfly			G1	S1*	Riparian, Riverine
<i>Nitocrelloopsis texana</i>	A cave obligate copepod			G1*	S1*	Caves/Karst
<i>Oncopodura fenestra</i>	A cave obligate springtail			G2G3	S2?*	Caves/Karst
<i>Oxyelophila callista</i>	A snout moth			G1?*	S1?*	Woodland
<i>Oxyethira ulmeri</i>	A caddisfly			G2G3	S2?*	Riparian, Riverine
<i>Palaemonetes antrorum</i>	A cave obligate shrimp			G2G3	S2?*	Caves/Karst
<i>Palaemonetes texanus</i>	Texas river shrimp			G1G2*	S1?*	Riverine
<i>Parabogidiella americana</i>	A cave obligate amphipod			G2G3	S2?*	Caves/Karst
<i>Paraholsingerius smaragdinus</i>	A cave obligate amphipod			G2G3	S2?*	Caves/Karst
<i>Paralimnetis texana</i>	Pointytop finger clam shrimp			G1	S1*	Riparian, Riverine
<i>Paramexiweckelia ruffoi</i>	A cave obligate amphipod			G1G2	S1?*	Caves/Karst
<i>Patera leatherwoodi</i>	Pedernales oval			G1	S1*	Woodland
<i>Perdita dolanensis</i>	A mining bee			G1*	S1*	Grassland, Shrubland
<i>Petrophila daemonalis</i>	A snout moth			G1?*	S1?*	Grassland, Shrubland
<i>Phreatodrobia conica</i>	Hueco cavesnail			G1	S1*	Caves/Karst
<i>Phreatodrobia imitata</i>	Mimic cavesnail			G1	S1	Caves/Karst
<i>Phreatodrobia micra</i>	Flattened cavesnail			G2G3	S2S3	Caves/Karst
<i>Phreatodrobia nugax</i>	Nymph trumpet			G1G2	S1*	Caves/Karst
<i>Phreatodrobia plana</i>	Disc cavesnail			G2	S2*	Caves/Karst
<i>Phreatodrobia punctata</i>	High-hat cavesnail			G2	S2*	Caves/Karst
<i>Phreatodrobia rotunda</i>	Beaked cavesnail			G1G2	S1*	Caves/Karst
<i>Plauditus texanus</i>	A mayfly			G2G3	S1?*	Riparian, Riverine
<i>Pogonomyrmex comanche</i>	Comanche harvester ant			G2G3*	S2*	Barren/Sparse Vegetation
<i>Procloeon distinctum</i>	A mayfly			G1G3	S2?*	Riverine, Riparian
<i>Protandrena maurula</i>	A mining bee			G1G2*	S1S2*	Grassland, Shrubland
<i>Protophila arca</i>	A caddisfly			G1	S1	Riverine, Riparian
<i>Pygarctia lorula</i>	A tiger moth			G2G3	S2?*	Savanna/Open Woodland
<i>Quadrula aurea</i>	Golden orb		T	G1	S2*	Riverine
<i>Quadrula houstonensis</i>	Smooth pimpleback		T	G2	S1S2*	Riverine
<i>Quadrula mitchelli</i>	False Spike		T	GH	SH	Riverine
<i>Quadrula petrina</i>	Texas pimpleback		T	G2	S1*	Riverine
<i>Rhadine austinica</i>	A cave obligate beetle			G1G2	S1*	Caves/Karst
<i>Rhadine bullis</i>	A cave obligate beetle			G2*	S2	Caves/Karst
<i>Rhadine exilis</i>	A cave obligate beetle	LE		G1	S1	Caves/Karst
<i>Rhadine infernalis</i>	A cave obligate beetle	LE		G2G3	S1	Caves/Karst
<i>Rhadine insolata</i>	A cave obligate beetle			G1G2	S1*	Caves/Karst
<i>Rhadine noctivaga</i>	A cave obligate beetle			G1G2	S1*	Caves/Karst
<i>Rhadine persephone</i>	Tooth Cave ground beetle	LE		G1G2	S1	Caves/Karst
<i>Rhadine reyesi</i>	A cave obligate beetle			G1G2*	S1S2*	Caves/Karst
<i>Rhadine russelli</i>	A cave obligate beetle			G1G2	S1*	Caves/Karst
<i>Rhadine specia</i>	A cave obligate beetle			G2*	S2*	Caves/Karst
<i>Rhadine subterranea</i>	A cave obligate beetle			G2*	S2*	Caves/Karst
<i>Seborgia relict</i>	A cave obligate amphipod			G2G3	S2?*	Caves/Karst

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<i>Speocirolana hardeni</i>	A cave obligate isopod			G2G3	S2?*	Caves/Karst
<i>Speodesmus echinourus</i>	A cave obligate millipede			G2G3	S2?*	Caves/Karst
<i>Speodesmus falcatus</i>	A cave obligate millipede			G2 *	S2*	Caves/Karst
<i>Speodesmus ivyi</i>	A cave obligate millipede			G2 *	S2*	Caves/Karst
<i>Speodesmus reddelli</i>	A cave obligate millipede			G2 *	S2*	Caves/Karst
<i>Sphinx eremitoides</i>	Sage sphinx			G1G2	S1?*	Grassland
<i>Streptocephalus linderi</i>	Spinyfinger fairy shrimp			G2	S2*	Riverine, Riparian
<i>Stygobromus balconis</i>	A cave obligate amphipod			G2G3	S1	Caves/Karst
<i>Stygobromus dejectus</i>	Cascade Cave amphipod			G1G2	S1	Caves/Karst
<i>Stygobromus flagellatus</i>	Ezell's Cave amphipod			G2G3	S1	Caves/Karst
<i>Stygobromus hadenoecus</i>	Devil's Sinkhole amphipod			G1G2	S1	Caves/Karst
<i>Stygobromus limbus</i>	Border Cave amphipod			G1G2	S1*	Caves/Karst
<i>Stygobromus longipes</i>	Long-legged Cave amphipod			G2G3	S1	Caves/Karst
<i>Stygobromus n. sp.</i>	Neel's Cave amphipod			G1G2*	S1*	Caves/Karst
<i>Stygobromus n. sp.</i>	Devils River Cave amphipod			G1G2*	S1*	Caves/Karst
<i>Stygobromus n. sp.</i>	Fessenden Cave amphipod			G1G2*	S1*	Caves/Karst
<i>Stygobromus n. sp.</i>	Lost Maples Cave amphipod			G1G2*	S1*	Caves/Karst
<i>Stygobromus n. sp.</i>	San Gabriel Cave amphipod			G1G2*	S1*	Caves/Karst
<i>Stygobromus pecki</i>	Peck's Cave amphipod	LE	E	G1G2	S1	Caves/Karst
<i>Stygobromus reddelli</i>	Reddell stygobromid			G1G2	S1	Caves/Karst
<i>Stygobromus russelli</i>	A cave obligate amphipod			G1G2*	S1*	Caves/Karst
<i>Stygoparnus comalensis</i>	Comal Springs dryopid beetle	LE		G1G2	S1	Caves/Karst
<i>Stygopyrgus bartonensis</i>	Barton cavesnail			G1	S1	Caves/Karst
<i>Tartarocreagris altimana</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris amblyopa</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris attenuata</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris domina</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris grubbsi</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris hoodensis</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris infernalis</i>	A cave obligate pseudoscorpion			G2G3	S2?*	Caves/Karst
<i>Tartarocreagris intermedia</i>	A cave obligate pseudoscorpion			G1G2	S1*	Caves/Karst
<i>Tartarocreagris proserpina</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris reddelli</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris reyesi</i>	A cave obligate pseudoscorpion			G1G2*	S1*	Caves/Karst
<i>Tartarocreagris texana</i>	Tooth Cave Pseudoscorpion	LE		G1G2	S1	Caves/Karst
<i>Tethysbaena texana</i>	A cave obligate crustacean			G2G3	S2?*	Caves/Karst
<i>Texamaurops reddelli</i>	Kretschmarr Cave Mold Beetle	LE		G2G3	S1	Caves/Karst
<i>Texanobathynella bowmani</i>	A bathynellid			G2G3	S2?*	Caves/Karst
<i>Texapyrgus longleyi</i>	Striated Hydrobe			G1	S1	Freshwater Wetland
<i>Texella brevidenta</i>	A cave obligate harvestman			G1G2	S1*	Caves/Karst
<i>Texella brevistyla</i>	A cave obligate harvestman			G1G2	S1*	Caves/Karst
<i>Texella cokendolpheri</i>	Cokendolpher Cave Harvestman	LE		G1G2	S1	Caves/Karst
<i>Texella diplospina</i>	A cave obligate harvestman			G1G2	S1*	Caves/Karst
<i>Texella grubbsi</i>	A cave obligate harvestman			G1G2	S1*	Caves/Karst
<i>Texella hardeni</i>	A cave obligate harvestman			G1G2	S1*	Caves/Karst
<i>Texella mulaiki</i>	A cave obligate harvestman			G2G3	S2*	Caves/Karst

Edwards Plateau Species of Greatest Conservation Need

Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
		Federal	State	Global	State	
<i>Texella reddelli</i>	Reddell harvestman	LE		G2G3	S2*	Caves/Karst
<i>Texella renkesae</i>	A cave obligate harvestman			G1G2	S1*	Caves/Karst
<i>Texella reyesi</i>	Bone Cave harvestman	LE		G2G3	S2*	Caves/Karst
<i>Texella spinoperca</i>	A cave obligate harvestman			G1G2*	S1*	Caves/Karst
<i>Texiweckelia texensis</i>	A cave obligate amphipod			G2G3	S2?*	Caves/Karst
<i>Truncilla macrodon</i>	Texas fawnsfoot		T	G2Q	S1*	Riverine
<i>Tyrannochthonius muchmoreorum</i>	A cave obligate pseudoscorpion					Caves/Karst
<i>Tyrannochthonius troglodytes</i>	A cave obligate pseudoscorpion			G1G2	S1*	Caves/Karst
<i>Xiphocentron messapus</i>	A caddisfly			G1G3	S2?*	Riparian, Riverine
PLANTS						
<i>Agalinis densiflora</i>	Osage Plains false foxglove			G3	S2	Savanna/Open Woodland - Outcrops
<i>Amorpha roemeriana</i>	Texas amorpha			G3	S3	Woodland
<i>Argythamnia aphoroides</i>	Hill Country wild-mercury			G2G3	S2S3	Savanna/Open Woodland
<i>Astragalus mollissimus var. coryi</i>	Cory's woolly locoweed			G5T3	S3	Grassland (limestone substrates)
<i>Astragalus reflexus</i>	Texas milk vetch			G3	S3	Savanna/Open Woodland
<i>Astragalus wrightii</i>	Wright's milkvetch			G3	S3	Grassland; Savanna/Open Woodland
<i>Bauhinia lunarioides</i>	Anacacho orchid			G3	S1	Shrubland
<i>Berberis swaseyi</i>	Texas barberry			G3	S3	Savanna/Open Woodland
<i>Brazoria enquistii</i>	Enquist's sandmint			G2	S2	Riparian (sandy banks and streamsides) with Savanna/Open Woodland matrix
<i>Brickellia dentata</i>	gravelbar brickellbush			G3G4	S3S4	Riparian
<i>Brickellia eupatorioides var. gracillima</i>	narrowleaf brickellbush			G5T3	S3	Riparian
<i>Campanula reverchonii</i>	Basin bellflower			G2	S2	Barren/Sparse Vegetation (granite gravels and outcrops)
<i>Cardamine macrocarpa var. texana</i>	Texas largeseed bittercress			G3T2	S2	Woodland (oak-juniper)
<i>Carex edwardsiana</i>	canyon sedge			G3G4S3S4	S3S4	Woodland (slopes above Riparian)
<i>Chaetopappa effusa</i>	spreading lestdaisy			G3G4	S3S4	Woodland
<i>Clematis texensis</i>	scarlet leather-flower			G3G4	S3S4	Woodland
<i>Colubrina stricta</i>	Comal snakewood			G2	S1	Shrubland
<i>Crataegus turnerorum</i>	Turners' hawthorn			G3Q	S3	Savanna/Open Woodland
<i>Croton alabamensis var. texensis</i>	Texabama croton			G3T2	S2	Woodland
<i>Cuscuta exaltata</i>	tree dodder			G3	S3	Woodland
<i>Dalea hallii</i>	Hall's prairie-clover			G3	S3	Savanna/Open Woodland; Grassland
<i>Dalea sabinalis</i>	Sabinal prairie-clover			GH	SH	Grassland; Savanna/Open Woodland
<i>Desmanthus reticulatus</i>	net-leaf bundleflower			G3	S3	Savanna/Open Woodland
<i>Desmodium lindheimeri</i>	Lindheimer's tickseed			G3G4	S1	Woodland
<i>Donrichardsia macroneuron</i>	Don Richard's spring moss			G1	S1	Freshwater Wetland (springs)
<i>Echinocereus coccineus var. paucispinus</i>	Texas claret-cup cactus			G5T3	S3	Shrublands; Desert Scrub; Grasslands; Woodlands
<i>Ephedra coryi</i>	Cory's ephedra			G3	S3	Barren/Sparse Vegetation (inland sand dunes); Grasslands
<i>Eriocaulon koernickianum</i>	small-headed pipewort			G2	S1	Freshwater Wetland (bogs)
<i>Eriogonum nealleyi</i>	Irion County wild-buckwheat			G2	S2	Savanna/Open Woodland; Grassland
<i>Eriogonum tenellum var. ramosissimum</i>	Basin wild-buckwheat			G5T3	S3	Barren/Sparse Vegetation (granite gravels and outcrops)
<i>Euphorbia peploidion</i>	low spurge			G3	S3	Savanna/Open Woodland
<i>Festuca versuta</i>	Texas fescue			G3	S3	Woodland
<i>Galactia watsoniana</i>	Watson's milk-pea			G1	S1	Woodland (canyons)
<i>Gilia ludens</i>	South Texas gilia			G3	S3	Shrubland
<i>Glossopetalon texense</i>	Texas greasebush			G1	S1	Savanna/Open Woodland; Barren/Sparse Vegetation (limestone cliffs, ledges, or outcrops)

Edwards Plateau Species of Greatest Conservation Need

Scientific Name	Common Name	Status		Abundance Ranking		General Habitat Type(s) in Texas These are VERY broad habitat types as a starting place
		Federal	State	Global	State	
<i>Hesperaloe parviflora</i>	red yucca			G3	S3	Savanna/Open Woodland
<i>Hexalectris nitida</i>	Glass Mountains coral-root			G3	S3	Woodland
<i>Hexalectris warnockii</i>	Warnock's coral-root			G2G3	S2	Woodland
<i>Houstonia parviflora</i>	Greenman's bluet			G3	S3	Savanna/Open Woodland
<i>Isoetes lithophila</i>	rock quillwort			G2	S2	Freshwater Wetland (vernal pools)
<i>Isoetes piedmontana</i>	Piedmont quillwort			G3	S1	Freshwater Wetland (vernal pools)
<i>Lythrum ovalifolium</i>	Plateau loosestrife			G3G4	S3S4	Riparian; Freshwater Wetlands (seeps)
<i>Matelea edwardsensis</i>	Plateau milkvine			G3	S3	Woodland (canyons)
<i>Matelea sagittifolia</i>	arrowleaf milkvine			G3	S3	Shrubland; Woodland
<i>Monarda punctata</i> var. <i>stanfieldii</i>	Stanfield's beebalm			G5T3	S3	Savanna/Open Woodland
<i>Muhlenbergia villiflora</i> var. <i>villosa</i>	villous muhly			G5T3	S2	Barren/Sparse Vegetation (gypseous soils); Shrubland
<i>Nesaea longipes</i>	longstalk heimia			G2G3	S2	Freshwater Wetland (springs, cienegas)
<i>Oenothera cordata</i>	heartleaf evening-primrose			G3	S3	Savanna/Open Woodland
<i>Onosmodium helleri</i>	Heller's marbleseed			G3	S3	Woodland
<i>Packera texensis</i>	Llano butterweed			G2	S2	Savanna/Open Woodland (on granite gravels)
<i>Pediomelum cyphocalyx</i>	turnip-root scurfpea			G3G4	S3S4	Grassland
<i>Penstemon guadalupensis</i>	Guadalupe beardtongue			G3	S3	Savanna/Open Woodland
<i>Penstemon triflorus</i> subsp. <i>integrifolius</i>	Heller's beardtongue			G3T3	S2	Savanna/Open Woodland; Barren/Sparse Vegetation (limestone cliffs, ledges, or outcrops)
<i>Penstemon triflorus</i> subsp. <i>triflorus</i>	threeflower penstemon			G3T3	S3	Savanna/Open Woodland; Barren/Sparse Vegetation (limestone cliffs, ledges, or outcrops)
<i>Phaseolus texensis</i>	canyon bean			G2	S2	Woodland (canyons)
<i>Philadelphus ernestii</i>	canyon mock-orange			G3	S3	Woodland (canyons on limestone outcrops or boulders)
<i>Phoradendron hawksworthii</i>	Hawksworth's mistletoe			G3	S3	Woodland
<i>Physaria engelmannii</i>	Engelmann's bladderpod			G3	S3	Savanna/Open Woodland
<i>Physostegia correllii</i>	Correll's false dragon-head			G2	S2	Riparian; Riverine; Freshwater Wetland
<i>Polygala palmeri</i>	Palmer's milkwort			G3	S2	Shrubland
<i>Pomaria brachycarpa</i>	broadpod rushpea			G2	S2	Savanna/Open Woodland
<i>Prenanthes carrii</i>	canyon rattlesnake-root			G2	S2	Woodland (canyons)
<i>Prunus minutiflora</i>	Texas almond			G3G4	S3S4	Savanna/Open Woodland
<i>Prunus texana</i>	Texas peachbush			G3G4	S3S4	Savanna/Open Woodland; Grassland
<i>Salvia pentstemonoides</i>	big red sage			G1	S1	Barren/Sparse Vegetation (limestone outcrops, boulders, and cliffs); Woodland (canyons)
<i>Sclerocactus breviphamatus</i> subsp. <i>tobuschii</i>	Tobusch fishhook cactus	LE	E	G4T3	S3	Savanna/Open Woodland
<i>Selenia jonesii</i>	Jones' selenia			G3	S3	Grassland
<i>Seymeria texana</i>	Texas seymeria			G3	S3	Woodland
<i>Shinnersia rivularis</i>	springrun whitehead			G2G3	S1	Riverine (riffles)
<i>Spigelia texana</i>	Florida pinkroot			G3	S3	Woodland (canyons); Freshwater Wetland (Bottomland Forest)
<i>Streptanthus bracteatus</i>	bracted twistflower			G1G2	S1S2	Woodland; Savanna/Open Woodland
<i>Streptanthus platycarpus</i>	broadpod twistflower			G3	S3	Savanna/Open Woodland
<i>Styrax platanifolius</i> subsp. <i>platanifolius</i>	sycamore-leaf snowbell			G3T3	S3	Woodland
<i>Styrax platanifolius</i> subsp. <i>stellatus</i>	hairy sycamore-leaf snowbell			G3T3	S3	Woodland
<i>Styrax platanifolius</i> subsp. <i>texanus</i>	Texas snowbells	LE	E	G3T1	S1	Barren/Sparse Vegetation (limestone cliffs and ledges); Riparian; with Woodland or Shrubland matrix
<i>Tradescantia pedicellata</i>	granite spiderwort			G2Q	S2	Savanna/Open Woodland
<i>Tragia nigricans</i>	darkstem noseburn			G3	S3	Woodland
<i>Tridens buckleyanus</i>	Buckley tridens			G3G4	S3S4	Woodland
<i>Valerianella stenocarpa</i>	bigflower cornsalad			G3	S3	Savanna/Open Woodland
<i>Valerianella texana</i>	Edwards Plateau cornsalad			G2	S2	Savanna/Open Woodland (igneous or metamorphic gravels)
<i>Zizania texana</i>	Texas wild rice	LE	E	G1	S1	Riverine (spring-fed, clear, thermally constant, moderate current, sand to gravel substrate)

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Attachment H: Explosive and Flammable Hazards

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

1. Does the proposed HUD-assisted project include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

→ Continue to Question 2.

Yes

Explain:

→ Continue to Question 5.

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

→ Continue to Question 3.

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3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.*

Yes

→ *Continue to Question 4.*

4. Is the Separation Distance from the project acceptable based on standards in the Regulation?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

Yes

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."*

No

→ *Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."
Continue to Question 6.*

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

Yes

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*

No

→ *Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.
Continue to Question 6.*

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- 6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.**

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Aboveground storage tanks (ASTs) containing potentially explosive and/or flammable facilities are present in the county. The potential exists for explosive and/or flammable facilities or individual ASTs to be located near program residential projects. The standard HUD evaluation threshold is 100 gallons or greater volume. These ASTs can therefore also include privately owned propane tanks located on the project property or on neighboring properties.

Using maps, aerial imagery, and field data, the site-specific review will identify potentially explosive and/or flammable facilities and/or individual tanks located within 1 mile of the program application site. If present, an acceptable separation distance (ASD) will be calculated for the largest and/or closest ASTs to determine the minimum distance from the hazardous site for which a dwelling can be placed. ASD calculations will be completed using HUD's online ASD electronic assessment tool at <https://www.hudexchange.info/environmentalreview/asd-calculator/>

Unless intervening factors apply, the housing project will require mitigation if the distance between a facility's tanks and the project is less than the ASD. Mitigation measures may include removal of the hazard, the movement of the hazard to an acceptable separation distance, or relocation of the housing project to an alternate property, if necessary.

Texas Commission on Environmental Quality (TCEQ) databases will be consulted to determine locations of above ground fuel tanks and the locations of stationary propane tanks will be identified from Texas Railroad Commission data.

This is based on a determination made by the state Attorney General Office. See also Site-Specific Review Strategy, Appendix B.

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Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Texas Commission on Environmental Quality (TCEQ) databases will be consulted to determine locations of above ground fuel tanks and the locations of stationary propane tanks will be identified from Texas Railroad Commission data. See also Site-Specific Review Strategy, Appendix B.

Are formal compliance steps or mitigation required?

Yes

No

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Attachment I: Farmlands Protection

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

- Yes → *Continue to Question 2.*
 No

Explain how you determined that agricultural land would not be converted:

The project is consistent with this item as the homes proposed for improvement are existing and in already disturbed areas. While some homes are located in rural areas, no new construction is planned where previous land disturbance has not occurred. The county contains land areas designated as prime farmland as identified within the National Resource Conservation Service (NRCS) soils review. Other proposed homes are located in areas already converted to urban land designation and are consistent with activities not subject to Farmland Protection Policy Act (FPPA). See Exhibit A8.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.*

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non- agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

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No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes → *Continue to Question 3.*

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, “Farmland Conversion Impact Rating” http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist. (NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

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Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is consistent with this item as the homes proposed for improvement are existing and in already disturbed areas. While some homes are located in rural areas, no new construction is planned where previous land disturbance has not occurred. The county contains land areas designated as prime farmland as identified within the National Resource Conservation Service (NRCS) soils review. Other proposed homes are located in areas already converted to urban land designation and are consistent with activities not subject to Farmland Protection Policy Act (FPPA). See Attachment I.

Are formal compliance steps or mitigation required?

- Yes
 No

Land Use

- Cropland**
- Farmland Protection Policy Act**
- Forestry**
- Range & Pasture**

Annual Reports

Farmland Protection Policy Act 2012 Annual Report 

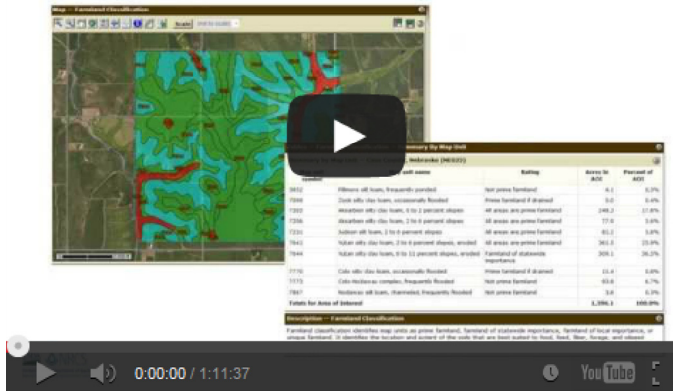
Farmland Protection Policy Act

Latest Feature

To know more about the Farmland Protection Policy Act, you can play the webinar below or download the webinar's [PowerPoint file](#) .



Web Soil Survey Farmland Classification Report



Field name	Rating	Area in Acres	Percent of 2012
6912 Filtless silt loam, frequently ponded	Prime farmland	4.1	0.2%
6908 Silty silt loam, occasionally flooded	Prime farmland if drained	0.0	0.0%
7100 Silty clay loam, 4 to 8 percent slopes	All areas are prime farmland	248.2	17.0%
7106 Silty clay loam, 2 to 4 percent slopes	All areas are prime farmland	17.4	1.0%
7104 Silty clay loam, 2 to 4 percent slopes	All areas are prime farmland	40.2	2.9%
7442 Silt loam, 2 to 4 percent slopes, eroded	All areas are prime farmland	361.1	25.9%
7444 Silt loam, 2 to 4 percent slopes, eroded	All areas are prime farmland	269.1	19.2%
7170 Silty clay loam, occasionally flooded	Prime farmland if drained	11.4	0.8%
7174 Silty clay loam, frequently flooded	Not prime farmland	19.0	1.4%
7507 Silty clay loam, occasionally frequently flooded	Not prime farmland	3.9	0.3%
Totals for Area of Interest		2,196.1	100.0%

Background



The National Agricultural Land Study of 1980-81 found that millions of acres of farmland were being converted in the United States each year. The 1981 Congressional report, Compact Cities: Energy-Saving Strategies for the Eighties, identified the need for Congress to implement programs and policies to protect farmland and combat urban sprawl and the waste of energy and resources that accompanies sprawling development.

The Compact Cities report indicated that much of the sprawl was the result of programs funded by the Federal Government. With this in mind, Congress passed the Agriculture and Food Act of 1981 (Public Law 97-98)

containing the Farmland Protection Policy Act (FPPA) subtitle I of Title XV, Section 1539-1549. The final rules and regulations were published in the Federal Register on June 17, 1994.

Purpose

The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years.

The FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners.

For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land.

Projects and Activities

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.

Assistance from a Federal agency includes:

- Acquiring or disposing of land.
- Providing financing or loans.
- Managing property.
- Providing technical assistance

Activities that may be subject to FPPA include:

- State highway construction projects, (through the Federal Highway Administration)
- Airport expansions
- Electric cooperative construction projects
- Railroad construction projects
- Telephone company construction projects
- Reservoir and hydroelectric projects
- Federal agency projects that convert farmland
- Other projects completed with Federal assistance.

Activities not subject to FPPA include:

- Federal permitting and licensing
- Projects planned and completed without the assistance of a Federal agency
- Projects on land already in urban development or used for water storage**
- Construction within an existing right-of-way purchased on or before August 4, 1984
- Construction for national defense purposes
- Construction of on-farm structures needed for farm operations
- Surface mining, where restoration to agricultural use is planned
- Construction of new minor secondary structures such as a garage or storage shed.

Farmland Conversion Impact Rating Form

If you represent a Federal agency in a project that has the potential to convert important farmland to non-farm use, please contact your local office of the Natural Resources Conservation Service (NRCS) or USDA Service Center. NRCS uses a land evaluation and site assessment (LESA) system to establish a farmland conversion impact rating score on proposed sites of Federally funded and assisted projects. This score is used as an indicator for the project sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the recommended allowable level.

The assessment is completed on form [AD-1006, Farmland Conversion Impact Rating](#). The sponsoring agency completes the site assessment portion of the AD-1006, which assesses non-soil related criteria such as the potential for impact on the local agricultural economy if the land is converted to non-farm use and compatibility with existing agricultural use.

Program Contacts

[Michael Robotham](#), National Leader -Soil Interpretations, 402-437-4098

[Mabel Kenyon](#), Program Analyst-Soil Science Division, 202-692-0099

[State FPPA Contacts](#)

[NRCS Home](#) | [USDA.gov](#) | [Site Map](#) | [Civil Rights](#) | [FOIA](#) | [Accessibility Statement](#)

[Privacy Policy](#) | [Non-Discrimination Statement](#) | [Information Quality](#) | [USA.gov](#) | [Whitehouse.gov](#) |

**Broad-Level Tiered Environmental Assessment
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Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment J: Floodplain Management

Floodplain Management (CEST and EA)

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55
Reference		
https://www.hudexchange.info/environmental-review/floodplain-management		

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD’s floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 2.*

2. **Provide a FEMA/FIRM or ABFE map showing the site.**

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No → *Based on the response, the review is in compliance with this section.*

Continue to the Worksheet Summary below.

Yes

Select the applicable floodplain using the FEMA map or the best available

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information:

- Floodway → *Continue to Question 3, Floodways*
- Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*
- 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*
- 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

3. Floodways

Is this a functionally dependent use?

- Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 6, 8-Step Process*

- No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

4. Coastal High Hazard Area

Is this a critical action?

- Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

- No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

- Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

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- No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ *Continue to Question 6, 8-Step Process*

5. 500-year Floodplain

Is this a critical action?

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- Yes → *Continue to Question 6, 8-Step Process*

6. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

- 8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 7, Mitigation*

- 5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step

Process. Select the applicable citation:

- 55.12(a)(1)* HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

- 55.12(a)(2)* HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

- 55.12(a)(3)* HUD's or the recipient’s actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of

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units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

- 55.12(a)(4) HUD’s (or the recipient’s) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

- 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
 - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
 - (ii) The project is not a critical action; and
 - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

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→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

7. Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

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Worksheet

Summary

Compliance

Determination

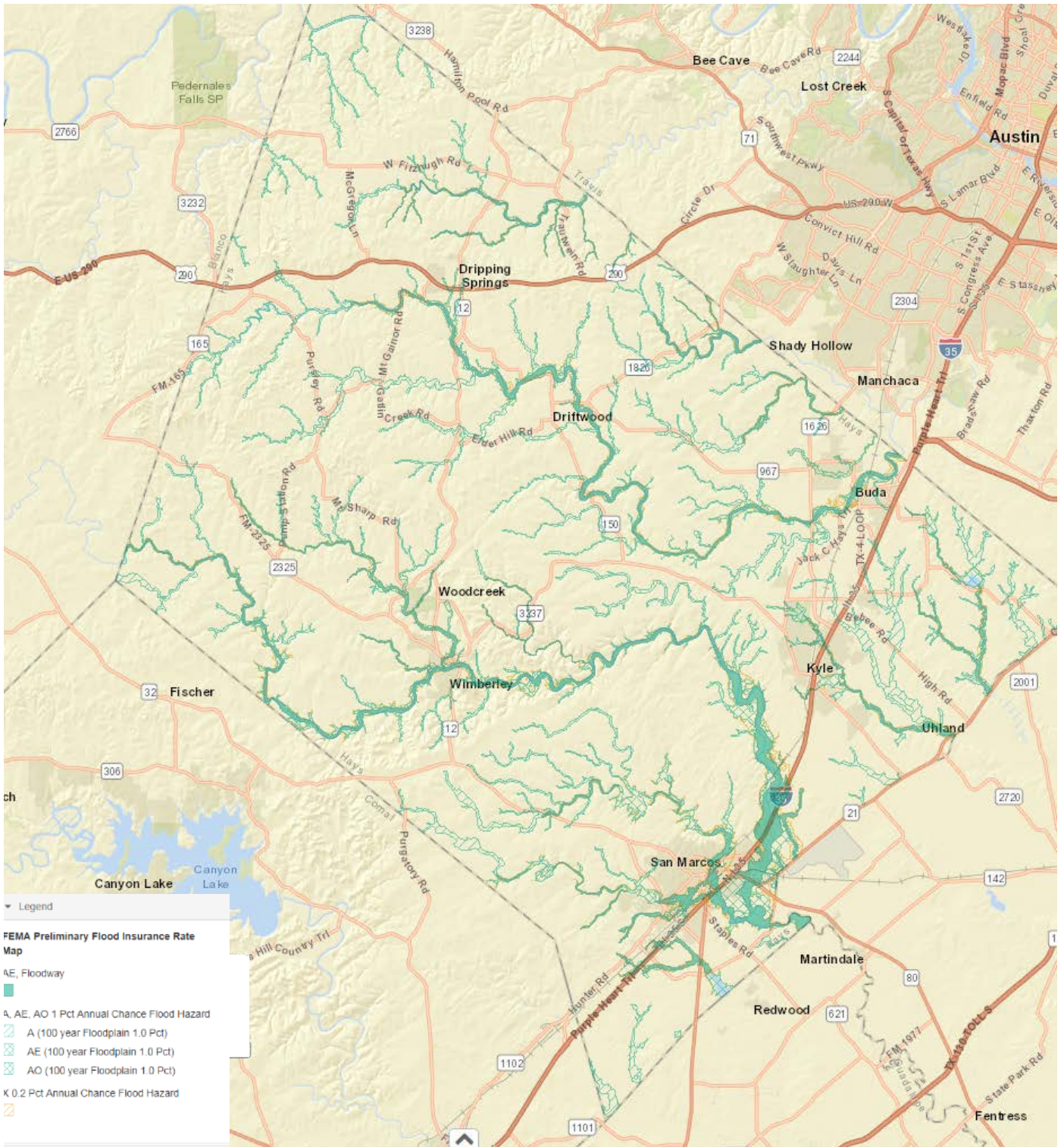
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region



The project constancy will be achieved during site-specific review.
The county contains FEMA designated Special Flood Hazard Areas (SFHA) in the 100-year floodplain,
The 8-step decision-making process is prescribed for proposed program activities in the SFHA and wetlands (see Exhibit A9-2). Site-specific compliance and mitigation measures will be required by the programs to accord with federal regulations and local floodplain ordinance. Site-specific application review will include a flood zone determination using the most current FEMA Flood Insurance Rate Map (<https://msc.fema.gov/portal/home>). Specific compliance and mitigation requirements will become a condition of federal assistance.
See site specific review strategy, Appendix B.

Are formal compliance steps or mitigation required?

- Yes
 No



Hays County Tier 1 – Floodplain Areas 1 in = 4 mi

Client Name	Hays County	 Future Link Technologies 
Contract #	CDBG Disaster Recovery	
Map Information	General Location Maps	512-443-4100
Date	June 19	Environmental Service Provider

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Attachment K: Historic Preservation

Historic Preservation (CEST and EA)

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 “Protection of Historic Properties”
References		
https://www.hudexchange.info/environmental-review/historic-preservation		

Threshold

Is Section 106 review required for your project?

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the [PA Database](#) to find applicable PAs.)

Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

→ Continue to the Worksheet Summary.

- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Either provide the memo itself or a link to it here. Explain and justify the other determination here:

→ Continue to the Worksheet Summary.

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Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

The Section 106 Process

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

Step 1 - Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD’s website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

Select all consulting parties below (check all that apply):

- State Historic Preservation Officer (SHPO)
- Advisory Council on Historic Preservation
- Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native
- Hawaiian Organizations (NHOs)

List all tribes that were consulted here and their status of consultation:

- Other Consulting Parties

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List all consulting parties that were consulted here and their status of consultation:

Describe the process of selecting consulting parties and initiating consultation here:

Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.

Step 2 - Identify and Evaluate Historic Properties

Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD’s website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or

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objection(s), notes, and photos) that justify your National Register Status determination.

Was a survey of historic buildings and/or archeological sites done as part of the project?

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

- Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

- No → *Continue to Step 3.*

Step 3 - Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

- No Historic Properties Affected

Document reason for finding:

- No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*
- Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

- No Adverse Effect

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Document reason for finding:

Does the No Adverse Effect finding contain conditions?

Yes

Check all that apply: (check all that apply)

- Avoidance
- Modification of project
- Other

Describe conditions here:

→ Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.

No → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.5\(c\)\(2\)](#)) and consult further to try to resolve objection(s).

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Adverse Effect

Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)]

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ *Continue to Step 4.*

Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6 and 800.7](#).

Were the Adverse Effects resolved?

Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

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→ *Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.*

No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:

Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Provide correspondence, comments, documentation of decision, and “Head of Agency” approval.*

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Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers

The project consistency will be achieved during site-specific review. Primarily the activities associated with this project will fall under the Program Agreement (PA) between the Texas Historical Commission (THC) and the Texas General Land Office (TGLO). See Exhibit A10.

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.

However, a site-specific review of the structures will be necessary as the County has areas registered with the National Registry of Historic Places which require consultation with the THC. In addition, the structures impacted may be considered older than 45 years and would not meet the minimum requirements of the PA, indicating subjectivity to further review.

With regard to tribal consultation, the decision to consult tribes includes: significant ground disturbance (digging); new construction in undeveloped natural areas; incongruent visual changes; incongruent audible changes; incongruent atmospheric changes; work on a building of significant tribal association; or transfer, lease, or sale of historic property of religious and cultural significance.

- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

- Yes
 No



Future Link Technologies

Environmental and Technology Consulting

**Hays County
Community Development Block Grant
Supplemental Disaster Recovery
Contract No. 18-421-000-B130**

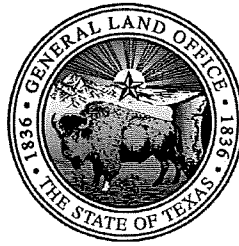
An investigation of potential impact for those projects not falling under the Programmatic Agreement may have impact by these sites. Upon selection of sites, consultation will be submitted to THC and potential local historical preservation committees regarding impacts. Supporting documentation will include THC form, location maps, site photos, THC map and potential historical references, as well any other available applicable information about the proposed site. If tribal reviews are required, the HUD Tribal Directory Assessment Tool (TDAT) reflected five potentially interested tribes. The determination whether to send consultations to the listed tribes will be based upon the HUD tool “When to Consult with Tribes Under Section 106 Checklist”.

Locations of Potential Impact

Texas Historic Sites Atlas	Sites Investigated	# of Sites
Hays County		
	National Historic Landmarks	0
	National Register of Historic Places	56
	State Antiquities Landmarks	8
	Recorded Texas Historic Landmarks	56
	Historic Texas Cemeteries	17
	Historical Markers (all)	146
	Cemeteries (all)	69
	Museums	6

Tribes for possible Notice

Tribal Name
Apache Tribe of Oklahoma
Coushatta Tribe of Louisiana
Tonkawa Tribe of Indians of Oklahoma
Comanche Nation, Oklahoma
Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma
Tonkawa Tribe of Indians of Oklahoma



**PROGRAMMATIC AGREEMENT
BETWEEN THE TEXAS HISTORICAL COMMISSION
AND
THE TEXAS GENERAL LAND OFFICE
GLO CONTRACT NO. 19-127-000-B465**

The **TEXAS GENERAL LAND OFFICE** (“GLO”) and the **TEXAS HISTORICAL COMMISSION** (“THC”), agencies of the State of Texas (each a “Party” and, collectively, the “Parties”), hereby enter into this Programmatic Agreement (the “Agreement”) concerning projects (each, an “Undertaking”) possibly affecting properties eligible for inclusion in the National Register of Historic Places (“National Register”), pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108 (“NHPA”), and its implementing regulations at 36 C.F.R. Part 800; and

WHEREAS, the GLO administers the U.S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant Disaster Recovery (“CDBG-DR”) programs (collectively, the “Program”) to provide financial assistance with funds appropriated by the Congress of the United States to facilitate disaster recovery, restoration, economic revitalization, and to affirmatively further fair housing, in accordance with Executive Order 12892, in areas which are Presidentially-declared major disaster areas under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121 *et seq.*); and

WHEREAS, the GLO, in consultation with the THC, has determined that activities funded under the Program may have an effect on a CDBG-DR-served historic property’s eligibility to be included in the National Register and the GLO must consult with the State Historic Preservation Officer (“SHPO”) for Texas, pursuant to Section 106 of the NHPA (herein, a “Section 106 Review”); and

WHEREAS, the GLO has determined that certain routine Program activities, listed in **Attachment A**, attached hereto and incorporated herein for all purposes, will have no effect on a CDBG-DR-served historic property’s eligibility to be included in the National Register, and should be excluded from a Section 106 Review; and

WHEREAS, 24 C.F.R. Part 58 allows State, tribal, and local governments to assume HUD’s environmental review responsibilities as a “Responsible Entity,” including obligations under Section 106 of the NHPA and its implementing regulations at 36 C.F.R. Part 800; and

WHEREAS, certain subrecipients selected by the GLO may be designated as a Responsible Entity participating in the Program and will be required to comply with 24 C.F.R. Part 58, 36 C.F.R. Part 800, and any other applicable statutes and rules, and will further be required to fulfill the GLO’s roles, responsibilities, and terms of this Agreement and any amendments hereto; and

WHEREAS, in accordance with 24 C.F.R. Part 58, in instances in which a subrecipient lacks the capacity to act as a Responsible Entity, the GLO is designated the Responsible Entity; and

WHEREAS, the NHPA has implemented regulations at 36 C.F.R. § 800.14(b) to allow for the use of programmatic agreements for the efficient administration of the Section 106 Review process; and

WHEREAS, the GLO and the THC, as the SHPO for the State of Texas, agree that it is in the best interest of the State to streamline the Section 106 Review process through the use of this Agreement; and

WHEREAS, the GLO has invited the Advisory Council on Historic Preservation (ACHP) to determine whether the ACHP wishes to enter into consultation on this agreement and the ACHP has chosen not to participate in consultation.

NOW, THEREFORE, the GLO and the THC agree that this Program shall be administered in accordance with the following terms and conditions in satisfaction of NHPA requirements:

ARTICLE I – EXEMPTIONS FROM REVIEW

A. The Responsible Entity shall, within a reasonable time and with good faith effort, evaluate each historic-age property to determine the potential for effects. Activities not requiring SHPO review (“Exempt Activities”), listed in **Attachment A**, attached hereto and incorporated herein for all purposes, are determined by the Parties to not have the potential to cause effects on historic properties per 36 C.F.R. § 800.4(d)(1) or have limited potential to affect historic properties per 36 C.F.R. § 800.5, with no adverse effect if carried out as described. The Responsible Entity is not required to consult with the SHPO regarding Exempt Activities. The Responsible Entity shall keep documentation of its determination of exempt status on file and available for periodic review by the SHPO and shall include this information in annual reports prepared per **ARTICLE IX** below.

B. The GLO and the SHPO may add or remove activities from **Attachment A** by written amendment to this Agreement per **ARTICLE XII**.

ARTICLE II - RESPONSIBILITIES OF THE RESPONSIBLE ENTITY

The Parties have determined that activities not listed in **Attachment A** may have the potential to have an effect on a historic property and require review pursuant to this **ARTICLE II** and **ARTICLES III** through **VIII**, below. The Responsible Entity shall ensure that the following measures are carried out:

A. General Requirements of the Responsible Entity. For each Undertaking contemplated under this Agreement, the Responsible Entity shall consult with, and submit documentation for review to, the SHPO and other consulting parties, including, but not limited to, federally recognized Indian Tribes/Tribal Historic Preservation Officers (THPOs); representatives or local governments; and applicants for Federal assistance, permits, licenses, and other approvals, for the following:

1. Establish whether the Undertaking has the potential to affect historic properties (36 C.F.R. § 800.3(a), (c), and (d));

2. Identify the consulting parties who should be invited to participate in the Undertaking (36 C.F.R. § 800.3);
3. Seek public comment for individual Undertakings, and conduct public involvement activities (36 C.F.R. § 800.3(e));
4. Determine and document the scope of identification efforts and level of effort through the internal review and screening process of the Undertaking, including the Area of Potential Effect (APE) of the Undertaking (36 C.F.R. § 800.4(a) and (b));
5. Identify historic-age properties located within the Undertaking APE (36 C.F.R. § 800.4) and evaluate the National Register eligibility of each;
6. Apply the Criteria of Adverse Effect on historic properties to determine whether the properties may be affected by the Undertaking (36 C.F.R. § 800.5(a)(1));
7. Initiate consultation on the resolution of adverse effects with appropriate consulting parties (36 C.F.R. § 800.6);
8. Consult, as appropriate, regarding the determination of the Undertaking APE, the evaluation of National Register eligibility, and the effects of a Program Undertaking on historic properties;
9. Coordinate Section 106 Review with other relevant Undertaking reviews; and
10. Document individual Undertakings and maintain a record of all Undertaking reviews carried out pursuant to this Agreement.

B. Compliance. The Responsible Entity shall comply, and ensure each subrecipient's compliance through subrecipient agreements, if any, with the terms of this Agreement for all applicable Undertakings that are funded entirely or in part by monies from the Program. For purposes of this Agreement, the GLO and each self-performing GLO subrecipient are hereafter referred to, collectively, as the "Responsible Entity," except in instances where either such entity is named individually.

C. Professional Qualifications Standards. The Responsible Entity shall ensure that all actions prescribed in this Agreement involving the identification, evaluation, assessment of effects, treatment, monitoring, or disposition of historic properties, or involving the reporting or documentation of such actions, shall be carried out by or under the direct supervision of a person or persons meeting the Secretary of the Interior's ("SOI") Professional Qualifications Standards (48 Fed. Reg. 44738, September 29, 1983; http://www.nps.gov/history/local-law/arch_stnds_9.htm) in the fields of History, Archeology, Architectural History, or other applicable discipline, as appropriate based on the nature of the Undertaking, for the identification of historic properties and assessment of effects. Completion of mitigation under **ARTICLE V(D)** of this Agreement shall be performed or overseen by appropriately qualified professionals.

D. Public Participation. The Responsible Entity shall arrange, in a manner consistent with 36 C.F.R. § 800.8(c), for public participation appropriate to the scope of the programs covered by this Agreement in consideration of the nature of the activities undertaken in the Program and the likely

effects on historic properties. The Responsible Entity shall make appropriate efforts, in accordance with HUD regulations governing the Program, to involve the interested individuals, organizations, and entities.

E. Completion Required. The Section 106 Review required under this Agreement must be resolved before the Responsible Entity's final approval of any Undertaking application; before an irrevocable commitment to an Undertaking by the Responsible Entity; and before the Responsible Entity or the property owner alters a historic property.

ARTICLE III – RESPONSIBILITIES OF THE SHPO

A. Unless otherwise provided for in **ARTICLE III(B)** or **ARTICLE VII**, the SHPO shall review and comment on Responsible Entity-submitted documentation concerning an Undertaking within thirty (30) calendar days of receipt. If any Responsible Entity-submitted documentation is determined to be inadequate, the SHPO shall respond within thirty (30) days of receipt, and any supplemental documentation will be reviewed within thirty (30) days of its receipt by the SHPO. If the SHPO does not provide comments within the appropriate time period established herein for its response, the Responsible Entity may assume the SHPO concurs with its determination and may proceed with the Undertaking in accordance with all other terms of this Agreement.

B. For state-run program submissions, an expedited review process of fourteen (14) calendar days upon receipt of complete documentation by SHPO will be in effect. This expedited review process shall only cover reviews submitted pursuant to **ARTICLE V**, using the THC's online eTRAC (electronic THC Review and Compliance) system, accessible at <http://www.thc.texas.gov/etrac-system>. For properties listed in or eligible for the NRHP, the THC may contact the GLO within the fourteen (14) day period to indicate that up to thirty (30) calendar days are required for the response. Additionally, Undertakings requiring input from SHPO staff archeologists under **ARTICLE VI** will be allowed the full thirty (30) day period.

C. The SHPO response to a request for comment will include:

1. a statement of concurrence or non-concurrence with the Responsible Entity's findings and recommendations; and/or
2. any comments related to effects findings.

ARTICLE IV – AREA OF POTENTIAL EFFECTS

The Responsible Entity shall consult with the SHPO to determine and document the Area of Potential Effects ("APE"), as defined in 36 C.F.R. § 800.16(d), for an Undertaking, as follows:

- (A) **For direct effects:** The APE shall include the footprint to be directly affected by new construction, staging areas, and access areas, with regard to the identification of archeological sites. For the rehabilitation of any building without associated new construction or additions, the APE shall consist solely of the building being rehabilitated.
- (B) **For indirect effects:** A broader APE will be required to assess Undertakings that have the potential for visual or other indirect effects on nearby architectural properties, herein defined as non-archeological historic properties, including any significant structures and/or

landscape features located on the properties. Indirect effects may change the character of the property's use or physical features within the property's setting that contribute to its historic significance; are often audible, atmospheric, and visual effects; and may relate to viewshed issues.

- (C) **For cumulative effects:** For the purposes of this document and paraphrasing the National Environmental Policy Act definition (40 CFR § 1508.7), cumulative effects on historic properties are the effects that result from the incremental impact of the Undertaking when added to other past, present and reasonably foreseeable future Undertakings regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

ARTICLE V – ARCHITECTURAL REVIEW

(A) **Identification and Evaluation of Historic Properties.**

The Responsible Entity shall make a reasonable and good faith effort to identify historic properties located within the APE, as follows:

- (1) For Undertakings involving ground disturbance, the Responsible Entity shall coordinate with the SHPO to determine whether archeological background research and/or a field survey is warranted pursuant to **ARTICLE VI, ARCHEOLOGICAL REVIEW**. In making this determination, all parties shall reference HUD's HP Factsheet 6 (http://portal.hud.gov/hudportal/documents/huddoc?id=env_factsheet_6.pdf) and the ACHP's Policy Statement on Affordable Housing and Historic Preservation, Implementation Principle VIII (<http://www.achp.gov/docs/fr7387.pdf>).
- (2) For Undertakings with the potential for direct or visual effects to architectural properties, the Responsible Entity shall determine if properties within the APE are individually listed in the National Register, within the boundaries of a National Register historic district, or previously determined to be eligible for inclusion in the National Register. The Responsible Entity may reference the Texas Historic Sites Atlas at <http://atlas.thc.state.tx.us> to determine if a property already has historical designations, and may rely on previous coordination with SHPO for eligibility determinations. Properties listed or eligible for listing in the National Register shall require coordination with the SHPO per **ARTICLE V** of this Agreement.
- (3) If an architectural property is at least forty-five (45) years of age, is not listed in the National Register, and has not been evaluated for National Register eligibility, the Responsible Entity shall submit documentation to the SHPO for review per **ARTICLE V(A)(5)** of this Agreement. The forty-five-year age limit was selected to ensure historic age resources were captured in the event of unforeseen potential Undertaking delays and to afford flexibility to account for potential inaccuracies in building dates.
- (4) If the Responsible Entity determines that an Undertaking application involves an architectural property constructed fewer than forty-five (45) years ago, or a property

at least forty-five (45) years of age that has been determined ineligible for the National Register within the past five (5) years, and the property is not within the boundaries of a National Register-listed or -eligible historic district, no further coordination with SHPO shall be required for that property. The Responsible Entity shall keep documentation of this determination on file and available for periodic review by the SHPO per **ARTICLE IX** of this Agreement.

- (5) The Responsible Entity shall submit documentation of each architectural property requiring Section 106 Review to the SHPO for consultation. Documentation may be provided:
 - (a) Through the THC's online eTRAC system, accessible at <http://www.thc.texas.gov/etrac-system>;
 - (b) By using a "Request for SHPO Consultation" form, submitted in hard copy by mail or delivery service, or
 - (c) In a cover letter, with attachments including required information, submitted in hard copy by mail or delivery service.

Documentation should include, at a minimum, the address of the subject property (including city and county), a map showing the property location, the known or estimated date of construction, a brief architectural description, history of the property and names of architects or builders, if known, and current, clear overall photographs of the property. The submittal should indicate whether the property is listed in the National Register, if known, or determine whether it is eligible for listing in the National Register. Upon review, the SHPO shall concur or disagree with the eligibility determination provided within thirty (30) days.

- (6) If a property within the APE is determined eligible for National Register listing, further coordination shall be required per **ARTICLE V (B)**. If all properties within the APE are determined not eligible for the National Register and are not within a National Register-eligible historic district, and no historic properties are affected by the Undertaking, the Section 106 Review process is complete and no further coordination with the SHPO shall be required for the Undertaking.
- (7) Disputes regarding determinations of eligibility shall be referred by the Responsible Entity, through the GLO, to the Keeper of the National Register in accordance with 36 CFR § 800.4(c)(2) and 36 CFR § 63.2.

(B) Assessment of Adverse Effect

The Responsible Entity shall make a reasonable and good faith effort to assess adverse effects on historic properties within the APE, as follows:

- (1) For properties listed in, or determined eligible for, the National Register, the Responsible Entity shall submit to the SHPO documentation of any proposed activities that do not fall within the exclusions listed in **Attachment A**. Documentation may be provided as outlined in **ARTICLE V(A)(5)(a)-(c)**, above, and

shall include a scope of work, plans and specifications, or other detailed description of the Undertaking. Photographs of the areas in which work is to be performed shall be included. The Responsible Entity shall assess whether the Undertaking would have an adverse effect on the historic property per 36 C.F.R. § 800.5 and the SHPO shall concur or disagree with the determination.

- (2) Upon concurrence of the Parties that an Undertaking is designed and planned in accordance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (36 C.F.R. § 68, hereinafter, the "Applicable Standards"), or the Undertaking otherwise does not meet the criteria to create an adverse effect, the Undertaking shall be considered to have no adverse effect, and no further coordination with the SHPO will be required for the Undertaking.
- (3) The Responsible Entity and the SHPO shall make best efforts to expedite reviews through a finding of "no adverse effect with conditions" when the scope of work can be modified to ensure adherence with the Applicable Standards. If the Undertaking cannot meet the Applicable Standards or otherwise would result in an adverse effect to historic properties, the Responsible Entity shall proceed with further consultation.

(C) **Resolution of Adverse Effect**

The Responsible Entity shall make a reasonable and good faith effort to resolve adverse effects on historic properties located within the APE. To resolve adverse effects, the Responsible Entity shall consult with the SHPO, any consulting parties, and the public, as appropriate, to seek alternatives to avoid, minimize, or mitigate the effect of the Undertaking per 36 C.F.R. § 800.6. To document alternatives considered in the planning process, Undertaking Applicants should provide written justification for the proposed action that will cause an adverse effect, summarize and provide documentation of alternatives to the action, and cite the specific reasons why the proposed action was selected over other alternatives. Consultation to resolve adverse effects shall result in the issuance of a Memorandum of Agreement ("MOA") per 36 C.F.R. § 800.6(c), or where appropriate, the Responsible Entity or the SHPO may propose the use of standard mitigation measures per **ARTICLE V(D)**.

(D) **Standard Mitigation Measures.**

In instances which the Responsible Entity, in consultation with the SHPO and other consulting parties, if any, determines one or more Undertakings will cause adverse effects to multiple historic properties, in lieu of negotiating separate MOAs for specific Undertakings, the Responsible Entity may use the standard mitigation measures described below in their entirety or as part of a broader mitigation plan. The use of standard mitigation measures and the specific scope of the mitigation measures shall be agreed upon by a letter exchange between the Responsible Entity and the SHPO, which the letter(s) shall become a part of the Responsible Entity's files.

(1) **Historic American Building Survey ("HABS") Documentation**

- (a) The Responsible Entity shall be responsible for performing archival-quality documentation of a historic property affected by the Undertaking. The

documentation shall meet the Secretary of the Interior's *Standards and Guidelines for Architectural and Engineering Documentation: HABS/HAER Standards* and National Park Service ("NPS") guidance documents, including the May 2010 transmittal guidelines *Preparing HABS/HAER/HALS Documentation; Historic American Buildings Survey Guidelines for Historical Reports*; December 2008 *HABS Guidelines; Recording Historic Structures and Sites with HABS Measured Drawings*; and June 2001 *HABS/HAER Photographs Specifications and Guidelines*; or the latest guidance from NPS at <http://www.nps.gov/history/hdp/standards/index.htm>.

- (b) The level of documentation shall be determined in consultation with the SHPO and NPS Intermountain Regional Office, and may be one of the following three (3) options:

Level I: measured drawings, large-format photography, and written history and description; or

Level II: existing drawings, large format photography, and written history and description; or

Level III: sketch plan, large format photography, and architectural data form.

- (c) The Responsible Entity shall submit the completed HABS documentation to the SHPO and NPS for review and approval. Within thirty (30) days of receipt, the SHPO shall advise the Responsible Entity if the submitted documentation is satisfactory or shall request specific revisions. The NPS may also request specific revisions to meet HABS standards. If any HABS documentation is determined to be inadequate, the SHPO shall respond within thirty (30) days of receipt, and any supplemental documentation will be reviewed within thirty (30) days of its receipt by the SHPO and NPS. Upon acceptance of the documentation by the SHPO and NPS, the Undertaking may proceed.
- (d) The Responsible Entity may also submit the complete documentation package to a local or regional archival repository or library, selected in consultation with the SHPO, in addition to, or in lieu of, review by NPS for inclusion in the HABS/HAER collection at the Library of Congress, if the SHPO agrees this alternative is acceptable. In such a case, the Undertaking may proceed following acceptance of the documentation by the SHPO and its receipt at the selected repository.

(2) **Digital Photographic Documentation**

- (a) The Responsible Entity shall be responsible for digitally photographing each historic property affected by an Undertaking or Undertakings conducted under this Agreement. Photography shall comply with the requirements of the NPS's *National Register Photograph Policy Factsheet* (<http://www.nps.gov/nr/publications/bulletins/photopolicy/index.htm>), or

the latest guidance from NPS, with regard to image size and format of digital files, photograph log, and permanence requirements for prints. The number and type of views shall be determined in consultation with the SHPO.

- (b) The Responsible Entity shall submit to the SHPO electronic media containing the digital images, and a photo log for review and approval. Within thirty (30) days of receipt, the SHPO shall advise the Responsible Entity if the submitted documentation is satisfactory or shall request specific revisions. If revisions are requested, the SHPO shall specify whether the revised documentation is to be submitted to SHPO for a second thirty (30)-day review. Upon acceptance of the documentation by the SHPO, the Undertaking may proceed.
- (c) The Responsible Entity shall also provide the complete documentation package to an appropriate archival repository or library, as determined in consultation with the SHPO.

(3) National Register of Historic Places Nomination

- (a) The Responsible Entity shall be responsible for developing a National Register of Historic Places nomination in keeping with the guidance provided in NPS's *National Register Bulletin #16A: How to Complete the National Register Nomination Form* and other applicable bulletins (<http://www.nps.gov/history/nr/publications>). The nomination shall include a historic context, architectural descriptions, photographs, and maps, as required to fully document the historic property or district.
- (b) The Responsible Entity shall submit one (1) electronic media file containing the completed nomination form and attachments for review and approval to the SHPO via the Electronic THC Review And Compliance System (eTRAC) (<http://www.thc.texas.gov/etrac-system>). Within sixty (60) days of receipt, the SHPO shall advise the Responsible Entity if the submitted nomination is satisfactory or shall request specific revisions. If revisions are requested, the SHPO shall specify whether the revised documentation is to be submitted to the SHPO for a second sixty (60)-day review. Upon acceptance of the nomination by the SHPO, the Undertaking may proceed.
- (c) The Responsible Entity shall not be responsible for carrying the nomination form forward for consideration by the State Board of Review and NPS, or for any subsequent revisions required by those bodies.

(4) Historic Context Development

- (a) The Responsible Entity shall develop a historic context related to the historic property affected and selected in consultation with the SHPO. All work shall be done in accordance with the guidance on developing historic contexts in the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* (http://www.cr.nps.gov/local-law/arch_stnds_5.htm). The historic context shall include a methodology identifying archival

resources used and a bibliography for future research efforts.

- (b) The Responsible Entity shall submit one (1) electronic media file of the completed historic context for review and approval to the SHPO via the eTRAC system (<http://www.thc.texas.gov/etrac-system>). Within sixty (60) days of receipt, the SHPO shall advise the Responsible Entity if the submitted documentation is satisfactory or shall request specific revisions. If revisions are requested, the SHPO shall specify whether any revised documentation is to be submitted to the SHPO for a second sixty (60)-day review. Upon acceptance of the documentation by the SHPO, the Undertaking may proceed.
- (c) The Responsible Entity shall also provide the completed historic context to an appropriate archival repository or library, as determined in consultation with the SHPO.

(5) **Historic Property Inventory**

- (a) The Responsible Entity shall work with the SHPO to establish the appropriate level of effort to accomplish a historic property inventory. Efforts may be directed toward the resurvey of previously designated historic properties and/or districts which have undergone change or lack sufficient documentation, or the survey of new historic properties and/or districts that lack formal designation. Once the boundaries of the survey area have been agreed upon, the Responsible Entity shall continue to coordinate with the SHPO through the data collection process. The Responsible Entity shall use SHPO standards for the survey of historic properties and SHPO forms as appropriate.
- (b) The Responsible Entity shall prepare a draft inventory report, according to SHPO templates and guidelines. The Responsible Entity shall submit one (1) hard copy of the completed inventory and one (1) portable data storage device containing a digital file of the inventory to the SHPO for review and approval. Within sixty (60) days of receipt, the SHPO shall advise the Responsible Entity if the submitted documentation is satisfactory or shall request specific revisions, including whether any revised documentation is to be submitted to the SHPO for a second sixty (60)-day review. Upon acceptance of the documentation by the SHPO, the Undertaking may proceed.

- (6) **Public Interpretation.** Prior to implementation of the Undertaking, the Responsible Entity shall work with the SHPO to design an educational interpretive plan. The plan may include signs, displays, educational pamphlets, websites, workshops, and other similar mechanisms to educate the public on historic properties within the local community, state, or region. The Responsible Entity and SHPO shall continue to consult throughout implementation of the plan until all agreed upon actions have been completed.

(7) **Design Review for Infill Construction**

- (a) Prior to initiating the construction of a new building within a historic district or adjacent to historic properties, the Responsible Entity shall submit architectural and site plans for the proposed building to the SHPO for review and comment. For larger or complex new construction, the Responsible Entity shall establish a schedule for submittal of plans to the SHPO during plan development (e.g., 30%, 60%, and 90% construction documents) to allow for early and ongoing review. Within thirty (30) days of receipt of submitted architectural drawings, the SHPO shall provide recommendations to make the new construction compatible with the architectural character of nearby historic properties. The Responsible Entity shall consider any SHPO comments and make a reasonable and good faith effort to incorporate the SHPO's suggestions into the final architectural and site plans.
- (b) The Responsible Entity shall make reasonable attempts to use building setbacks, exterior materials, and overall building forms that are compatible with nearby historic properties.

ARTICLE VI – ARCHEOLOGICAL REVIEW

(A) **Identification and Evaluation of Historic Properties**

- (1) For Undertakings involving ground disturbance, the Responsible Entity shall coordinate with the SHPO to determine whether archeological investigations are warranted. Documentation to aid in this determination may be provided by the Responsible Entity as outlined in **ARTICLE V(A)(5)(a)-(c)**, above. Documentation shall include, at minimum: the address (including city and county); a U.S. Geological Survey 7.5 minute quadrangle map with the property location and boundary shown; documentation establishing whether the property is owned or controlled by a public agency; an Undertaking description noting impacts that will occur to the ground surface and the depth of the impact; and documentation of any extenuating circumstances that may be important for review, such as evidence of severe erosion or previous construction within the Undertaking area.
- (2) In determining whether archeological background research and/or field survey is warranted, all parties shall reference HUD's HP Factsheet 6 at: (http://portal.hud.gov/hudportal/documents/huddoc?id=env_factsheet_6.pdf) and ACHP's Policy Statement on Affordable Housing and Historic Preservation, Implementation Principle VIII (<http://www.achp.gov/docs/fr7387.pdf>).
- (3) At the request of the SHPO, the Responsible Entity shall make a reasonable and good faith effort to identify archeological properties within the APE. Pursuant to 36 CFR § 800.4(b)(1), the steps to fulfill this requirement may include, but are not limited to, background research, including review of the THC's Texas Archeological Sites Atlas, consultation, oral history interviews, sample field investigations, and reconnaissance or intensive field survey. All investigators will conform to the THC's *Archeological Survey Standards of Texas* (http://www.thc.texas.gov/public/upload/publications/THC_SurveyStandards_2014_0.pdf) and the Secretary of the Interior's

Standards and Guidelines for Archeology and Historic Preservation.

- (4) In accordance with Texas Natural Resources Code, Title 9, § 191.054, an Antiquities Permit may be issued by the THC to allow survey and discovery or excavation of archeological sites for Undertakings under any land within the jurisdiction of the State of Texas, such as property owned by a state agency or political subdivision of the state (cities, counties, river authorities, municipal utility districts, and school districts).
- (5) A draft report of the investigations conducted per **ARTICLE VI(A)(3)**, above, should be produced in conformance with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* and the Council of Texas Archeologists' *Guidelines for Cultural Resource Management Reports* (<http://www.thc.texas.gov/public/upload/CTAguidelines.pdf>), and submitted to the SHPO for review. The Responsible Entity shall receive a redacted version of the same archeological report for review and comment from qualified archeologists. Should the Responsible Entity employ a qualified archeologist, then unredacted versions may be submitted to the Responsible Entity. Comments received from the SHPO shall be addressed in the final reports. If no cultural resources are identified in the APE and the SHPO concurs, no further coordination with the SHPO will be required for the Undertaking.
- (6) If cultural resources are identified within the APE, the Responsible Entity shall consult with the SHPO to develop a testing plan to determine eligibility for inclusion in the National Register, in accordance with the process described in 36 CFR § 800.4(c) and criteria established in 36 C.F.R. § 60.4. Alternatively, the Undertaking applicant may redesign the Undertaking to avoid completely all effects on the identified cultural resources. All draft reports of site testing shall be submitted to the SHPO for review and comment. Comments received from the SHPO shall be addressed in the final reports.
- (7) If the Responsible Entity and the SHPO agree as to whether a property is eligible for inclusion in the National Register, such agreement is deemed conclusive for the purposes of this Agreement. Disputes regarding determinations of eligibility shall be referred by the Responsible Entity, through the GLO, to the Keeper of the National Register in accordance with 36 CFR § 800.4(c)(2). Cultural resources determined to be ineligible for the National Register shall require no further protection.
- (8) During implementation of this Agreement, the Responsible Entity will protect information about historic properties, including location information or information provided by Indian tribes to assist in the identification of such properties, to the extent allowable under Section 304 of the National Historic Preservation Act, 54 U.S.C. § 306108, 36 CFR § 800.11(c), and in accordance with the Texas Natural Resources Code Title 9, § 191.021.

(B) Assessment of Adverse Effect

For archeological sites determined eligible for the National Register, the Responsible Entity

shall submit documentation to the SHPO of any proposed activities that do not fall within the exclusions of **Attachment A**. Documentation shall include an Undertaking description noting impacts that will occur to the ground surface and the depth of the impact. The Responsible Entity should assess whether the Undertaking would have an adverse effect on the historic property. If an adverse effect determination is made, the SHPO shall concur or disagree with the determination. If no determination is reached by the Responsible Entity, the SHPO shall determine whether the work meets the Criteria of Adverse Effect in 26 C.F.R. § 800.5. If the Responsible Entity and the SHPO concur that the Undertaking will have no adverse effect on historic properties, no further coordination with the SHPO shall be required for the Undertaking.

(C) **Resolution of Adverse Effect**

- (1) If the Responsible Entity and the SHPO determine that an Undertaking will have an adverse effect on a historic property, the Responsible Entity shall consult with the SHPO, tribes, consulting parties, and the public, as appropriate, to seek alternatives that would avoid, minimize, or mitigate the effect of the Undertaking per 36 CFR § 800.6.
- (2) The Responsible Entity shall prepare a data recovery plan (the “Plan”) that describes mitigation measures proposed to resolve the Undertaking’s adverse effects and provide the Plan for review and comment to all consulting parties. All parties shall have thirty (30) calendar days in which to provide a written response to the Responsible Entity. The Plan may include, as appropriate, a research design; excavation or recordation strategies; work and report schedules; site monitoring; and relocation, preservation, or reburial; and curation of artifacts and records. It shall take into account all research and previous work conducted and specify, at a minimum:
 - a) the historic property where data recovery is to be conducted (this information shall be removed in the redacted version of the report);
 - b) the excavation or recordation that will be performed under the approved Plan;
 - c) the methods to be used, with an explanation of their relevance to the Undertaking research design; and
 - d) the methods to be used in analysis, data management, and dissemination of data, including a schedule of work and report submission.
- (3) When adverse effects to historic properties cannot be avoided, the Responsible Entity, in consultation with the SHPO and any consulting parties, shall develop a plan to mitigate the adverse effects. If the SHPO approves the plan for mitigating the adverse effects, the Responsible Entity shall implement the plan. Upon completion of the approved mitigation methods, the adverse effect shall be considered resolved.
- (4) If the Responsible Entity and the SHPO fail to agree on an adverse effect resolution, consultation shall proceed in accordance with 36 C.F.R. § 800.7 and **ARTICLE XI**.

ARTICLE VII – EMERGENCY SITUATIONS

- (A) When the Responsible Entity or other local government official determines that a historic property is an imminent threat to public health or safety as a result of a natural or man-made disaster or emergency declared by the President or Governor, the Responsible Entity shall

notify the SHPO of the determination as soon as possible under the circumstances and provide all pertinent historic property information and a proposed plan of action for SHPO review.

- (B) If the SHPO objects to the proposed emergency action within seven (7) days, the Responsible Entity shall comply with all applicable non-emergency terms of this Agreement.
- (C) This Article applies only to Undertakings that will be implemented within thirty (30) days after a federal or state disaster or emergency has been formally declared, as stipulated in 36 C.F.R. § 800.12(d), unless such disaster or emergency declaration is extended by written proclamation prior to expiration of the initial thirty (30)-day period.
- (D) Immediate rescue, repair, stabilization, and salvage operations conducted to preserve life or property are exempt from the provisions of this Agreement, with the exception that the Responsible Entity shall provide documentation of the action to the SHPO within thirty (30) days of the action. Where possible, emergency actions shall be undertaken in a manner that does not foreclose future preservation or restoration of affected historic properties.

ARTICLE VIII—POST-REVIEW DISCOVERIES AND UNFORESEEN EFFECTS

- (A) If, during the implementation of an Undertaking, a previously unidentified historic property is encountered, or a known historic property may be affected in an unanticipated manner, the Responsible Entity will assume its responsibilities under 36 CFR § 800.13(b), "Post-Review Discoveries: Discoveries without Prior Planning." The Responsible Entity will stop construction activities in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the property until the Responsible Entity concludes consultation with the SHPO.
- (B) The Responsible Entity will notify the SHPO of the discovery at the earliest possible time and consult to develop actions to take into account the effects of the Undertaking. The Responsible Entity will notify the SHPO of any time constraints, and all parties shall mutually agree upon timeframes for this consultation. The Undertaking Applicant may participate in this consultation. The Responsible Entity will provide the SHPO with complete documentation on the change in the Undertaking, potential effects, and written recommendations, to take into account the effects of the Undertaking.
- (C) When the discovery contains burial sites or human remains, the Responsible Entity shall follow the post-review discovery procedures of 36 C.F.R. § 800.13 and applicable requirements of the Texas Health and Safety Code, Title 1, Chapter 711, and treat said sites and/or remains in a manner consistent with the provisions of ACHP's *Policy Statement Regarding Treatment of Burial Sites, Human Remains, or Funerary Objects* (February 23, 2007). Work shall immediately cease within a fifty (50) foot radius of the area of discovery.
- (D) If the SHPO does not object to the Responsible Entity's recommendations within the agreed upon timeframe, as developed pursuant to Section (B) above, the Responsible Entity will modify the scope of work to implement the recommendations. If the SHPO objects to the recommendations, the Responsible Entity and the SHPO will consult further to resolve the objection through actions including, without limitation, identifying Undertaking alternatives that result in the Undertaking having no adverse effect on historic properties, or

proceeding in accordance with **ARTICLES IV** through **VI**.

ARTICLE IX – MONITORING AND REPORTING

The SHPO may monitor activities carried out pursuant to this Agreement and shall review activities if requested by any interested party or person. The Responsible Entity shall cooperate with the SHPO in carrying out these monitoring responsibilities.

The Responsible Entity shall provide the SHPO with an annual report on activities carried out each fiscal year under the terms of this Agreement. The reports shall be due on September 1 of each year the Agreement is in effect. Each report shall include:

- (A) A list of all Undertakings that were exempt from review under **ARTICLE I**, including the address of each property, brief description of the work performed, and the exemption type from **Attachment A**; and
- (B) The status of any mitigation prepared pursuant to **ARTICLE V(D)** or **ARTICLE VI(C)**.

ARTICLE X – ANTICIPATORY DEMOLITION

The GLO shall not issue a grant a loan, loan guarantee, or other financial assistance to a subrecipient that has intentionally allowed or failed to prevent, in instances which the subrecipient has the authority to prevent, an adverse effect to an historic property. However, the GLO may determine, after consultation with the ACHP, that circumstances justify granting such assistance despite the adverse effect created or permitted by the subrecipient and will complete consultation for the Undertaking pursuant to the terms of this Agreement.

ARTICLE XI – DISPUTE RESOLUTION

Should a Party to this Agreement or a consulting party, including a subrecipient, object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, the GLO shall consult with the objecting party to resolve the objection. If the GLO determines within thirty (30) days of receipt of an objection that such objection cannot be resolved, the dispute will be addressed as follows:

- (A) The GLO will forward all documentation relevant to the dispute, including the GLO's proposed resolution, to the ACHP in accordance with 36 CFR § 800.2(b)(2).
- (B) The ACHP shall provide the GLO with its advice on the resolution of the objection within thirty (30) days of receipt of adequate documentation; whereupon, the GLO shall prepare a written final response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and consulting parties, and provide copies of this written response to the objecting party, the ACHP, signatories, and consulting parties.
- (C) If the ACHP does not provide its advice regarding the dispute within thirty (30) days of the receipt of the GLO's proposed resolution, the GLO may make a final decision regarding the dispute and proceed accordingly. The GLO shall prepare a written response that takes into

account any timely comments regarding the dispute from signatories and consulting parties and provide copies of this written response to the objecting party, the ACHP, signatories, and consulting parties.

The Parties' responsibilities to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

ARTICLE XII – AMENDMENTS

Amendments to this Agreement shall be by written agreement between the GLO and the THC. Subrecipients will be notified of any amendment to this Agreement via a Technical Guidance Letter issued under a subrecipient agreement. A copy of the amendment will be filed with the ACHP.

ARTICLE XIII – TERMINATION

A Party may terminate the Agreement upon thirty (30) days' written notification to the other. In the event of termination, the GLO will follow the procedure outlined in 36 CFR Part 800, Subpart B, "The Section 106 Process," with respect to Undertakings that had been covered by this Agreement.

ARTICLE XIV – TERM OF AGREEMENT

This Agreement shall be effective as of the date executed by the last party and will terminate five (5) years after its effective date. At any time during the term of this Agreement, the GLO and THC may extend the Agreement in accordance with ARTICLE XII. Unless a Responsible Entity terminates the Agreement earlier in accordance with ARTICLE XIII, the termination under this Article shall be effective for all Parties.

ARTICLE XV – ADDITIONAL PARTIES

Governmental bodies that are eligible to be Responsible Entities are required to comply with the terms of this Agreement as a condition of their participation in the Program. Except for **ARTICLES XI, XII, and XIV**, Responsible Entities other than the GLO will assume all roles, responsibilities, and terms ascribed to the GLO hereunder.


No assistance or approval for Program activities will be made by a Responsible Entity until it has approved the outcome of consultation with the THC and other consulting parties, if any. If the Responsible Entity does not approve the outcome of consultation for a specific Undertaking, then additional information, performance of additional consultations, or direct consultation with the SHPO and other parties may be required to complete the Section 106 Review process.

SIGNATURE PAGE FOLLOWS






SIGNATURE PAGE FOR GLO CONTRACT NO. 19-127-000-B465

Execution and implementation of this Agreement is evidence that the GLO has afforded the ACHP an opportunity to comment on these programs and that the GLO has taken into account the effects of the programs on historic properties.

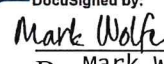
GENERAL LAND OFFICE

DocuSigned by:

Mark A. Havens, Chief Clerk/
Deputy Land Commissioner

Date of execution: 10/9/2018

- OGC 
- DD 
- SDD 
- DGC 
- GC 

TEXAS HISTORICAL COMMISSION

DocuSigned by:

By Mark Wolfe
Title: Executive Director

Date of execution: 10/8/2018

ATTACHMENTS TO THIS AGREEMENT:

ATTACHMENT A – LIST OF EXEMPT ACTIVITIES

ATTACHMENT FOLLOWS

LIST OF EXEMPT ACTIVITIES

The GLO, in consultation with the THC, has determined that the following activities do not meet the definition of an Undertaking since they either: (1) do not have the potential to cause effects on historic properties per 36 CFR § 800.4(d)(1); or (2) have limited potential to affect historic properties per 36 CFR § 800.5 and will have no adverse effect if carried out as described. The activities in this list require no further review under the terms of this Agreement. The GLO and Responsible Entities shall maintain a list of Undertakings completed per these exemptions and shall make the list available upon the request of the THC and include the updated list in the annual report.

GENERAL ACTIVITIES (Categorically Excluded under 24 CFR § 58.34)

- A. Environmental and other studies, resource identification, and the development of plans and strategies. (Implementation of such plans with federal funds may require consultation. If historic properties may be affected, SHPO recommends early consultation during planning stages.)
- B. Information and financial services.
- C. Administrative and management activities.
- D. Public services that will not have a physical impact or result in any physical changes to buildings, structures, sites, or objects, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation, and welfare or recreational needs.
- E. Inspections and testing of properties for hazards or defects. (Action taken pursuant to such inspections with federal funds will require consultation.)
- F. Purchase of insurance (e.g. homeowners or flood insurance; does not include HUD mortgage insurance).
- G. Purchase of tools.
- H. Engineering or design costs. (Construction activities undertaken with federal funds will require consultation. If historic properties may be affected, SHPO recommends early consultation during design.)
- I. Technical assistance and training.
- J. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration.
- K. Payment of principal and interest on loans made or obligations guaranteed by HUD;
- L. Any categorical exclusion listed in 24 C.F.R. § 58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in 24 C.F.R. § 58.5.

REHABILITATION OF BUILDINGS

Interior Rehabilitation:

Undertakings limited to interior spaces of single- or multifamily residential buildings to be retained

in the same use where the work will not be visible from the exterior of the building; no structural alterations are made; no demolition of walls, ceilings, or floors occurs; no drop ceilings are added; and no walls are leveled with furring or moved.

The following list of activities that do not need consultation with the SHPO provides further clarity for residential work and establishes standards for civic, commercial, and other property types.

A. Disaster recovery measures:

1. Temporary repair to single-family residential buildings to ensure safe shelter with access to essential electrical supply, HVAC, hot water, natural gas and potable water, and protection from elements such as weatherproofing and securing broken doors and windows.
2. Interior repairs to pre-disaster condition of single- or multifamily residential buildings, excluding structural repairs (e.g. foundation, framing), or other elements requiring architectural or engineering services.

B. Heating, ventilation, and air conditioning (HVAC):

1. Installing mechanical equipment in residential buildings in a manner that does not affect the exterior of the building.
2. Installing mechanical equipment in other building types within existing mechanical closets, chases, and unfinished attics or basements when ducts are not visible within occupied spaces of the building and access to the ducts does not require demolition of walls or ceilings in occupied spaces of the building.
3. Routine maintenance or retrofits to existing mechanical equipment, provided there is no physical impact on the building.
4. Replacement of existing mechanical equipment or installation of supplemental equipment, provided that exterior equipment is installed within the same footprint on the same pad, and interior equipment is installed within an existing mechanical closet or unoccupied attic or basement.
5. Upgrading existing facility and infrastructure-related pumps and motors, including those for HVAC systems, to variable-speed or premium efficiency standards.
6. Sealing, restoring, or insulating HVAC ducts, provided that the ducts are not visible in occupied spaces of the building and access to the ducts does not require demolition of walls or ceilings in occupied spaces of the building.
7. Adding or replacing existing building controls systems including HVAC control systems and the replacement of building-wide pneumatic controls with digital controls, thermostats, dampers, and other individual sensors like smoke detectors or carbon monoxide detectors (wired or non-wired).

C. Lighting and appliances:

1. Installation of fire, smoke, or carbon monoxide detectors.
2. Installation of compact fluorescent or LED bulbs in existing fixtures.
3. Replacement of fluorescent bulbs, ballasts, and/or wiring in existing fixtures.

4. Replacement of existing fluorescent fixtures with new fixtures, provided that the fixtures are not original to the building.
5. Installation of motion/occupancy sensors for lighting control.
6. Replacement of existing lighting in street lighting fixtures with high efficiency lighting.
7. Replacement of existing appliances.

D. Insulation:

1. Attic insulation with proper ventilation, provided that insulation is fiberglass batt or loose fill only (not spray foam).
2. Under-floor insulation in basements or crawl spaces, provided that insulation is fiberglass batt or loose fill only (not spray foam), and ventilation of crawl spaces.
3. Exterior blown-in wall insulation (not spray foam) where holes are not drilled through exterior wall material or decorative plasterwork on the interior and result in no permanent visible alteration to the structure.
4. Water heater tank and pipe insulation.
5. Radiant barriers in unoccupied attic spaces.

E. Plumbing:

1. Repairing plumbing systems in a manner that does not affect the interior or exterior of the building.
2. Water heater repair or replacement that does not require a visible new supply or venting.
3. Restroom improvements for handicapped access, provided the work is contained within the existing restroom.
4. Water conservation measures, such as installation of low-flow faucets, toilets, showerheads, urinals, or distribution device controls, in residential properties; and water conservation measures in other building types, provided that plumbing fixtures to be replaced are not original to the building.
5. Upgrading existing facility and infrastructure-related pumps and motors, including those for water/wastewater facilities, to variable-speed or premium efficiency standards.

F. Electrical:

Repairing or upgrading electrical systems in a manner that does not affect the interior or exterior of the building.

Exterior Rehabilitation:

A. Roofing:

1. In-kind replacement of existing roofing material.
2. Replacement of existing gutters and downspouts.
3. Installation of continuous ridge vents covered with ridge shingles or boards, or roof jacks/vents, bath and kitchen fan vents, gable vents, soffit and frieze board vents, and

combustion appliance flues, if not located on a primary roof elevation or visible from the public right-of-way.

4. Installation of reflective roof coatings, with materials that closely match the historic materials and form, or with materials that restore the original feature based on historic evidence, and in a manner that does not alter the roofline.
5. Installation of new roofing or reflective roof coatings on a flat-roofed building with a parapet, such that the roofing material is not visible from any public right-of-way.
6. Replacement of asbestos tile roofing with composition shingle/asphalt shingle roofing matching the shape and pattern of the asbestos tile.

B. Siding, soffits, fascia, and masonry:

1. Repair or limited, in-kind replacement of existing siding, soffits, and fascia. Limited replacement shall not exceed 25% of the overall exterior area, and new material shall match existing in material, profile, and other characteristics.
2. Limited repair of masonry, including chimneys, where mortar matches the existing in color, texture, strength, joint width, and joint profile and methods are consistent with the preservation techniques in *Preservation Brief #2; Repointing Mortar Joints in Historic Masonry Buildings*. Limited repair shall not exceed 10% of the overall exterior wall area.

C. Painting:

1. Painting previously painted exterior surfaces, provided destructive surface preparation treatments, including but not limited to water-blasting, sandblasting and chemical removal, are not used.
2. Conducting lead-based paint abatement or interim controls pursuant to 24 CFR § 35.115(a)(13), if carried out by a qualified contractor using current best practices and methods that are consistent with the preservation techniques in *Preservation Brief #37: Appropriate Methods for Reducing Lead-Paint Hazards in Historic Housing*. (Any removal of historic building materials or encapsulation with vinyl siding or other materials is not included in this exemption.)

D. Windows and doors:

1. Weatherstripping around windows and doors, installing thresholds, and other air infiltration control measures that do not harm or obscure historic windows, doors, or trim.
2. Caulking around windows and doors, provided that the color of the sealant matches adjacent materials.
3. Installing interior storm windows or doors, or exterior storm or wood screen doors, on residential buildings, in a manner that does not harm or obscure historic windows or trim.
4. Repair or repainting of existing storm windows.
5. Installing removable film on windows (if the film is transparent), solar screens, or window louvers, on residential buildings, in a manner that does not harm or obscure historic windows or trim.
6. Repair or replacement of missing or damaged window glass.
7. Repair of windows using in-kind materials.

8. Replacement of non-historic exterior doors with compatible wood panel doors.

E. Porches:

1. Repair (not replacement) of porch ceilings, steps, floors, or railings.
2. Repair of existing wheelchair ramps.
3. Installing a new wheelchair ramp on the side or rear entrance of a home, when not visible from any public right-of-way.
4. Installing a new wheelchair ramp on the front of a home, or other entrance visible from a public right-of-way, in a manner that does not remove, compromise, or damage existing historic materials or features and would be completely reversible without damage to historic fabric.

F. Ground-disturbing activity and site work:

1. Repairing or replacing in-kind existing driveways, parking areas, and walkways with materials of similar appearance in a manner that does not disturb historic landscape materials or features.
2. Excavating to gain access to existing underground utilities to repair or replace them, in a manner that does not disturb historic exterior building or landscape materials or features, and where all construction occurs within existing trenches.
3. Repair or replacement of metal utilitarian structures (e.g. pump houses, storage buildings) less than 45 years old, when performed in previously disturbed soils.
4. Ground disturbance that is minimal and occurs in documented, previously disturbed soil.

G. Elevation: Elevation of pier-and-beam, wood frame structures four feet or less if the front entrance stair configuration is unaltered. Foundation skirting and piers shall be extended or replaced with in-kind materials; brick or stucco piers with lattice or board and batten skirting is preferred in instances where historic materials are no longer present. This exemption does not apply to buildings with other structural systems, such as masonry construction or slab-on-grade foundations.

H. Generators: Installation of generators at existing facilities, where:

1. Ground-level equipment is located to the rear or side of the building or is otherwise screened from view from any public right-of-way, and any new equipment slabs and trenching occurs within previously disturbed soils.
2. Roof-mounted equipment is not visible from the ground level.

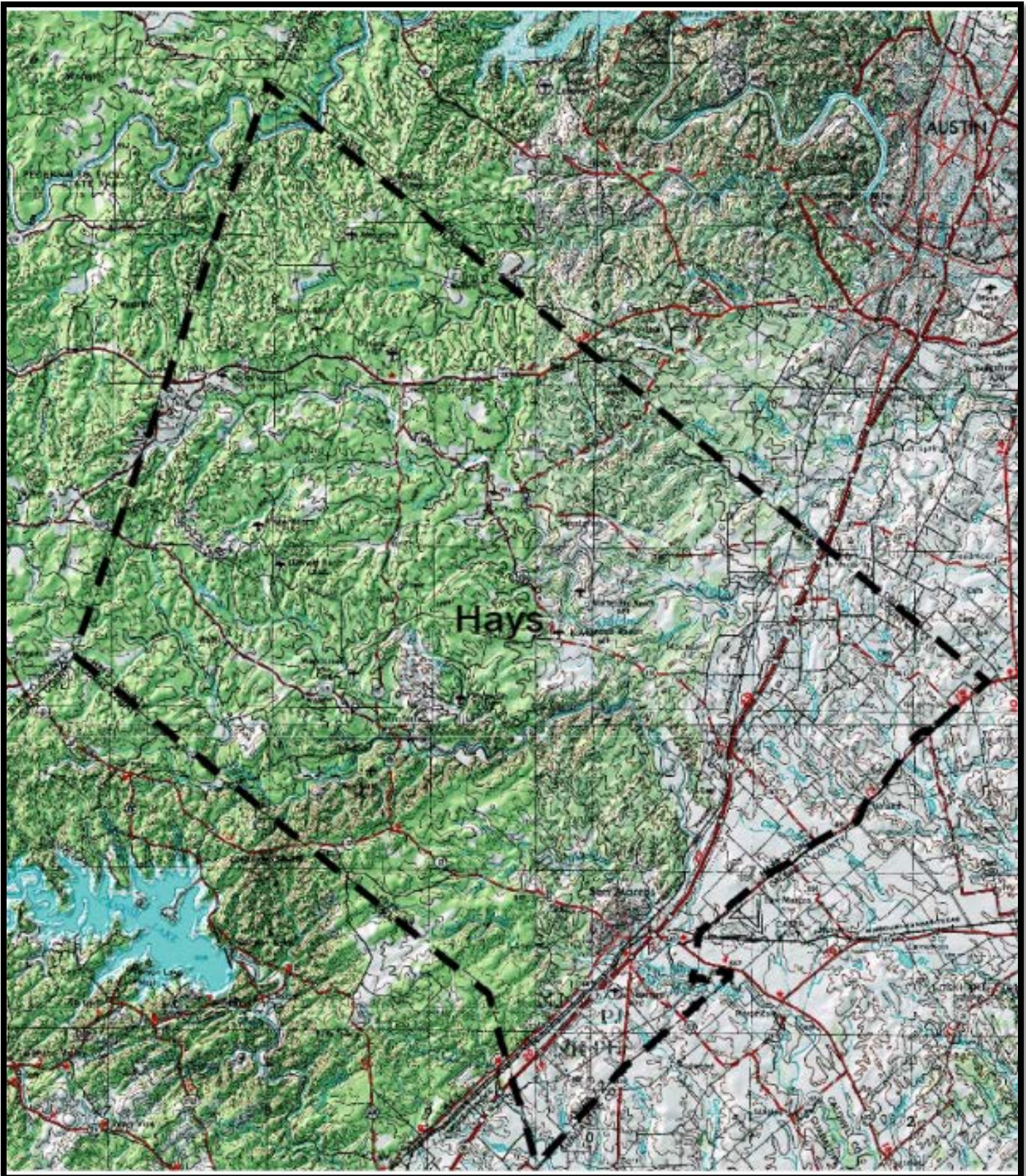
INFRASTRUCTURE

The following projects may be exempt from review when they occur 25 feet or greater from the fence line or boundary of a cemetery, or where no work will occur within 15 feet of a cemetery. Projects which involve work within 15 feet of a cemetery must be submitted in accordance with **ARTICLE VI, ARCHEOLOGICAL REVIEW**, and will require archeological studies to verify whether or not there are any unmarked graves beyond the marked cemetery boundary. These studies may include scrapings or informant interviews with the manager of the cemetery association, local

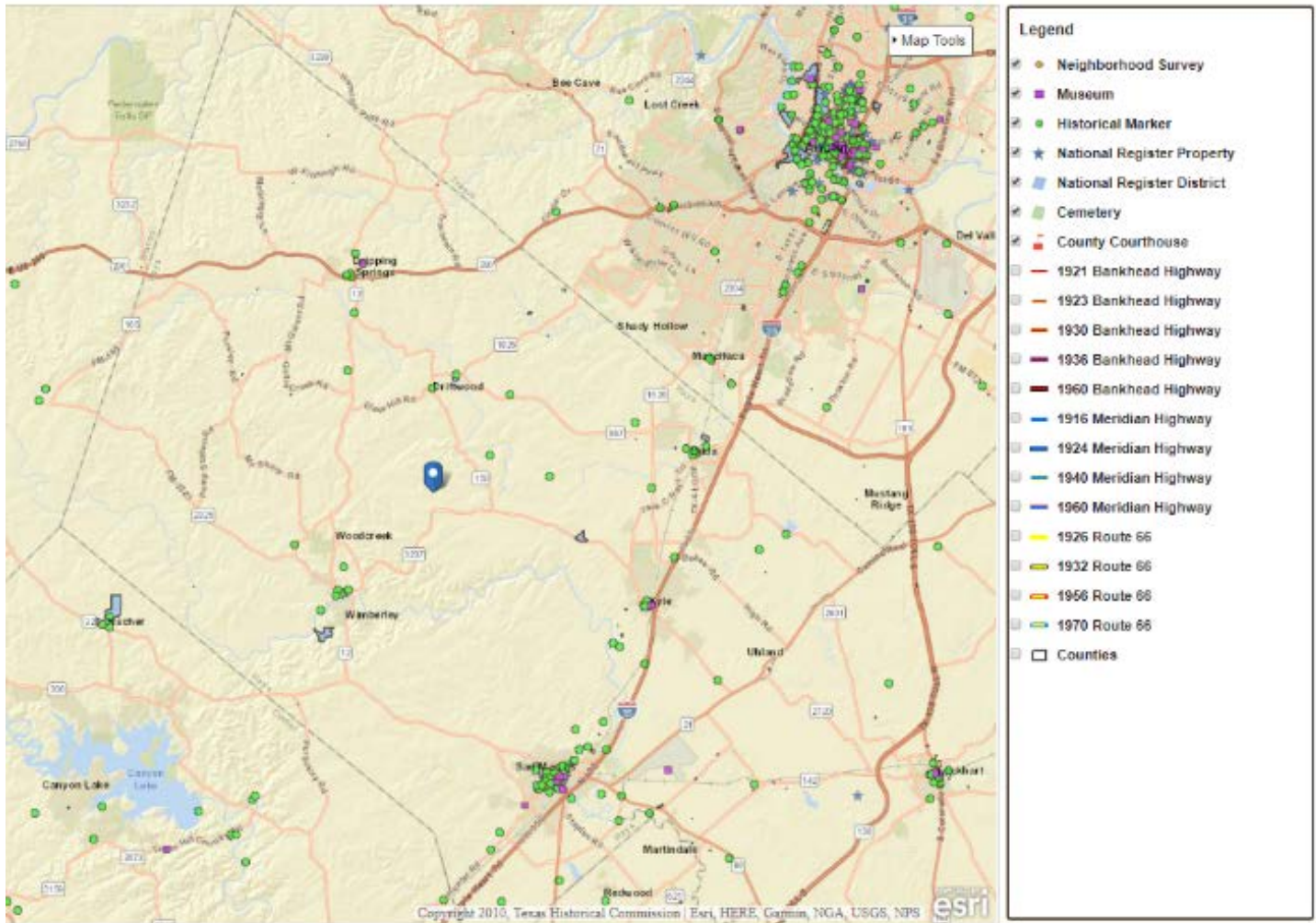
historians, funeral home directors, or other informed individuals.

- A. Routine road maintenance and resurfacing where work is confined to the existing right-of-way and previously maintained surfaces, ditches, culverts, and cut and fill slopes where there are no known historic properties, or historic properties would not be affected because the proposed work is clearly within a disturbed context. This exemption shall not apply in areas with brick streets or with tile curb markers or other decorative street features.
- B. Point repair to an existing water or wastewater line where construction occurs in the original trench
- C. Replacement of existing water or wastewater lines where all construction occurs within the original trench.
- D. Replacement of existing water or wastewater lines in a new trench paralleling the existing line if the following conditions are met:
 - 1. Replacement occurs beneath city streets or adjacent drainage rights-of-way (as in item A);
 - 2. Replacement does not occur within a National Register historic district or locally designated historic district;
 - 3. Replacement does not occur within the historic towns of Goliad, San Augustine, Jefferson, Nacogdoches, Bastrop, Castroville, San Ygnacio, Roma, Refugio, Ysleta, San Elizario, and Presidio;
 - 4. Replacement does not occur beneath brick-paved streets; and
 - 5. Replacement does not occur adjacent to roads in rural areas of the county (where abandoned cemeteries or unrecorded archeological sites might be impacted by a new trench).
- E. Minor alterations or additions to existing water or wastewater treatment plants or other facilities that are less than 45 years old. (Excavation of new treatment ponds or enlargement of existing ponds are not considered minor alterations and are subject to review).
- F. Installation of generators at existing water/wastewater or shelter facilities, where:
 - 1. Ground-level equipment is located to the rear or side of the building or is otherwise screened from view from any public right-of-way, and any new equipment slabs and trenching occurs within previously disturbed soils.
 - 2. Roof-mounted equipment is not visible from the ground level.
- G. Addition or replacement of equipment within the same location and footprint (Examples include but not limited to; Computer monitoring equipment, bar screens, clarifiers, chlorination equipment, SCADA equipment etc.).
- H. Repair of bridges less than 45 years old.

Project Map showing topographic information.



Project Map showing known cultural resources in Hays County.



OFFICE OF RUBEN BECERRA



HAYS COUNTY JUDGE

June 26, 2019

Apache Tribe of Oklahoma
Bob Komardley, Chairman
PO Box 1330
Anadarko, OK 73005
By email to: bkomardley@outlook.com

Re: Executive Order 12892 – Texas Severe Storms, Straight-line Winds, and Flooding - DR-4223 and DR-4245 under CDBG-DR Contract
Broad-Level Tiered Environmental Assessment
Single Family Flood Allocation Housing Assistance and Buyout Program
Hays County, Texas

Dear Chairman Komardley,

Hays County is considering funding the single-family residential disaster recovery project listed above using federal funds from the Texas General Land Office. Under HUD regulation 24 CFR 58.4, Hays County has assumed Texas General Land Office's (GLO) environmental review responsibilities for the project, including tribal consultation related to historic and traditional cultural properties.

This email is a request for comment under Section 106 of the National Historic Preservation Act, as the funds used will be coming from Community Development Block Grants administered by the federal department of Housing and Urban Development (HUD). Under this program the residents possibly funded will receive assistance by contractors directly fixing the storm-damaged building, or if it was too badly damaged, for the existing house to be demolished and replaced with a new home of roughly equal size on the same property. This consultation is for a Broad-Level Tiered Environmental Assessment for Hays County, TX.

We invite you to be a consulting party in this review to help us identify sites in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might mitigate them. An initial review by our environmental service provider, Future Link Technologies, has identified the existence of sites with historical/cultural significance located within Hays County and any feedback you may have regarding other potential sites would be greatly appreciated.

PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

Texas Historic Sites Atlas	Sites Investigated	# of Sites
Hays County		
	National Historic Landmarks	0
	National Register of Historic Places	56
	State Antiquities Landmarks	8
	Recorded Texas Historic Landmarks	56
	Historic Texas Cemeteries	17
	Historical Markers (all)	146
	Cemeteries (all)	69
	Museums	6

The GLO has provided information to Hays County that your community has stated a formal interest in activities occurring in this county. I have placed information in the attached file. Individual replies are not necessary should you wish to comment on multiple areas. This information is also being sent to the Texas Historical Commission for their comment.

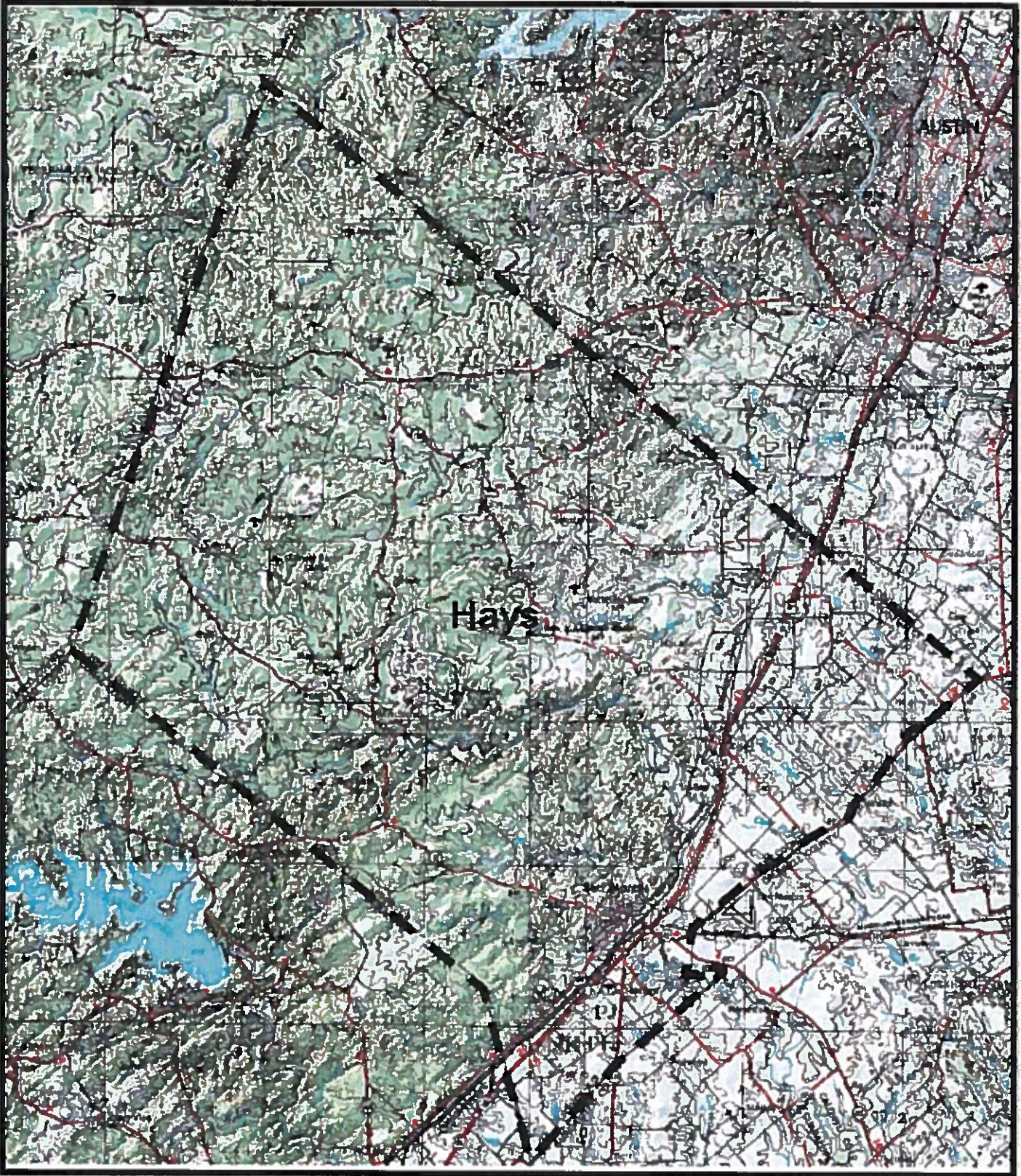
Thank you very much. We value your assistance and look forward to consulting further if there are properties of cultural significance to your tribe that may be affected by this project. If you have questions or concerns, please contact Cimagroon Howell, who serves as lead on this matter via email at chowell@c12inc.com.

Sincerely,

Ruben Becerra
Hays County Judge

PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

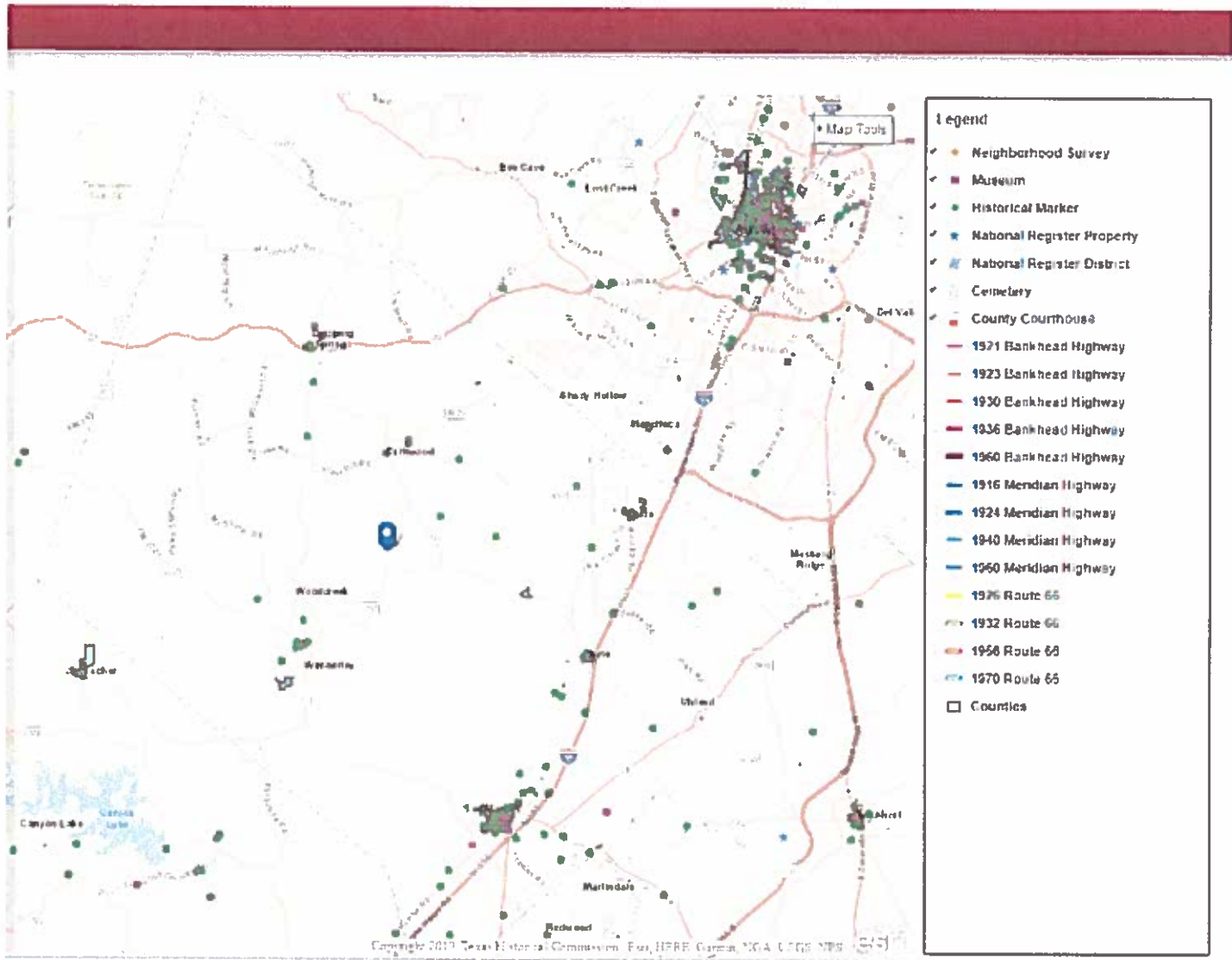
Hays County Map showing topographic information.



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Project Map showing known cultural resources in Hays County.

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111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

From: [Latrice Hertzler](#)
To: ["bkomardley@outlook.com"](#); [mharmon@future-link.biz](#)
Cc: [Cimagaroon Howell](#); ["mharmon@future-link.biz"](#); ["Lindsay McClune"](#); ["judge.becerra@co.hays.tx.us"](#)
Subject: NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge
Date: Friday, July 12, 2019 1:54:00 PM
Attachments: [Tribal Consultation ApacheLetter.pdf](#)

Dear Sir/Madam:

Your tribal government contact information is identified as a potential interested party from the HUD Tribal Directory Assessment Tool (TDAT) for proposed construction activities within the Hays County Texas.

Future Link Technologies, Inc. is working with Hays County to conduct a tiered National Environmental Protection Act (NEPA) environmental assessment for (a) project(s) described in the attached documents which represent a NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge.

This is a courtesy email as the original consultation request will also be sent to you via US Mail. The County respectfully requests your review of this project under Section 106 of the National Historic Preservation Act and/or the Antiquities Code as well as applicable tribal historic preservation requirements. Your consideration is greatly appreciated.

For your convenience, please feel free to reply using this email address or of course you may reply directly to the County at the contact information provided in the attached documentation.

Sincerely,

Latrice Hertzler, BAIS, MPA

*Certified Environmental Reviewers as Environmental Service Providers for Texas General Land Office
Community Development & Revitalization Program*

Future Link Technologies, Inc.

Environmental & Technology Services & Consulting

P.O. Box 90696

Austin, TX 78709

512-443-4100 (Ofc)

512-233-5269 (fax)

OFFICE OF RUBEN BECERRA



HAYS COUNTY JUDGE

June 26, 2019

Comanche Nation, Oklahoma
William Nelson, Chairman
Martina Callahan, Texas Historic Preservation Officer
PO Box 908
Lawton, OK 73502
By email to: Williamn@comanchenation.com; martinac@comanchenation.com

Re: Executive Order 12892 – Texas Severe Storms, Straight-line Winds, and Flooding - DR-4223 and DR-4245 under CDBG-DR Contract
Broad-Level Tiered Environmental Assessment
Single Family Flood Allocation Housing Assistance and Buyout Program
Hays County, Texas

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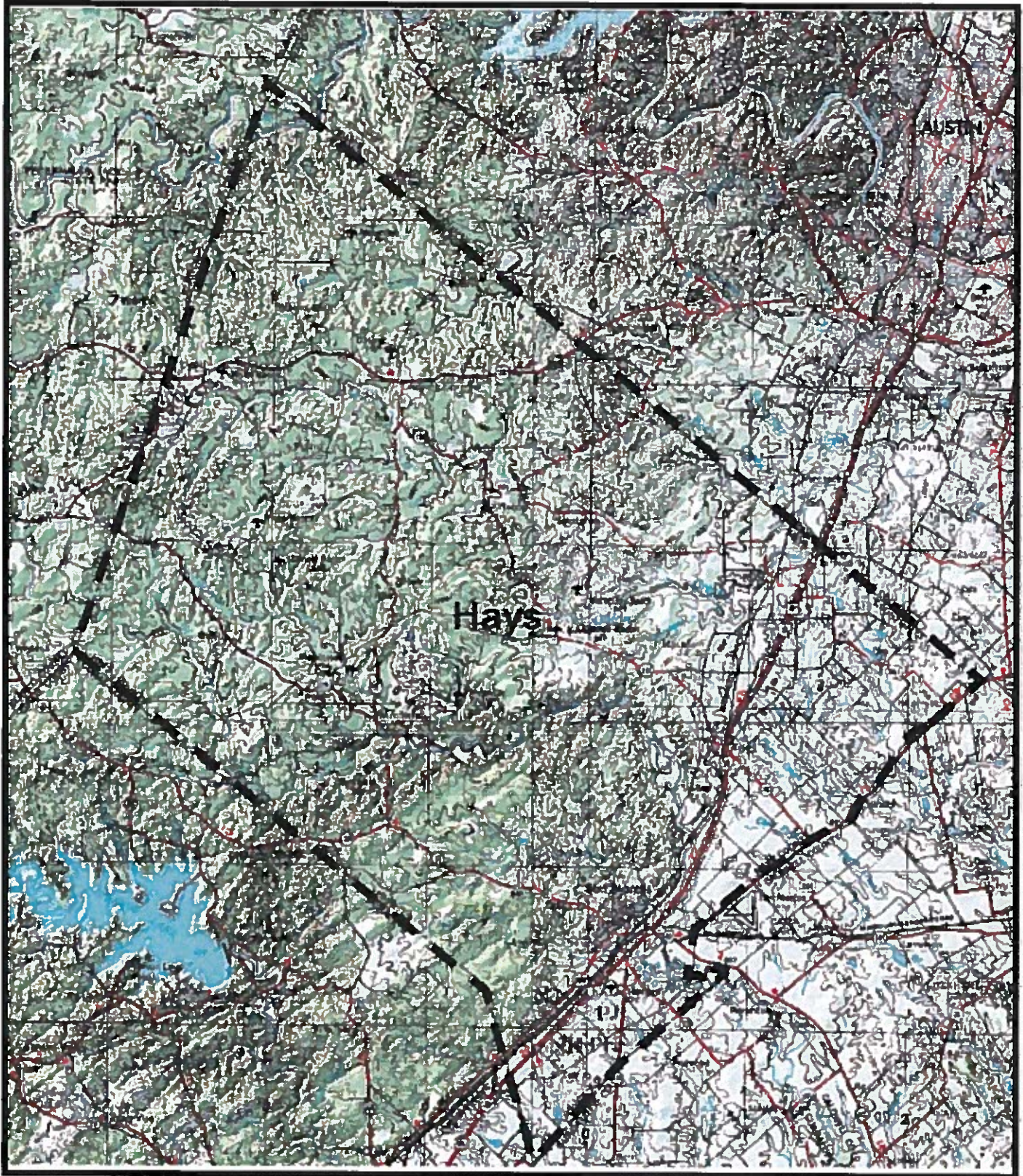
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Ruben Becerra
Hays County Judge

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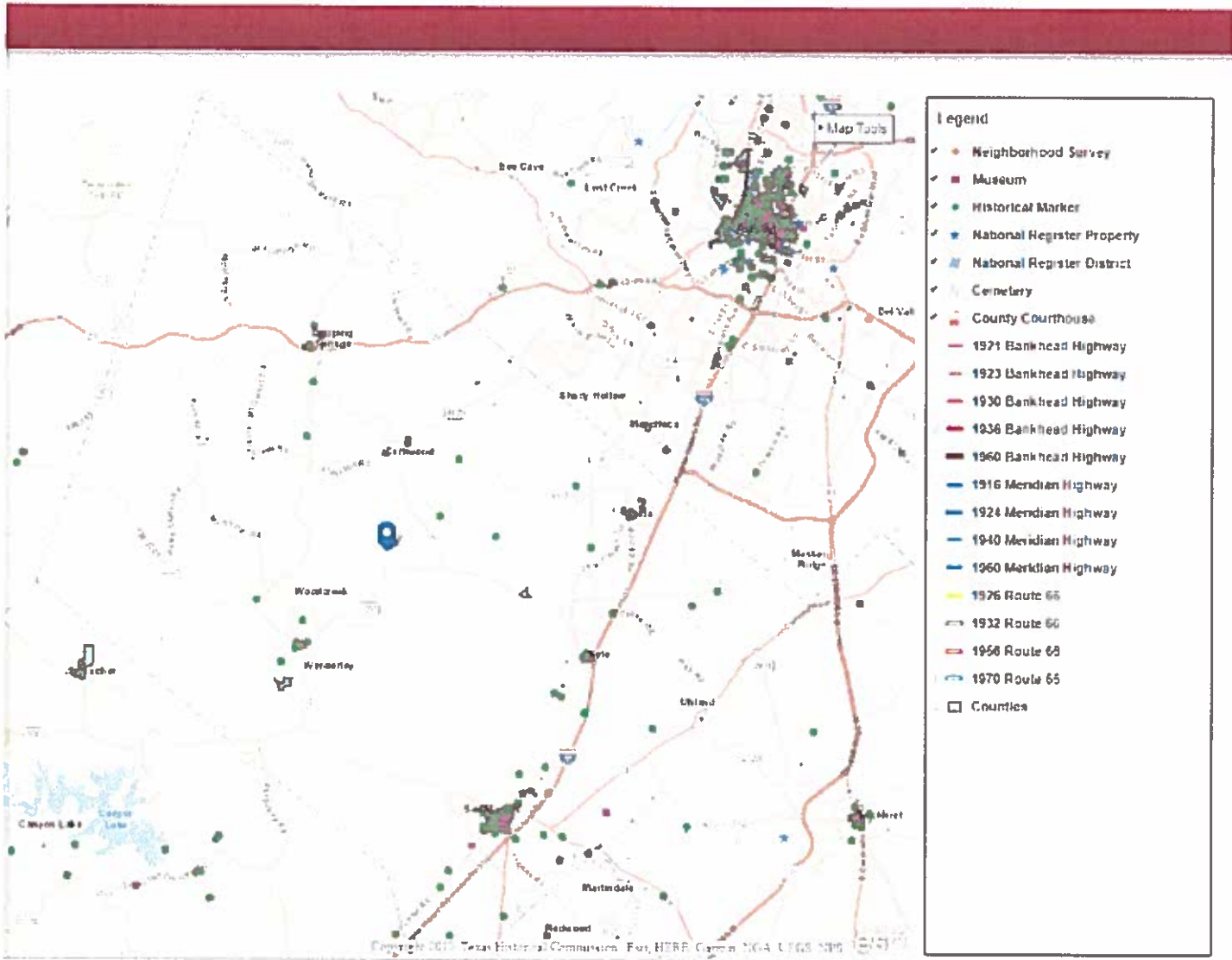
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Project Map showing known cultural resources in Hays County.

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From: [Latrice Hertzler](#)
To: ["william@comanchenation.com"](mailto:william@comanchenation.com); ["martinac@comanchenation.com"](mailto:martinac@comanchenation.com)
Cc: ["judge.becerra@co.hays.tx.us"](mailto:judge.becerra@co.hays.tx.us); ["Lindsay McClune"](#); ["mharmon@future-link.biz"](mailto:mharmon@future-link.biz); [Cimagaroon Howell](#)
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For your convenience, please feel free to reply using this email address or of course you may reply directly to the County at the contact information provided in the attached documentation.

Sincerely,

Latrice Hertzler, BAIS, MPA

*Certified Environmental Reviewers as Environmental Service Providers for Texas General Land Office
Community Development & Revitalization Program*

Future Link Technologies, Inc.

Environmental & Technology Services & Consulting

P.O. Box 90696

Austin, TX 78709

512-443-4100 (Ofc)

512-233-5269 (fax)

OFFICE OF RUBEN BECERRA



HAYS COUNTY JUDGE

June 26, 2019

Coushatta Tribe of Louisiana
David Sickey, Chairman
Linda Langley, Texas Historic Preservation Officer
PO Box 10
Elton, LA 70532
By email to: llangley@coushattatribela.org; dsickey@coushatta.org

Re: Executive Order 12892 – Texas Severe Storms, Straight-line Winds, and Flooding - DR-4223 and DR-4245 under CDBG-DR Contract
Broad-Level Tiered Environmental Assessment
Single Family Flood Allocation Housing Assistance and Buyout Program
Hays County, Texas

Dear Chairman Sickey and Ms Langley,

Hays County is considering funding the single-family residential disaster recovery project listed above using federal funds from the Texas General Land Office. Under HUD regulation 24 CFR 58.4, Hays County has assumed Texas General Land Office's (GLO) environmental review responsibilities for the project, including tribal consultation related to historic and traditional cultural properties.

This email is a request for comment under Section 106 of the National Historic Preservation Act, as the funds used will be coming from Community Development Block Grants administered by the federal department of Housing and Urban Development (HUD). Under this program the residents possibly funded will receive assistance by contractors directly fixing the storm-damaged building, or if it was too badly damaged, for the existing house to be demolished and replaced with a new home of roughly equal size on the same property. This consultation is for is a Broad-Level Tiered Environmental Assessment for Hays County, TX.

We invite you to be a consulting party in this review to help us identify sites in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might mitigate them. An initial review by our environmental service provider, Future Link Technologies, has identified the existence of sites with historical/cultural significance located within Hays County and any feedback you may have regarding other potential sites would be greatly appreciated.

PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

Texas Historic Sites Atlas	Sites Investigated	# of Sites
Hays County		
	National Historic Landmarks	0
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	Cemeteries (all)	69
	Museums	6

The GLO has provided information to Hays County that your community has stated a formal interest in activities occurring in this county. I have placed information in the attached file. Individual replies are not necessary should you wish to comment on multiple areas. This information is also being sent to the Texas Historical Commission for their comment.

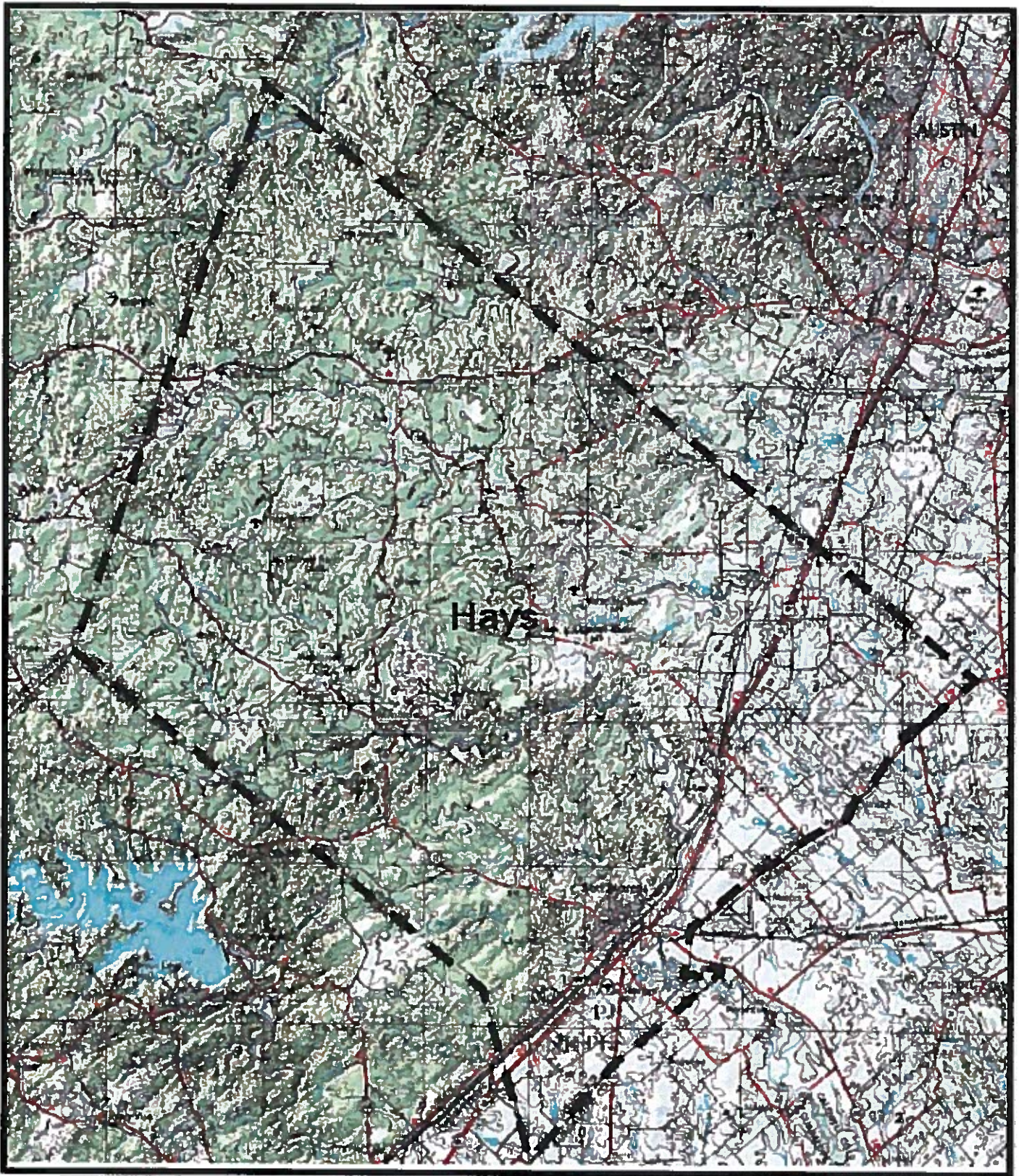
Thank you very much. We value your assistance and look forward to consulting further if there are properties of cultural significance to your tribe that may be affected by this project. If you have questions or concerns, please contact Cimagroon Howell, who serves as lead on this matter via email at chowell@c12inc.com.

Sincerely,



Ruben Becerra
Hays County Judge

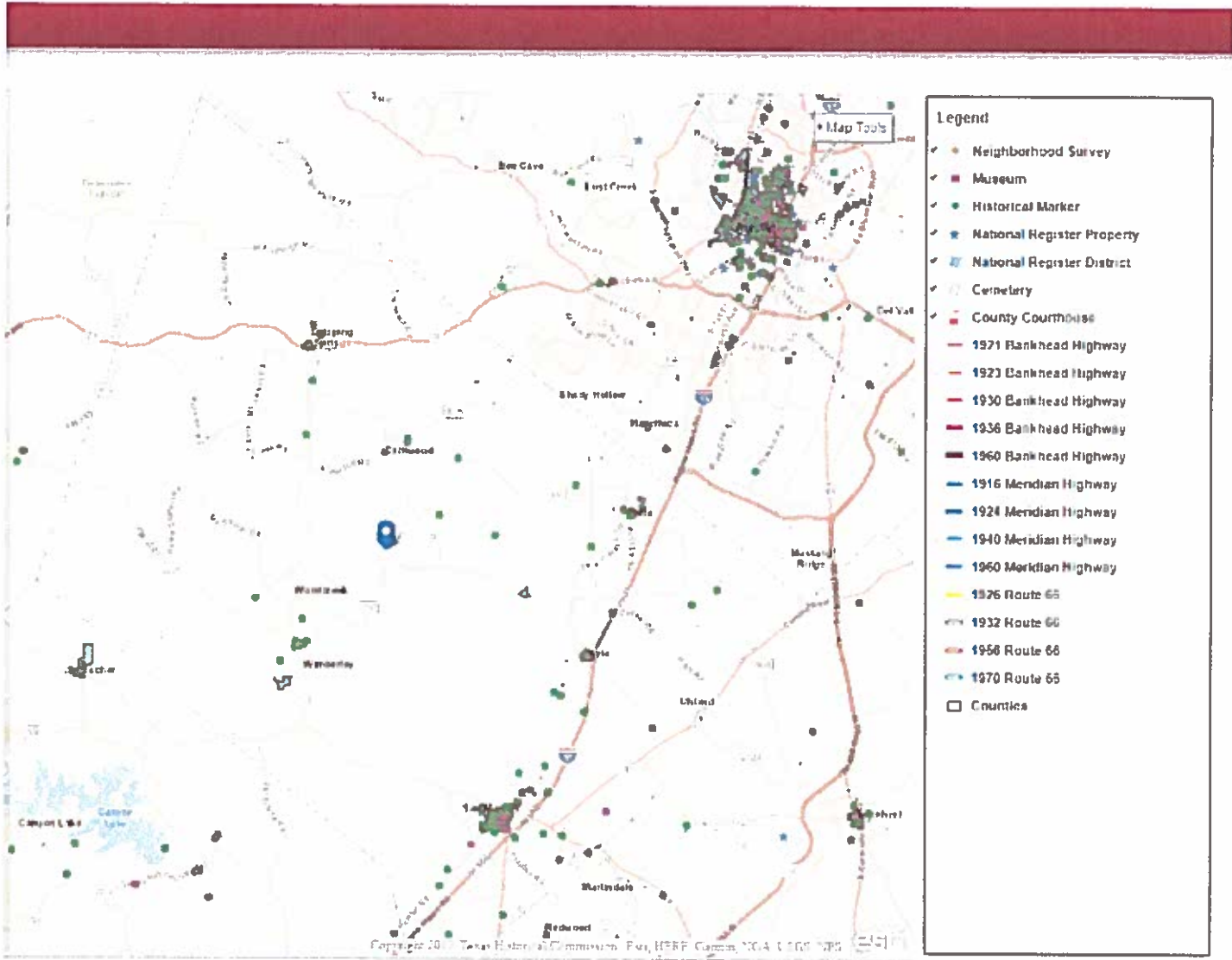
Hays County Map showing topographic information.



PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

Project Map showing known cultural resources in Hays County.

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 111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

From: [Latrice Hertzler](mailto:Latrice.Hertzler@future-link.biz)
To: "llangley@coushattatribela.org"; "dsickey@coushatta.org"
Cc: "dsickey@coushatta.org"
Bcc: "judge.becerra@co.hays.tx.us"; "[Lindsay McClune](mailto:Lindsay.McClune@future-link.biz)"; "mharmon@future-link.biz"; [Cimagaroon Howell](mailto:Cimagaroon.Howell@future-link.biz)
Subject: NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge
Date: Friday, July 12, 2019 1:48:00 PM
Attachments: [Tribal Consultation_CoushattaLetter.pdf](#)

Dear Sir/Madam:

Your tribal government contact information is identified as a potential interested party from the HUD Tribal Directory Assessment Tool (TDAT) for proposed construction activities within the Hays County Texas.

Future Link Technologies, Inc. is working with Hays County to conduct a tiered National Environmental Protection Act (NEPA) environmental assessment for (a) project(s) described in the attached documents which represent a NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge.

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OFFICE OF RUBEN BECERRA



HAYS COUNTY JUDGE

June 26, 2019

Tonkawa Tribe of Indians of Oklahoma
Russell Martin, President
Lauren Norman-Brown, Texas Historic Preservation Officer
1 Rush Buffalo Road
Tonkawa, OK 74653
By email to: rmartin@tonkawatribe.com; jbrown@tonkawatribe.com

Re: Executive Order 12892 – Texas Severe Storms, Straight-line Winds, and Flooding - DR-4223 and DR-4245 under CDBG-DR Contract
Broad-Level Tiered Environmental Assessment
Single Family Flood Allocation Housing Assistance and Buyout Program
Hays County, Texas

Dear President Martin and Ms Norman-Brown,

Hays County is considering funding the single-family residential disaster recovery project listed above using federal funds from the Texas General Land Office. Under HUD regulation 24 CFR 58.4, Hays County has assumed Texas General Land Office's (GLO) environmental review responsibilities for the project, including tribal consultation related to historic and traditional cultural properties.

This email is a request for comment under Section 106 of the National Historic Preservation Act, as the funds used will be coming from Community Development Block Grants administered by the federal department of Housing and Urban Development (HUD). Under this program the residents possibly funded will receive assistance by contractors directly fixing the storm-damaged building, or if it was too badly damaged, for the existing house to be demolished and replaced with a new home of roughly equal size on the same property. This consultation is for is a Broad-Level Tiered Environmental Assessment for Hays County, TX.

We invite you to be a consulting party in this review to help us identify sites in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might mitigate them. An initial review by our environmental service provider, Future Link Technologies, has identified the existence of sites with historical/cultural significance located within Hays County and any feedback you may have regarding other potential sites would be greatly appreciated.

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The GLO has provided information to Hays County that your community has stated a formal interest in activities occurring in this county. I have placed information in the attached file. Individual replies are not necessary should you wish to comment on multiple areas. This information is also being sent to the Texas Historical Commission for their comment.

Thank you very much. We value your assistance and look forward to consulting further if there are properties of cultural significance to your tribe that may be affected by this project. If you have questions or concerns, please contact Cimagroon Howell, who serves as lead on this matter via email at chowell@c12inc.com.

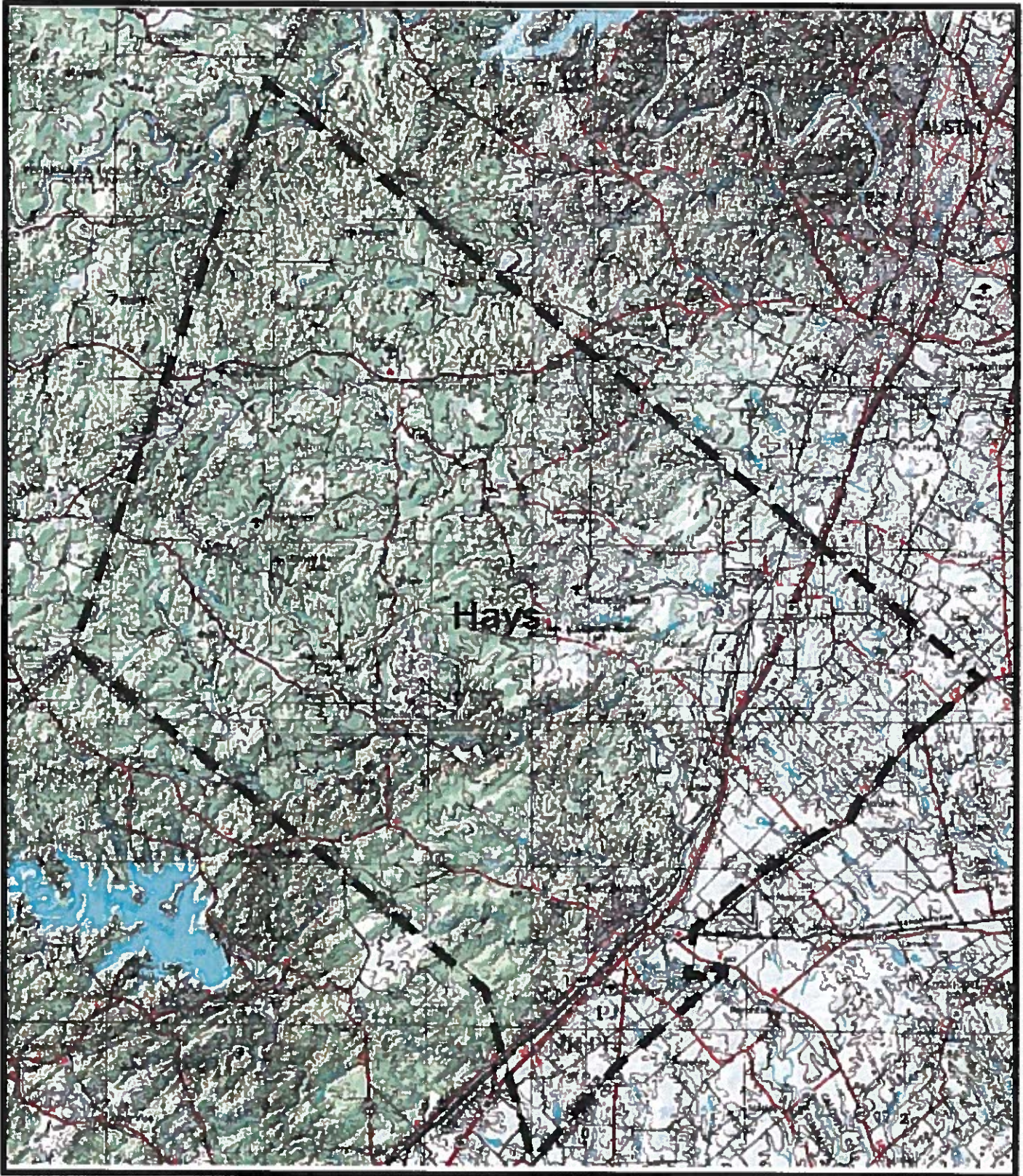
Sincerely,



Ruben Becerra
Hays County Judge

PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

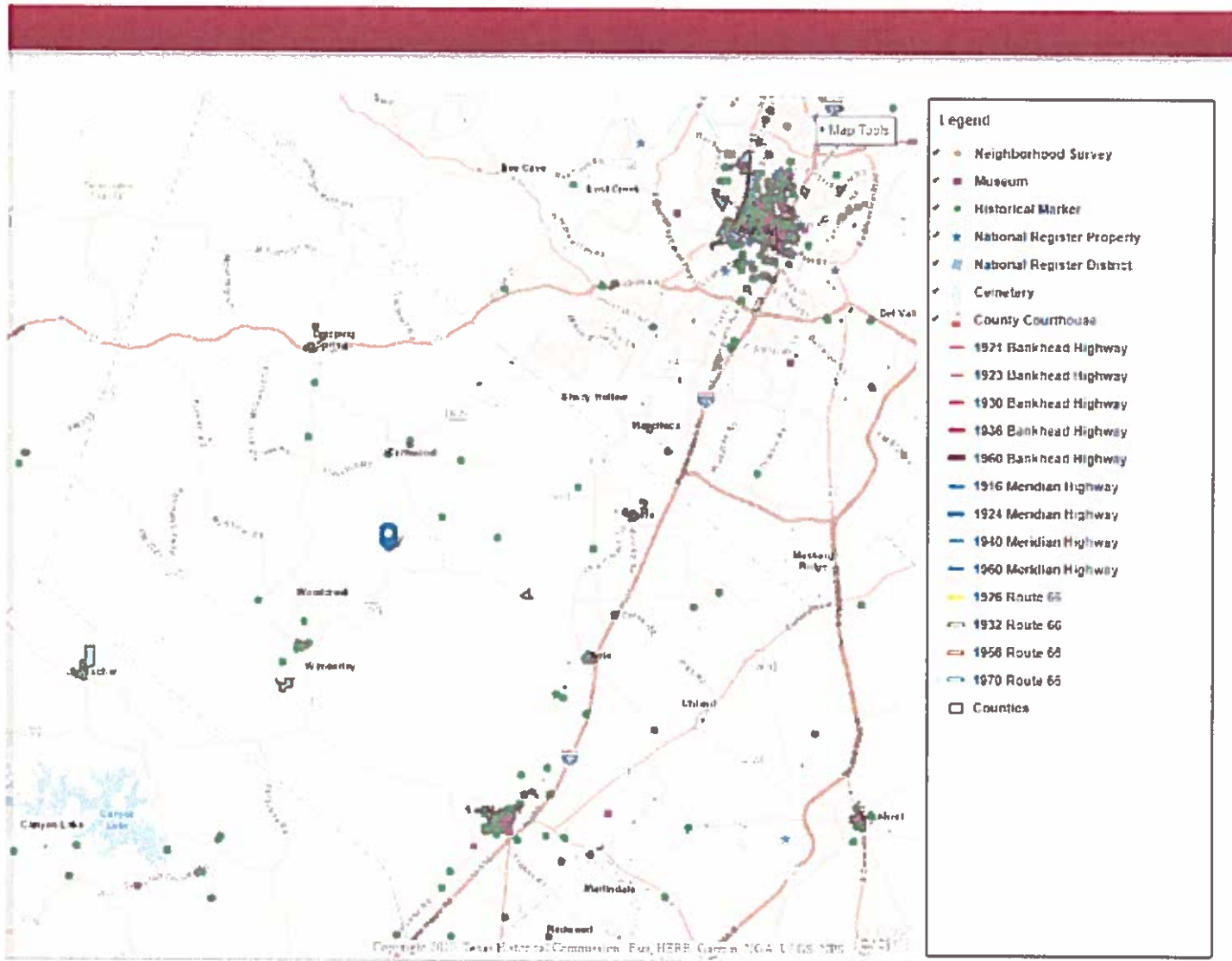
Hays County Map showing topographic information.



PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

Project Map showing known cultural resources in Hays County.

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 111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

From: [Latrice Hertzler](#)
To: "rmartin@tonkawatribe.com"; "jbrown@tonkawatribe.com"; Martin, Russell; mharmon@future-link.biz
Cc: [Cimagaroon Howell](#); "mharmon@future-link.biz"; "[Lindsay McClune](#)"; "judge.becerra@co.hays.tx.us"
Subject: NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge
Date: Friday, July 12, 2019 1:57:00 PM
Attachments: [Tribal Consultation_TonkawaLetter.pdf](#)

Dear Sir/Madam:

Your tribal government contact information is identified as a potential interested party from the HUD Tribal Directory Assessment Tool (TDAT) for proposed construction activities within the Hays County Texas.

Future Link Technologies, Inc. is working with Hays County to conduct a tiered National Environmental Protection Act (NEPA) environmental assessment for (a) project(s) described in the attached documents which represent a NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge.

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512-233-5269 (fax)

OFFICE OF RUBEN BECERRA



HAYS COUNTY JUDGE

June 26, 2019

Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma
President Terri Parton
Mr. Gary McAdams, Tribal Historic Preservation Officer
PO Box 729, Anadarko, OK 73005
By email to: Terri.Parton@wichitatribe.com and gary.mcadams@wichitatribe.com

Re: Executive Order 12892 – Texas Severe Storms, Straight-line Winds, and Flooding - DR-4223 and DR-4245 under CDBG-DR Contract
Broad-Level Tiered Environmental Assessment
Single Family Flood Allocation Housing Assistance and Buyout Program
Hays County, Texas

Dear President Parton and Mr. McAdams,

Hays County is considering funding the single-family residential disaster recovery project listed above using federal funds from the Texas General Land Office. Under HUD regulation 24 CFR 58.4, Hays County has assumed Texas General Land Office's (GLO) environmental review responsibilities for the project, including tribal consultation related to historic and traditional cultural properties.

This email is a request for comment under Section 106 of the National Historic Preservation Act, as the funds used will be coming from Community Development Block Grants administered by the federal department of Housing and Urban Development (HUD). Under this program the residents possibly funded will receive assistance by contractors directly fixing the storm-damaged building, or if it was too badly damaged, for the existing house to be demolished and replaced with a new home of roughly equal size on the same property. This consultation is for is a Broad-Level Tiered Environmental Assessment for Hays County, TX.

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111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

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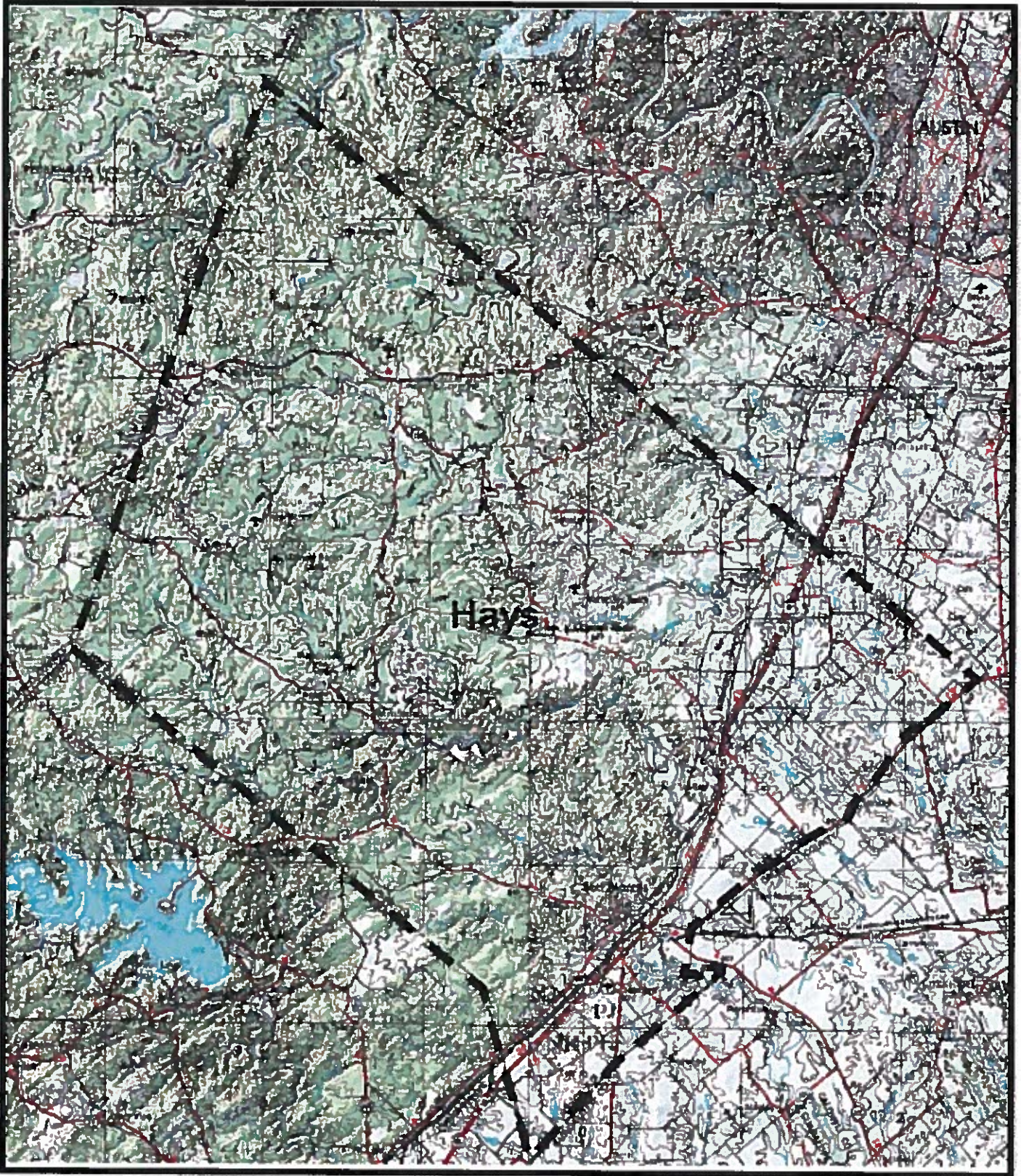
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Sincerely,

Ruben Becerra
Hays County Judge

PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

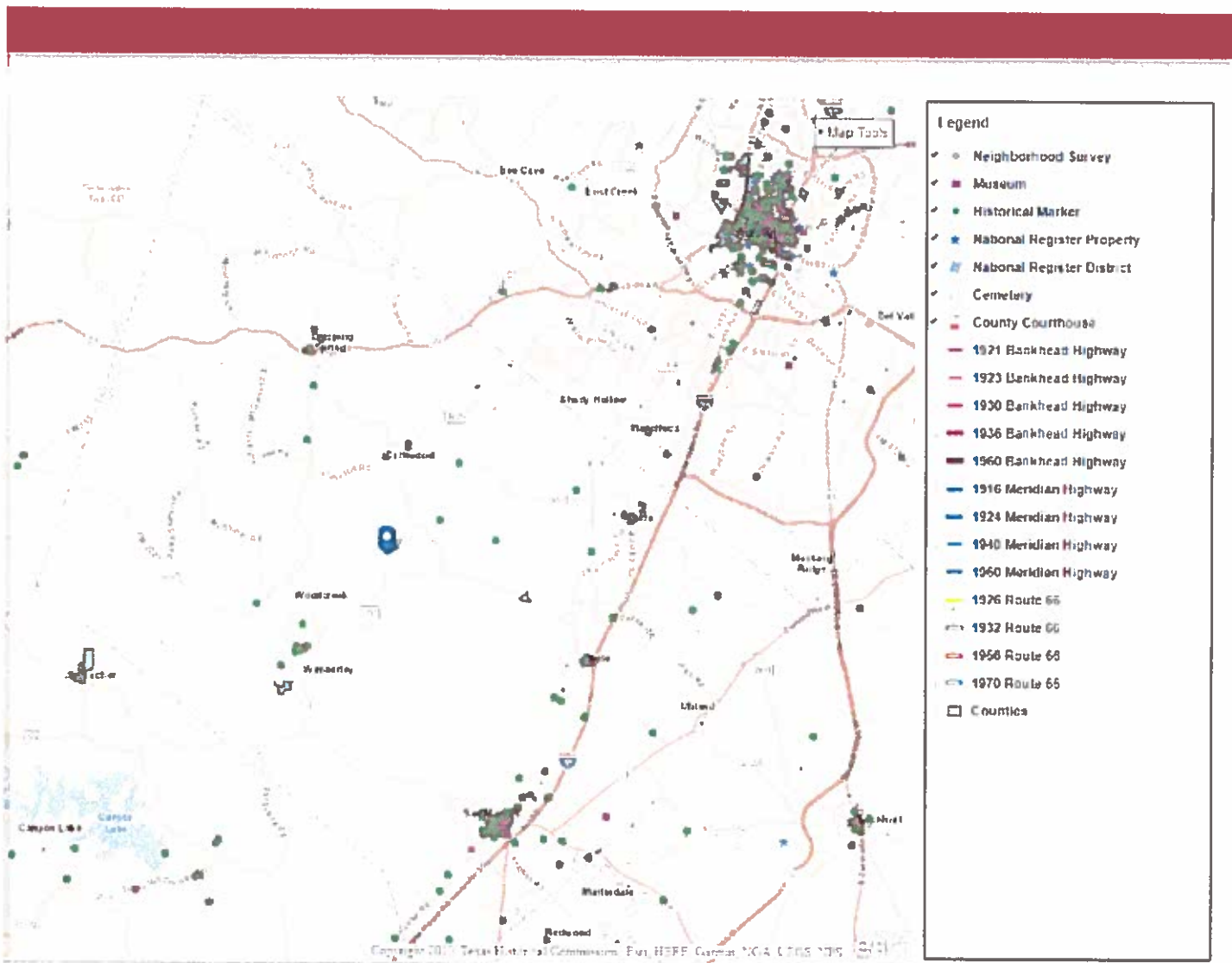
Hays County Map showing topographic information.



PHONE: 512.393.2205 • E-MAIL: JUDGE.BECERRA@CO.HAYS.TX.US
111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

Project Map showing known cultural resources in Hays County.

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 111 E. SAN ANTONIO ST., SUITE 300 • SAN MARCOS, TEXAS 78666

From: [Latrice Hertzler](#)
To: ["terri.parton@wichtatribes.com"](#); ["gary.mcadams@wichtatribes.com"](#); [mharmon@future-link.biz](#)
Cc: [Cimagaroon Howell](#); ["mharmon@future-link.biz"](#); ["Lindsay McClune"](#); ["judge.becerra@co.hays.tx.us"](#)
Subject: NEPA consultation request from the Honorable, Ruben Becerra, Hays County Judge
Date: Friday, July 12, 2019 1:56:00 PM
Attachments: [Tribal Consultation WichitaLetter.pdf](#)

Dear Sir/Madam:

Your tribal government contact information is identified as a potential interested party from the HUD Tribal Directory Assessment Tool (TDAT) for proposed construction activities within the Hays County Texas.

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**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment L: Noise Abatement and Control

Noise (EA Level Reviews)

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

1. What activities does your project involve? Check all that apply:

- New construction for residential use
 NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.
 → *Continue to Question 2.*

- Rehabilitation of an existing residential property
 NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.
 → *Continue to Question 2.*

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- None of the above
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
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2. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.*

Noise generators were found within the threshold distances.

→ *Continue to Question 3.*

3. Complete the Noise Assessment Guidelines to quantify the noise exposure.

Indicate the findings of the Noise Assessment below:

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.*

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

If project is rehabilitation:

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis.*

If project is new construction:

Is the project in a largely undeveloped area¹?

No

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

¹A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Yes

→ *Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS- level review.*

Unacceptable: (Above 75 decibels)

Indicate noise level here:

If project is rehabilitation:

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels. Consider converting this property to a non-residential use compatible with high noise levels.

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

If project is new construction:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

Convert to an EIS

→ *Provide noise analysis, including noise level and data used to complete the analysis.*

Continue to Question 4.

Provide waiver

→ *Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.*

Continue to Question 4.

- 4. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

Mitigation as follows will be implemented:

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58**
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures. Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Project construction activities under the programs will only be completed on single-family homes and will result in the same level of development that existed prior to Hays County Floods.

The proposed activities may cause temporary noise level increases. These will be mitigated by complying with local noise ordinances.

HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR 51.101(a)(3): “The policy does not apply to...any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.” See Attachment M

Are formal compliance steps or mitigation required?

- Yes
- No

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
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and Buyout Program**

Attachment M: Sole Source Aquifers

Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

1. Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 2.*

2. Is the project located on a sole source aquifer (SSA)¹?

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

Yes → *Continue to Question 3.*

3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

¹ A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Hays County CDBG-DR 2015
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and Buyout Program**

No → *Continue to Question 5.*

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Worksheet Summary

Compliance Determination

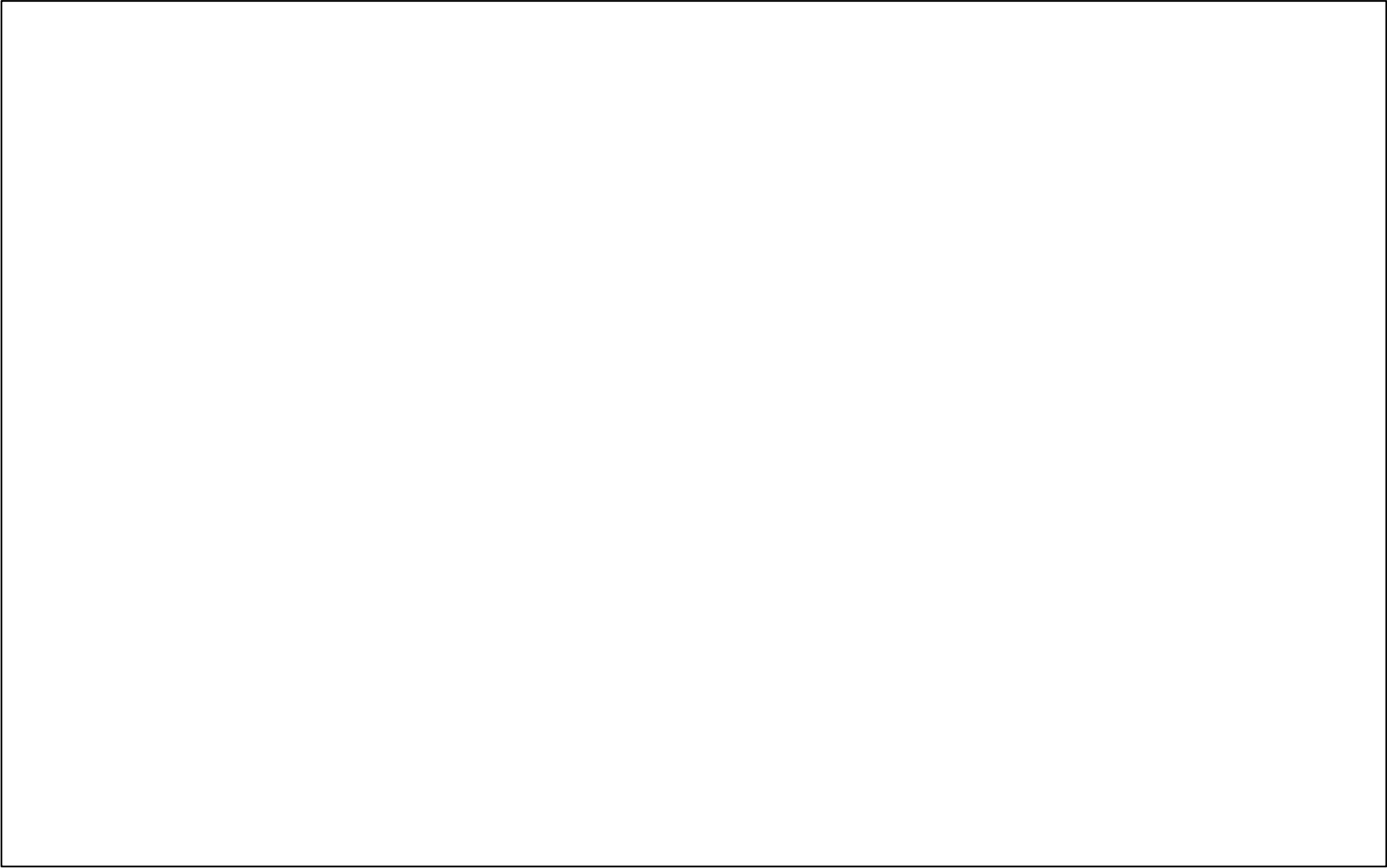
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?



- Yes
- No




Hays County Edwards Aquifer Zones

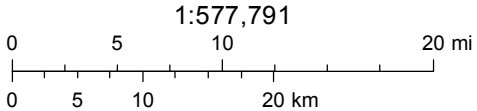


May 13, 2019

EdwardsAquiferZones

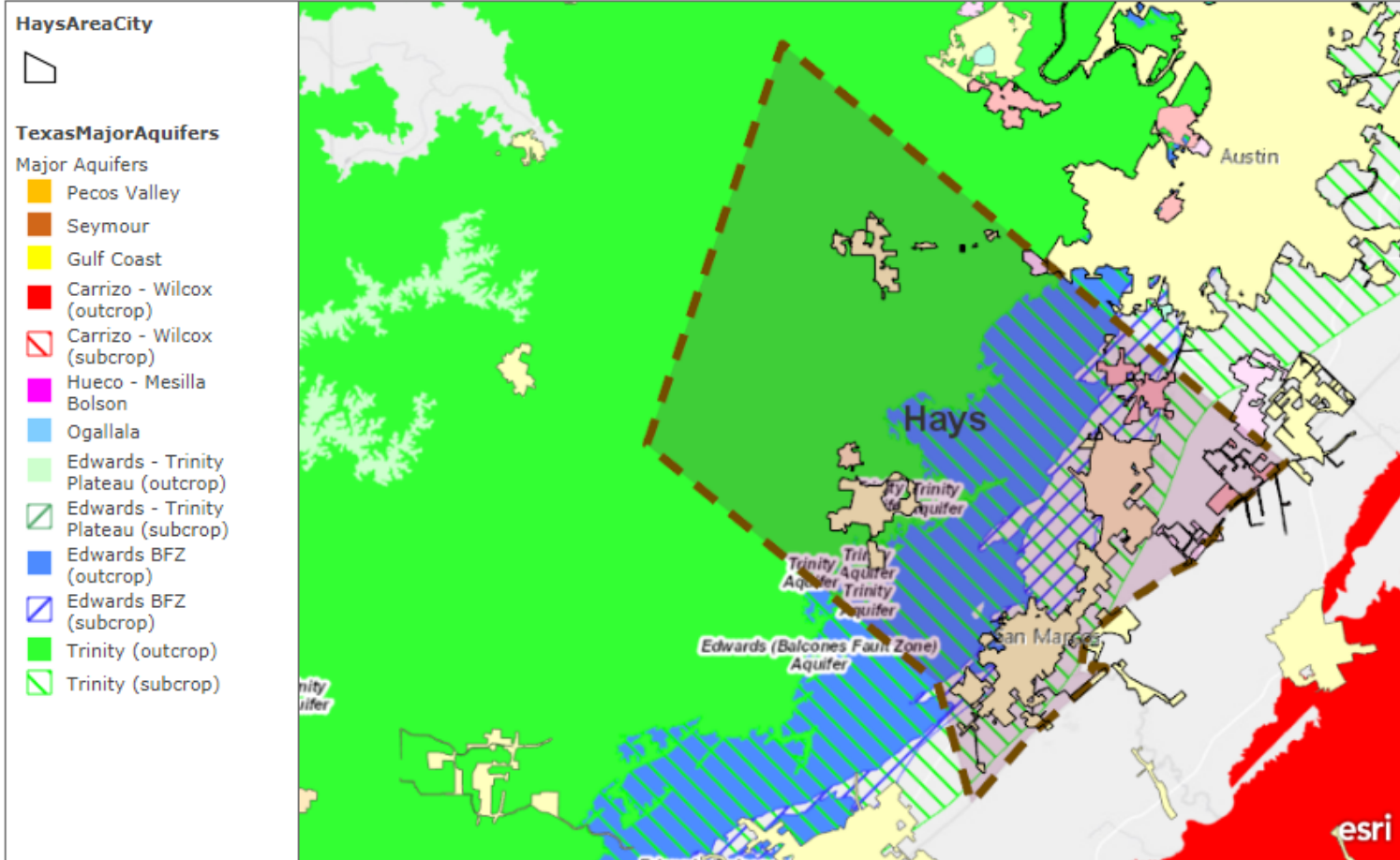
-  Contributing Zone
-  Contributing Zone within Transition Zone

-  Recharge Zone
-  Transition Zone
-  County Border





Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Hays County

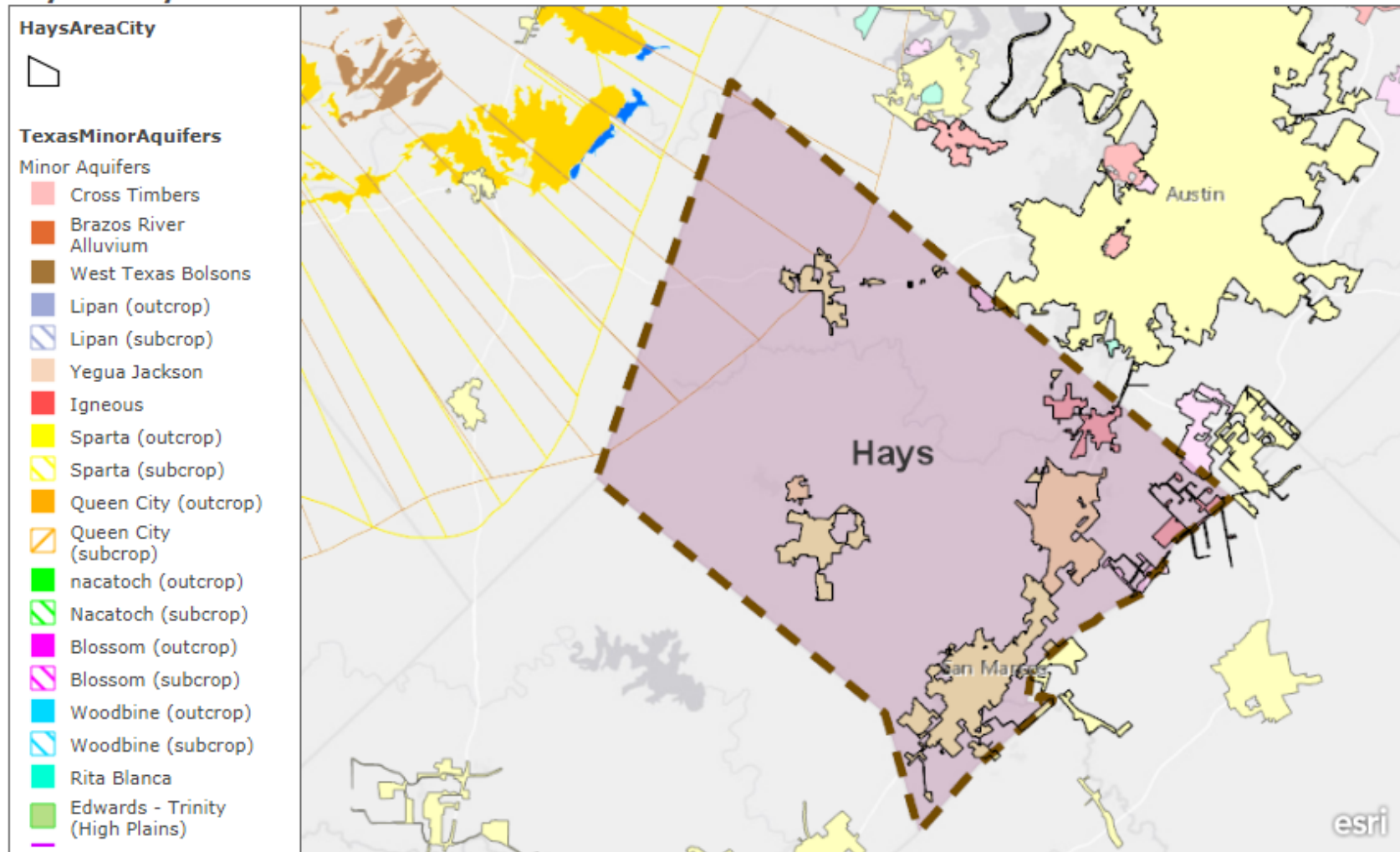


Esri, HERE, Garmin, NGA, USGS, NPS | Texas Water Development Board | Transportation Planning and Programming Division - Data Management Section 512-486-5052 TPP-GIS@txdot.gov | U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov | Esri, HERE, NPS



Hays County Major Aquifer Map

Client Name	Hays County	Future Link Technologies 	
Contract #	CDBG – DR – May 2015 Floods	PO Box 90696, Austin, TX 78709	
Map Information	General Site Maps	512-443-4100	
Date	May 19	Environmental Service Provider	

Hays County



Esri, HERE, Garmin, NGA, USGS, NPS | Texas Water Development Board | Transportation Planning and Programming Division - Data Management
 Section 512-486-5052 TPP-GIS@txdot.gov | U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov | Esri,
 HERE, NPS

Client Name	Hays County	Future Link Technologies 	
Contract #	CDBG – DR – May 2015 Floods	PO Box 90696, Austin, TX 78709	
Map Information	General Site Maps	512-443-4100	
Date	May 19	Environmental Service Provider	

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment N: Wetlands Protection

Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance?

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

No → *Based on the response, the review is in compliance with this section.*

Continue to the Worksheet Summary below.

Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact an on- or off-site wetland?

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
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Hays County CDBG-DR 2015
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and Buyout Program**

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→ *You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.*

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers

The project consistency will be achieved during site-specific review.

There are locations within Hays County where wetlands exist. A site -specific review of each home selected for funding will be conducted to ensure no impact to wetlands occurs as a result of the need for rehab, renovation or buy out.

As a general rule, however, impact to wetlands is not expected considering most homes will not be located at or adjacent to wetlands.

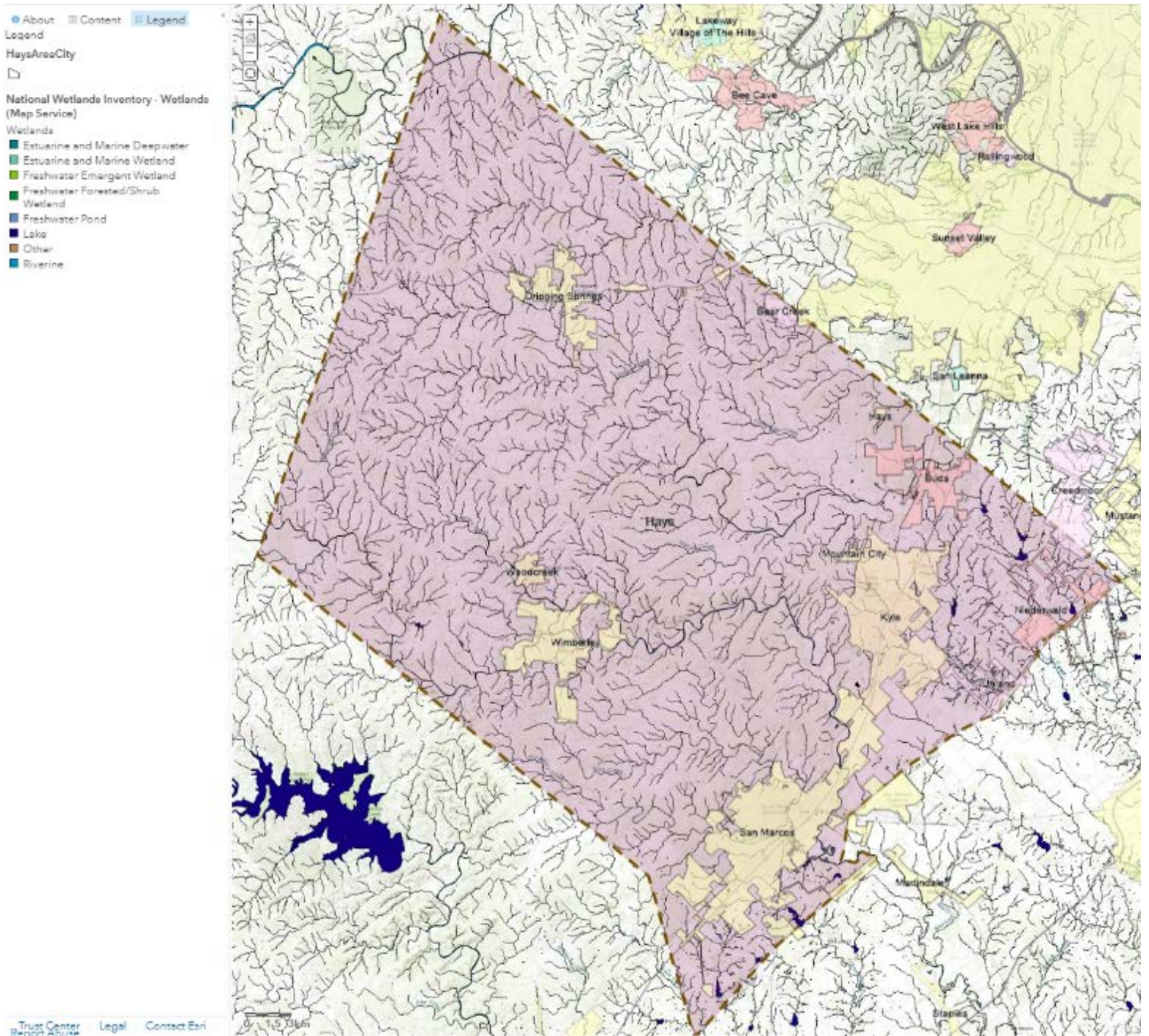
An 8-step process has been conducted in order to document the potential impact to wetlands if the activities is located at or adjacent to a wetland according to the USFWS National Wetland Inventory.

See Attachment N.



- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

- Yes
 No



Hays County – Tier 1 - USFWS National Wetland Inventory

Client Name	Hays County	Future Link Technologies 	
Contract #	CDBG Disaster Recovery	PO Box 90696, Austin, TX 78709	
Map Information	General Location Maps	512-443-4100	
Date	June 19	Environmental Service Provider	

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment O: Wild and Scenic Rivers

Wild and Scenic Rivers (CEST and EA)

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297
References		
https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers		

1. Is your project within proximity of a NWSRS river as defined below?

Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

No

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.*

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

→ *Continue to Question 2.*

2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required,

Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
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pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including*

the Managing Agency's concurrence) and any other documentation used to make your determination.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

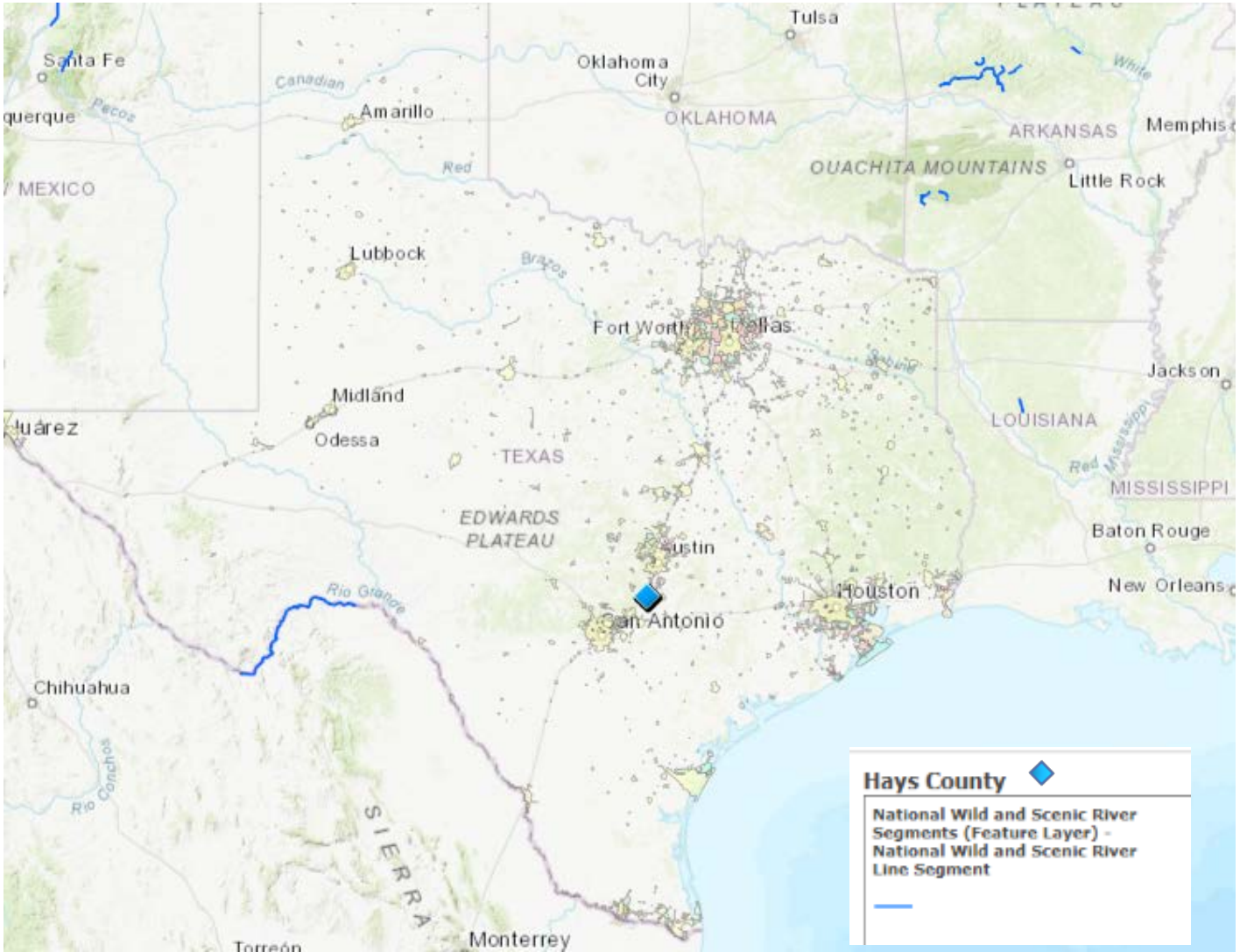
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project is consistent with this item. Hays County is located in central Texas. The closest wild and scenic river is located approximately 350 miles west of the Hays County. The Pedernales in the northern corner of Hays County is the only river listed on the National Rivers Inventory. Based upon the application locations received for home assistance, there are no homes within close proximity to the Pedernales river. No impact is expected. See Attachment O

Are formal compliance steps or mitigation required?


Yes

No



Hays County Tier 1 – National Wild & Scenic River Segments

Hays County is located approximately 300 miles from the Rio Grande River identified as the nearest Wild & Scenic River.

Client Name	Hays County	Future Link Technologies 
Contract #	CDBG Disaster Recovery	PO Box 90696, Austin, TX 78709
Map Information	General Location Maps	512-443-4100
Date	June 19	Environmental Service Provider

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Attachment P: Environmental Justice

Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	
References		
https://www.hudexchange.info/environmental-review/environmental-justice		

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?

Yes → *Continue to Question 2.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

Explain:

→ Continue to Question 3. Provide any supporting documentation.

No

Explain:

→ Continue to the Worksheet Summary and provide any supporting documentation.

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

→ Continue to Question 4.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to Question 4.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

→ Continue to the Worksheet Summary and provide any supporting documentation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers

The proposed program activities would assist residents in the areas most affected by flood conditions in May and October of 2015 in Hays County. The funding will assist residents to return to preflood living conditions in existing communities. The construction will ensure home owners receiving assistance have homes that are structurally improved and that ensure human health and safe living. The DR program targets low to moderate income households receiving 70 percent of the proposed program funding. The funding helps to prevent future impact from flooding and to preserve human health through elevating structures above flood levels and by eliminating asbestos containing materials and lead based paint in the residence.

Low to moderate-income households would be disproportionately encouraged in a positive manner to obtain safe and sanitary housing. Therefore, the proposed programs will comply with Executive Order 12898.

- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

- Yes
- No

Location: Hays County
 Ring (buffer): 0-mile radius
 Description: Hay County Environmental Justice ACS Report

Summary of ACS Estimates		2012 - 2016
Population		185,686
Population Density (per sq. mile)		274
Minority Population		81,400
% Minority		44%
Households		64,324
Housing Units		70,192
Housing Units Built Before 1950		2,379
Per Capita Income		28,396
Land Area (sq. miles) (Source: SF1)		677.99
% Land Area		100%
Water Area (sq. miles) (Source: SF1)		1.95
% Water Area		0%

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	185,686	100%	0
Population Reporting One Race	180,320	97%	3,804
White	162,209	87%	1,403
Black	6,823	4%	426
American Indian	536	0%	198
Asian	2,548	1%	357
Pacific Islander	174	0%	172
Some Other Race	8,030	4%	1,248
Population Reporting Two or More Races	5,366	3%	906
Total Hispanic Population	68,832	37%	0
Total Non-Hispanic Population	116,854		
White Alone	104,286	56%	258
Black Alone	6,473	3%	390
American Indian Alone	348	0%	171
Non-Hispanic Asian Alone	2,330	1%	281
Pacific Islander Alone	71	0%	103
Other Race Alone	341	0%	241
Two or More Races Alone	3,005	2%	526
Population by Sex			
Male	92,221	50%	181
Female	93,465	50%	181
Population by Age			
Age 0-4	11,757	6%	194
Age 0-17	43,820	24%	904
Age 18+	141,866	76%	2,013
Age 65+	18,642	10%	795

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
 N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2012 - 2016.

Location: Hays County
 Ring (buffer): 0-mile radius
 Description: Hay County Environmental Justice ACS Report

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	109,111	100%	229
Less than 9th Grade	5,492	5%	623
9th - 12th Grade, No Diploma	6,576	6%	704
High School Graduate	23,937	22%	1,195
Some College, No Degree	33,479	31%	1,307
Associate Degree	7,115	7%	616
Bachelor's Degree or more	39,627	36%	1,315
Population Age 5+ Years by Ability to Speak English			
Total	173,929	100%	126
Speak only English	131,477	76%	1,595
Non-English at Home ¹⁺²⁺³⁺⁴	42,452	24%	1,511
¹ Speak English "very well"	30,144	17%	1,535
² Speak English "well"	5,858	3%	714
³ Speak English "not well"	4,433	3%	533
⁴ Speak English "not at all"	2,017	1%	473
³⁺⁴ Speak English "less than well"	6,450	4%	712
²⁺³⁺⁴ Speak English "less than very well"	12,308	7%	1,008
Linguistically Isolated Households*			
Total	2,270	100%	351
Speak Spanish	2,050	90%	340
Speak Other Indo-European Languages	33	1%	26
Speak Asian-Pacific Island Languages	179	8%	84
Speak Other Languages	8	0%	12
Households by Household Income			
Household Income Base	64,324	100%	641
< \$15,000	7,510	12%	609
\$15,000 - \$25,000	6,286	10%	653
\$25,000 - \$50,000	13,258	21%	898
\$50,000 - \$75,000	11,428	18%	758
\$75,000 +	25,842	40%	1,098
Occupied Housing Units by Tenure			
Total	64,324	100%	641
Owner Occupied	40,514	63%	870
Renter Occupied	23,810	37%	923
Employed Population Age 16+ Years			
Total	146,744	100%	385
In Labor Force	99,064	68%	1,325
Civilian Unemployed in Labor Force	6,042	4%	681
Not In Labor Force	47,680	32%	1,394

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS)

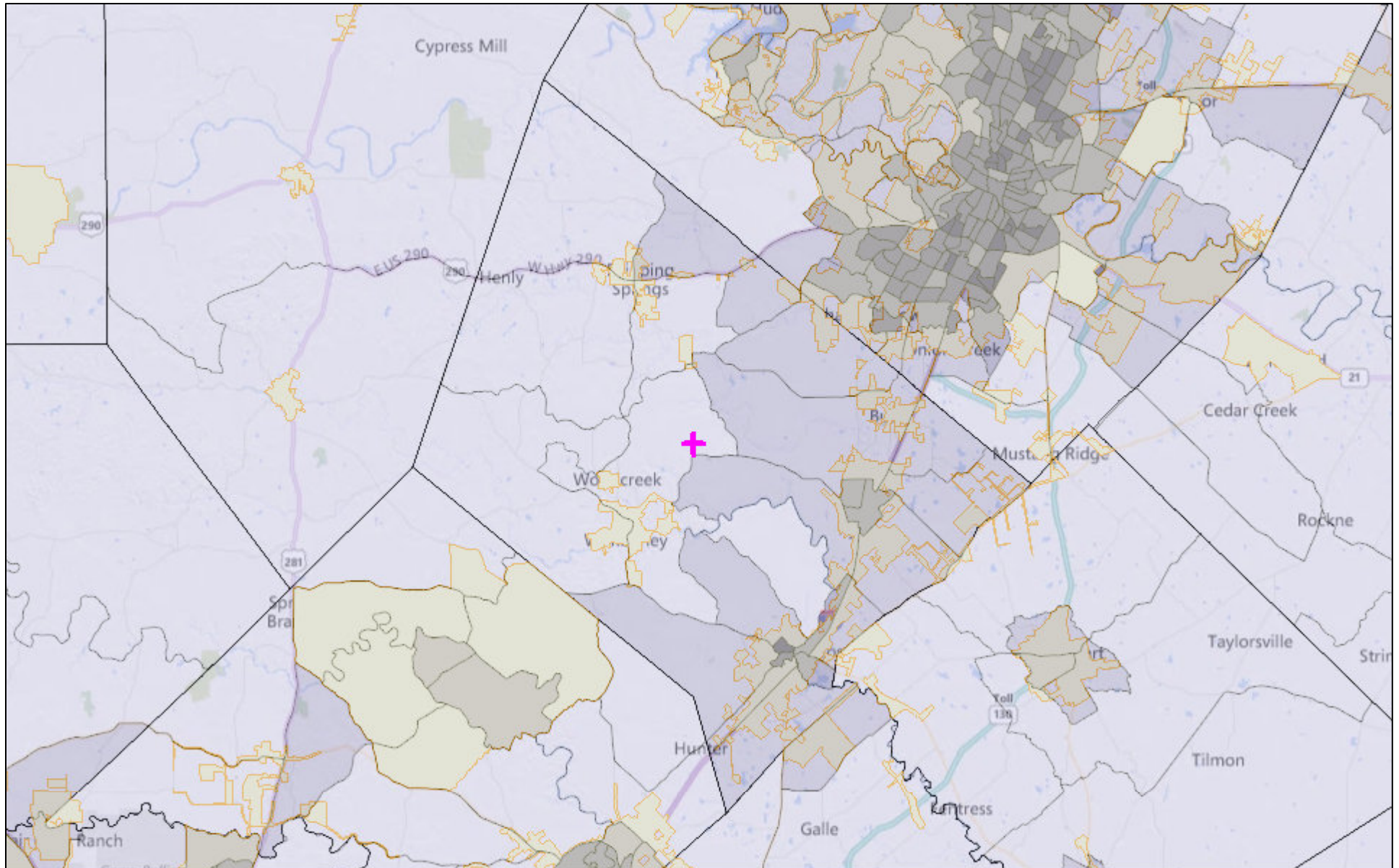
*Households in which no one 14 and over speaks English "very well" or speaks English only.

Location: Hays County
 Ring (buffer): 0-mile radius
 Description: Hay County Environmental Justice ACS Report

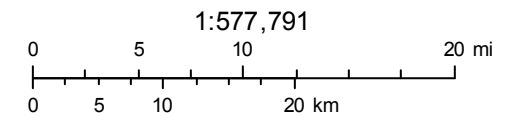
	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	173,929	100%	126
English	131,477	76%	1,800
Spanish	38,564	22%	1,585
French	392	0%	251
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	755	0%	269
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	723	0%	289
Chinese	587	0%	235
Japanese	N/A	N/A	N/A
Korean	119	0%	95
Mon-Khmer, Cambodian	N/A	N/A	N/A
Hmong	N/A	N/A	N/A
Thai	N/A	N/A	N/A
Laotian	N/A	N/A	N/A
Vietnamese	221	0%	139
Other Asian	526	0%	201
Tagalog	192	0%	135
Other Pacific Island	N/A	N/A	N/A
Navajo	N/A	N/A	N/A
Other Native American	N/A	N/A	N/A
Hungarian	N/A	N/A	N/A
Arabic	128	0%	191
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	136	0%	85
Total Non-English	42,452	24%	1,804

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
 N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2012 - 2016.
 *Population by Language Spoken at Home is available at the census tract summary level and up.

Hays County 2010 Census



May 13, 2019



EPA OEI, OEJ
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Explore Reports ×

Hays County, TEXAS, EPA Region 6 (Population: 185,686)

Environmental Indicators | **Demographic Indicators** | EJ Indexes

[Unselect All]

Demographic Index Minority Population Low Income Population
 Linguistically Isolated Less Than HS Education Under Age 5
 Over Age 64

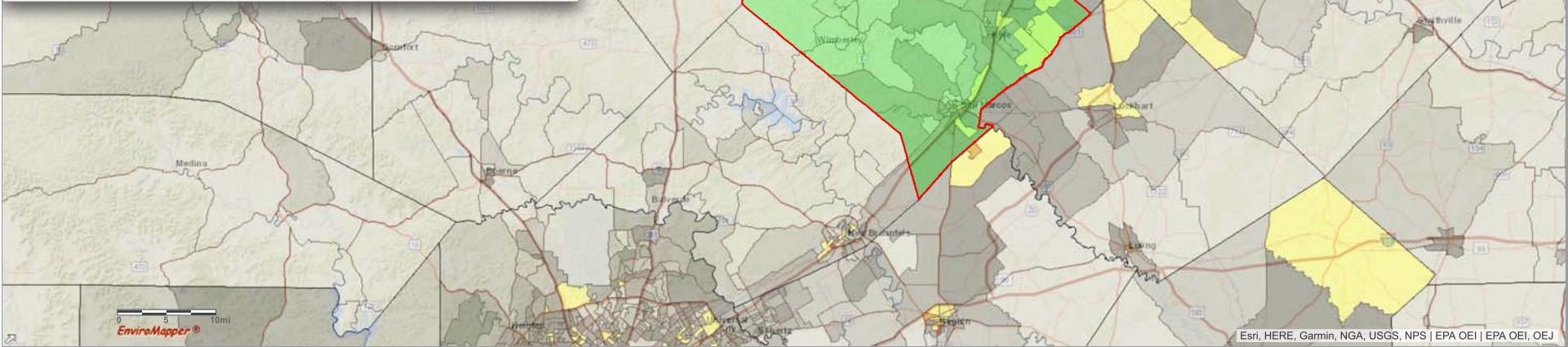
State Percentile Regional Percentile USA Percentile

Demographic Indicators for the Selected Area Compared to All People's Block Groups in the State/Region/US

Indicator	State Percentile	Regional Percentile	USA Percentile
Demographic Index	~45	~65	~65
Minority Population	~40	~60	~60
Low Income Population	~50	~65	~65
Linguistically Isolated	~45	~60	~60
Less Than HS Education	~45	~55	~55
Under Age 5	~40	~55	~55
Over Age 64	~50	~35	~35

Demographic Indicators

[Get Data Table](#)



Hays County Floods 2015
 CDBG DR Project
 Environmental Justice Demographics Data

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Project Photographs And Sample Consultation Letter



Future Link Technologies

Environmental and Technology Consulting

SAMPLE

Texas Parks and Wildlife Department **Email:** WHAB@tpwd.texas.gov
4200 Smith School Road
Austin, Texas 78744

RE: Request for Consultation:
Hays County - Hays Broad-Level Tiered Environmental
Assessment 18421000B130 18421000B130

Dear Sir/Madam:

Hays County has received approval for a CDBG Disaster Recovery grant in the amount of \$2,349,747.24 from the Texas General Land Office a project known as Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program located within Hays County.

This letter is to request your consultation regarding activities proposed for this project. The proposed construction is described as:

The CDBG-DR funds allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245 will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program.

Severe flooding during May (DR-4223) and October of 2015 (DR-4245) damaged homes throughout Hays County, Texas. The CDB-DR funding will be used to rehabilitate, repair, or reconstruct residences damaged by flooding. Buyout of properties may occur when residential properties are located in a floodplain or residing in a repetitive flood area.

The Environmental Review has been designed to cover all construction activities that are funded by this grant and there will be some short-term impacts during the construction period of the project and the contractor will utilize accepted methods of dust and noise abatement during this time. There will be no land acquired as a result of this project and no land will be converted from farmland use.

Industry specific mitigation measures will be applied to return the area to its original condition and precautions taken to maintain minimal disturbance within the construction area including best management practices to prevent construction runoff through berming and silt fencing.

Considering the location of the work, i.e., within the city limits and close to populous areas the Texas Parks & Wildlife Texas Natural Diversity Database (TXNDD) was consulted which showed _____ . There was _____ indication threatened, and endangered species would be impacted by the construction. Please see attachment 3.

Attachment 1 contains project area maps to facilitate an understanding of project locations. Attachment 2 contains a FEMA flood maps regarding the area flood levels. Attachment 3 includes the site visit pictures and site specific information regarding the compliance matters and laws and authorities. Attachment 4 provides general engineering plans for your review.

If you disagree with our findings and have additional information we should consider or have any questions, please do not hesitate to call. If we do not hear from you within 30 calendar days, we will assume that you agree with our determination and we will proceed with the project.

Sincerely,

Latrice Hertzler
Environmental Service Provider

Enclosures:

- Att 1: Target Area Maps & TXNDD Data Maps
- Att 2: Flood Plain Information
- Att 3: Site Visit Pictures
- Att 4: Engineering

Please sign and return. If you prefer fax to 512/892.0212

Approved/ concurrence with findings:

Printed name & title: _____

Date: _____

Attachment 1
Project Target Area Maps & TXNDD Data Maps

Attachment 2
Floodplain Information

Attachment 3
Site Visit Pictures

Attachment 4
Project Engineering

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 03/31/2020)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Broad-Level Tiered Project for Hays County Flood Allocation Housing Assistance and Buyout	2. HUD/State Identification Number 18-421-000-B130	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 14.228 Community Development and Revitalization Program	5. Name and address of responsible entity Ruben Becerra County Judge Hays County Courthouse, 111 E San Antonio St., San Marcos, Texas, 78666	
6. For information about this request, contact (name & phone number) Ruben Becerra, Hays County Judge, 512-393-2209	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request Texas General Land Office Community Development and Revitalization P.O Box 12873 Austin, TX 78711-2873	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) Housing Assistance Program and Buyout	10. Location (Street address, city, county, State) Various Locations in Hays County, TX
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11. Program Activity/Project Description

Severe flooding during May (DR-4223) and October of 2015 (DR-4245) damaged homes throughout Hays County, Texas. The CDB-DR funding will be used to rehabilitate, repair, or reconstruct residences damaged by flooding. Buyout of properties may occur when residential properties are located in a floodplain or residing in a repetitive flood area.

The CDBG-DR funds allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245 will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program. Total available housing activity funds as of today's date are \$2,349,747.24

Mitigation Measures: See Attached

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

Title of Certifying Officer

Ruben Becerra County Judge

Date signed

X

Address of Certifying Officer

Hays County Courthouse, 111 E San Antonio St., San Marcos, Texas, 78666

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

Date signed

X

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program
REQUEST FOR RELEASE OF FUNDS - MITIGATION MEASURES

1. Acquire all required federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
2. Must meet Green Building Standards as defined by one or more of the following categories: ENERGY STAR; EPA Indoor AirPlus; LEED; and/or ICC-700 National Green Building Standards
3. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the NEPA.
4. If project construction uncovers significant archaeological deposits the applicant agrees to immediately stop all work in that area and inform the Program. Work will not commence again in that area until the Program has conferred with the State Historic Preservation Office (SHPO) and/or Native American Tribes and informed the applicant that work can re-commence.
5. If project construction will occur on a new footprint and clearing of potential migratory bird habitat will occur within 50 feet of the construction site between March 15 and September 15, then a nest survey must be undertaken by a qualified biologist. If nests are identified, then a minimum 50-foot buffer from the work is required until the nest is no longer active. If an active migratory bird nest is incidentally disturbed during clearing, then the contractor shall collect and immediately transport the eggs to a wildlife rehabilitator. The GLO shall be notified of this action by the contractor so it can be placed into the ERR.
6. All proposed reconstruction, manufactured housing replacement, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or local municipal and county floodplain zoning requirements, whichever is more strict.
7. All residences in, or partially in, the 100-year floodplain shown on the current effective FEMA Flood Insurance Rate Map must be covered by flood insurance and the flood insurance must be maintained per program guidelines.
8. Applications approved to build within the “Coastal High Hazard” areas (“V” or “VE” Zones shown on the current effective FEMA Flood Insurance Rate Map) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).
9. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.
10. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.
11. Outfit all heavy equipment with operating mufflers.
12. Comply with the applicable local noise ordinance.
13. If application site is in a high noise area then use appropriate Green Building Standard methods (see Condition 2) to attenuate.
14. Use water or chemical dust suppressant in exposed areas to control excessive dust.
15. Cover the load compartments of trucks hauling dust-generating materials.
16. Reduce vehicle speed on non-paved areas and keep paved areas clean.

17. Retrofit older equipment with pollution controls.
18. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
19. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
20. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated at or visiting the project site comply with all applicable local and county regulations.
21. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
 - a. National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
 - b. National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
22. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods).
23. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR 35(b)(h)(j) and GLO's Lead-Based Paint Mitigation Policy Standard Operating Procedure.
24. Project rehabilitation and new construction shall apply appropriate materials and construction techniques to prevent radon gas contamination (<https://www.epa.gov/radon/radon-resources-builders-and-contractors>).
25. Upon completion all rehabilitated residential dwellings must be free of mold attributable to May and October 2015 flood events.
26. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks.
27. Storage tanks installed below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.



U.S. Department of Housing and Urban
Development

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)**

Project Information

Project Name: Hays County 2015 CDBG-DR Housing

Responsible Entity: Hays County

Grant Recipient (if different than Responsible Entity): N/A

State/Local Identifier: Texas

Preparer: Langford Community Management Services, Inc. (LCMS)

Certifying Officer Name and Title: Bert Cobb, Hays County Judge

Consultant (if applicable): LCMS

Project Location: Hays County Texas

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

- (1) Environmental and other studies, resource identification and the development of plans and strategies;
- (2) Information and financial services;
- (3) Administrative and management activities;
- (4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
- (5) Inspections and testing of properties for hazards or defects;
- (6) Purchase of insurance;

(7) Purchase of tools;

(8) Engineering or design costs;

(9) Technical assistance and training;

(10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;

(11) Payment of principal and interest on loans made or obligations guaranteed by HUD;

(12) Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5.

Level of Environmental Review Determination:

Activity/Project is Exempt per 24 CFR 58.34(a): All activities Exempt per 24 CFR 58.34.

Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

Funding Information

Grant Number	HUD Program	Funding Amount
18-421-000-B130	CDBG-DR Housing	\$2,349,747.24

Estimated Total HUD Funded Amount: \$2,349,747.24

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$186,038

Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6		
Airport Runway Clear Zones and Accident Potential Zones 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All activities Exempt per 24 CFR 58.34
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All activities Exempt per 24 CFR 58.34
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All activities Exempt per 24 CFR 58.34

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

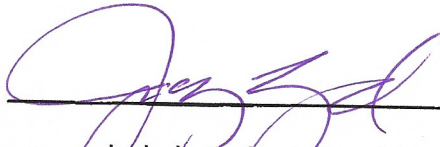
Law, Authority, or Factor	Mitigation Measure

Project Name

Project Locality and State

HEROS Number

Preparer Signature:



Date: 6/26/18

Name/Title/Organization: Judy Langford, President, Langford Community Management Svcs., Inc

Responsible Entity Agency Official Signature:



Date: 6/26/18

Name/Title: Debbie Ingalsbe Hays Co Commissioner

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

NOI/RROF or FONSI/RROF

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

Proof of Publication

Example:

- Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain
- Floodplain Notice of Explanation
- US Department of Housing and Urban Development Floodplain and Wetland 8 Step Process

**Early Notice and Public Review of a Proposed
Activity in a 100-Year/500-year Floodplain**

To: All interested Agencies, Groups and Individuals This is to give notice that Hays County has determined that the following proposed action under CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program DRS18421000B130 is located in the 100-year/500-year floodplain, and Hays County 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 Floodplain Management and Protection of Wetlands. The project is utilizing the HUD tiering method of environmental review where CDBG-DR funds are allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245. Funding will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program. Total available housing activity funds are \$2,349,747.24. Hays County Texas is approximately 677.98 square miles. The County approximates the following acreages located within the 100-year, 500-year and flood zones: Zone A: 1650 acres, Zone AE: 1620 acres, Zone AH: 60 acres; No Zone AO, 0.2 % annual chance: 540 acres, Zone X: 36,650 acres, Floodway: 740 acres. The proposed project(s) is located Hays County Does but does not include San Marcos, Hays County, Texas. Natural and beneficial values include rural, rural residential, residential and urban areas.

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 Hays County at the following address on or before August 2, 2019: Hays County 712 S. Stagecoach Trail, Ste. 1045 San Marcos, TX and (512) 393-2209. Attention: Lindsay McClune, Grant Writer. A full description of the project may also be reviewed from 9:00 am to 5:00 pm at 111 E San Antonio St., and www.co.hays.tx.us Comments may also be submitted via email at lindsay.mcclune@co.hays.tx.us

Date: July 18, 2019

Early Notice and Public Review of a Proposed Activity in a 100-Year/500-year Floodplain

To: All interested Agencies, Groups and Individuals

This is to give notice that Hays County has determined that the following proposed action under CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program DRS18421000B130 is located in the 100-year/500-year floodplain, and Hays County 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 Floodplain Management and Protection of Wetlands. The project is utilizing the HUD tiering method of environmental review where CDBG-DR funds are allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245. Funding will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program. Total available housing activity funds are \$2,349,747.24. Hays County Texas is approximately 677.98 square miles. The county approximates the following acreages located within the 100-year, 500-year and flood zones: Zone A: 1650 acres, Zone AE: 1620 acres, Zone AH: 60 acres; No Zone AO, 0.2 % annual chance: 540 acres, Zone X: 36,650 acres, Floodway: 740 acres. The proposed project(s) is located Hays County Does not Include San Marcos in Hays County, Texas. Natural and beneficial values include rural, rural residential, residential and urban areas.

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 Hays County at the following address on or before [month, day, year]: Hays County 111 E San Antonio, St., San Marcos, TX and [phone number], Attention: Ruben Becerra, County Judge. A full description of the project may also be reviewed from 9:00 am to 5:00 pm at 111 E San Antonio St., and www.co.hays.tx.us Comments may also be submitted via email at [email address].

Date:

**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 100-YEAR
FLOODPLAIN**

August 8, 2019

Hays County
111 E San Antonio St.,
San Marcos, Texas, 78666
512-393-2209

To: All interested Agencies, Groups and Individuals

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by Hays County, Texas. The proposed activities provide assistance to homeowners affected by the impacts of the 2015 floods.

REQUEST FOR RELEASE OF FUNDS

On or about August 26, 2019, Hays County will submit a request to the Texas General Land Office for the release of Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program funds under the Consolidated Appropriations Act, 2016 (Public Law 114-113), enacted on December 18, 2015, and the Consolidated Appropriations Act, 2017 (Public Law 115-31), enacted on May 5, 2017 to facilitate disaster recovery, restoration, and economic revitalization and to affirmatively further fair housing, in accordance with Executive Order 12892, in areas affected by the Texas Severe Storms to undertake a project known as Hays County Broad-Level Tiered Environmental Assessment, 18421000B130 for the purpose of the CDBG-DR funds allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245 assisting eligible applicants in Hays County. Total available housing activity funds as of today's date are \$2,349,747.24. The final number of projects funded will be based upon the number of eligible applicants and available funding. To facilitate environmental review of the proposed activities throughout the county, Hays County is implementing a tiered environmental review approach in accordance with HUD regulations at 24 CFR 58.15. The environmental Review Record (ERR) is tiered as an Environmental Assessment (24 CFR 58.35 subpart E) subject to laws and authorities at 24 CFR 58.5, 24 CFR 58.6, and NEPA analysis.

Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

This is to give notice that the Hays County 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 and Wetlands Protection. The activity is funded under the Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program under 18421000B130. The proposed project(s) is a Hays County Broad-Level Tiered Environmental Assessment. Hays County Texas is approximately 677.98 square miles. The county approximates the following acreages located within the 100-year, 500-year and flood zones: Zone A: 1650 acres, Zone AE: 1620 acres, Zone AH: 60 acres; No Zone AO, 0.2 % annual chance: 540 acres, Zone X:

36,650 acres, Floodway: 740 acres. The proposed projects are located in Hays County, Texas (excluding San Marcos). Natural and beneficial values include rural, rural residential, residential and urban areas.

Hays County 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) Many of the damaged homes are located within FEMA documented special flood hazard areas and not performing the activities would not preserve human health and the environment; 2) moving the activities to another location would not be feasible as the activities are for low-to-moderate income individuals who have no other resources to improve their conditions; 3) Construction outside the floodplain is not possible as the homes are located within flood prone areas.

Mitigation measures taken to minimize adverse impacts and restore and preserve natural and beneficial values where homes will remain within the 100-year floodplain will include but not be limited to construction to no less than two feet above the FEMA-designated base flood elevation and the homeowner will be required to obtain and maintain flood insurance. The activities will be in compliance with state and local floodplain protection procedures.

Hays County has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, 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 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.

FINDING OF NO SIGNIFICANT IMPACT

The Hays 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 Hays County, 712 S. Stagecoach Trail, Suite 1045, San Marcos, Texas, 78666, and may be examined or copied weekdays 9 A.M to 5P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Hays County. All comments received by Austin 23, 2019 will be considered by the Hays County prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing. Written comments regarding the Final Floodplain Notice must be received on or before August 15, 2019 by Ruben Becerra, County Judge at Hays County Courthouse, 111 E San Antonio St., San Marcos, Texas, 78666 or by phone 512-393-2209; email lindsay.mcclune@co.hays.tx.us. A full description of the project may be viewed at the address above during the hours of 9:00 AM to 5:00 pm.

ENVIRONMENTAL CERTIFICATION

The Hays County certifies to the GLO that Ruben Becerra in his/her 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. HUD's State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Hays County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

The GLO will accept objections to its release of fund and the Hays 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 Hays County (b) the Hays County 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/State; 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 Mr. Chris Reynolds at GLO via PO Box 12873, Austin, TX 78711-2873 or by email at chris.reynolds.glo@recovery.texas.gov. Potential objectors should contact the GLO to verify the actual last day of the objection period.

Ruben Becerra County Judge Hays County

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:

8-STEP PROCESS FOR PROJECTS WITHIN A 100 YEAR FLOODPLAIN

- Hays County (Project No. DRS 18421000B130 B130), 18421000
- Decision Process for E.O. 11988 as Provided by 24 CFR §55.20

Step 1: *Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions).*

Flood Allocation HAP & Buyout Hays Broad-Level Tiered Environmental Assessment
Hays County CDBG-DR 2015 Flood Allocation Housing Assistance and Buyout Program
The CDBG-DR funds allocated in response to the Texas Severe Storms, Tornadoes, Straight-line Winds, and Flooding from DR-4223 and 4245 will assist eligible applicants in Hays County through the Housing Assistance Program (HAP) and Buyout Program. Total available housing activity funds as of today's date are \$2,349,747.24.

Grantees can use CDBG-DR funds to buy properties, both commercial and residential, in a target area with the intent to demolish the structures and create park amenities, open space, or flood storage/overflow areas. Such programs are typically part of a multi-pronged approach to community revitalization that includes relocation of residents and businesses in addition to business development activities. Buyout programs are especially effective in communities that have endured multiple disasters in the same neighborhood in the recent past, or sustained severe damage where there is high risk of additional disasters, such as a 100-year flood plain. These programs can help reduce the impact of future disasters while encouraging targeted revitalization efforts and public spaces.

Hays County

Does not Include San Marcos, TX

The county approximates the following acreages located within the 100-year, 500-year and flood zones: Zone A: 1650 acres, Zone AE: 1620 acres, Zone AH: 60 acres; No Zone AO, 0.2 % annual chance: 540 acres, Zone X: 36,650 acres, Floodway: 740 acres. The proposed project(s) is located Hays County Does not Include San Marcos in Hays County, Texas. Natural and beneficial values include rural, rural residential, residential and urban areas.

Step 2: *Notify the public for early review of the proposal and involve the affected and interested public in the decision making process.*

A public notice describing the project was published in the San Marcos Record, the local and regional paper, on July 18, 2019. The ad targeted local residents, including those in the floodplain. A copy of the published notification was kept in the project's environmental review records and attached to this document. The required 15 calendar days were allowed for public comment. As required by regulation, the notice also included the name, proposed location and description of the activity, total number of floodplain acres involved, and the HUD official or responsible entity contact for information as well as the location and hours of the office at which a full description of the

proposed action can be viewed. Total numbers of acres in the 100-year flood plain include 1650- Zone A.
Natural values include: .

Comments from the public _____ to the project. Supporters indicated _____

FEMA and city engineers were contacted concerning mitigation requirements of the National Flood Insurance Program (NFIP) as well as local ordinances that must be implemented as part of NFIP.

Step 3: *Identify and evaluate practicable alternatives.*

The Hays County project site selection criteria are based upon qualifying applications and available funding.

Hays County 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) Many of the damaged homes are located within FEMA documented special flood hazard areas and not performing the activities would not preserve human health and the environment; 2) moving the activities to another location would not be feasible as the activities are for low-to-moderate income individuals who have no other resources to improve their conditions; 3) Construction outside the floodplain is not possible as the homes are located within flood prone areas.

Step 4: *Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.*

The project will have minimal direct and indirect impacts associated with floodplain development as the residences are preexisting and any impact would not be significantly different than current conditions.

If homes are bought out and removed, the floodplain would be impacted as restoration to previous residential existence would occur.

Step 5: *Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.*

Mitigation measures taken to minimize adverse impacts and restore and preserve natural and beneficial values where homes will remain within the 100-year floodplain will include but not be limited to construction to no less than two feet above the FEMA-designated base flood elevation and the homeowner will be required to obtain and maintain flood insurance

Step 6: *Reevaluate the Alternatives.*

Hays County has reevaluated the alternatives to building in the **floodplain** and has determined that it has no practicable alternative as individuals living within the 100-year floodplain who meet the low to moderate income threshold and have a qualifying application would not be able to recover from the impacts of being located within the 100-year floodplain and survive further flooding.

Step 7: *Determination of No Practicable Alternative*

It is our determination that there is no practicable alternative for partially locating the project in the flood zone. This is due to: 1) the need to rehab the proposed area to prevent ongoing deterioration; 2) an alternate location would not be financially feasible nor practicable; 3) the ability to mitigate and minimize impacts on human health, public property, and floodplain values.

A final notice was published detailing the reasons why the modified project must be located in the floodplain, a list of alternatives considered, and all mitigation measures taken to minimize adverse impacts and preserve natural and beneficial floodplain values. No concerns were expressed by the public concerning this notice. Publication date of August 8, 2019 in the San Marcos Record.

Step 8: *Implement the Proposed Action*

The city will assure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. The County will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

AUGF

**Broad-Level Tiered Environmental Assessment
Determinations and Compliance Findings for HUD – assisted Projects
Pursuant to 24 CFR Part 58
Hays County CDBG-DR 2015
Flood Allocation Housing Assistance
and Buyout Program**

EXHIBIT B – SITE SPECIFIC INFORMATION

Site-Specific Review Checklist

Homeowner Assistance Program – v6

(For use following EA-level environmental broad review for rehabilitation, reconstruction, replacement, new construction, elevation and mitigation of owner-occupied, single-family residential buildings)

Contract / Work Order																
Program Name	Homeowner Assistance Program															
Applicant Name																
Street Address / City																
County / Zip																
Tax Parcel ID / X,Y Coord																
Final Notice Publication	{see County level Broad Review}															
RROF / AUGF Dates	{see County level Broad Review}															
Project Description	<p>A county-level environmental assessment Broad Review and 8-Step Floodplain Analysis was completed for GLO's Homeowner Assistance Program. This is a site-specific review for activities eligible under the Program. The following review topics were identified as not requiring further analysis: Coastal Barrier Resources; Coastal Zone Management; Clean Air; Noise Abatement and Control; Sole Source Aquifers; Wild and Scenic Rivers; and Environmental Justice.</p> <p>Using the Broad Review, this project is categorized as Proposed Action {1, 2 3 OR 4 – add comments to clarify as needed}.</p>															
Construction Actions	<p>Select all actions that will be performed during construction:</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Rehabilitation – interior only</td> <td><input type="checkbox"/> Demolishing / removing storm-damaged building</td> </tr> <tr> <td><input type="checkbox"/> Rehabilitation – exterior</td> <td><input type="checkbox"/> Reconstruction – same footprint (+/-20% original 1st floor)</td> </tr> <tr> <td><input type="checkbox"/> Elevation</td> <td><input type="checkbox"/> Reconstruction – expanded footprint (>20% original)</td> </tr> <tr> <td><input type="checkbox"/> Building addition</td> <td><input type="checkbox"/> Reconstruction – new footprint (different parcel location)</td> </tr> <tr> <td><input type="checkbox"/> Excavating new well</td> <td><input type="checkbox"/> Replacement - manufactured home</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Abandoning, repairing or replacing septic system</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Other – {specify }</td> </tr> </table> <p>NOTE: If project changes from rehab to reconstruction, or elevation is added after project was approved, GLO Environmental must be notified and provide written approval before proceeding.</p>		<input type="checkbox"/> Rehabilitation – interior only	<input type="checkbox"/> Demolishing / removing storm-damaged building	<input type="checkbox"/> Rehabilitation – exterior	<input type="checkbox"/> Reconstruction – same footprint (+/-20% original 1 st floor)	<input type="checkbox"/> Elevation	<input type="checkbox"/> Reconstruction – expanded footprint (>20% original)	<input type="checkbox"/> Building addition	<input type="checkbox"/> Reconstruction – new footprint (different parcel location)	<input type="checkbox"/> Excavating new well	<input type="checkbox"/> Replacement - manufactured home	<input type="checkbox"/> Abandoning, repairing or replacing septic system		<input type="checkbox"/> Other – {specify }	
<input type="checkbox"/> Rehabilitation – interior only	<input type="checkbox"/> Demolishing / removing storm-damaged building															
<input type="checkbox"/> Rehabilitation – exterior	<input type="checkbox"/> Reconstruction – same footprint (+/-20% original 1 st floor)															
<input type="checkbox"/> Elevation	<input type="checkbox"/> Reconstruction – expanded footprint (>20% original)															
<input type="checkbox"/> Building addition	<input type="checkbox"/> Reconstruction – new footprint (different parcel location)															
<input type="checkbox"/> Excavating new well	<input type="checkbox"/> Replacement - manufactured home															
<input type="checkbox"/> Abandoning, repairing or replacing septic system																
<input type="checkbox"/> Other – {specify }																
Environmental Finding	<p><input type="checkbox"/> The proposed activity conditionally complies with environmental requirements for funding.</p> <p><input type="checkbox"/> The proposed activity does not comply with environmental requirements for funding because (state topic(s) that makes it ineligible).</p>															

Environmental Site-Specific Conditions to be Addressed During Construction			
	Category	Inspection Checkpoints (0, 50%, 100%)	
Historic Preservation			
[]	[]	City Historic Preservation Commission permits	0, 50%, 100%
	[]	Use of historically acceptable building materials	
	[]	Specific historic building exterior design	
	[]	Setback restrictions	
[X]	Required to report unusual buried cultural materials	When occurs	
Floodplain, Elevation and Insurance			
[]	V-zone engineering design standards created	0%	
[]	Damaged building is in floodway and must be entirely removed.	0%, 100%	
[]	Elevation to required level above BFE.	100%	
[]	Opt-in Elevation.	100%	
[]	Purchase and maintain NFIP flood insurance	100%	
Coastal Zone Management			
[]	Coastal zone management conditions	0%, 100%	
Hazardous Materials			
[]	Lead-based paint hazard noted:		
	[]	Assuming present. Requires controls and clearance report	50%, 100%
	[]	LBP testing report results negative	0%
	[]	LBP testing report positive. Requires controls and clearance	50%, 100%
[]	Demolition debris must go to authorized landfill.	100%	
[]	Asbestos hazard noted:		
	[]	Assuming present. Requires controls and clearance.	100%
	[]	Asbestos testing report results negative	0%
[]	Asbestos testing report positive. Requires controls and clearance.	100%	
[]	Mold remediation protocol requires controls and clearance	100%	
[]	Other hazardous material(s) identified that require mitigation	0%, 100%	
[]	Debris present that must be segregated to authorized landfill	Demo or 100%	
Other			
[]		Call GLO	
[]		Call GLO	
[]		Call GLO	
Builder's Pre-Construction Meeting Receipt Acknowledgement			
Builder's Representative		Date:	
Builder's Signature			

GENERAL ENVIRONMENTAL GRANT CONDITIONS FOR CONSTRUCTION

1. Acquire all required federal, state, and local permits prior to commencement of construction and comply with all permit conditions.
2. Must meet Green Building Standards as defined by one or more of the following categories: ENERGY STAR; EPA Indoor AirPlus; LEED; and/or ICC-700 National Green Building Standards
3. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted to GLO for reevaluation under NEPA.

Historic Preservation

4. If project construction uncovers significant archaeological deposits (such as Native American pottery, stone tools, bones, or human remains), the applicant agrees to immediately stop all work in that area and inform the Program. Work will not commence again in that area until the Program has conferred with the State Historic Preservation Office (SHPO) and/or Native American Tribes and informed the applicant that work can re-commence.

Migratory Species

5. If project construction will occur on a new footprint and clearing of potential migratory bird habitat will occur within 50 feet of the construction site between March 15 and September 15, then a nest survey must be undertaken by a qualified biologist. If nests are identified, then a minimum 50-foot buffer from the work is required until the nest is no longer active. If an active migratory bird nest is incidentally disturbed during clearing, then the contractor shall collect and immediately transport the eggs to a wildlife rehabilitator. The GLO shall be notified of this action by the contractor so it can be placed into the ERR.

Floodplain Management and Flood Insurance

6. All proposed reconstruction, manufactured housing replacement, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or local municipal and county floodplain zoning requirements, whichever is more strict.
7. All residences in, or partially in, the 100-year floodplain shown on the current effective FEMA Flood Insurance Rate Map must be covered by flood insurance and the flood insurance must be maintained per program guidelines.
8. Applications approved to build within the "Coastal High Hazard" areas ("V" or "VE" Zones shown on the current effective FEMA Flood Insurance Rate Map) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation [44 CFR 60.3\(e\)](#) as required by HUD Regulation 24 CFR 55.1(c)(3).

Wetlands Protection and Water Quality

9. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.
10. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.

Noise Quality

11. Outfit all heavy equipment with operating mufflers.
12. Comply with the applicable local noise ordinance.
13. If application site is in a high noise area then use appropriate Green Building Standard methods (see Condition 2) to attenuate.

Air Quality

14. Use water or chemical dust suppressant in exposed areas to control excessive dust.
15. Cover the load compartments of trucks hauling dust-generating materials.
16. Reduce vehicle speed on non-paved areas and keep paved areas clean.
17. Retrofit older equipment with pollution controls.
18. Establish and follow specified procedures for managing contaminated materials discovered or generated during construction.
19. Employ spill mitigation measures immediately upon a spill of fuel or other hazardous material.
20. Minimize idling and ensure that all on-road vehicles and non-road construction equipment operated or visiting the project site comply with all applicable local and county regulations.

Hazardous Materials

21. All activities must comply with federal, state, and local laws and regulations regarding asbestos, including if applicable the following:
 - National Emission Standard for Asbestos, standard for demolition and renovation, [40 CFR 61.145](#)
 - National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, [40 CFR 61.150](#)
22. Applicant must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g. asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods).
23. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to HUD's lead-based paint regulations in 24 CFR 35(b)(h)(j) and GLO's Lead-Based Paint Mitigation Policy Standard Operating Procedure.
24. Project rehabilitation and new construction shall apply appropriate materials and construction techniques to prevent radon gas contamination, where warranted (<https://www.epa.gov/radon/radon-resources-builders-and-contractors>).
25. Upon completion all rehabilitated residential dwellings must be free of mold attributable to Hurricane Harvey.
26. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks.
27. Storage tanks installed below the base flood elevation, where applicable, must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

Site Specific Checklist

1. Historic Preservation

(36 CFR 800)

A. Programmatic Agreement Review

Above Ground Resources

- Storm-damaged building was demolished and removed prior to HAP application.
- Project area is exempted from formal SHPO review as storm-damaged residence is outside all designated historic districts and:
 - has been verified by an architectural historian to be less than 45 years in age (Article V(a)(4) **or**
 - All project activities meet the following Exemption Allowance(s) listed in Attachment A of the PA.

{List Applicable Attachment A Allowance(s)}

Name of SOI qualified professional:

{Name}

(Above Ground Review concluded)

Archaeological Resources

- Project area is exempted from formal SHPO review as there are:
 - No known archaeology sites on the Sites Atlas within 100 m of the project.
 - No water features or wetlands within 100 m of the project (check required for Proposed Actions 3 and 4 only).

Name of SOI qualified professional:

{Name}

(Archaeology Review concluded)

*If both Above Ground Resources and Archaeological Resources are checked, the historic preservation review is complete and has a Section 106 finding of **No Historic Properties Affected**. If neither or only one review topic is completed above the remaining topic(s) must be assessed by completing the section following.*

B. Standard Project Review: SHPO/Tribal Consultation Performed

- No above ground Section 106-defined historic properties in Area of Potential Effects. **No Historic Properties Affected Determination.** SHPO concurrence on file. **(Above Ground Review Concluded)**
- Individual historic properties or historic districts are located within the Area of Potential Effect.
 - No Adverse Effect Determination** (SHPO concurrence on file)
Are project conditions required?
 - No **(Above Ground Review Concluded)**
 - Yes. Attach conditions. **(Above Ground Review Concluded)**
 - Adverse Effect Determination** (SHPO concurrence on file)
 - Mitigation not possible. **(APPLICATION CANNOT PROCEED)**
 - Adverse Effect Resolved

- Consultation conducted with SHPO and Native American Tribes (list in comments) for NRHP-eligible archaeological resources.
 - Project area assessed as having low potential for archaeological resources
 - No Historic Properties Affected Determination** (SHPO/THPO concurrence or consultation on file). **(Archaeological Review Concluded)**
 - Archaeological materials identified in Area of Potential Effect through consultation or fieldwork.
 - No Historic Properties Affected Determination** (SHPO/THPO concurrence or consultation on file). **(Archaeological Review Concluded)**.
 - No Adverse Effect Determination** (SHPO/THPO concurrence on file)
Are project conditions required?

<input type="checkbox"/> Using measure(s) listed in PA (SHPO concurrence on file.) <input type="checkbox"/> Separate MOA on file Are project conditions required? <input type="checkbox"/> No (Above Ground Review Concluded) <input type="checkbox"/> Yes. Attach conditions. (Above Ground Review Concluded) <input type="checkbox"/> OTHER (state finding).	<input type="checkbox"/> No (Archaeological Review Concluded) <input type="checkbox"/> Yes. Attach conditions. (Archaeological Review Concluded) <input type="checkbox"/> Adverse Effect Determination (SHPO/THPO concurrence on file) <input type="checkbox"/> Mitigation not possible. (APPLICATION CANNOT PROCEED) <input type="checkbox"/> Adverse Effect Resolved <input type="checkbox"/> Using measure(s) listed in PA (SHPO concurrence on file.) <input type="checkbox"/> Separate MOA on file Are project conditions required? <input type="checkbox"/> No (Archaeological Review Concluded) <input type="checkbox"/> Yes. Attach conditions. (Archaeological Review Concluded) <input type="checkbox"/> OTHER (state finding).
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Comments:

2. Floodplain Management and Flood Insurance

(EO 11988, 24 CFR 55, and 24 CFR 58.6)

The proposed application property is:

- Entirely outside a SFHA/100-year floodplain (A and/or V zone). Attach appropriate floodplain map showing site location. (Complies with EO 11988, 24 CFR 55, and 24 CFR 58.6.)
 - The applicant is not required to elevate and has not elected to elevate. (Analysis complete)
 - The damage assessment verified that the building was damaged by flooding and the applicant is not required to elevate, but has elected to do so. (Add site-specific condition. Analysis complete)
- Partially or entirely within a 100-year floodplain (SFHA: **state A or V**). Requires NFIP flood insurance.

The project building site itself is **select not, partially or entirely** within the 100-year floodplain.

If the building is partially or entirely within the SFHA then the following additional condition applies:

- The storm-occupied dwelling is being rehabilitated, is not substantially damaged (as defined by [44 CFR 59.1](#)) and does not require elevation. Attach documentation including ECR. (Analysis complete)
- The damage assessment verified that the building was damaged by flooding and the applicant is not required to elevate, but has elected to do so. (Add site-specific condition. Analysis complete)
- The dwelling is required to be elevated as a condition of funding. (Add site-specific condition. Analysis complete)

- The dwelling is required to be elevated AND the design must use V-Zone compliant building standards and materials. (Add site-specific condition. Analysis complete)
- Partially or entirely within a NFIP-designated floodway. GLO / HUD consultation required.
 - Consultation stated the application activities could occur with specified condition(s). Attach documentation and state conditions required. (Analysis complete)
 - Consultation stated activity does not comply with EO 11988, 24 CFR 55, and 24 CFR 58.6. Attach appropriate floodplain map showing site location. **(APPLICATION CANNOT PROCEED)**. (Analysis complete)
- OTHER (state finding).

Comments:

3. Wetlands Protection

(EO 11990 and Clean Water Act, especially Section 404)

Are there wetlands or aquatic features present at or adjacent to any proposed application work area?

- No. There are no wetlands present. Attach appropriate documentation. (Analysis complete)
- Yes. Will the proposed activity negatively affect the wetland?
 - No. Outside wetlands or mitigation actions will be enacted to avoid wetland impacts. Attach document or site-specific condition outlining why wetland will not be affected. (Analysis complete)
 - Yes. Possible adverse effect associated with constructing in wetlands.
 - 8-step process complete?
 - Yes. The 8-step decision-making process was completed. Activity complies with EO 11990 and the Clean Water Act. (Analysis complete).
 - No. The 8-step decision-making process was not completed or is not in compliance. **APPLICATION CANNOT PROCEED.** Attach documentation. (Analysis complete)
- OTHER (state finding).

Comments:

4. Endangered Species

(16 USC 1531 et seq., 50 CFR Part 402)

Will the application site work be limited to the pre-storm construction footprint?

- Yes. **No Effect** determination. No significant hazard to species of concern or their habitats exists. (Analysis complete)
- No. Work will involve an expanded or different construction footprint (Proposed Action 3 or 4). Further evaluation was required. Did a desktop review and/or site visit by a qualified ecologist identify any potential protected species or their habitat?
 - No. Attach biologist's desktop report or memorandum. (Analysis complete).
 - Yes. Potential habitat present but **No Effect** determination was made. No significant hazard to species of concern exists. Attach biologist's desktop report or memorandum. (Analysis complete)
 - Yes and **Not Likely to Adversely Affect** determination was made.
 - Project was moved to different approved location, USFWS consultation was performed and/or mitigation actions were designed that allow for a **No Effect** final determination. Attach documentation and state conditions required. (Analysis complete)
 - Consultation under Section 7 of the Endangered Species Act was needed. Attach documentation and state conditions required when complete. (Analysis complete)

- Yes and **Likely to Adversely Affect** determination was made.
 - Project was moved to different approved location, USFWS consultation was performed and/or mitigation actions were designed that allow for a **No Effect** final determination. Attach documentation and state conditions required. (Analysis complete)
 - Consultation under Section 7 of the Endangered Species Act was needed and completed. Attach documentation and state conditions required. (Analysis complete)
 - Adverse Effect factors could not be cleared. **APPLICATION CANNOT PROCEED.** (Analysis complete)
- OTHER (state finding).

Comments:

5. Farmland Protection

(7 C.F.R. Part 658)

- Activities are contained within the applicant's pre-storm property (Proposed Actions 1-3). Compliance determined in environmental assessment broad review. (Analysis complete)
- Is the new building on a new parcel (Proposed Action 4) that is located within farmlands designated as prime, unique or of statewide or local importance?
- No. Document finding through map. (Analysis complete)
 - Yes. Is further review required?
 - No. Project is exempt through prior conversion to urban lands. Document finding. (Analysis complete)
 - Yes. Does the NRCS Form AD-1006 calculate a score less than 160?
 - Yes. Property does not meet preservation threshold. Attach AD-1006 form. (Analysis complete)
 - No. Score is greater than 160 but consultations between GLO and USDA will permit project to proceed. Attach appropriate documentation. (Analysis complete)
 - No. Score is greater than 160 and GLO has determined through consultations with USDA that project would have negative effect. **APPLICATION CANNOT PROCEED.** (Analysis complete)
 - OTHER (state finding).

Comments:

6. Contamination and Toxic Substances

(24 CFR Part 58.5(i)(2))

Please complete all three subsections below.

- Are hazardous facilities of concern located within the specified review distance? (see policies and procedures document for facilities list and the review radii for database search)
 - No. Provide map. (Subsection Analysis Complete)
 - Yes. Were additional site assessments necessary?
 - No. Attach tables or other documentation that summarize each hazard within the review distance plus an internal report or agency communication that justifies the hazards from the facility do not pose a threat to the property and that no further action is required. (Subsection Analysis Complete)

- Yes. Study performed and assessment results show that the action site is not affected by hazardous, contaminated or toxic materials from the facility. Attach report. (Subsection Analysis Complete)
- Yes. Study performed and assessment results show that the action site is affected by hazardous, contaminated or toxic materials from the facility, but appropriate mitigation actions will nullify the condition. Attach report with mitigation requirements. (Subsection Analysis Complete)
- Yes. Study performed and assessment results show that the action site is affected by hazardous, contaminated or toxic materials from the facility and no mitigation actions can nullify the condition. **APPLICATION CANNOT PROCEED.** (Subsection Analysis Complete)
- Are potential hazards (excluding lead-based paint, asbestos, mold and non-toxic debris – see next subsection) located on the application property?
 - No. (Subsection Analysis Complete)
 - Yes. Were additional site assessments necessary?
 - No. Attach report or agency communication that justifies no further action is required. (Subsection Analysis Complete).
 - Yes. Study results show that application action site is not affected by hazardous, contaminated or toxic materials. Attach report. (Subsection Analysis Complete)
 - Yes. Study results show that application action site is affected by hazardous, contaminated or toxic materials but appropriate mitigation actions will nullify the condition. Attach report with mitigation requirements. (Subsection Analysis Complete)
 - Yes. Assessment results show that application action site is affected by hazardous, contaminated or toxic materials and no mitigation actions can nullify the condition. **APPLICATION CANNOT PROCEED.** (Subsection Analysis Complete)
- Are lead-based paint, asbestos, mold or non-toxic debris hazards potentially located on the application property? (Assume yes for LBP on any residence built before 1978 and yes for asbestos on any residence built before 1982).
 - No. (Subsection Analysis Complete)
 - Yes. Specify all that apply: Asbestos Lead-Based Paint Mold Debris
 - Are hazard controls or additional site assessments required?
 - No. Attach site inspection report or agency communication that justifies no further action is required. (Subsection Analysis Complete).
 - Yes. Application must follow appropriate hazard protocols during work on the application site. Add Site-Specific Condition below. (Subsection Analysis Complete)

OTHER (state finding).

Comments:

7. Explosive and Flammable Hazards

(24 CFR Part 51, Subpart C)

Under HUD Region VI interpretation of 24 CFR Part 51.201 this section requires that there will be no increase in the number of housing units on the property than existed before Hurricane Harvey. If that is not the case, contact GLO Environmental for site-specific guidance.

Will the proposed activity increase the number of housing units on the property from what was in existence before Hurricane Harvey?

- No. **In compliance.** (Analysis complete)

- Yes. Would the new application construction footprint be within the acceptable separation distance (ASD) from a stationary aboveground storage tank (AST) that is greater than 100 gallons in volume, within 1 mile of the subject property and holds an explosive or combustible substance?
- No. **In compliance.** Document finding. (Analysis complete)
- Yes but mitigating factors or actions will allow the application site to proceed. Document the ASD calculation and the mitigating factors. Consulted with GLO Environmental and received approval. Document finding. (Analysis complete)
- Yes and mitigating factors or actions are not possible that will allow the application site to proceed. Consulted with GLO Environmental and received approval. Document the finding. **APPLICATION CANNOT PROCEED.** (Analysis complete)
- OTHER (state finding).

Comments:

8. Airport Hazards

(24 CFR Part 51, Subpart D)

Is the activity site within 2,500 feet of a civil commercial service airport or within 15,000 feet of a military airport?

- No. Attach map. (Analysis complete)
- Yes. Further review is required. Contact the airport operator. Did they respond with a statement there is a concern with the application proceeding?
- No. Operator replied and stated there is no concern. Attach documentation. (Analysis complete)
- No. Operator did not reply. Applicant was informed in writing that they may be located within a zone that could be acquired by the airport at a later date. Attach documentation. (Analysis complete)
- Yes. Operator replied and stated there is a concern. After consultation with the operator the GLO has decided to approve the application with conditions. Attach documentation and list conditions. (Analysis complete)
- Yes. Operator replied and stated there is a concern. After consultation with the operator the GLO has decided to not approve the application. **APPLICATION CANNOT PROCEED.** Attach documentation. (Analysis complete)
- OTHER (state finding).

Comments:

Site-Specific Environmental Conditions Summary

- Based on the above review, there are no site-specific environmental conditions that are required for the Project to proceed. All general conditions listed in the county's environmental broad review document must be applied, where appropriate.
- Based on the above review, all applicable general conditions listed in the county's environmental broad review document must be applied, plus the following site-specific environmental conditions ARE required for the Project to proceed:
- 1) *[list all applicable conditions identified above, e.g., flood insurance, elevation, hazardous material remediation, etc.]*

General Land Office Review (GLO-approved staff only)

The Site-Specific Review is complete and the Project may be funded with the condition(s) listed above plus any listed here:

Additional Condition(s):

GLO Reviewer:

Date:

The Site-Specific Review is complete and the Project **MAY NOT** be funded due to the following reason(s).

Reason(s):

GLO Reviewer:

Date:

The Site-Specific Review is incomplete. The following information is needed.

Deficiencies:

GLO Reviewer:

Date: