



Texas General Land Office Community Development & Revitalization Program

Environmental Review Record for:
Burleson County

Project Title/ERR Description

Burleson Co - 24-065-057-E567-Street-Drainage
(Flood and Drainage Improvements)

GLO#: 24-065-057-E567 / B-18-DP-48-0002

Type of Review: EA

Prepared by: Cave Consulting, Inc.

Date: 2025

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Authorization to Use Funds

Request Release of Funds

FONSI

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
AND INTENT TO REQUEST RELEASE OF FUNDS

Date of Notice Posting: January 23, 2025

Project Name: Burleson Co - 24-065-057-E567-Street-Drainage
Responsible Entity: Burleson County
State/Local Identifier: 24-065-057-E567 / B-18-DP-48-0002

Contact:

Burleson County
100 West Buck St.
Caldwell, TX 77836
PHONE: (979) 567-2333
Email: contact@burlesoncounty.org

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by Burleson County.

REQUEST FOR RELEASE OF FUNDS

On or about **February 12, 2025**, Burleson County, will submit a request to the General Land Office (GLO) for the release of Community Development Block Grant Mitigation (CDBG-MIT) funds appropriated under the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Pub. L. 115-123), as amended to undertake a project known as **Burleson Co - 24-065-057-E567-Street-Drainage, 24-065-057-E567 / B-18-DP-48-0002** for the purpose of **providing improved storm drainage and roadways to the residents in the project area and to help mitigate localized flooding and provide adequate evacuation routes for residents and EMS responders.**

Project Location:

All work will occur in Burleson County, Texas in the following locations:

- Chestnut Dr. from Elm Dr. to 70' northwest of Wagon Trail
- Mallard Rd. from Mallard Drive Bridge southwest 150' (30.44084, -96.55978)

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

Chestnut Dr. Street and Drainage Improvements

Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances.

- Crushed Rock - 2,000 TON
- Cement - 80 TON

Mallard Rd. Street and Drainage Improvements:

Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances.

- 10'x10' Box Culverts - 150 LF
- Cement Stabilized Sand - 25 TON
- Select Fill - 1,100 TON
- Crushed Rock - 1,300 TON

Project forecast cost: \$1,076,300 and will be paid for with \$1,076,300 in HUD CDBG-MIT grant funds administered by the General Land Office.

Project Issues: Endangered Species, Floodplain Management and Historic Preservation: A full, detailed list of mitigation measures can be found in the Environmental Review Record.

Project Size and Beneficiaries

The total area of disturbance will be 7.0 acres and will impact 598 persons. Of those persons, 392 or (65.55%) are of low to moderate income.

FINDING OF NO SIGNIFICANT IMPACT

Burleson 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 **Burleson County, 100 West Buck St., Caldwell, TX** and may be examined or copied weekdays 9 A.M to 4 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to **Burleson County, 100 West Buck St., Caldwell, TX 77836**. All comments received by **February 11, 2025** or within eighteen (18) days following this posting (whichever is later) will be considered by Burleson County prior to authorizing submission of a request for release of funds. Comments should specify which part of this Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

Burleson County certifies to GLO that **Keith Schroeder**, in their 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. GLO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows Burleson County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

GLO will accept objections to its release of funds and Burleson County's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of Burleson County; (b) Burleson 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 GLO; 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 Heather Lagrone, Texas General Land Office, PO Box 12873, Austin, TX 78711-2873, env.reviews@recovery.texas.gov. Potential objectors should contact GLO to verify the actual last day of the objection period.

Keith Schroeder, County Judge



Todd Cave <todd@caveconsulting.com>

Burleson Co-MIT- 24-065-057-E567-Street-Drainage

1 message

Todd Cave <todd@texasenvironmentals.com>
To: houston.robert@epa.gov

Sat, Jan 18, 2025 at 9:35 AM

Robert,

Attached is the FONSI which will be posted for the above project.

Please let me know if you have any questions.

Thanks,

Todd Cave, President
(214) 307-4161
texasenvironmentals.com



 **Burleson Co-MIT- 24-065-057-E567-Street-Drainage_fonsi - Google Docs.pdf**
142K

Checklists

**Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: Burleson Co - 24-065-057-E567-Street-Drainage

Responsible Entity: Burleson County

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: 24-065-057-E567 / B-18-DP-48-0002

Preparer: Todd Cave, Cave Consulting, Inc.

Certifying Officer Name and Title: Keith Schroeder, County Judge

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Public Management, Inc.

Direct Comments to:

Burleson County

100 West Buck St.

Caldwell, TX 77836

PHONE: (979) 567-2333

Email: contact@burlesoncounty.org

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- Cement Stabilized Sand - 25 TON
- Select Fill - 1,100 TON
- Crushed Rock - 1,300 TON

Federal Involvement: HUDState Involvement:

The project occurs on land or property owned by a political subdivision of the State of Texas:

Name of Owner: Burleson County

Ground Disturbance:

This project involves ground-disturbing activities:

- Chestnut Drive – 2.5 Acres / Max depth of 3 feet
- Mallard Drive – 4.5 Acres / Max depth of 12 feet

Previous Land Use:

The ROW and streets where the work will occur have been in existence for years.

Historic Properties: Structures:

The project area or area of potential effects does not include buildings, structures, or designed landscape features (such as parks or cemeteries) that are 45 years of age or older.

The project area or area of potential effects is not within or adjacent to a property or district that is listed in or eligible for listing in the National Register of Historic Places.

There are no buildings, structures, and/or landscape features within the project area or area of potential effect that are 45 years of age or older.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The purpose of this project will provide an improved storm drainage and roadways to the residents in the project area to help mitigate localized flooding and provide adequate evacuation routes for residents and EMS responders.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Mallard Road is subject to frequent flooding from Berry Creek and is the only access to over 100 lots of the Beaver Creek Subdivision. These proposed improvements would greatly improve drainage within the Beaver Creek area and minimize the amount of standing water at the entrance to the subdivision when severe flooding occurs. During previous storms, residents have been trapped in and out of the community due to high flood waters. These improvements should mitigate future flooding in the area.

Chestnut Drive is an unimproved section of the Cade Lakes Subdivision that is comprised of loose sugar sand with little to no drainage facilities. The sand washes easily and makes the road impassable for residents and emergency vehicles. Improving this segment of roads will ensure residents are able to safely evacuate and receive emergency services in future disaster events.

The current road and drainage conditions inhibit residents and safety officials from easily entering or exiting the community during storms. These proposed improvements will allow residents to safely evacuate during storms or promptly receive emergency services when needed. The existing roads easily wash away during rain events causing a hazard to local residents.

The proposed improvements are not expected to affect population growth.

Funding Information

Grant Number	HUD Program	Funding Amount	Local Funds	Total
24-065-057-E567 / B-18-DP-48-0002	CDBG-MIT	\$1,076,300	\$0	\$1,076,300

Estimated Total HUD Funded Amount: \$1,076,300

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

Project forecast cost \$1,076,300 and will be paid for with \$1,076,300 in HUD CDBG-MIT grant funds administered by the General Land Office.

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.

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"/>	According to NEPAassist maps and a Military Bases Map the project is not within 2,500 feet of a civilian airport or within 15,000 feet of a military airport. No impact/effect anticipated and review is in compliance with 24 CFR Part 51 Subpart D. (see Airport Hazards)
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"/>	According to the GLO Coastal Barrier Map, the project is not located within a coastal barrier area. No impact/effect anticipated and review is in compliance with the Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]. (See Coastal Barriers)

<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> X</p>	<p>The project is located in a FFRMS floodplain: See Floodplain Management</p> <p>According to the FEMA Community Status Report Book, Burleson County is participating in the National Flood Insurance Program. Further, flood insurance is not required for this project.</p> <p>No impact/effect anticipated and review is in compliance with the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] . (See Flood Insurance and Floodplain Management)</p>
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the EPA Texas County Nonattainment/Maintenance Status, Burleson County is not considered a Non-Attainment area.</p> <p>No further action is required.</p> <p>No impact/effect anticipated and review is in compliance with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93. (See Clean Air)</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the GLO, the project is not located in a Coastal Zone and will not require consistency review.</p> <p>Review is in compliance with the Coastal Zone Management Act, sections 307(c) & (d). (See Coastal Zone Management)</p>

<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Onsite observation revealed no visual evidence of potential contaminated soil nor the presence of hazardous facilities which could be a source of potential soil contamination.</p> <p>After searching the following state/federal databases, potential sources of contamination which could pose a hazard or would restrict the intended uses of the property or to the occupants were identified:</p> <p>State Databases:</p> <ul style="list-style-type: none"> ● Industrial and Hazardous Waste (IHW); ● Petroleum Storage Tanks (PST); ● Leaking Petroleum Storage Tanks (LPST); ● Brownfield Site Assessments (BSA); ● State superfund (SF); ● Municipal Solid Waste Landfill Sites (MSWLF); and ● Radio Active Materials ● Superfund ● Voluntary Cleanup ● Closed and Abandoned Landfill Inventory (County). <p>Federal (NEPA Assist Databases):</p> <ul style="list-style-type: none"> ● National Priorities List (NPL); ● Resource Conservation and Recovery Act – Corrective Action (RCRAC); ● Resource Conservation and Recovery Act – Generator (RCRAG); ● Brownfield Management System (BF); ● Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) ● EPA - Cleanup Sites
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		<p>Potential Sources of Contamination:</p> <p><u>Chestnut</u></p> <ul style="list-style-type: none">• Three (3) Municipal - No Permit facility within ½ mile of the project area <p>The County considered the necessity to have a ASTM Phase I Environmental Soil Analysis completed and rejected the idea for the following reasons:</p> <ul style="list-style-type: none">• None of the Municipal - No Permit Facilities had Enforcement Orders.• The project will occur above the water line.• The project does not include a habitable structure. <p>No Impacts anticipated.</p> <p>Review is in compliance with 24 CFR Part 50.3(i) & 58.5(i)(2) . (See Contamination and Toxic Substances)</p>
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<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> X</p>	<p>CHESTNUT</p> <p>On-site inspection, review of the TPWD County Species List and consultation with the USFWS and TPWD revealed the following:</p> <p>USFWS: <u>Endangered Species:</u> There are a total of twelve (12) threatened, endangered or candidate species that may occur or could potentially be affected by activities in the general project area:</p> <ul style="list-style-type: none"> ● Tricolored Bat (<i>Perimyotis subflavus</i>) ● Piping Plover (<i>Charadrius melodus</i>) ● Red Knot (<i>Calidris canutus rufa</i>) ● Whooping Crane (<i>Grus americana</i>) ● Houston Toad <i>Bufo houstonensis</i> ● Monarch Butterfly (<i>Danaus plexippus</i>) ● Navasota Ladies-tresses <i>Spiranthes parksii</i> <p>After review of the habitat requirements, it was determined that no habitat is present as all work will occur along an existing roadway within an area of the City that is frequently disturbed.</p> <p><u>Critical Habitat:</u> None exists.</p> <p><u>Wildlife Refuges and Fish Hatcheries:</u> None exist.</p> <p><u>Wetlands in the National Wetlands Inventory:</u> On-site observation indicated no visual indication of the presence of wetlands such as hydrology (water), hydric soils, or wetland vegetation.</p> <p>According to the USFWS wetland map there are no wetlands in or near the project area.</p>
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		<p>According to the project engineer, no construction activity is proposed within the canal right-of-way.</p> <p><u>Migratory Birds</u> The habitat for no migratory birds exists in the project area as all work will occur along an existing roadway within an area of the City that is frequently disturbed.</p> <p>MALLARD ROAD <u>ESA Listed Species</u> According to a Protected Species Habitat Assessment, the following was concluded:</p> <p>Tricolored bats typically roost in trees of deciduous hardwoods and forage along tree lines and over ponds and waterways. Hardwood canopy cover is present immediately adjacent to the study area; therefore, if impacts to this habitat were to occur during construction the project may affect this species. However, it is assumed that impacts would be relegated to within the existing ROW and <u>therefore impacts to tricolored bat are unlikely.</u></p> <p>Houston toad rely on deep sandy soils associated with wetlands and upland canopy cover. These soil types are present in areas immediately adjoining the study area. Therefore, the properties adjoining the study area may contain potentially suitable habitat for the Houston Toad. If impacts to this habitat were to occur during construction, the project may affect this species. However, it is assumed that impacts would be relegated to within the existing ROW and <u>therefore impacts to Houston toad are unlikely.</u></p>
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		<p>Monarch butterfly breeding habitat is associated with milkweed presence. Species of milkweed in the genus <i>Asclepias</i> were not observed within the study area, however; wildflower species adjoining the study area could provide potential stopover habitat during migration. Therefore, the properties adjoining the study area may contain potentially suitable habitat for the monarch butterfly. <u>Consultation with USFWS would not be needed at this time as the species is currently a candidate for federal listing and not currently afforded protection under the ESA.</u></p> <p>Navasota Ladies-tresses typically reside in sandy soils within post oak woodlands. Fine sandy loam soils and woodland vegetation are present on the properties adjoining the study area; therefore, the properties adjoining the study area may contain potentially suitable habitat for this species. If impacts to this habitat were to occur during construction, the project may affect this species. However, it is assumed that impacts would be relegated to within the existing ROW and <u>therefore impacts to Navasota ladies-tresses are unlikely.</u></p> <p><u>Migratory Bird Treaty Act</u> Under current guidance covering incidental takes under the MBTA, legal activities resulting in an incidental take while conducting activities in accordance with applicable beneficial practice for avoiding and minimizing incidental take would not be priority enforceable activities. In order to avoid incidental take enforcement actions, it is recommended that the clearing of habitat suitable for migratory birds be conducted outside of nesting season, generally March to September.</p>
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		<p>The USFWS IPaC Official Species List does not identify any migratory bird species areas having the potential to occur within the study area. There may be migratory birds in the study area, but USFWS does not have survey data available to provide further direction. The immediate vicinity of the study area is composed of areas containing trees and other woody vegetation which provide suitable nesting habitat for migratory birds. If tree or woody vegetation clearing is scheduled to occur within the migratory bird nesting season, a nest survey to identify active nests and minimize the risk of 'take' as it pertains to the MBTA is recommended.</p> <p><u>Bald and Golden Eagle Protection Act</u> Bald Eagle breeding habitat includes areas close to bodies of water that provide primary food sources including fish, waterfowl, or seabirds. Nests are usually in tall trees, the species of which vary regionally, or on pinnacles or cliffs near water. Wintering bald eagles tend to associate with waterfowl concentrations or areas with abundant dead fish. They prefer to winter roost in large trees or sheltered sites within one mile of open water with fish. Bald eagles have carnivore and piscivore food habits and feed opportunistically on fish, injured waterfowl and seabirds, various mammals, and carrion. Inland breeding populations tend to diet primarily on fish (>70%) and mammals (>15%) such as rabbits and squirrels.</p>
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		<p>Golden eagles generally inhabit open and semi-open country such as prairies, sagebrush, arctic and alpine tundra, savannah or sparse woodland, and barren areas, especially in hilly or mountainous regions, in areas with sufficient mammalian prey base and near suitable nesting sites. It has been reported that in inland states they will avoid forests, large agricultural areas, and urban areas. Nests are mostly on rock ledges of cliffs but sometimes in large trees. Golden eagle diet is carnivore-based, and they forage primarily on small-sized mammals.</p> <p>Bald and golden eagle's typical habitat requirements include broad swaths of undeveloped land, large trees and/or cliffs for nesting habitat, and large waterbodies (navigable rivers, lakes, reservoirs, large ponds, etc.) for foraging/hunting activities. Cliffs and large waterbody habitats are primarily absent within the study area and immediate vicinity. <u>Therefore, it is Terracon's opinion that development within the study area would not result in a take as it pertains to BGEPA.</u></p> <p><u>State Listed Species</u> The Texas legislature enacted a state Endangered Species Act; subsequently the TPWD was authorized to generate a list of species threatened or endangered with state-wide extinction. Unlike the Federal Act, state laws make no provision for habitat protection or regulation of indirect "takes," but do outlaw killing or maiming individuals of listed species and regulates other aspects such as trade and transportation. Therefore, these species are typically only a development constraint if they are identified on-site and will be directly impacted.</p>
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		<p>TPWD identifies 80 species that are either listed as Rare, Threatened, and Endangered Species for Burleson County, Texas (see TPWD Annotated County List of Rare Species in Appendix B). Of these species, 20 are listed as federally and/or state listed endangered or threatened. <u>Habitat is not present for these species in the study area; therefore, impacts to these species are unlikely.</u></p> <p><u>Texas Parks and Wildlife (TPWD)</u> The Texas Parks and Wildlife was provided a copy of the Environmental Assessment and had the following comments:</p> <p>Based on a review of the documentation and description provided, the Ecological and Environmental Planning Program does not anticipate significant adverse impacts to rare, threatened, or endangered species, or other fish and wildlife resources. However, please note it is the responsibility of the project proponent to comply with all federal, state, and local laws that protect fish and wildlife.</p> <p>Provided the project plans do not change, TPWD considers coordination to be complete.</p>
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		<p><u>Finding and Mitigation</u></p> <p>Based on the aforementioned information, it was concluded that the proposed project would have “no effect” on federally listed species or critical habitat and no impact on state-listed species provided the following mitigation is incorporated into the project:</p> <ul style="list-style-type: none">● If possible, the clearing of habitat suitable for migratory birds should be conducted outside of nesting season, generally March to September. If tree or woody vegetation clearing is scheduled to occur within the migratory bird nesting season, a nest survey to identify active nests and minimize the risk of ‘take’ as it pertains to the MBTA should be conducted. <p>Review is in compliance with the Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402. (See Endangered Species)</p>
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<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> X</p>	<p>According to the HUD Checklist on Explosive and Flammable Hazard, because the proposed HUD-assisted project does not include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries) and does not include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion, there will be no impact to Explosive and Flammable Hazards.</p> <p>Moreover, according to HUD, 24 CFR Part 51 Subpart C refers to habitable structures and does not apply to temporary workers. Therefore, this project is in compliance with 24 CFR 51 C.</p> <p>No impact/effect anticipated and review is in compliance with 24 CFR Part 51 Subpart C. (See Explosive and Flammable Hazards)</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> X</p>	<p>Based upon the HUD Checklist regarding Farmlands Protection, because the project does not include activities that could convert agricultural land to non-agricultural land, the project is in compliance.</p> <p>Review is in compliance with the Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658. (See Farmlands Protection)</p>

<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p>X <input type="checkbox"/></p>	<p><i>Exemptions to Part 55:</i> <i>Actions listed in the revised 24 CFR 55.12 that are exempt from the floodplain management requirements of Part 55 include:</i></p> <ul style="list-style-type: none"> ● <i>Exempt activities and actions that are Categorically Excluded Not Subject to 50.4 or 58.5</i> ● <i>Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited</i> ● <i>Receivership or foreclosure and related actions</i> ● <i>Policy-level actions not involving site-based work</i> ● <i>Issuance of non-project-based housing vouchers</i> ● <i>A minor amendment to a previously approved action</i> <p><u>The project is subject to Part 55 because it meets the criteria for none of the exemptions.</u></p> <hr/>
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		<p>Critical Actions: <i>Critical action means any activity for which even a slight chance of flooding would be too great because such flooding might result in loss of life, injury to persons, or damage to property. Critical actions include activities that create, maintain, or extend the useful life of those structures or facilities that:</i></p> <ul style="list-style-type: none">● <i>Produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials</i>● <i>Provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events (e.g., community stormwater management infrastructure, water treatment plants, data storage centers, generating plants, principal utility lines, emergency operations centers including fire and police stations, and roadways providing sole egress from flood-prone areas)</i>● <i>Are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events, e.g., persons who reside in hospitals, nursing homes, convalescent homes, intermediate care facilities, board and care facilities, and retirement service centers; housing for independent living for the elderly is not considered a critical action</i> <p>Because a portion of the project meets one (1) of the criteria (<i>roadways providing sole egress from flood-prone areas</i>), that portion of the project is considered a critical action:</p> <hr/>
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How FFRMS was determined:

The FFRMS is determined by utilizing a tiered approach:

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

Climate-Informed Science Approach (CISA)

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

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

FEMA 0.2PFA (500-year floodplain)

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

According to FEMA floodplain map #48051C0125C (Effective Date 1/6/11), portions of the project will occur within Zone A (100-year floodplain). Since 100-year floodplains are considered FFRMS floodplains, **the 8-step process is required.**

- Area of Disturbance: 4.75 acres

In addition, since Mallard Road is considered a “roadway providing sole egress from a flood-prone area”, it is also considered a critical action.

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

- Effective Maps - 29
- Preliminary Maps - 0
- Pending Maps - 0

Upon completion of this review, it was determined that there was no additional data which would change the FFRMS determination.

Because the 500-year floodplain was not shown on the FEMA map, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, Freeboard Value Approach (FVA), was therefore considered.

Freeboard Value Approach (FVA):
FVA defines the FFRMS floodplain as the elevation and flood hazard area that results from:

1. *Adding two (2) feet to the base flood elevation (BFE) for non-critical actions or*
2. *Adding three (3) feet to the BFE for critical actions.*

*This approach is used for noncritical actions if neither CISA data nor FEMA-mapped 0.2-percent-annual-chance floodplain data is available or actionable. **For critical actions, the higher of 0.2PFA or FVA must be used.***

Since the FEMA maps did not provide a Base Floodplain Elevation (BFE), the FEMA Floodplain Elevation Mapper was utilized. Upon review, it was determined that the BFE for the two (2) project locations were as follows:

- Chestnut: 404.95 feet.
- Mallard Road: 254.1 feet

Since Chestnut is not a Critical Action, the FFRMS floodplain is BFE + 2 feet: **406.95 feet** and since Mallard Road is a Critical Action, the FFRMS floodplain is BFE + 3 feet: **257.1 feet**

8-Step Process

Do work only outside the floodplains. Completing the project without disturbing any floodplain is not possible. (Not Viable)

Obtain a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR). - It was determined that neither a LOMA nor a LOMR was likely nor practical for the project area. (Not Viable)

Other infrastructure considered. - After considering other potential projects in the County, it was determined that of the eligible projects, this project was of the highest priority. (Not Viable)

No Action or Alternative Actions that Serve the Same Purpose. - The current storm drainage system in the project area is inadequate and must be addressed to prevent public health hazards. (Not Viable)

No comments were received.

It was determined that there is a practical alternative to the project as proposed:

Mitigation Requirements:

CFR 55.20 (e)(1):

For actions in the FFRMS floodplain, the required elevation described in this section must be documented on an Elevation Certificate or a Floodproofing Certificate in the Environmental Review Record prior to construction, or by such other means as HUD may from time to time direct, provided that notwithstanding any language to the contrary, the minimum elevation or floodproofing requirement for new construction or substantial improvement actions shall be the elevation of the FFRMS floodplain as defined in this section.

Non-Critical Actions

CFR 55.7(d)(1):

- The FFRMS floodplain includes those areas that result from adding an additional two feet to the base flood elevation based on best available information.

Critical Actions

CFR 55.7(d)(2):

- The FFRMS floodplain includes those areas that result from adding an additional three feet to the base flood elevation based on best available information.

Applicable Projects

According to the HUD Exchange on Floodplain Management (Complying with 24 CFR Part 55 (2)), if a project involves new construction or substantial improvement, elevation requirements apply.

Substantial Improvement:

A substantial improvement is any repair, reconstruction, modernization or improvement of a structure, including one of the following:

		<ol style="list-style-type: none">1. The cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred2. That results in an increase of more than 20 percent in the number of dwelling units in a residential project or in the average peak number of customers and employees likely to be on-site at any one time for a commercial or industrial project <p>Certain types of projects are specifically not considered substantial improvement under Part 55.</p> <ul style="list-style-type: none">● Any project solely for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications that is solely necessary to assure safe living conditions● Any alteration of a structure listed on the National Register of Historical Places or on a State Inventory of Historic Places● Structural repairs, reconstruction, or improvements not meeting the definition for substantial improvement are considered "minor improvements." <p>Because the project is not a non-residential structure, <u>elevation requirements do not apply.</u></p>
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		<p><u>Mitigation Measures:</u></p> <ol style="list-style-type: none">1. Preserving Property: Project designs should, to the best extent possible, incorporate measures to reduce the risk of damage to the new infrastructure via a flood.2. Preserving Natural Values and Minimizing Impacts: After construction is completed, the disturbed area will need to be immediately re-vegetated with native grasses. Only native plants are to be used in the floodplain, and on the site.3. Deposition and excavation of materials will need to be performed in such a manner that erosion and sedimentation will be controlled.4. Precautions will need to be taken in the handling of fuels or other hazardous materials to prevent discharge or spillage resulting in lower groundwater quality.5. Erosion control measures such as hay bales or silt screen barriers will need to be implemented and maintained during construction as required.6. The project engineer will need to incorporate best management practices into the specifications and plans. <p>No impact/effect anticipated and review is in compliance with Executive Order 11988, particularly section 2(a); 24 CFR Part 55. (See Floodplain Management)</p>
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<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the Texas Historical Commission:</p> <p>Above-Ground Resources</p> <ul style="list-style-type: none"> • No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties. <p>Archeology Comments</p> <ul style="list-style-type: none"> • No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains. <p>According to the HUD Tribal Directory Assessment Tool, there are six (6) tribes with an interest in the County.</p> <p>Comment letters were sent out on July 22, 2024.</p> <p>Comanche Nation responded and indicated that they identified “No Properties” of interest.</p> <p>No other comments were received.</p> <p>Based on the aforementioned information, it was determined that the project will have no impact to Historical Properties.</p>
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		<p>No impact/effect is anticipated and review is in compliance with the National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800.</p> <p>(See Historical Preservation)</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the HUD Checklist on Noise, because the project does not involve a noise-sensitive use such as a residential structure, school, hospital, nursing home, library, etc, there will be no impacts to noise abatement and control.</p> <p>During construction, noise may increase which could bother local residents. Negative impacts are expected to be minimal as all work will be performed during working hours.</p> <p>No impact/effect anticipated and review is in compliance with the Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B. (See Noise Abatement and Control)</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the EPA Sole Source Aquifer Map, the project is not near a sole source aquifer.</p> <p>No impact/effect anticipated and review is in compliance with the Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149.</p> <p>(See Sole Source Aquifers)</p>

<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> X</p>	<p>On-site observation indicated no visual indication of the presence of wetlands such as hydrology (water), hydric soils, or wetland vegetation.</p> <p>According to the USFWS wetland map there are no wetlands in or near the project area.</p> <p>No further action is required.</p> <p>No impact/effect is anticipated and review is in compliance with Executive Order 11990, particularly sections 2 and 5.</p> <p>(See Wetlands Protection)</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No <input type="checkbox"/> X</p>	<p>According to the Texas Wild and Scenic and Inventory Rivers map, the project is not within a one (1) mile proximity of a designated Wild, Scenic River; Study River or a river segment that potentially qualifies as a national wild, scenic or recreational river area.</p> <p>No impact/effect is anticipated and review is in compliance with the Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c).</p> <p>(See Wild and Scenic Rivers)</p>
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No <input type="checkbox"/> X</p>	<p>According to the HUD Checklist on Environmental Justice, because no adverse environmental impacts were identified in any other compliance review portion of this project's total environmental review and all work will occur within existing ROW, there will be no impact/effect anticipated and review is in compliance with Executive Order 12898.</p> <p>(See Environmental Justice)</p>

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	2	<p>Review of Google Maps and onsite photos indicated that the project is in conformance with local development plans and no special permit or change in zoning will be required as the project involves street and drainage improvements which are already in conformance with local plans. All work will occur within existing ROW or easements.</p> <p>The project is in compliance with surrounding land uses and there will be no change in land use.</p> <p>The project does not constitute an activity that would contribute to urban sprawl.</p> <p>There will be no long-term impact of the project on the visual character of its surroundings and ultimately, on the residents, users and/or visitors of the project as the project will not significantly alter the look of the project area.</p>

<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>3</p>	<p>According to the National Seismic Hazard map, the project area is in a low-hazard area.</p> <p>The project will not be affected by a high water table as construction activities will occur well above the water line.</p> <p>No unusual soil conditions were identified during an onsite review of the project area and there was no visible evidence of soil problems or filled ground.</p> <p>No soil studies have been conducted. However, the project engineer has determined that the soil is suitable for the project and unsuitable soil conditions are not expected to affect the project.</p> <p>The project will occur within a residential areas and within existing ROW and will not change any land uses. Therefore, the project will not significantly affect soils that may be better suited for natural resource management activities such as farming, forestry, unique natural area preservation, etc.</p> <p>Onsite observations and review of on-site photos revealed the project area is relatively flat.</p> <p>There was no visual indication of previous slides or slumps in the project area, such as tilted trees or fences, that would affect this project. Therefore the project will significantly affect or be affected by slope conditions.</p> <p>Onsite observations and review of on-site photos revealed no evidence of erosion and/or sedimentation in the general project area.</p> <p>Because the project may involve site clearance, the removal of soil and some native grasses, which could contribute to soil erosion, will likely occur.</p> <p>No erosion or sedimentation is expected to result from this project and erosion controls will be installed.</p>
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		<p>Based upon on-site observation, there was no indication of cross-lot runoff, swales or drainage flows. There were also no indications of filled ground, active rills or gullies at the sites.</p> <p>The project involves improving storm drainage and will have a positive impact on stormwater disposal and treatment by improving the conveyance of stormwater in the area.</p> <p>There is no public storm sewer available in the project area and streets, bar ditches and culverts are also utilized to control stormwater runoff.</p> <p>The project itself will not cause or substantially contribute to off-site pollution by stormwater run-off, leaching of chemicals, or other pollutants nor will it significantly affect or be affected by drainage and stormwater conditions as standard BMP's will be utilized.</p>
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<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>3</p>	<p>On-site observations, review of onsite photos and aerial photos revealed that the project will not be affected by natural hazards, but will be affected by man-made hazards during construction: (Dangerous Roadways and Above and Below Ground Utilities).</p> <p>No unusual conditions were found at the site and review of state and federal hazmat databases indicated that the site has not been used as a dump, sanitary landfill or mine waste disposal area.</p> <p>There was no indication of contaminated soil or, fill/vent pipes, pipelines, drainage structures and there are no air pollution generators which would adversely affect the site.</p> <p>The project will not be affected by any nuisances as it involves improving existing roadways which have been in existence for years and do not constitute a place where people will live, study or work.</p> <p>The project itself is not a noise-generating facility in a noise-sensitive area. Therefore, no such facility will be affected by this project.</p> <p>During construction, noise levels will be temporarily increased which could disturb residents and businesses in the area.</p> <p>Potential negative impacts will be reduced as traffic controls will be incorporated into construction documents, state-mandated dig tests will be performed as necessary and work will occur during working hours.</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	<p>The project will result in no changes in employment and income patterns, will not significantly increase or decrease employment opportunities and will create conditions favorable to commercial, industrial or institutional operation or development by helping ensure reduced localized flooding in the area.</p>
Demographic Character Changes, Displacement	2	<p>After reviewing project area photos, it was concluded that the project will not have a measurable effect on the demographic character of the area, will not severely alter residential, commercial or industrial uses and will not destroy or harm any community institution, such as a church.</p> <p>The proposed will not cause the relocation or displacement of any residence or business or adversely affect planned development, businesses, residences, or neighborhoods near the project area.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	3	<p>Based upon review of on-site and aerial photos, the project will not directly serve or be affected by school facilities and there are no such facilities in the project area.</p> <p>The project does not involve a housing development and will not directly serve a cultural facility. Therefore, adequate access to cultural facilities, as it pertains to housing, does not apply.</p> <p>As a result of the project, localized flooding is anticipated to be reduced during high rains which will help ensure school traffic can safely continue during these periods.</p> <p>During construction, street detours could interrupt school traffic and school children could enter the project area and get injured.</p> <p>Because traffic and site safety will be included in construction documents, any negative impacts are expected to be minimal.</p>
Commercial Facilities	3	<p>The project will not directly affect or be affected by commercial facilities and, according to Google Maps, a few commercial facilities exist near the project area.</p> <p>During construction, vital utilities such as electric, water, sewer and internet could be damaged and therefore interrupt commercial operations. Since state-mandated dig tests will be performed as needed prior to construction, the potential for such damage will be minimized.</p> <p>As a result of the project, localized flooding is anticipated to be reduced during high rains which will help ensure commercial operations can continue during these periods.</p>

Health Care and Social Services	1	<p>Based upon review of onsite photos and Google Maps, the project includes infrastructure improvements which will not directly affect or be affected by health care or social services facilities and no such facilities are located near the project area.</p> <p>As a result of the project, localized flooding is anticipated to be reduced during high rains which will help ensure citizens are able to continue to access health care and social services during these periods.</p>
Solid Waste Disposal / Recycling	3	<p>Based upon review of onsite photos and Google Maps, the project will not directly serve a solid waste facility and there are no such facilities in the project area.</p> <p>In addition, the project does not involve a housing or commercial development. Therefore, consideration of adequate solid waste disposal/recycling, as it pertains to these activities, does not apply.</p> <p>It is anticipated that waste associated with the project will be generated during construction. The contractor will be responsible for disposing of the waste in accordance to state laws, including those pertaining to hazardous materials.</p> <p>Due to the small amount of waste anticipated to be produced, existing landfill capacities in the area are expected to be adequate.</p>

<p>Waste Water / Sanitary Sewers</p>	<p>3</p>	<p>The project does not involve a housing or commercial development. Therefore, consideration of adequate sewer service, as it pertains to these activities, does not apply.</p> <p>During construction, existing sewer lines could be damaged, which could interrupt service and/or result in raw sewage spills which could pose a health risk to the community.</p> <p>Potential negative impacts to sewer facilities will be reduced as required dig tests will be conducted as necessary.</p> <p>As a result of this project, localized flooding will be reduced which could reduce infiltration/inflow into the wastewater system and/or raw sewage spills which could result in inefficient/effective treatment of sewage as well as a health hazard to the community.</p>
<p>Water Supply</p>	<p>3</p>	<p>The project does not involve a housing or commercial development and will not directly serve a public safety facility. Therefore, water supply, as it pertains to these activities, does not apply.</p> <p>During construction, existing water lines could be damaged, which could interrupt service which could pose a health risk to the community.</p> <p>Potential negative impacts to water facilities will be reduced as required dig tests will be conducted as necessary.</p> <p>As a result of this project, localized flooding will be reduced which could ultimately reduce infiltration into the water system which could contaminate the water supply and present a health hazard to water customers.</p>

Public Safety - Police, Fire and Emergency Medical	3	<p>The project does not involve a housing or commercial development and will not directly serve a public safety facility. Therefore, adequate police, fire and emergency medical access, as it pertains to these activities, does not apply. Review of onsite-photos and Google Maps indicated that no such facilities are in or near the project area.</p> <p>During construction, road detours could inhibit EMS vehicular movement. Since raffic controls will be</p>
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		<p>incorporated into construction documents, the potential for such damage will be minimized.</p> <p>As a result of the project, localized flooding is anticipated to be reduced during high rains which will help ensure emergency vehicle movement can continue during these periods.</p>
Parks, Open Space and Recreation	2	<p>The project does not involve a housing development. Therefore, adequate access to parks, open space and recreation, as it pertains to housing, does not apply.</p> <p>According to on-site inspection, Google Maps and review of project area photographs, no such areas are in or near the project area.</p> <p>No impact anticipated.</p>
Transportation and Accessibility	3	<p>The project does not involve a housing or commercial development. Therefore, adequate access to transportation facilities and parking, as it pertains to these activities, does not apply.</p> <p>As a result of the project, localized flooding is anticipated to be reduced during high rains and a roadway will be elevated which will help ensure vehicular movement can continue during these periods.</p> <p>During construction, road detours could inhibit vehicular movement. Since traffic controls will be incorporated into construction documents, the potential for such damage will be minimized.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<p>Review of Google Maps and onsite photos indicated that there are no natural features (bluffs or cliffs) or public or private scenic areas near the project site.</p> <p>According to the EPA Sole Source Aquifer Map, the project is not near a sole source aquifer.</p>
Vegetation, Wildlife	3	<p>The project will not create problems by introducing nuisance or non-indigenous species of vegetation that may be ecologically disruptive, be invasive, threaten the survival of indigenous plant habitats, or disrupt agricultural or silvicultural activities as only native plants will be used.</p> <p>The project will not damage or destroy existing remnant or endemic plant communities, especially those containing nationally, regionally or locally rare species (e.g., prairie grasslands, ice-age disjuncts, local soil-type endemics, etc.) as none exist in the project area.</p> <p>The project will not damage or destroy plant species that are legally protected by state or local ordinances as none exist in the project area.</p> <p>There is a potential that the project will damage or destroy trees in the project area as construction activities may include removing branches and or trees within the project area. However, impacts are expected to be minimal as few trees appear to be in the anticipated construction zone.</p> <p>The project will create special hazards for animal life as ground soil, native grasses and small trees which serve as habitat for some species, may be removed during construction. However, the disturbance is expected to be minimal and most affected animal life should be able to relocate on adjacent properties.</p> <p>The project will not impact migratory birds as appropriate mitigation will be incorporated into the project..</p>

		<p>The project site does not host species that are monitored or listed by local, state, tribal or the federal government.</p> <p>The project will not damage or destroy existing wildlife habitats (e.g., removal or blockage of wildlife corridors, such as a riparian buffer) as none exist in the project area.</p> <p>The project will not include excessive grading that will alter the groundwater level and thus cause death of trees and ground cover which in turn diminishes animal habitat as no such grading is included in this project.</p> <p>The project will not damage game fish habitat or spawning grounds as none exist in the project area.</p> <p>During construction, storm drainage in the project area could be disrupted. However, any disruption is expected to be minimal as drainage controls will be incorporated into the construction contract where needed.</p> <p>The project will not create conditions favorable to the proliferation of pest species as it is anticipated that only native plants/soils will be utilized in the project as native grasses and landscaping will be utilized.</p> <p>The project will not create conditions (e.g., generate excessive noise or introduce pesticide usage) that could harm or harass wildlife species that are nationally, regionally or locally rare or protected by state or local ordinance as none exist in the project area.</p>
Other Factors	2	None Identified.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Climate and Energy		
Climate Change Impacts	2	The project will have negligible effects to the change in the earth's climate.
Energy Consumption	3	The project does not involve constructing an energy using activity. However, during construction, energy consumption is expected to slightly increase, but should not significantly impact existing supplies.

Additional Studies Performed:

- Protected Species Habitat Assessment - 10/10/24

Field Inspection (Date and completed by):

5/4/24 - E. Mancia- Public Management, Inc.

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

Sources:

- US Census
- Google Maps
- Aerial Photos
- Onsite Observation
- NPIAS Website
- Map of U.S. Military Bases
- General Land Office Coastal Barrier Map
- FEMA Community Status Report Book
- NEPA Assist
- Closed and Abandoned Landfills - Regional COG
- TCEQ - CQR
- General Land Office Coastal Zone Map
- USFWS IPAC Report and Official Species List
- TPWD County Species List
- Federal Flood Standard Support Tool (FFSST)
- FEMA floodplain map
- FEMA Elevation Tool
- HUD Tribal Directory
- EPA Sole Source Aquifer Map
- USFWS Wetland Mapper
- Texas Wild and Scenic and Inventory Maps
- National Seismic Hazard Map

Agencies:

- USFWS - 9/6/24
- TPWD - 10/16/24
- Texas Historical Commission - 8/15/24
- Alabama-Coushatta Tribe of Texas - 7/22/24
- Apache Tribe of Oklahoma - 7/22/24
- Comanche Nation, Oklahoma - 7/22/24
- Coushatta Tribe of Louisiana - 7/22/24
- Tonkawa Tribe of Indians of Oklahoma - 7/22/24
- Wichita and Affiliated Tribes - (Wichita, Keechi, Waco & Tawakonie), Oklahoma- 7/22/24

List of Permits Obtained: None

Public Outreach [24 CFR 50.23 & 58.43]:

The public was given the following opportunities to comment:

- During Application Process
- 8-Step Process
- During FONSI comment period

Cumulative Impact Analysis [24 CFR 58.32]:

Project Size and Beneficiaries

The total area of disturbance will be 7.0 acres and will impact 598 persons. Of those persons, 392 or (65.55%) are of low to moderate income.

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

BUILD

1. **Other infrastructure considered.** - After considering other potential projects in the County, it was determined that of the eligible projects, this project was of the highest priority. (Not Viable)
2. **No Action or Alternative Actions that Serve the Same Purpose.** - The current storm drainage system and roadway to be are is inadequate for the area and must be addressed to prevent public health hazards. (Not Viable)

BUILD/PROPOSED

3. **Construct the project as proposed.** The County has determined that the project, as proposed, is the best solution to the storm drainage and roadway deficiency issues as adequate funding is in place and engineering plans and environmental studies are underway. (viable)

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

4. **A no-action alternative was considered.** The storm drainage and roadway system are currently not functioning properly and could pose a health hazard to the community if not addressed. (Not Viable)

Summary of Findings and Conclusions:

Resource Study Area

Based on a review of the performance statement in the grant contract with GLO, the relevant resource study area (RSA) is the the area served by the areas to be improved with this project.

The Context

The project will occur within residential neighborhoods and all work will occur within the existing ROW. The area to benefit is served by a storm drainage and roadway system which are owned and operated by the County.

With this project, the County will help reduce localized flooding and improve an existing roadway in two (2) residential areas which will help ensure safer vehicular movement during periods of high rains as potentially improve EMS response times and reduce potential property damage caused by flooding waters.

With the aid of federal grant funds, the County has been able to upgrade other infrastructure in the County. In addition, planning studies have been commissioned which will help the County better allocate their funds for such projects.

Cumulative Effects

Cumulative Effects are defined as environmental effects that are greater in magnitude, extent, or duration than the direct and indirect effects of a proposed action when combined with the effects of other current and future actions, regardless of the proponent.

Using a trends method to analyze the cumulative effects on the resources over time along with consultation with federal, state authorities, the County and the project engineer, the effect or cumulative stresses were determined for the RSA.

As part of this analysis, the following other projects within the same geographic scope were considered:

- None

Other cumulative impacts which were considered include:

- Street Damage
- Water Wastewater Contamination
- Water Contamination
- Increased Property Values
- Community Growth

Because the project will provide better-localized flooding protection and improved roadways for residents in the target area, it is anticipated that localized flooding will be less likely to occur. As a result:

- On-going street maintenance may be reduced.
- Potential contamination of the water system may be reduced.
- Potential wastewater system treatment disruption and raw sewage spills may be reduced.
- Vehicular damage caused by inadequate roadways may be reduced.
- Less flood damage to infrastructure and property which could result in new residents and businesses locating to the area.

No other cumulative impacts are expected to occur from the Proposed Action in combination with actions occurring near the project area.

Foreseeable Actions

It has been determined that addressing the storm drainage system and roadways in the project area will occur.

Conclusion

An inadequate storm drainage system and roadways are creating a health risk to residents and must be addressed.

Multiple alternatives were considered and rejected as not being viable. Mitigation measures will be put into place to minimize potential negative impacts to the environment.

Based on available environmental documents, consultation with the project engineer, and other information collected about these actions, it was determined that there will be no adverse effects to the environment resulting from this project if appropriate mitigation measures are undertaken.

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
Endangered Species	<ul style="list-style-type: none">● If possible, the clearing of habitat suitable for migratory birds should be conducted outside of nesting season, generally March to September. If tree or woody vegetation clearing is scheduled to occur within the migratory bird nesting season, a nest survey to identify active nests and minimize the risk of ‘take’ as it pertains to the MBTA should be conducted.
Floodplain Management	<ul style="list-style-type: none">● Preventing loss of life and property as a result of flooding is the highest priority. Another flood could damage the new infrastructure.● In addition to concerns for life and property, the County has considered the natural values of the floodplain. The natural resources of the floodplain include water, biological, and societal resources. The proposed project will have minimal impacts to the floodplain because there will be minimal disturbance to the floodplain.● According to a Threatened and Endangered Species Assessment, review of the TPWD County Species List and consultation with the USFWS and TPWD, it was concluded that the construction of the facilities will have no quantifiable impact on plant and animal life. Only native plants are to be used in the floodplain and on the site.● Societal resources should also be considered during the design process. The designs are meant to complement the natural features of the area and to offer an aesthetically pleasing structure. The site will not have an effect on agricultural lands.


<p>Historic Preservation</p>	<ul style="list-style-type: none"> ● Above-Ground Resources - If historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties. ● Archeology Comments - If cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.
------------------------------	---

The County Judge and Staff will assure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. These parties will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

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: 1/16/2025

Name/Title/Organization: Todd Cave, Cave Consulting, Inc.

Certifying Officer Signature: _____ Date: _____

Name/Title: Keith Schroeder, 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).



**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: Burleson County CDBG-MIT MOD Application

Responsible Entity: Burleson County

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: CDBG-MIT MOD Application

Preparer: Raileen Manray, Grants Administrator

Certifying Officer Name and Title: Keith Schroeder, County Judge

Consultant (if applicable): Public Management, Inc.

Project Location: Cade Lakes Area and Beaver Creek Area, Burleson County, TX

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.35]:

Mallard Road and Drainage Improvements

- elevating portions of the road and the installation of box culverts to limit the depth of flooding

Clouston Road and Drainage Improvements

- cement stabilization of the subgrade, crowned curb, and drainage ditches

Level of Environmental Review Determination:

Activity/Project is Exempt per 24 CFR 58.34(a) (3) Administrative and management activities & 181 Engineering and design costs

Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

Funding Information

Grant Number (FBI)	HUD Program CDBG-MIT	Funding Amount \$1,076,300.00
-----------------------	-------------------------	----------------------------------

Estimated Total HUD Funded Amount: \$1,076,300.00

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable): *NO*

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(f)]: \$1,076,300.00

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 existing, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits or 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 Zone 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project does not involve the sale or purchase of existing property.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project is not located in coastal barrier resource area.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5151a]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project involves formula grants made to states, state-owned property, small loans, assisted leasing that is not used for repairs/improvements, or acquisitions. The project is not located in a Special Flood Hazard Area. This will be re-evaluated as project is fully identified.

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
FDPA, FEMA	Project area will be further evaluated once final location and scope is determined.

Preparer Signature:  Date: 4/19/2023

Name/Title/Organization: Raileen Murray, Grants Administrator, Burleson County

Responsible Entity Agency Official Signature:

 Date: 4/06/23

Name/Title: Keith Schroeder, County Judge, Burleson County

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).

Project Information



Todd Cave <todd@caveconsulting.com>

Technical Support Requested - Burleson County CDBG-MIT MOD #24-065-057-E567 - Johnson County

Tommy Mobley <tommy.mobley.glo@recovery.texas.gov>

Tue, Jun 18, 2024 at 4:40 PM

To: Todd Cave <todd@texasenvironmentals.com>

Cc: Aron Miller <amiller@publicmgt.com>

Todd,

Thank you for providing the link. These projects are contained in the same Burleson County contract. If you have determined that the projects have the same scope and meet the requirements for aggregation under 24 CFR 58.32, you can submit one ERR. Be sure to inform your grant manager if you plan to aggregate and submit one ERR for Burleson County.

Have a great day.

Best regards,

*Tommy Mobley**Environmental Protection Specialist | Environmental Oversight**Community Development & Revitalization**Texas General Land Office, Commissioner Dawn Buckingham, M.D.**Office (512) 475-3401 | recovery.texas.gov*

***Reminder that all HUD 7015.15 RROF and Environmental Certification requests must be submitted through TIGR. Requests for technical assistance should be sent to env.reviews@recovery.texas.gov. For resource specific environmental guidance, please refer [GLO CDR Environmental Toolkit](#).**

From: Todd Cave <todd@texasenvironmentals.com>
Sent: Tuesday, June 18, 2024 11:48 AM
To: Tommy Mobley <tommy.mobley.glo@recovery.texas.gov>
Cc: Aron Miller <amiller@publicmgt.com>
Subject: Re: [EXTERNAL] Technical Support Requested - Burleson County CDBG-MIT MOD #24-065-057-E567 - Johnson County

Sorry about that. Here is the [agreement](#).

Are both projects in Burleson County?

YES

Were these projects proposed by the County?

YES

What type of projects are these and are they similar?

YES

Todd Cave, President

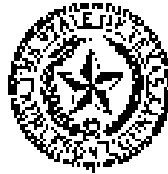
(214) 307-4161

texasenvironmentals.com

[Redacted signature block]

[Quoted text hidden]

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BURLESON COUNTY

Resolution Designating Authorized Signatories for CDBG-MIT MOD Grant

A RESOLUTION OF THE COMMISSIONERS COURT FOR BURLESON COUNTY, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT- MITIGATION (CDBG-MIT) REGIONAL METHOD OF DISTRIBUTION (MOD) PROGRAM'S FLOOD AND DRAINAGE IMPROVEMENTS TO MALLARD ROAD AND CHESTNUT DRIVE

WHEREAS, the County of Burleson, Texas, has received a COMMUNITY DEVELOPMENT BLOCK GRANT- MITIGATION (CDBG-MIT) Regional Method of Distribution (MOD) award to provide flood and drainage improvements to Chestnut Drive and Mallard Road; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds; and

WHEREAS, an original signed copy of the CDBG-MIT MOD Depository/Authorized Signatories Designation Form is to be submitted with a copy of this Resolution; and

WHEREAS, Burleson County, Texas, acknowledges that in the event that an authorized signatory of the County changes (elections, illness, resignations, etc.) the County must provide the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised Depository/Authorized Signatories Designation Form.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT FOR BURLESON COUNTY, TEXAS, AS FOLLOWS:

The County Judge and County Auditor are authorized to execute contractual documents associated with the Community Development Block Grant - Mitigation Program; and

The County Judge and County Auditor are authorized to execute environmental review documents and to certify to environmental clearance matters associated with the CDBG-MIT MOD project; and

The County Judge and County Auditor are authorized to execute the State of Texas Purchase Voucher and Request for Payment Form documents required for requesting

funds approved in the COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) Regional Method of Distribution (MOD) project.

PASSED, APPROVED AND ADOPTED by the COMMISSIONERS COURT FOR BURLESON COUNTY on this the 13th day of MAY, 2024.

Signed by: 
Keith Schroeder, Burleson County Judge




Anna Schielack, County Clerk

Description and Budget



GLO CONTRACT NO. 24-065-057-E567
COMMUNITY DEVELOPMENT BLOCK GRANT
MITIGATION PROGRAM – REGIONAL MITIGATION PROGRAM PROJECTS
NON-RESEARCH & DEVELOPMENT
MITIGATION FUNDING

The **GENERAL LAND OFFICE** (the “GLO”), a Texas state agency, and **BURLESON COUNTY**, Texas Identification Number (TIN) **17460004678** (“Subrecipient”), each a “Party” and collectively the “Parties,” enter into this Subrecipient agreement (the “Contract”) under the U.S. Department of Housing and Urban Development’s Community Development Block Grant Mitigation (“CDBG-MIT”) program to provide financial assistance with funds appropriated under the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Public Law 115-123), enacted on February 9, 2018, for necessary expenses for Activities authorized under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. § 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, mitigation, and affirmatively furthering fair housing, in accordance with Executive Order 12892, in the most impacted and distressed areas resulting from major declared disasters that occurred in 2015, 2016, or 2017 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121 et seq.).

Through CDBG-MIT Federal Award Number B-18-DP-48-0002, awarded January 12, 2021, as may be amended from time to time, the GLO administers grant funds as Community Development Block Grants (Catalog of Federal Domestic Assistance Number 14.228, “Community Development Block Grants/State’s program and Non-Entitlement Grants in Hawaii”), as approved by the Texas Land Commissioner and limited to use for facilitating recovery efforts in Presidentially-declared major disaster areas.

ARTICLE I - GENERAL PROVISIONS

1.01 SCOPE OF PROJECT AND SUBAWARD

(a) **Scope of Project**

The purpose of this Contract is to set forth the terms and conditions of Subrecipient’s participation in the CDBG-MIT program. In strict conformance with the terms and conditions of this Contract, Subrecipient shall perform, or cause to be performed, the Activities defined in **Attachment A** (the “Project”). Subrecipient shall conduct the Project in strict accordance with this Contract, including all Contract Documents listed in **Section 1.02**, below, and any Amendments, Revisions, or Technical Guidance Letters issued by the GLO.

BURLESON COUNTY
24-065-057-E567
PERFORMANCE STATEMENT

The GLO awards Burleson County (Subrecipient) this Contract under HUD's Community Development Block Grant Mitigation (CDBG-MIT) program to provide financial assistance with funds appropriated to facilitate Activities related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, mitigation, and affirmatively furthering fair housing, in accordance with Executive Order 12892, in the most impacted and distressed areas resulting from a major declared disaster that occurred in 2015, 2016, or 2017.

In strict conformance with the terms and conditions of the CDBG-MIT – Hurricane Harvey State MID and pursuant to the GLO's Regional Mitigation Program and this Contract, Subrecipient shall perform, or cause to be performed, the Infrastructure Activities identified below to increase its resilience to disasters and reduce or eliminate long-term risk of disaster-related loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters.

Subrecipient shall perform the Activities identified herein for the service area specified in its approved Texas Community Development Block Grant Mitigation Grant Application to provide a long-lasting investment that increases resiliency in the community. The persons to benefit from the Activities described herein must receive the prescribed service or benefit, and all eligibility requirements must be met to fulfill contractual obligations.

The grant total is \$1,076,300.00. Subrecipient will be required to maintain a detailed Budget breakdown in the official system of record (TIGR) of the GLO's Community Development and Revitalization division. Subrecipient must ensure expenditures for individual projects do not exceed the amounts for detailed funding categories in the project budget of the approved Grant Application, as may be revised in writing upon mutual agreement of the Parties. If it becomes necessary to redistribute Budget line-item amounts between Activities, Subrecipient must seek a Contract Amendment prior to performing any work.

DRGR Activity: MIT- Public Facilities and Improvements- Non-Covered Projects- LMI

Activity Type: Flood and Drainage Improvements

Project Title: Mallard Rd. Street and Drainage Improvements

Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances. Construction shall take place at the following location:

Defining project location (on/along...)	Approximate path or location (from...to...) mid-point coordinates	Proposed HUD Performance Measures
Mallard Road	From Mallard Drive Bridge southwest 150' 30.44084, -96.55978	150 Linear Feet (LF)

Total Beneficiaries	LMI Beneficiaries	LMI %	Census Tract	Block Group
598	392	65.55	9704.00	1
Beneficiaries were identified using Surveys, and the above project meets the LMI national objective.				

DRGR Activity: MIT- Public Facilities and Improvements- Non-Covered Projects- LMI

Activity Type: Flood and Drainage Improvements

Project Title: Chestnut Dr. Street and Drainage Improvements

Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances. Construction shall take place at the following location:

Defining project location (on/along...)	Approximate path or location (from...to...) mid-point coordinates	Proposed HUD Performance Measures
Chestnut Drive	From Elm Drive northward to Wagon Trail 30.51483, -96.77661	1,700 Linear Feet (LF)

Total Beneficiaries	LMI Beneficiaries	LMI %	Census Tract	Block Group
22	19	86.36	9702.00	1
Beneficiaries were identified using Surveys, and the above project meets the LMI national objective.				

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BUDGET

DRGR Activity	Grant Award	Other Funds	Total
MIT- Public Facilities and Improvements- Non-Covered Projects - LMI	\$1,076,300.00	\$0.00	\$1,076,300.00
TOTAL	\$1,076,300.00	\$0.00	\$1,076,300.00

BENCHMARKS

	Not-To-Exceed Budget Gate Percentages by Budget Category (Subrecipient may draw up to, but not exceed, the identified percentage of the Budget category until stated Deliverable(s) are submitted to and approved by the GLO.)			Single Deliverable Milestones by Budget Category (Subrecipient may draw up to 100% of Budget category after submittal to and approval by the GLO of the stated Deliverable.)		Multiple Deliverable Milestones (Subrecipient may draw up to, but not exceed, the percentage stated after submittal to and approval by the GLO of the stated Deliverable.)	
	Project Delivery			Special Environmental Funds	Acquisition Funds	Construction Funds	Planning/ Studies (not related to engineering design)
	Grant Administration Funds	Environmental Funds	Engineering Funds				
Project Phase Actions and Deliverables							
Action: Start-up Phase Deliverable: Contract kick-off meeting sign-in sheet; all required Start-Up Documentation reviewed and accepted by the GLO; executed grant administration service provider contract in PDF format.	0-15%						
Action: Commencement of Engineering Phase Deliverable: Executed engineering service provider contract in PDF format provided during start-up phase as applicable			0-30%				



CDBG-MIT: Budget Justification of Retail Costs (Former Table 2)

Cost Verification Controls must be in place to assure that construction costs are reasonable and consistent with market costs at the time and place of construction.

Applicant/Subrecipient:	Burleson County					
Site/Activity Title:	Chestnut Drive					
Eligible Activity:	Street and Drainage Improvements					
Materials/Facilities/Services	\$/Unit	Unit	Quantity	Construction	Acquisition	Total
Mobilization	\$ 12,400.00	LS	1	\$ 12,400.00	\$ -	\$ 12,400.00
Crushed Rock (Material Only, Delivered)	\$ 42.00	TON	2,000	\$ 84,000.00	\$ -	\$ 84,000.00
Cement (Material Only, Delivered)	\$ 220.00	TON	80	\$ 17,600.00	\$ -	\$ 17,600.00
TOTAL				\$ 114,000.00	\$ -	\$ 114,000.00

1. Identify and explain the annual projected operation and maintenance costs associated with the proposed activities.

The projected annual operation and maintenance cost is \$500.

2. Identify and explain any special engineering activities.

N/A



Seal

Date:	4/12/2023
Phone Number:	979-268-1125

Signature of Registered Engineer/Architect
Responsible For Budget Justification:



CDBG-MIT: Budget Justification of Retail Costs (Former Table 2)

Cost Verification Controls must be in place to assure that construction costs are reasonable and consistent with market costs at the time and place of construction.

Applicant/Subrecipient:	Burlleson County					
Site/Activity Title:	Mallard Road					
Eligible Activity:	Street and Drainage Improvements					
Materials/Facilities/Services	\$/Unit	Unit	Quantity	Construction	Acquisition	Total
Mobilization	\$ 65,400.00	LS	1	\$ 65,400.00	\$ -	\$ 65,400.00
Special Environmental Studies	\$ 10,000.00	LS	1	\$ 10,000.00	\$ -	\$ 10,000.00
10'x10' Box Culverts (Material Only, Delivered)	\$ 1,650.00	LF	150	\$ 247,500.00	\$ -	\$ 247,500.00
Straight Wingwall, No Skew (Installed)	\$ 365,000.00	LS	1	\$ 365,000.00	\$ -	\$ 365,000.00
Metal Beam Guard Rail (Material Only)	\$ 10,000.00	LS	1	\$ 10,000.00	\$ -	\$ 10,000.00
Cement Stabilized Sand (Material Only, Delivered)	\$ 40.00	TON	25	\$ 1,000.00	\$ -	\$ 1,000.00
Select Fill (Material Only, Delivered)	\$ 15.00	TON	1,100	\$ 16,500.00	\$ -	\$ 16,500.00
Crushed Rock (Material Only, Delivered)	\$ 42.00	TON	1,300	\$ 54,600.00	\$ -	\$ 54,600.00
TOTAL				\$ 770,000.00	\$ -	\$ 770,000.00

1. Identify and explain the annual projected operation and maintenance costs associated with the proposed activities.

The projected annual operation and maintenance cost is \$500.

2. Identify and explain any special engineering activities.

N/A



Seal

Date:	5/8/2023
Phone Number:	979-268-1125

Signature of Registered Engineer/Architect
Responsible For Budget Justification:

Location Maps / Drawings

Burleson Co - 24-065-057-E567

Street-Drainage

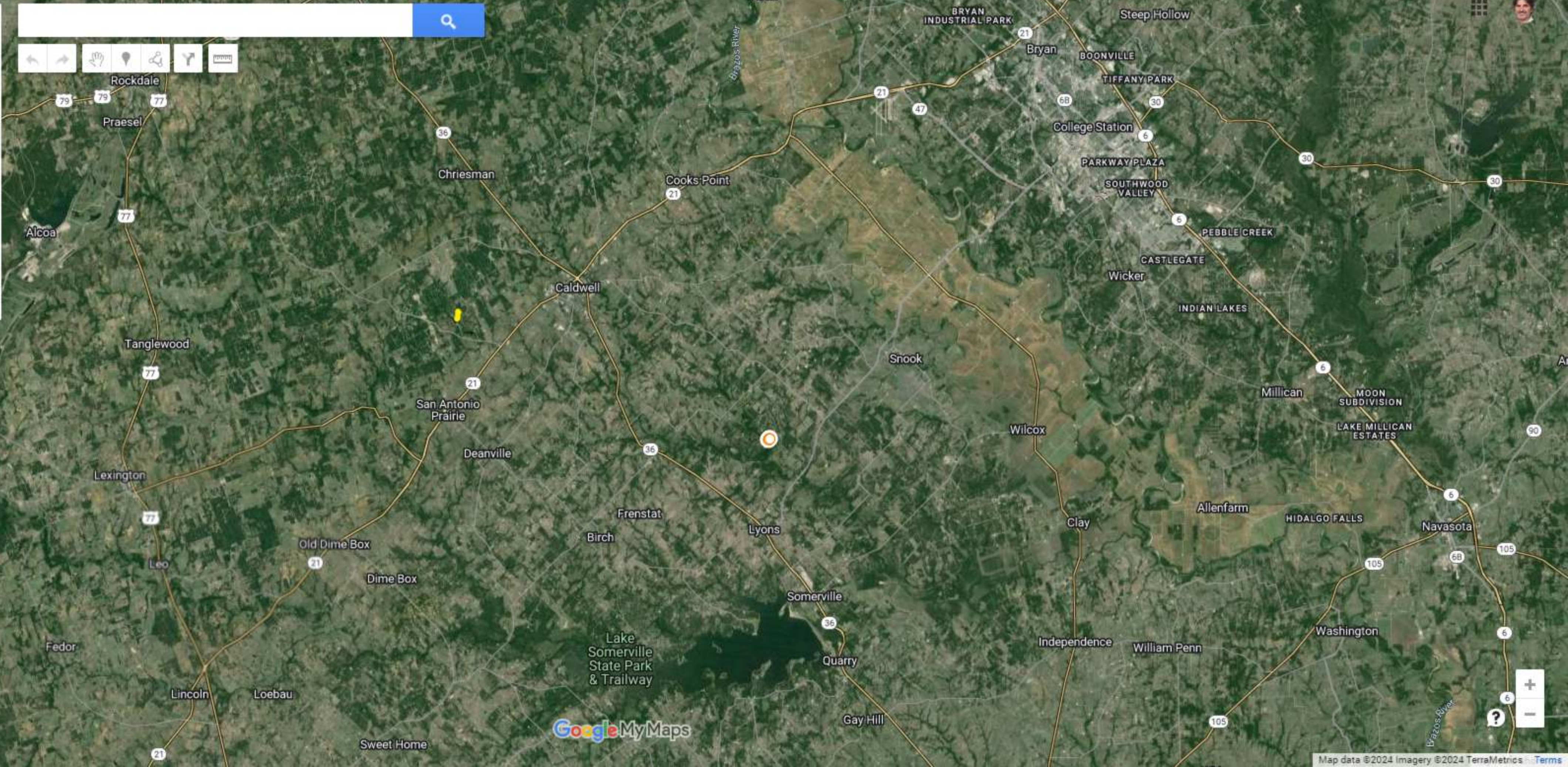
19 views
Last edit was 11 days ago

Add layer
 Share
 Preview

Street - Drainage Improvements

- Individual styles
- Chestnut
- Mallard Rd

Base map



Burleson Co - 24-065-057-E567
Street-Drainage
19 views
Last edit was 11 days ago

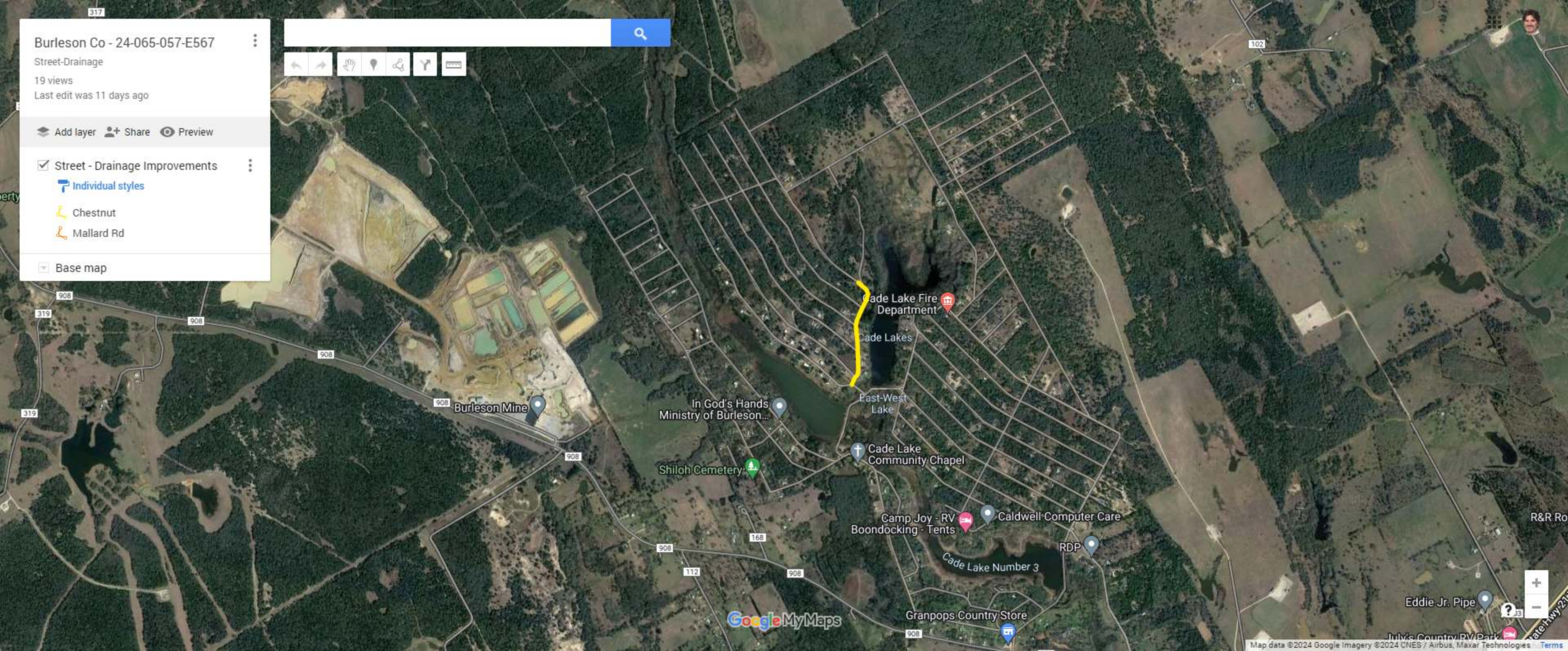
Add layer Share Preview

Street - Drainage Improvements
Individual styles
Chestnut
Mallard Rd

Base map

Search bar with magnifying glass icon

Map navigation icons: back, forward, hand, pegman, share, print



Burleson Co - 24-065-057-E567

Street-Drainage

19 views

Last edit was 11 days ago

Add layer Share Preview

Street - Drainage Improvements

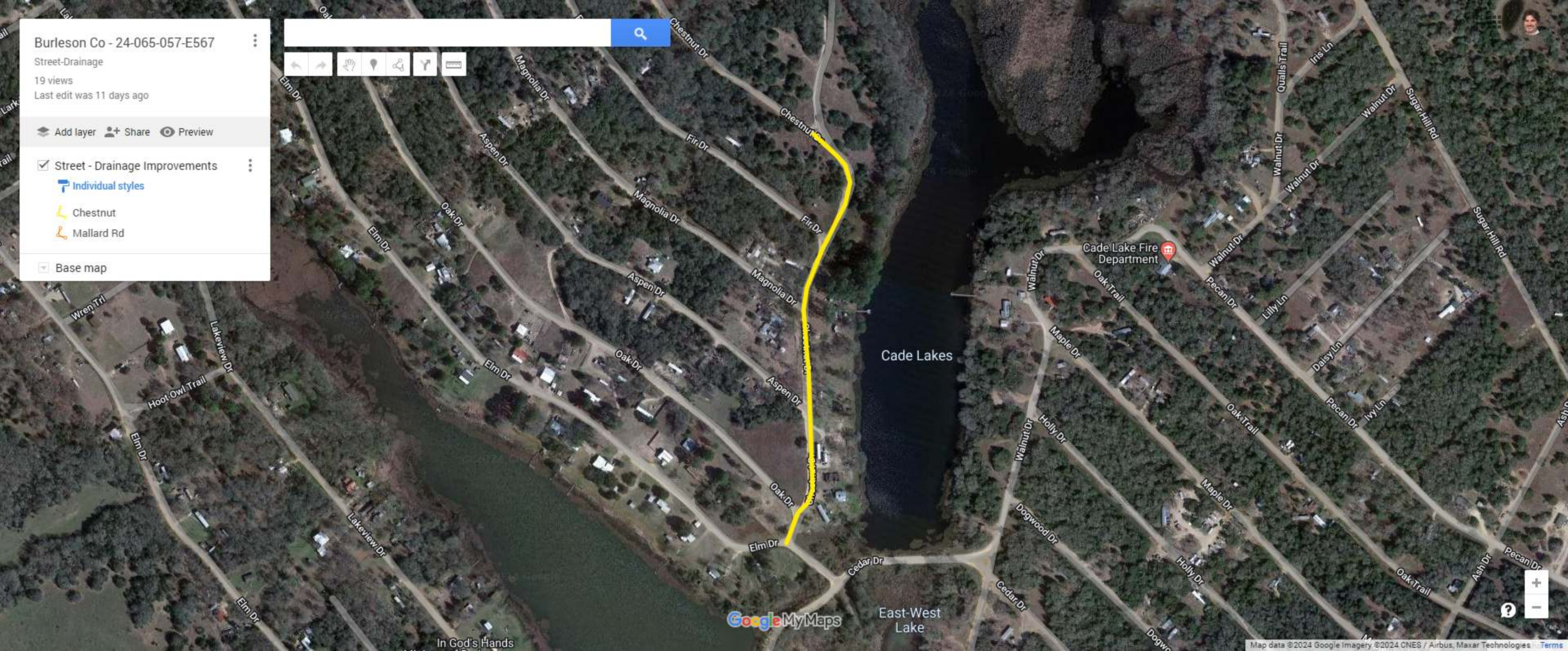
Individual styles

Chestnut

Mallard Rd

Base map

Search bar with magnifying glass icon and navigation icons (back, forward, pan, location pin, share, print).



Burleson Co - 24-065-057-E567
Street-Drainage
19 views
Last edit was 11 days ago

Add layer Share Preview

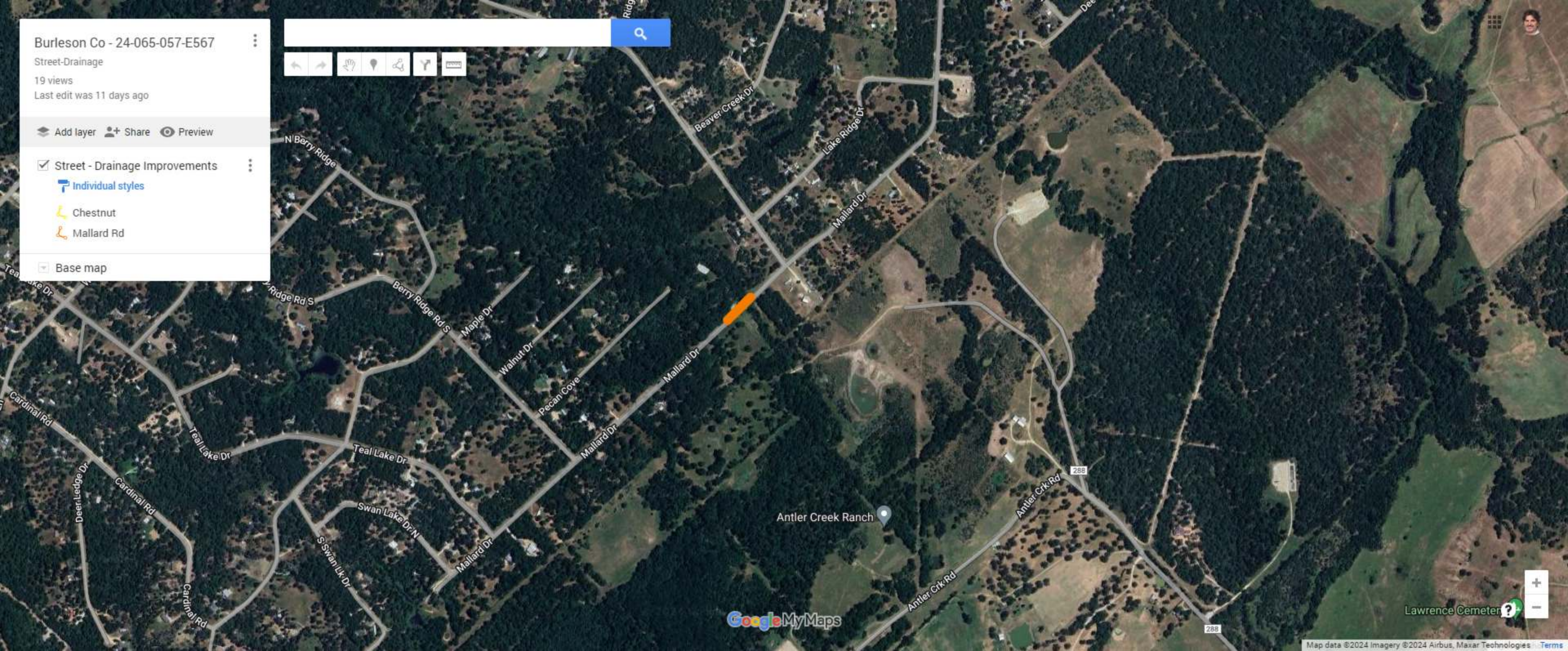
Street - Drainage Improvements

- Individual styles
- Chestnut
- Mallard Rd

Base map

Search bar with magnifying glass icon

Map navigation icons: Home, Street View, Pegman, Street View Pegman, Full Screen, Print



Map navigation controls: Zoom in (+), Zoom out (-), and a help icon (?)

Lawrence Cemetery

Burleson Co - 24-065-057-E567
Street-Drainage
19 views
Last edit was 11 days ago

Add layer Share Preview

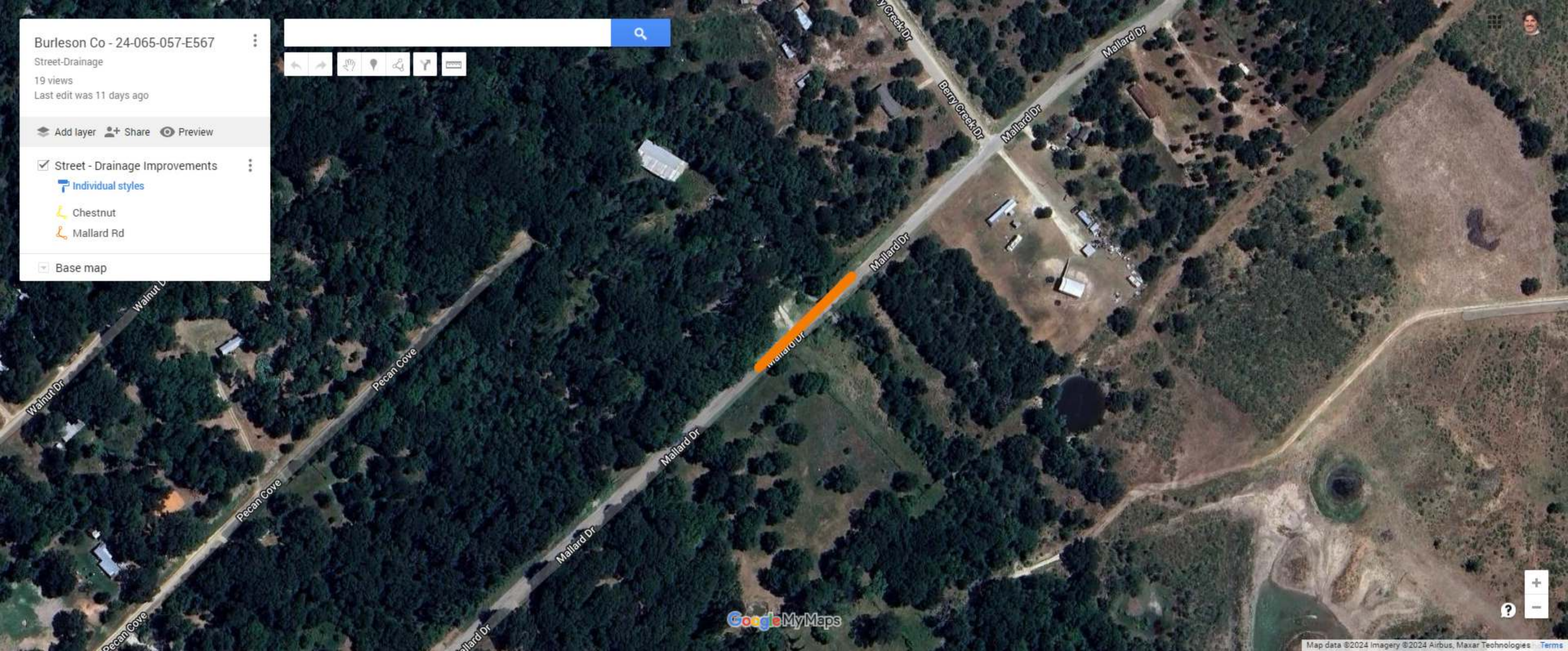
Street - Drainage Improvements
Individual styles

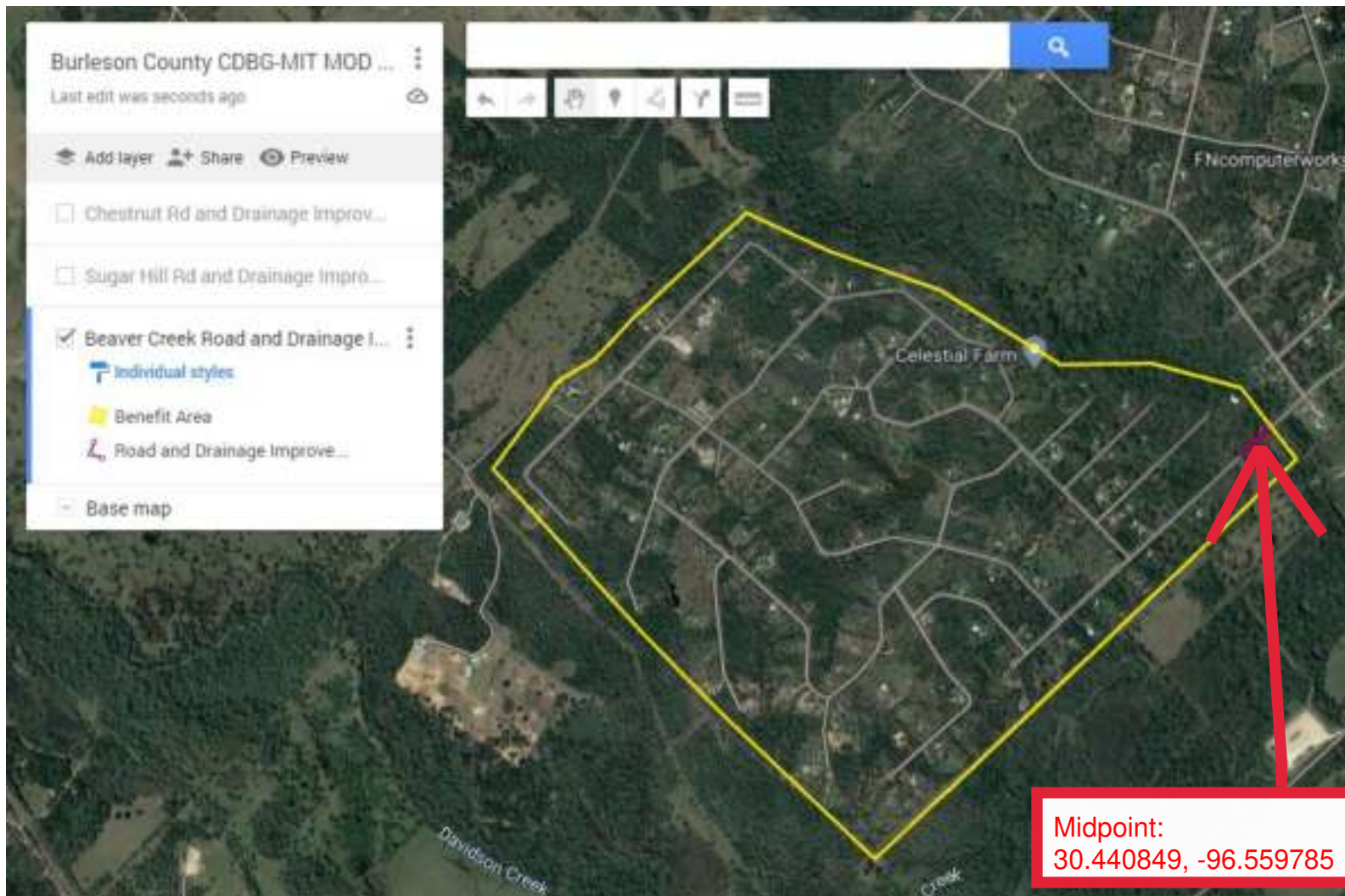
- Chestnut
- Mallard Rd

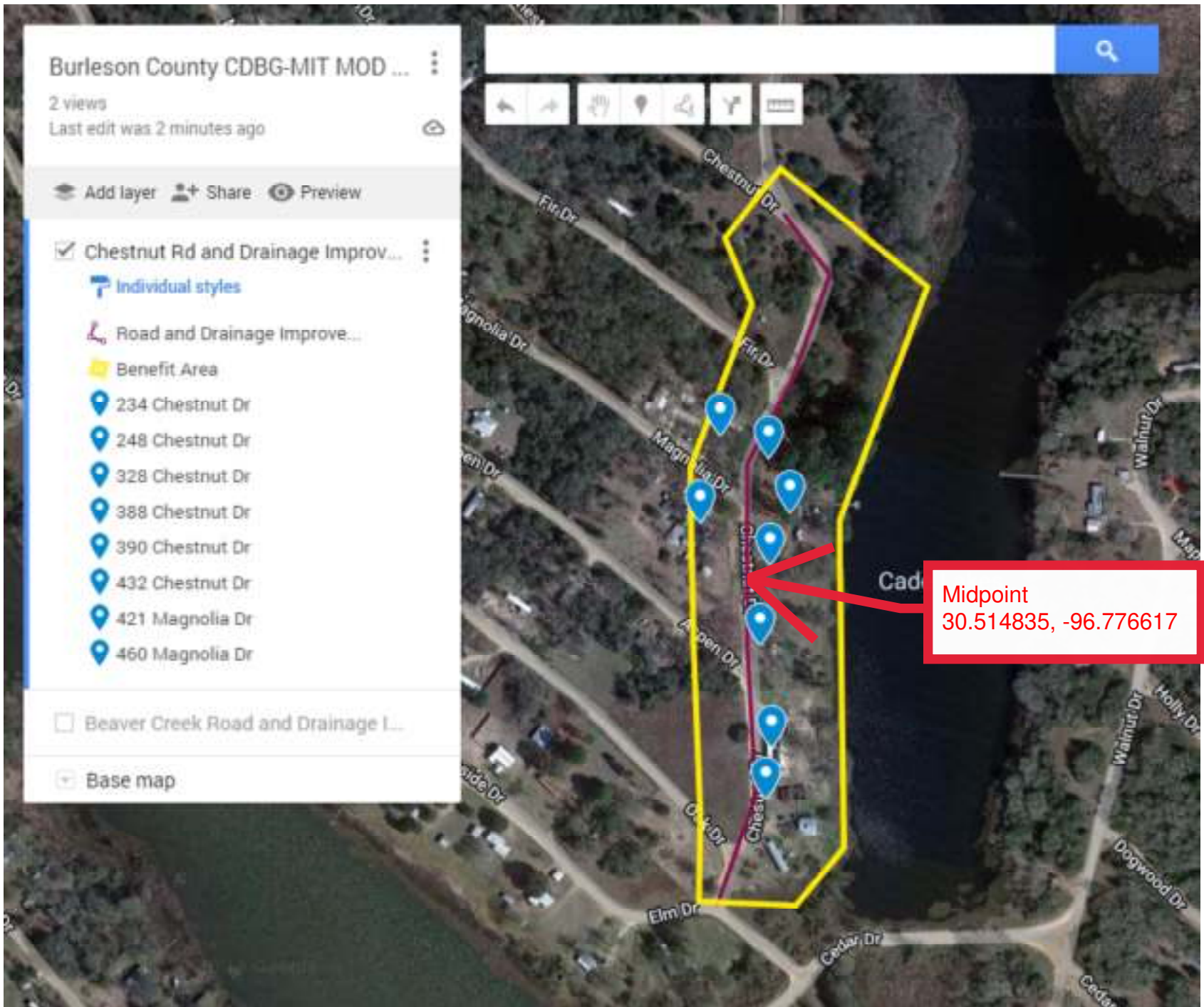
Base map

Search bar with magnifying glass icon

Map navigation icons: Home, Back, Forward, Hand, Pegman, Share, Link, Print







Burleson County CDBG-MIT MOD ...

2 views
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Add layer Share Preview

Chestnut Rd and Drainage Improv...

Individual styles

Road and Drainage Improve...

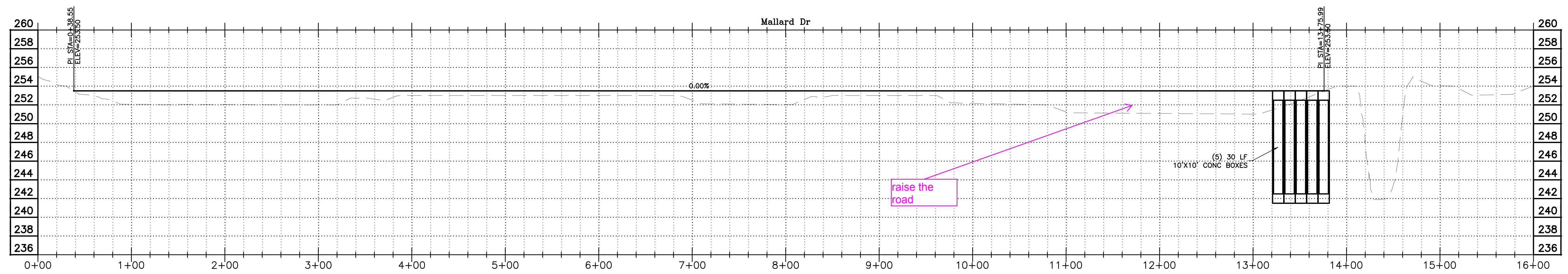
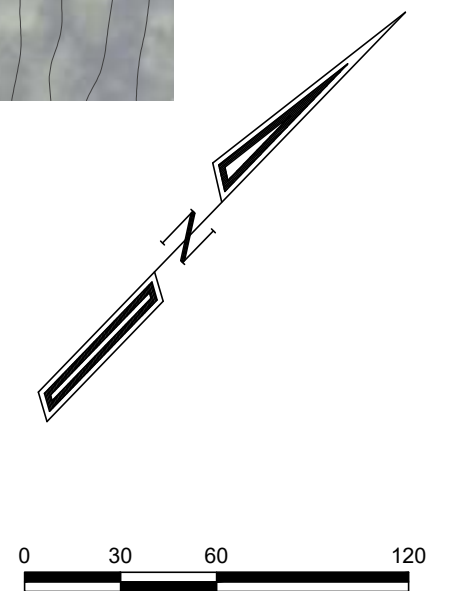
Benefit Area

- 234 Chestnut Dr
- 248 Chestnut Dr
- 328 Chestnut Dr
- 388 Chestnut Dr
- 390 Chestnut Dr
- 432 Chestnut Dr
- 421 Magnolia Dr
- 460 Magnolia Dr

Beaver Creek Road and Drainage L...

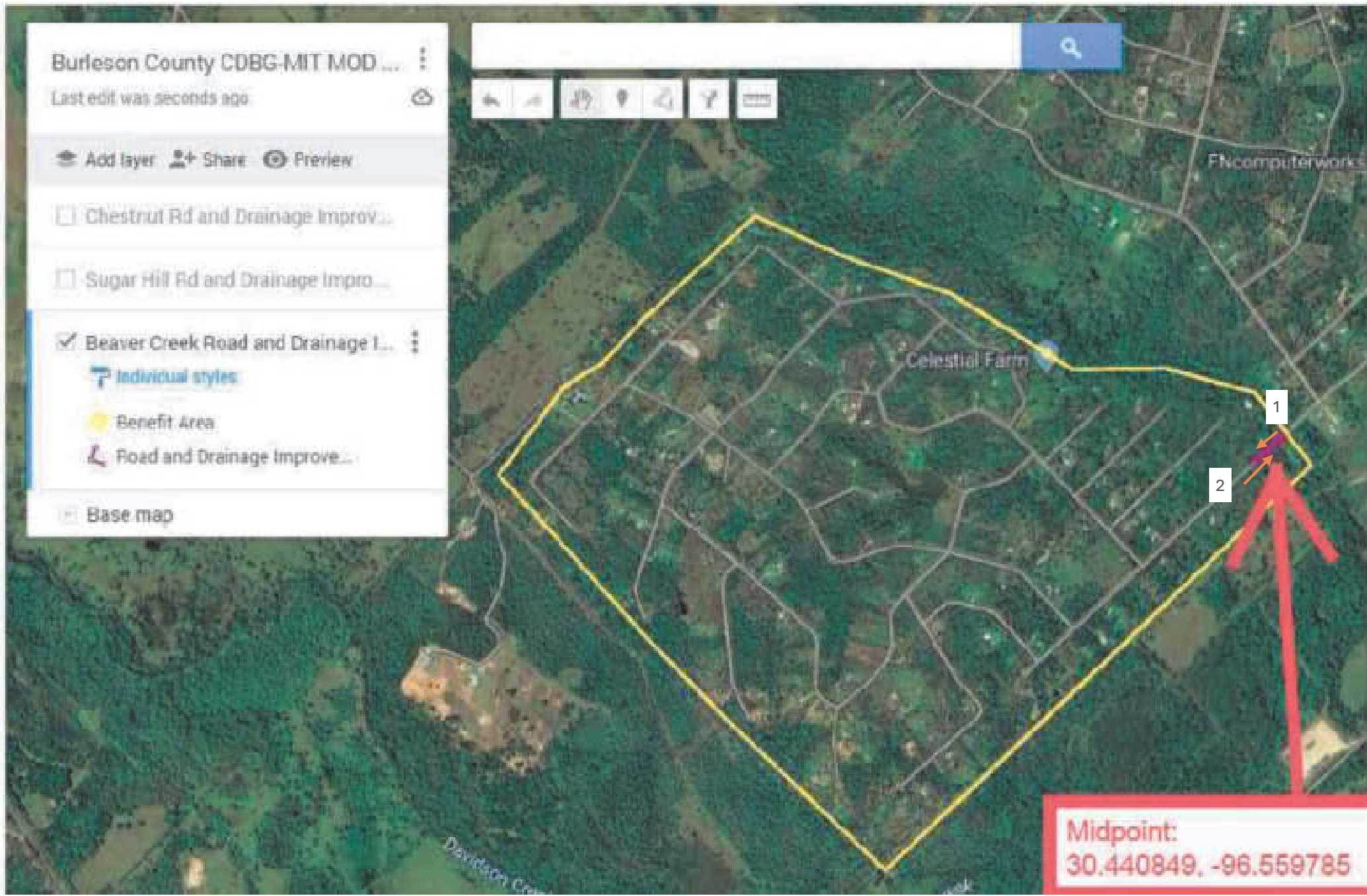
Base map

Midpoint
30.514835, -96.776617



Mallard Road at Berry
Creek
Conceptual Sketch
4/5/2023
Steve Duncan

Pictures



Midpoint:
30.440849, -96.559785

Burleson County CDBG-MIT MOD ...

2 views

Last edit was 2 minutes ago

Add layer Share Preview

Chestnut Rd and Drainage Improv...

Individual styles

Road and Drainage Improve...

Benefit Area

234 Chestnut Dr

248 Chestnut Dr

326 Chestnut Dr

366 Chestnut Dr

390 Chestnut Dr

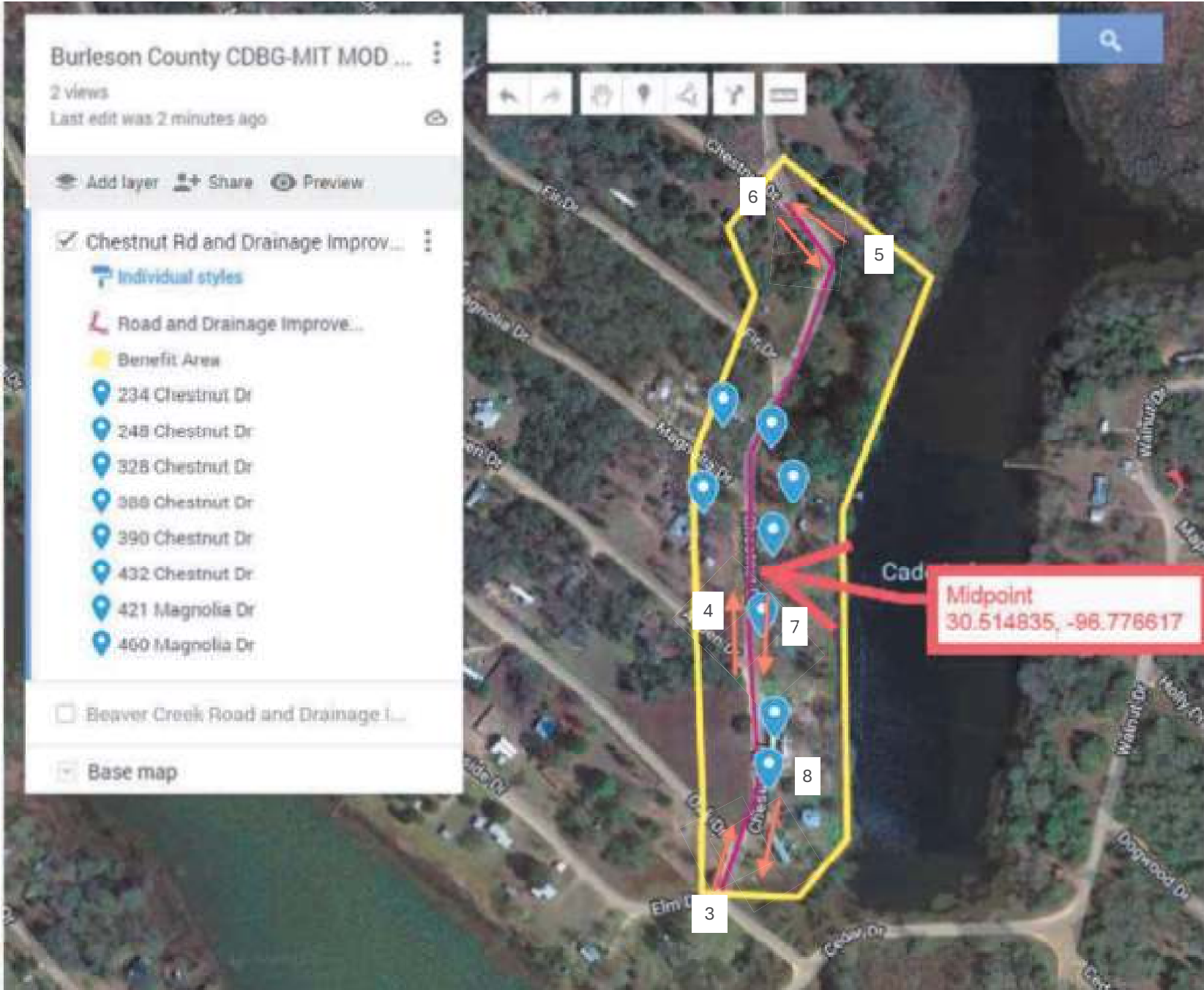
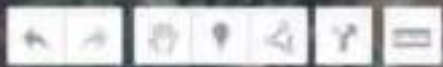
432 Chestnut Dr

421 Magnolia Dr

460 Magnolia Dr

Beaver Creek Road and Drainage I...

Base map



Picture 1: Looking west from the project's east side on Mallard Drive.



Picture 2: Looking east from the west side of the project on Mallard Drive.



Picture 3: Looking north at the south end of the project on Elm Drive between the intersections of Oak Drive and Chestnut Drive.



Picture 4: Looking north from the midpoint of Chestnut Drive.



Picture 5: Looking northwest from the southeast end of Chestnut Drive at the intersection of Wagon Trail.



Picture 6: Looking southeast from the northwest end of Chestnut Drive at the intersection of Wagon Trail.



Picture 7: Looking south from the midpoint of Chestnut Drive.



Picture 8: Looking south at the north end of the project on Elm Drive between the intersections of Oak Drive and Chestnut Drive.



On-Site Checklist



Elizabeth Mancía <emancia@publicmgt.com>

Environmental On-Site Observation Form

1 message

Google Forms <forms-receipts-noreply@google.com>
To: emancia@publicmgt.com

Tue, Jun 4, 2024 at 5:02 PM

Google Forms

Thanks for filling out [Environmental On-Site Observation Form](#)

Here's what was received.

Environmental On-Site Observation Form

Email *

emancia@publicmgt.com

Project Name *

Mallard Road and Chestnut Drive Street and Drainage Improvements

Contract #

24-065-057-E567

Date of Visit *

MM DD YYYY

05 / 24 / 2024

Interviewer Information

Name of Reviewer *

Elizabeth Mancia

Title *

Assistant Project Manager

Company *

Public Management Inc

General Information

County *

Burleson

City *

Caldwell

Location *

Multiple Locations

Ecological Site Information

General Site Description *

(Residential, commercial, forested, grassland, etc...)

The site is primarily residential, but it also includes a mix of livestock and is located next to a lake.

Water Bodies present? *

If yes, describe (pond, lake, creek, river, wetland, etc...)

Yes, there is a lake located on the Chestnut Drive project site.

Special or unique vegetation features? *

Please describe.

n/a

Special wildlife habitat? *

Please describe.

n/a

Observed Wildlife *

Please describe.

n/a

National, state or locally designed park or natural reserves *

Describe any at or adjacent to the project site.

Cade Lakes is parallel to Chestnut Drive.

Hazardous Material Issues

Project Type *

Does the project involve modification or demolition of an existing building?

Yes

No

Hazardous Material Issues - Part 2

Pipeline and underground utility installation or adjustments? *

Please describe.

Installation/rehab of waterlines

De-Watering? *

Please describe.

n/a

Purchase ROW or Easement *

Please describe.

TBD

Trenching, drilled shafts, cuts or other excavations. *

Please describe.

Yes, ground disturbance will be needed.

Project Site Survey

Specific concerns identified on, or adjacent to, project area:

Aboveground storage tanks *

Please describe.

no

Underground storage tanks *

Please describe.

no

Vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground *

Please describe.

no

Electrical Transformer Equipment Present? *

Yes

No

If yes, are there signs of leaking transformers oil (PCBs) on the ground? *

n/a

Injection wells, cisterns, sumps, dry wells flooring, drains, or walls stained by substances other than water or emitting foul odors *

Please describe.

no

Vats, 55-gallon drums (labeled/unlabeled), canisters, barrels, bottles, etc. *

Please describe.

no

Surface dumping of trash, garbage, refuse, rubbish, debris half exposed/buried, landfill, stockpiling, storage, etc. *

Please describe.

n/a

Damaged or discarded automotive or industrial batteries *

Please describe.

n/a

Stained, discolored, barren, exposed or foreign (fill) soil *

Please describe.

n/a

Dead, damaged or stressed vegetation *

Please describe.

n/a

Oil sheen or films on surface water, seeps, lagoons, ponds, or drainage basins *

Please describe.

n/a

Pits, ponds, or lagoons associated with waste treatment or waste disposal *

Please describe.

no

Changes in drainage patterns from possible fill areas *

Please describe.

no

Security fencing, protected areas, placards, warning signs *

Please describe.

n/a

Dead animals possibly due to contamination *

Please describe.

no

Other concerns (Describe below): *

Please describe.

n/a

Miscellaneous Observations

Other compliance factors identified on, or adjacent to, project area:

Refineries *

n/a

Airports, runway strips *

n/a

Educational facilities *

n/a

Commercial facilities *

n/a

Healthcare facilities *

n/a

Social services facilities *

n/a

Additional Information *

Optional

n/a

Certification

I certify that the information provided in this survey is accurate. *

Yes

Report Abuse

COMPLIANCE CHECKLIST BACKUP

Airport Hazards

Burleson Co - 24-065-057-E567
Street-Drainage
45 views
Last edit was seconds ago

Add layer Share Preview

Street - Drainage Improvements

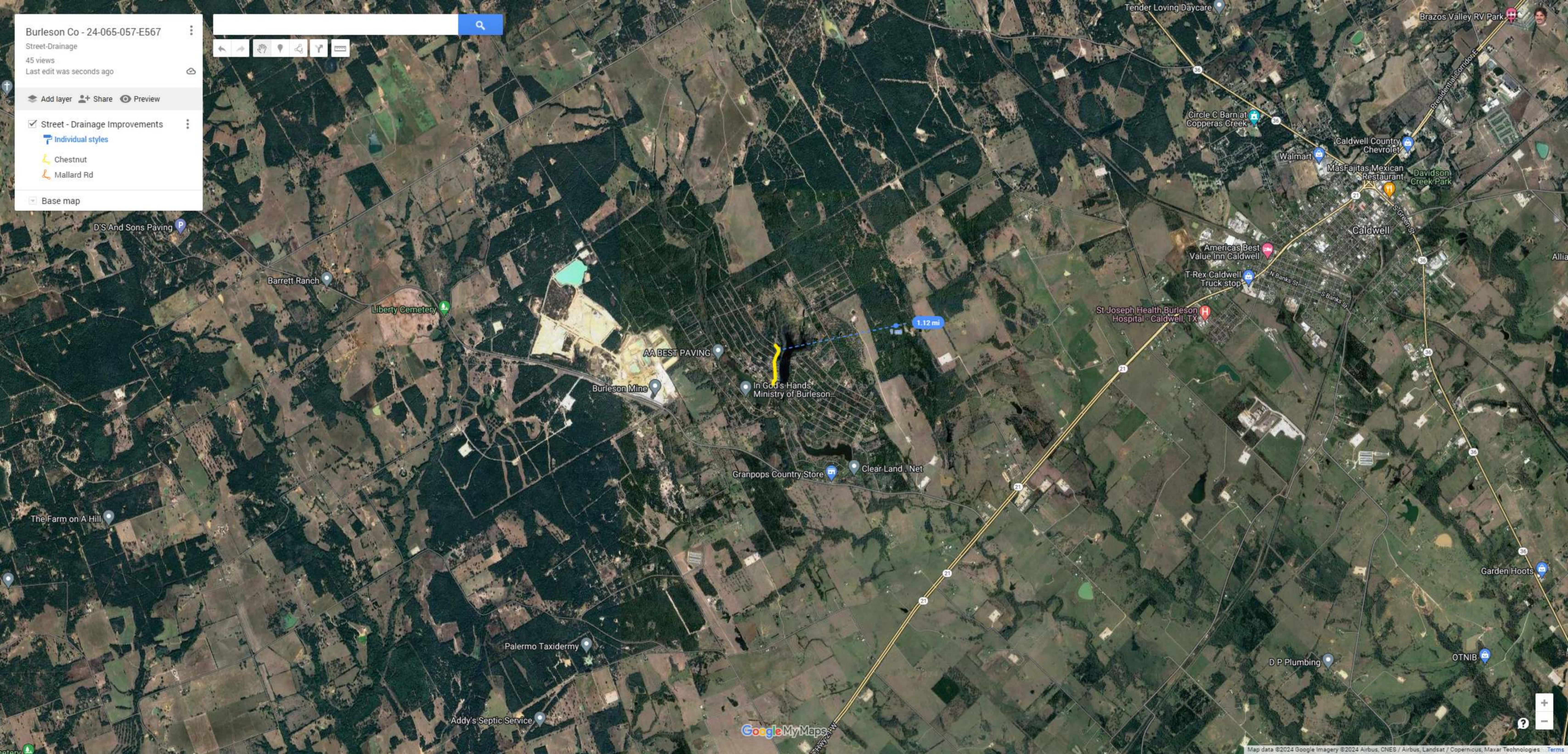
Individual styles

- Chestnut
- Mallard Rd

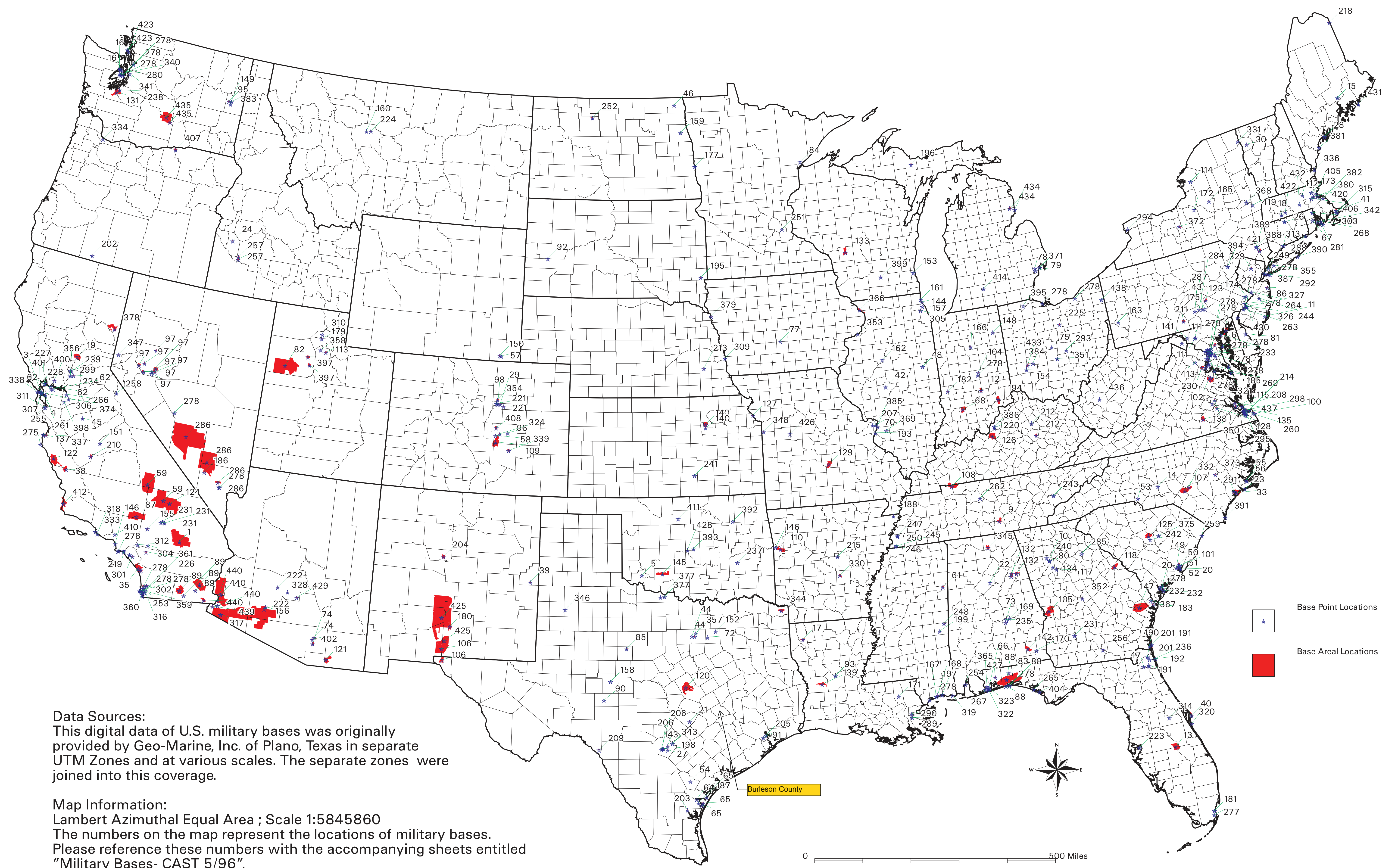
Base map

Search bar with magnifying glass icon

Map navigation icons: Home, Street View, Full Screen, Print, Measure



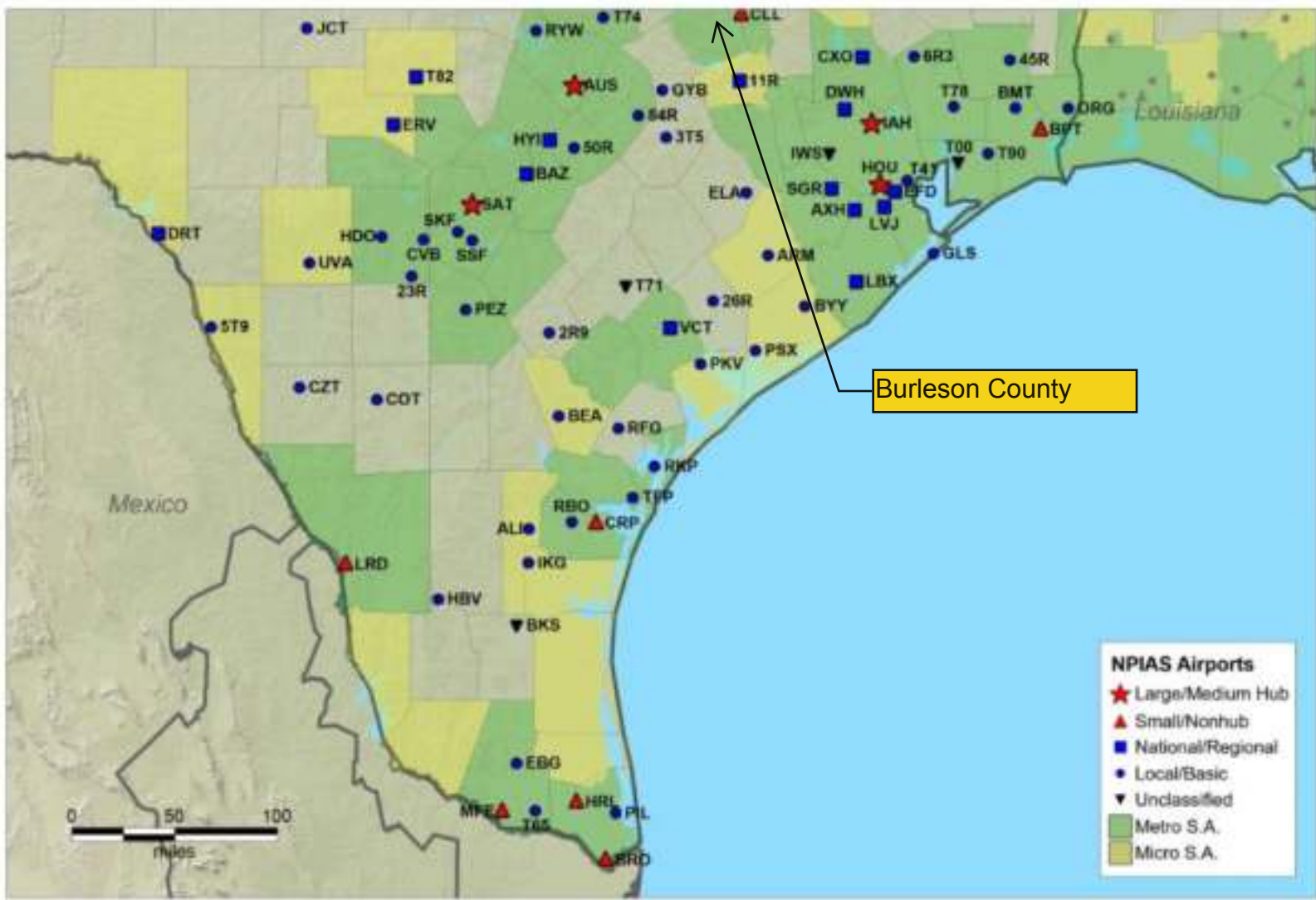
Military Bases in the Continental United States



Data Sources:
This digital data of U.S. military bases was originally provided by Geo-Marine, Inc. of Plano, Texas in separate UTM Zones and at various scales. The separate zones were joined into this coverage.

Map Information:
Lambert Azimuthal Equal Area ; Scale 1:5845860
The numbers on the map represent the locations of military bases. Please reference these numbers with the accompanying sheets entitled "Military Bases- CAST 5/96".

Texas (Southeast)



Coastal Barriers

JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

TEXAS



Burleson County is not shown on this map.

Number of CBRS Units:	35
Number of System Units:	17
Number of Otherwise Protected Areas:	18
Total Acres:	702,879
Upland Acres:	117,930
Associated Aquatic Habitat Acres:	584,949
Shoreline Miles:	313

Boundaries of the John H. Chafee Coastal Barrier Resources System (CBRS) shown on this map were transferred from the official CBRS maps for this area. CBRS units are depicted on this map (in red) for informational purposes only. The official CBRS maps are maintained by the U.S. Fish and Wildlife Service and are available for download at <http://www.fws.gov/CBRA>.

Flood Insurance

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
481209D	BURNET COUNTY *	BURNET COUNTY	11/22/77	11/16/90	11/01/19	11/16/90	No
480092D	BURNET, CITY OF	BURNET COUNTY	11/22/77	09/18/87	11/01/19	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

**STATUTORY
CHECKLIST BACKUP**

Clean Air



Texas Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of February 29, 2024

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

TEXAS

Important Notes

Download National Dataset: dbf | xls | Data dictionary (PDF)

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or Part County	Populati (2010)
TEXAS							
Anderson County	Sulfur Dioxide (2010)	Freestone and Anderson Counties, TX	1718192021222324	//		Part	7
Bexar County	8-Hour Ozone (2015)	San Antonio, TX	18192021222324	//	Moderate	Whole	1,714,77
Brazoria County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	313,160
Brazoria County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	313,160
Brazoria County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	313,160
Brazoria County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18192021222324	//	Moderate	Whole	313,160
Chambers County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	35,096
Chambers County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	35,096
Chambers County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	35,096
Chambers County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18192021222324	//	Moderate	Whole	35,096
Collin County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92939495969798990001020304	//	Serious	Whole	782,34
Collin County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	782,34
Collin County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	782,34
Collin County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	782,34
Collin County	Lead (1978)	Collin County, TX	92939495969798	12/13/1999		Part	782,35

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)
Collin County	Lead (2008)	Frisco, TX	10111213141516	09/27/2017		Part	3,670
Dallas County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92939495969798990001020304	//	Serious	Whole	2,368,15
Dallas County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	2,368,15
Dallas County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	2,368,15
Dallas County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	2,368,15
Denton County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92939495969798990001020304	//	Serious	Whole	662,61
Denton County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	662,61
Denton County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	662,61
Denton County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	662,61
El Paso County	1-Hour Ozone (1979)-NAAQS revoked	El Paso, TX	92939495969798990001020304	//	Serious	Whole	800,64
El Paso County	8-Hour Ozone (2015)	El Paso-Las Cruces, TX-NM	18192021222324	//	Marginal	Whole	800,64
El Paso County	Carbon Monoxide (1971)	El Paso, TX	92939495969798990001020304050607	10/03/2008	Moderate <= 12.7ppm	Part	73,100
El Paso County	PM-10 (1987)	El Paso County, TX	929394959697989900010203040506070809101112131415161718192021222324	//	Moderate	Part	649,12
Ellis County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	149,610
Ellis County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	149,610
Ellis County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	149,610
Fort Bend County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	585,37
Fort Bend County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	585,37
Fort Bend County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	585,37
Fort Bend County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18192021222324	//	Moderate	Whole	585,37
Freestone County	Sulfur Dioxide (2010)	Freestone and Anderson Counties, TX	1718192021222324	//		Part	4,087

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)
Galveston County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	291,300
Galveston County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	291,300
Galveston County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	291,300
Galveston County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18192021222324	//	Moderate	Whole	291,300
Hardin County	1-Hour Ozone (1979)-NAAQS revoked	Beaumont-Port Arthur, TX	92939495969798990001020304	//	Serious	Whole	54,635
Hardin County	8-Hour Ozone (1997)-NAAQS revoked	Beaumont-Port Arthur, TX	040506070809	11/19/2010	Moderate	Whole	54,635
Harris County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	4,092,400
Harris County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	4,092,400
Harris County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	4,092,400
Harris County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18192021222324	//	Moderate	Whole	4,092,400
Howard County	Sulfur Dioxide (2010)	Howard County, TX	21222324	//		Part	281
Hutchinson County	Sulfur Dioxide (2010)	Hutchinson County, TX	21222324	//		Part	14,593
Jefferson County	1-Hour Ozone (1979)-NAAQS revoked	Beaumont-Port Arthur, TX	92939495969798990001020304	//	Serious	Whole	252,270
Jefferson County	8-Hour Ozone (1997)-NAAQS revoked	Beaumont-Port Arthur, TX	040506070809	11/19/2010	Moderate	Whole	252,270
Johnson County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	150,930
Johnson County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	150,930
Johnson County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	150,930
Kaufman County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	103,350
Kaufman County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	103,350
Kaufman County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	103,350

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)
Liberty County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	75,643
Liberty County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	75,643
Liberty County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	75,643
Montgomery County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	455,740
Montgomery County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	455,740
Montgomery County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	455,740
Montgomery County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18192021222324	//	Moderate	Whole	455,740
Navarro County	Sulfur Dioxide (2010)	Navarro County, TX	21222324	//		Part	1,593
Orange County	1-Hour Ozone (1979)-NAAQS revoked	Beaumont-Port Arthur, TX	92939495969798990001020304	//	Serious	Whole	81,837
Orange County	8-Hour Ozone (1997)-NAAQS revoked	Beaumont-Port Arthur, TX	040506070809	11/19/2010	Moderate	Whole	81,837
Panola County	Sulfur Dioxide (2010)	Rusk and Panola Counties, TX	1718192021222324	//		Part	24
Parker County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	116,927
Parker County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	116,927
Parker County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	116,927
Rockwall County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	78,337
Rockwall County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	78,337
Rusk County	Sulfur Dioxide (2010)	Rusk and Panola Counties, TX	1718192021222324	//		Part	1,656
Tarrant County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92939495969798990001020304	//	Serious	Whole	1,809,000
Tarrant County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	0405060708091011121314	//	Serious	Whole	1,809,000
Tarrant County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	1,809,000

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)
Tarrant County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	1,809,050
Titus County	Sulfur Dioxide (2010)	Titus County, TX	1718192021222324	//		Part	211
Victoria County	1-Hour Ozone (1979)-NAAQS revoked	Victoria, TX	929394	05/08/1995	Incomplete Data	Whole	86,793
Waller County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92939495969798990001020304	//	Severe-17	Whole	43,205
Waller County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	0405060708091011121314	//	Severe 15	Whole	43,205
Waller County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12131415161718192021222324	//	Severe 15	Whole	43,205
Wise County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12131415161718192021222324	//	Severe 15	Whole	59,127
Wise County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18192021222324	//	Moderate	Whole	59,127

Important Notes

Discover.

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Ask.

Follow.

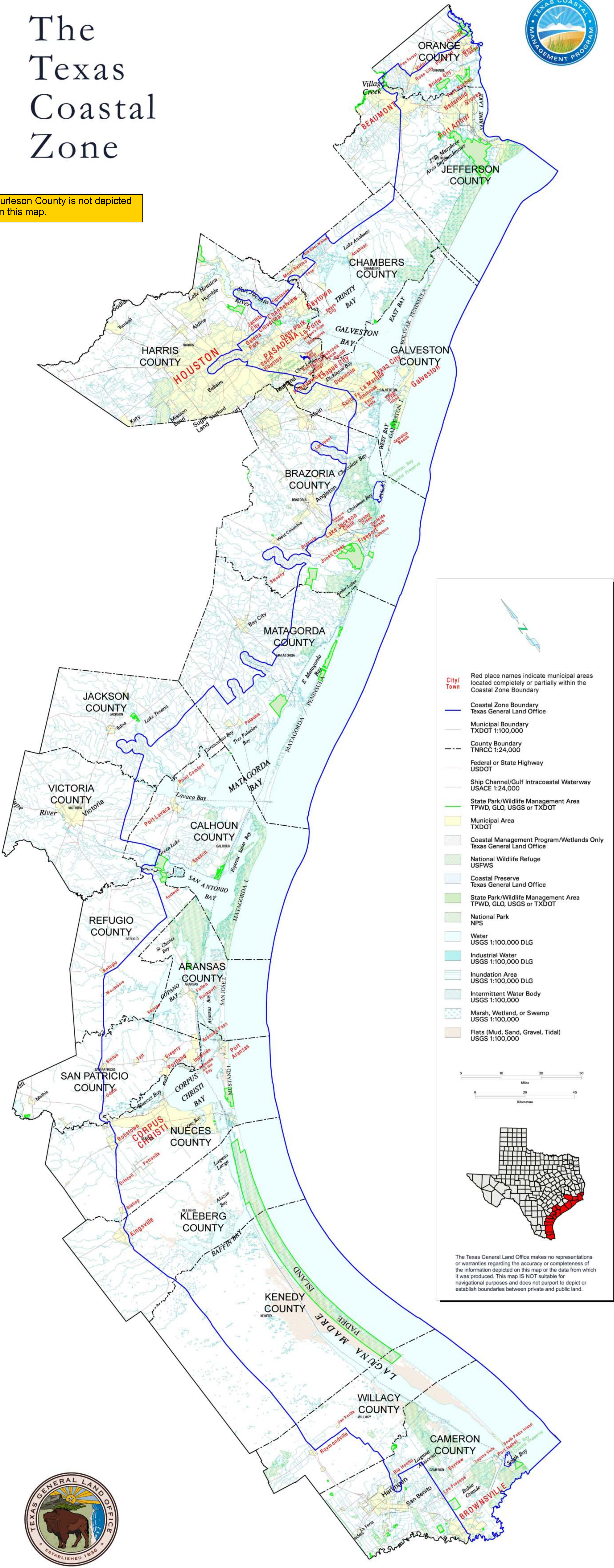
2024-02-29

Coastal Zone Management

The Texas Coastal Zone



Burleson County is not depicted on this map.



- City/Town** Red place names indicate municipal areas located completely or partially within the Coastal Zone Boundary
- Coastal Zone Boundary** Texas General Land Office
- Municipal Boundary** TXDOT 1:100,000
- County Boundary** TNRC 1:24,000
- Federal or State Highway** USDOT
- Ship Channel/Gulf Intracoastal Waterway** USACE 1:24,000
- State Park/Wildlife Management Area** TPWD, GLO, USGS or TXDOT
- Municipal Area** TXDOT
- Coastal Management Program/Wetlands Only** Texas General Land Office
- National Wildlife Refuge** USFWS
- Coastal Preserve** Texas General Land Office
- State Park/Wildlife Management Area** TPWD, GLO, USGS or TXDOT
- National Park** NPS
- Water** USGS 1:100,000 DLG
- Industrial Water** USGS 1:100,000 DLG
- Inundation Area** USGS 1:100,000 DLG
- Intermittent Water Body** USGS 1:100,000
- Marsh, Wetland, or Swamp** USGS 1:100,000
- Flats (Mud, Sand, Gravel, Tidal)** USGS 1:100,000



The Texas General Land Office makes no representations or warranties regarding the accuracy or completeness of the information depicted on this map or the data from which it was produced. This map IS NOT suitable for navigational purposes and does not purport to depict or establish boundaries between private and public land.



Contamination and Toxic Substances

Burleson Co - 24-065-057-E567-Street-Drainage

The following is a list of HAZMAT databases searched and the number of sites found within the indicated search radius.

<u>Database Searched</u>	<u>Search Distance (miles)</u>	<u>Number of Sites Found</u>
<u>CHESTNUT</u>		
<u>Federal Databases</u>		
NPL Site List	1	0
Delisted NPL sitre list	0.5	0
CERCLIS list	0.5	0
CERCLIS NFRAP site list	0.5	0
RCRA CORRACTS facilities list	1	0
RCRA CORRACTS TSD facilities list	0.5	0
RCRA generators list	property and adjoining properties	0
Institutional control/engineering control registries	property only	0
<u>State Databases</u>		
NPL	0.5	0
CERCLIS	0.5	0
Landfill and/or solid waste disposal site lists	0.5	3
Closed Landfill List	0.5	0
RCRA CORRACTS facilities list	1	0
Leaking storage tank list	0.5	0
Registered storage tank list	property and adjoining properties	0
Institutional control/engineering control registries	property only	0
Brownfield Sites	0.5	0
ERNS list	property only	0
Voluntary Cleanup sites	0.5	0
<u>MALLARD</u>		
<u>Federal Databases</u>		
NPL Site List	1	0
Delisted NPL sitre list	0.5	0
CERCLIS list	0.5	0
CERCLIS NFRAP site list	0.5	0
RCRA CORRACTS facilities list	1	0
RCRA CORRACTS TSD facilities list	0.5	0
RCRA generators list	property and adjoining	0
Institutional control/engineering control registries	property only	0
<u>State Databases</u>		
NPL	0.5	0
CERCLIS	0.5	0
Landfill and/or solid waste disposal site lists	0.5	0
Closed Landfill List	0.5	0
RCRA CORRACTS facilities list	1	0
Leaking storage tank list	0.5	0
Registered storage tank list	property and adjoining	0
Institutional control/engineering control registries	property only	0
Brownfield Sites	0.5	0
ERNS list	property only	0
Voluntary Cleanup sites	0.5	0

NEPA Assist

Burleson Co - 24-065-057-E567-Street-Drainage

Map



Geographic coordinates:

POINT (30.515389,-96.776500)
with buffer 1.0 mile

Note: The information in the following reports is based on publicly available databases and web services. The National Report uses nationally available datasets and the State Reports use datasets available through the EPA Regions. Click on the hyperlinked question to view the data source and associated metadata.

National Report

Project Location

30.515389,-96.7765

Within 1 mile of an Ozone 1-hr (1979 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (2015 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a CO Annual (1971 standard) Non-Attainment/Maintenance Area?	no

Within 1 mile of a NO2 Annual (1971 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a Federal Land?	no
Within 1 mile of an impaired stream?	no
Within 1 mile of an impaired waterbody?	no
Within 1 mile of a waterbody?	yes
Within 1 mile of a stream?	yes
Within 1 mile of an NWI wetland?	click here
	May take several minutes
Within 1 mile of a Brownfields site?	no
Within 1 mile of a Superfund site?	no
Within 1 mile of a Toxic Release Inventory (TRI) site?	no
Within 1 mile of a water discharger (NPDES)?	no
Within 1 mile of a hazardous waste (RCRA) facility?	no
Within 1 mile of an air emission facility?	no
Within 1 mile of a school?	yes
Within 1 mile of an airport?	no
Within 1 mile of a hospital?	no
Within 1 mile of a designated sole source aquifer?	no
Within 1 mile of a historic property on the National Register of Historic Places?	no
Within 1 mile of a Chemical Data Reporting (CDR) site?	no
Within 1 mile of a Land Cession Boundary?	no
Within 1 mile of a tribal area (lower 48 states)?	no
Within 1 mile of the service area of a mitigation or conservation bank?	yes
Within 1 mile of the service area of an In-Lieu-Fee Program?	no
Within 1 mile of a Public Property Boundary of the Formerly Used Defense Sites?	no
Within 1 mile of a Munitions Response Site?	no
Within 1 mile of an Essential Fish Habitat (EFH)?	no
Within 1 mile of a Habitat Area of Particular Concern (HAPC)?	no
Within 1 mile of an EFH Area Protected from Fishing (EFHA)?	no
Within 1 mile of a Bureau of Land Management Area of Critical Environmental Concern?	no
Within 1 mile of an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within 1 mile of an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

[Texas Report](#) 
[Demographic Reports](#) 
[USFWS IPaC Report](#) 

Burleson Co - 24-065-057-E567-Street-Drainage

Map



Geographic coordinates:

POINT (30.441030,-96.559069)
with buffer 1.0 mile

Note: The information in the following reports is based on publicly available databases and web services. The National Report uses nationally available datasets and the State Reports use datasets available through the EPA Regions. Click on the hyperlinked question to view the data source and associated metadata.

National Report

Project Location	30.44103,-96.559069
Within 1 mile of an Ozone 1-hr (1979 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (2015 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a CO Annual (1971 standard) Non-Attainment/Maintenance Area?	no

Within 1 mile of a NO2 Annual (1971 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a Federal Land?	no
Within 1 mile of an impaired stream?	yes
Within 1 mile of an impaired waterbody?	no
Within 1 mile of a waterbody?	yes
Within 1 mile of a stream?	yes
Within 1 mile of an NWI wetland?	click here
	May take several minutes
Within 1 mile of a Brownfields site?	no
Within 1 mile of a Superfund site?	no
Within 1 mile of a Toxic Release Inventory (TRI) site?	no
Within 1 mile of a water discharger (NPDES)?	no
Within 1 mile of a hazardous waste (RCRA) facility?	no
Within 1 mile of an air emission facility?	no
Within 1 mile of a school?	no
Within 1 mile of an airport?	no
Within 1 mile of a hospital?	no
Within 1 mile of a designated sole source aquifer?	no
Within 1 mile of a historic property on the National Register of Historic Places?	no
Within 1 mile of a Chemical Data Reporting (CDR) site?	no
Within 1 mile of a Land Cession Boundary?	no
Within 1 mile of a tribal area (lower 48 states)?	no
Within 1 mile of the service area of a mitigation or conservation bank?	yes
Within 1 mile of the service area of an In-Lieu-Fee Program?	no
Within 1 mile of a Public Property Boundary of the Formerly Used Defense Sites?	no
Within 1 mile of a Munitions Response Site?	no
Within 1 mile of an Essential Fish Habitat (EFH)?	no
Within 1 mile of a Habitat Area of Particular Concern (HAPC)?	no
Within 1 mile of an EFH Area Protected from Fishing (EFHA)?	no
Within 1 mile of a Bureau of Land Management Area of Critical Environmental Concern?	no
Within 1 mile of an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within 1 mile of an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

[Texas Report](#) 
[Demographic Reports](#) 
[USFWS IPaC Report](#) 

TCEQ - CRQ

Muni - No Permit

Burleson Co - 24-065-057-E567

Street-Drainage

30 views

Last edit was seconds ago

Add layer Share Preview

Street - Drainage Improvements

Individual styles

- Chestnut
- Mallard Rd

Municipalities

Group places by

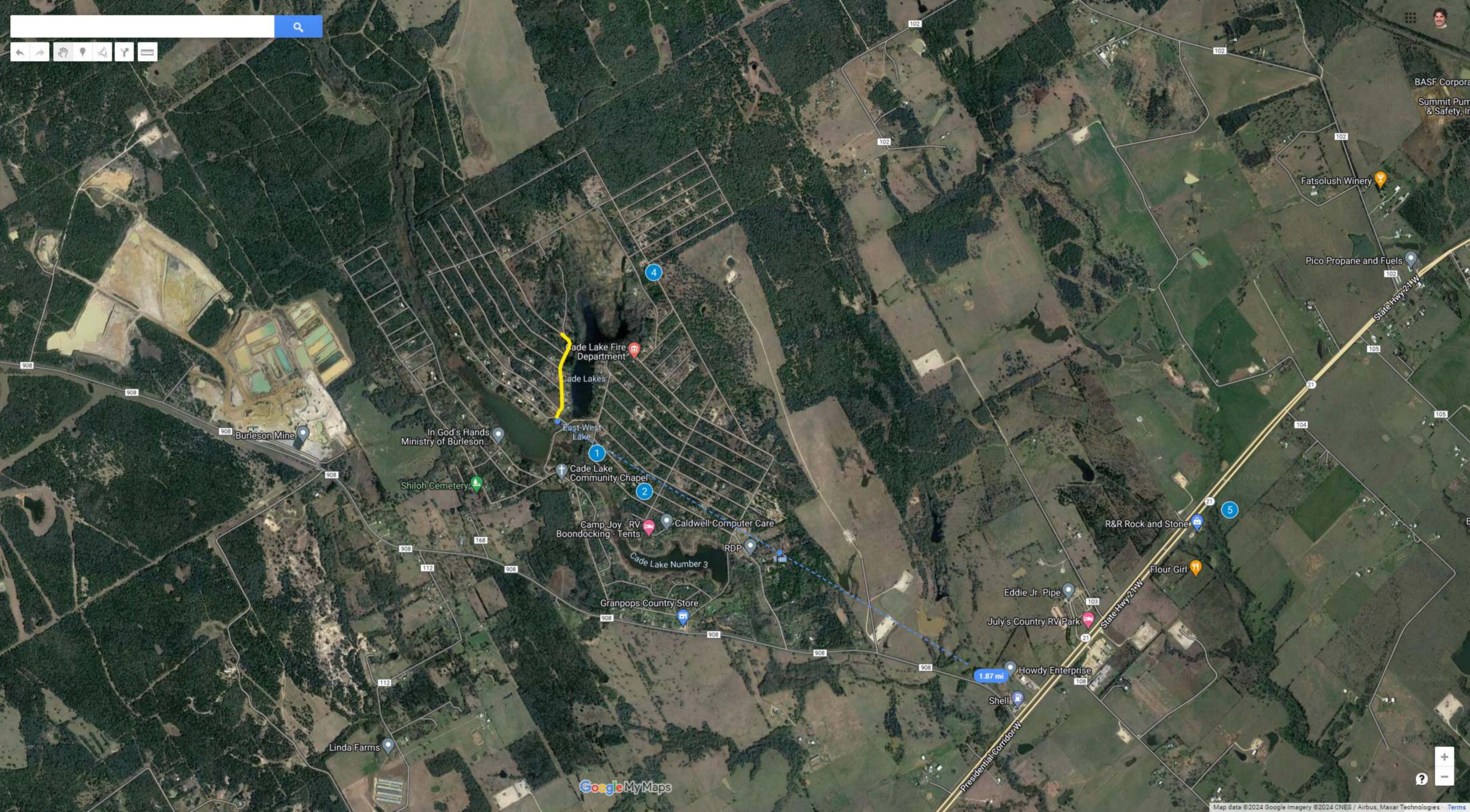
Sequence of numbers

Set labels

No labels

- 1 522 WALNUT DR
- 2 991 YAUPON
- 3 BURLESON CAD PID 18829
- 4 BURLESON CAD PID R18910
- 5 BURLESON COUNTY PID 315...
- 6 FM 166 AFTER R12611 1 MI...

Base map



Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Municipal Solid Waste Non-Permitted**

For: **522 WALNUT DR (RN105496368 ...)**

522 WALNUT DR, CALDWELL, BURLESON COUNTY

Related Information:

There is no information related to this Municipal Solid Waste Non-Permitted in the following categories:

- Commissioners' Actions**
 - Correspondence Tracking**
 - Effective Enforcement Orders**
 - Criminal Convictions**
 - Proposed Enforcement Orders**
 - Complaints**
 - Discharges**
 - Emergency Response Events**
 - Emission Events**
 - Fish Kills**
 - Other Incidents**
 - Investigations**
 - Periodic Reports**
 - Municipal Solid Waste Non-Permitted Information**
-

.....
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Statewide Links: **Texas.gov | Texas Homeland Security | TRAIL Statewide Archive | Texas Veterans Portal**

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Central Registry Query - Regulated Entity Information

Regulated Entity Information

RN Number: RN105621247

Name: BURLESON CAD PID R18910

Primary Business: No primary business description on file.

Street Address: No street address on file.

County: BURLESON

Nearest City: CALDWELL

State: TX

Near ZIP Code: 77836






Physical Location: BURLESON CAD PID R18910, SOUTHWEST CORNER OF INTERSECTION OF CHESNUT DR AND SUGAR HILL RD, CALDWELL, BURLESON COUNTY

Affiliated Customers - Current

Your Search Returned **3** Current Affiliation Records ([View Affiliation History ...](#))

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

1-3 of 3 Records

CN Number 	Customer Name	Customer Role(s)	Details 
CN603406406	BISHOP, WALTER J	N/A	
CN604032177	MONREAL, MARIA	N/A	
CN604032185	PEREZ, JULIO	N/A	

Industry Type Codes

Code	Classification	Name
No NAICS or SIC Codes on file.		

Permits, Registrations, or Other Authorizations

There is **1** program and ID for this regulated entity.

1-1 of 1 Records

Program	ID Type	ID Number	ID Status
MUNICIPAL SOLID WASTE NON PERMITTED			

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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Municipal Solid Waste Non-Permitted**

For: **BURLESON CAD PID R18910 (RN105621247 ...)**

BURLESON CAD PID R18910, SOUTHWEST CORNER OF INTER

Related Information:

Complaints

There is no information related to this **Municipal Solid Waste Non-Permitted** in the following categories:

- Commissioners' Actions**
 - Correspondence Tracking**
 - Effective Enforcement Orders**
 - Criminal Convictions**
 - Proposed Enforcement Orders**
 - Discharges**
 - Emergency Response Events**
 - Emission Events**
 - Fish Kills**
 - Other Incidents**
 - Investigations**
 - Periodic Reports**
 - Municipal Solid Waste Non-Permitted Information**
-

.....
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Central Registry Query - Regulated Entity Information

Regulated Entity Information

RN Number: RN105496368

Name: 522 WALNUT DR

Primary Business: No primary business description on file.

Street Address: 522 WALNUT DR, CALDWELL TX 77836

County: BURLESON

Nearest City: CALDWELL

State: TX

Near ZIP Code: 77836


Physical Location: 522 WALNUT DR, CALDWELL, BURLESON COUNTY

Affiliated Customers - Current

Your Search Returned **1** Current Affiliation Records ([View Affiliation History ...](#))

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

1-1 of 1 Records

CN Number	Customer Name	Customer Role(s)	Details
CN603344219	MOFFETT, MIKE	N/A	

Industry Type Codes

Code	Classification	Name
No NAICS or SIC Codes on file.		

Permits, Registrations, or Other Authorizations

There is **1** program and ID for this regulated entity.

1-1 of 1 Records

Program	ID Type	ID Number	ID Status
MUNICIPAL SOLID WASTE NON PERMITTED			

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Central Registry Query - Regulated Entity Information

Regulated Entity Information

RN Number: RN105519268

Name: 991 YAUPON

Primary Business: No primary business description on file.

Street Address: 991 YAUPON DR, CALDWELL TX 77836

County: BURLESON

Nearest City: CALDWELL

State: TX

Near ZIP Code: 77836


Physical Location: 991 YAUPON, CALDWELL, BURLESON COUNTY

Affiliated Customers - Current

Your Search Returned **1** Current Affiliation Records ([View Affiliation History ...](#))

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

1-1 of 1 Records

CN Number	Customer Name	Customer Role(s)	Details
CN603358185	WINSLOW, LESLIE MARIE	N/A	

Industry Type Codes

Code	Classification	Name
No NAICS or SIC Codes on file.		

Permits, Registrations, or Other Authorizations

There is **1** program and ID for this regulated entity.

1-1 of 1 Records

Program	ID Type	ID Number	ID Status
MUNICIPAL SOLID WASTE NON PERMITTED			

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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Municipal Solid Waste Non-Permitted**

For: **991 YAUPON (RN105519268 ...)**

991 YAUPON, CALDWELL, BURLESON COUNTY

Related Information:

There is no information related to this Municipal Solid Waste Non-Permitted in the following categories:

- Commissioners' Actions**
- Correspondence Tracking**
- Effective Enforcement Orders**
- Criminal Convictions**
- Proposed Enforcement Orders**
- Complaints**
- Discharges**
- Emergency Response Events**
- Emission Events**
- Fish Kills**
- Other Incidents**
- Investigations**
- Periodic Reports**
- Municipal Solid Waste Non-Permitted Information**

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Closed Landfills

Brazos Valley Council of Governments Regional Inventory of Closed Landfill Units



NO CLEANUP IS REQUIRED ~ COUNTY CLERKS MUST DEED RECORD CLOSED LANDFILLS WITH APPROXIMATE OR EXACT BOUNDARIES.



In 1993, the Texas Legislature passed House Bill (HB) 2537, which required Councils of Governments (COGs) to develop an inventory of closed municipal solid waste landfills for their regional solid waste management plans.

The Texas Commission on Environmental Quality (TCEQ, formerly the Texas Natural Resource Conservation Commission) coordinated with the 24 COGs in Texas to begin inventorying known and suspected closed municipal landfill sites. The result of this study brought forth approximately 4,200 closed municipal solid waste landfills, with 30 in the BVCOG's 7-county region. Estimated point locations were mapped and available historical information was collected into a database for each county and COG.

In 1999, Senate Bill (SB) 1447 was passed and required the COGs to carry out the inventory to a higher level of detail. Each COG was to document and map the exact boundaries of each closed landfill or approximate the boundaries if exact boundaries could not be identified. When an exact boundary can be determined, the COG is required to notify the current landowner regarding the former land use of the property and also notify the County Clerk for deed recordation. Only the sites with confidence levels rated as HIGH have been included as part of the BVCOG Closed Landfill Inventory.

SB 1447 also required that the COGs provide a copy of the closed landfill inventory report to the chief planning official of each municipality and county in which a closed landfill was identified and boundaries documented. The completed closed landfill inventory is also included in the COGs regional solid waste management plan and is provided to the TCEQ.

This inventory will provide valuable information regarding potential development limitations and for environmental consultants and others investigating historical use of properties.

Questions & Answers

Q. What is a closed municipal solid waste landfill?

A. According to rule 330.951 of the Texas Administrative Code (TAC), a closed municipal solid waste landfill is a permitted or previously permitted municipal solid waste landfill, a municipal solid waste landfill which has never been permitted, or a dumping area as defined by TAC § 330.951 (8), which stopped receiving waste and completed the closure activities.



Q . Why is there a Closed Landfill Inventory law?

A . As garbage decomposes, it produces methane gas, which can lead to explosions in high concentrations. The Closed Landfill Inventory can help to identify the potential environmental risk areas. Several years ago in the Austin area, an apartment complex built above an unknown landfill had to be evacuated because of a methane gas leak. Improperly engineered landfills may also be a source of groundwater and soil contamination.

Q . Why are BVCOG and other Texas COGs involved in this Closed Landfill Inventory?

A . It's the law. The Texas Legislature passed HB 2537, In 1993, which required COGs to develop an Inventory of closed municipal solid waste landfills as part of their regional solid waste management plans. Then, additional legislation In 1999 (SB 1447) required COGs to focus more detail on site boundaries, where feasible.

Q . What happens when a closed landfill appears on the Closed Landfill Inventory?

A . Only the closed landfills that have exact boundaries or good estimations of boundaries will be deed recorded with the appropriate county clerk. When exact boundaries are known, a letter will be sent to the property owner to notify him/her that a closed landfill has been identified on his/her property. The closed landfills with poor estimations of boundaries or unknown boundaries are not deed recorded and the property owner is not notified. The closed landfills remaining on the inventory are for informational purposes only.

Q . Does the CLI require clean up for these sites?

A . No. Clean up was not included in the legislation. New legislation would have to be passed requiring clean up of sites.

Q . What happens if a closed landfill is identified on a property but there never was a landfill?

A . There is an appeal process if a property owner wants to dispute the identification of a closed landfill on the property. The property owner may offer proof that the waste was removed from the site and/or may sign an affidavit attesting that the property was never used as a landfill; however, the TCEQ ultimately makes the decision.

Q . What kind of development is allowed on a closed landfill?

A . For sites that are deed recorded, development is allowed, but limited. This limitation is to protect against any potential disturbance of the landfill's final cover or liner. Disturbance of the final cover or liner systems is prohibited according to TAC. Some of these prohibitions include borings, piers, spread footings, foundations for light standards, fence posts, manholes, on-site disposal systems and recreational facilities. (For more information, please see: TAC, Title 30, Part 1, Chapter 330, Subchapter T — Use of land over closed municipal solid waste landfills, § 330.951—§ 330.964).

Q. How did sites get on the Closed Landfill Inventory?

A. TCEQ compiled a list of sites based on data collected from complaints, inspections and permitted facilities that were at least 1/4 acre in size.

Q. What are the characteristics of sites to be deed recorded?

A. Most sites that will be deed recorded are permitted facilities owned or operated by municipalities and/or private companies. There is a small number of sites that are unpermitted facilities that will be deed recorded.

Q. Can BVCOG remove sites from the inventory?

A. No. BVCOG can recommend the removal of a site to the TCEQ, but TCEQ will make the final decision. Adequate proof must be provided that documents the suspect landfill never existed.

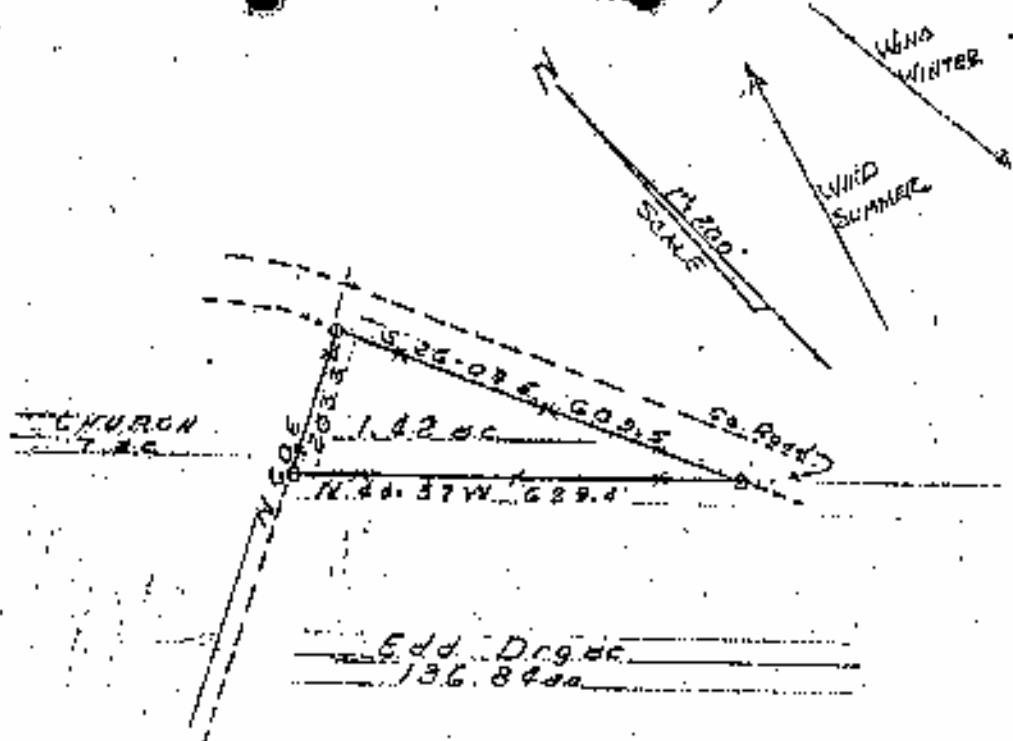
If you have any questions, please contact us at: (979) 595-2800.





BURLESON County

DATE: Aug 2, 1968



P L A T

1.42 ac. F. Niebling Survey Burleson County, Texas

Being a tract or parcel of land located in Burleson County, Texas, being out of the F. Niebling Survey and being part of the Jesse Garrett (now Edd Drgac) 136.84 acre tract and being more particularly described as follows:

Beginning in the W line of a County Road, being the NE corner of a Church tract of 7.0 acres, iron pin for corner marker, thence with said road and a curve to the right, the tangent of which is S 25° 09' E 609.5 feet, to corner in the W line of said road, iron pin for corner marker,

thence N 44° 57' W 629.4 feet to corner in the NE line of said Church tract, iron pin for marker in fence,

thence with said division line between Drgac and Church tract, N 60° E 203.3 feet to place of beginning containing 1.42 acres of land more or less as surveyed on the ground Aug. 2, 1968, 232.8.

Johnny P.S. ✓

Edd Drgac
E. D. DRGAC

173
172

THE STATE OF TEXAS
COUNTY OF BURLESON

I, JOHN J. YOUNG, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 9 DAY OF Sept. 68 AT 11:10 O'CLOCK A.M. AND DULY RECORDED ON 9 DAY OF Sept. 68 AT 11:13 O'CLOCK A.M. IN THE Book RECORD OF SAID COUNTY IN VOL. 173 PAGE 170-172

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN CALDWELL, TEXAS, THE DAY AND DATE ABOVE WRITTEN.

John J. Young
John J. Young, County Clerk



Site 1011 Burleson County

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Google

Pointer 30°36'45.12" N 96°36'40.69" W elev. 365 ft Streaming 100% Eye alt 4419 ft

Endangered Species

Chestnut

TPWD



Todd Cave <todd@caveconsulting.com>

Burleson Co-MIT- 24-065-057-E567-Street-Drainage / TPWD 5359

1 message

Rachel Lange <Rachel.Lange@tpwd.texas.gov>
To: Todd Cave <todd@texasenvironmentals.com>

Mon, Nov 25, 2024 at 3:41 PM

Thank you for submitting the above listed project for review. Based on a review of the documentation and description provided, the Ecological and Environmental Planning Program does not anticipate significant adverse impacts to rare, threatened, or endangered species, or other fish and wildlife resources. However, please note it is the responsibility of the project proponent to comply with all federal, state, and local laws that protect fish and wildlife. Provided the project plans do not change, TPWD considers coordination to be complete.

Rachel Lange, MS, Certified Wildlife Biologist®

Environmental Review Biologist

TPWD Ecological & Environmental Planning Program

Mobile: 979-732-4213

316 Spring St.

Columbus, TX 78934



Todd Cave <todd@caveconsulting.com>

Burleson Co-MIT- 24-065-057-E567-Street-Drainage

1 message

Todd Cave <todd@texasenvironmentals.com>
To: "whab@tpwd.texas.gov Unsure" <whab@tpwd.texas.gov>

Wed, Oct 16, 2024 at 12:47 PM

Dear sirs,

A Threatened and [Endangered Species Habitat Assessment Report](#) was completed for the above project. Here is the [Project Description](#) and [Google Map](#) for your reference.

We would appreciate any comments you may have on the reports and the project.

Thanks,

Todd Cave, President
(214) 307-4161
texasenvironmentals.com



Species Assessment

Protected Species Habitat Assessment

Mallard Drive Street and Drainage

Improvements Project

Mallard Drive, Burleson County, Texas

October 10, 2024 | Terracon Project Number: 96247491

Prepared for:

Burleson County
100 W Buck St. #407
Caldwell, Texas 77836



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Terracon.com

- Facilities
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October 10, 2024

Burleson County
100 W Buck Street, #407
Caldwell, Texas 77836

Attn: Ms. Raileen Murray
P: (979) 567-2300
EL rmurray@burlesoncounty.org

RE: Protected Species Habitat Assessment
Mallard Drive Street and Drainage Improvements Project
Mallard Drive, Burleson County, Texas
Terracon Project Number: 96247491

Dear Ms. Murray:

Terracon Consultants, Inc. (Terracon) is pleased to submit this Protected Species Habitat Assessment report addressing federal Endangered Species Act and state regulatory compliance requirements as they may affect the proposed Mallard Drive Street and Drainage Improvements Project in Burleson County, Texas. This report has been prepared in accordance with Proposal No. P96247491, dated August 15, 2024, and the associated Service Authorization dated August 30, 2024.

Terracon appreciates the opportunity to have worked for you on this project. Please feel free to contact Bridgette Zapalac at (512) 358-9935 (Bridgette.Zapalac@terracon.com) if you have questions regarding the content of this report.

Sincerely,
Terracon Consultants, Inc.

Jeff T. Jenkerson, M.S., CWB
Natural Resource Team Lead

Bridgette Zapalac
Senior Staff Scientist

Enclosure

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1.0 Introduction

Terracon Consultants, Inc. (Terracon) was retained by Burleson County (Client) to perform a Protected Species Habitat Assessment for the proposed Mallard Drive Street and Drainage Improvements Project. The study area is comprised of an approximately 150-ft section of Mallard Drive surrounded by partially undeveloped, wooded land in Caldwell, Burleson County, Texas. Land use in the study area and vicinity is low intensity residential development, as seen on Exhibit 1.0 in Appendix A.

This report has been prepared in accordance with Terracon Proposal No. P96247491 dated August 15, 2024, and the associated Service Authorization dated August 30, 2024. The purpose of the Protected Species Habitat Assessment is to characterize the existing land cover conditions within the study area, observe the study area for protected species and/or their suitable habitats, and provide an opinion regarding whether or not proposed development within the study area may affect species/habitat listed under the Endangered Species Act (ESA), Texas Parks and Wildlife Code (TPW Code), Bald and Golden Eagle Protection Act (BGEPA), and Migratory Bird Treaty Act (MBTA).

2.0 Regulatory Review

Relevant laws for this assessment are summarized below.

2.1 Endangered Species Act (ESA)

The United States Fish and Wildlife Service (USFWS) has the authority under the ESA to list and monitor the status of species whose populations are considered imperiled. USFWS regulations that implement the ESA are codified and regularly updated in 50 CFR Part 17. The federal process identifies potential candidates based on biological vulnerability. The vulnerability assessment considers several factors affecting a species within its range and is linked to the best scientific data available to the USFWS. Species listed as endangered or threatened by the USFWS are afforded full protection under the ESA, including the prohibition of indirect take such as the destruction of designated critical habitat.

Section 7 of the ESA 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 Information, Planning, and Conservation System (IPaC), or from the local field office directly.

2.2 Texas Parks and Wildlife Code (TPW Code)

Texas enacted state-level endangered species legislation in 1973, and subsequent amendments to this legislation have established a regulatory program for the management and protection of endangered species (i.e. species in danger of extinction) and threatened species (i.e. species likely to become endangered in the foreseeable future). Chapters 67 and 68 of the TPW Code authorize Texas Parks and Wildlife Department (TPWD) to formulate lists of threatened and endangered fish and wildlife and regulate take and possession of listed species. Under this statutory authority, TPWD regulates the taking, possession, transport, export, processing, selling or offering for sale, or shipping of threatened or endangered species. State regulations do not require habitat protection for state listed threatened and endangered (T&E) species; therefore, state listed T&E species are typically only a development constraint if individual species are identified on-site.

2.3 Bald and Golden Eagle Protection Act (BGEPA)

Bald and golden eagles, having been delisted under the ESA, are still afforded federal protections under the BGEPA (16 U.S.C. 668-668c), enacted in 1940. Under the BGEPA it is unlawful to take, possess, sell, purchase, barter, offer to sell, possess, transport, export or import, bald or golden eagles, alive or dead, including any part (including feathers), nest (including inactive nests), or egg, unless allowed by permit. A “take” under the BGEPA is defined as to “pursue, shoot, shoot at, poison, wound, capture, trap, collect, molest or disturb.” The term “disturb”, as defined in a final rule published in the Federal Register on June 5, 2007 (Volume 72, page 31332) means to

...agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the scientific information available (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

2.4 Migratory Bird Treaty Act (MBTA)

ESA and state-listed avian species, as well as other migratory birds, are protected under the MBTA. The 1918 MBTA establishes a federal prohibition “to pursue, hunt, capture, kill, collect, possess, buy, sell, trade, or transport any migratory bird, nest, young, feather, or egg, without a permit” issued in accordance with the policies and regulations of the MBTA. Take is defined as “to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect migratory birds”. The MBTA does not prohibit the destruction of the bird nest alone (without birds or eggs) provided that no possession of the nest occurs during destruction. The USFWS is the lead agency determining permitting requirements for nest removal or destruction.

Under the current regulatory framework, there are no provisions for allowing the take of migratory birds that are unintentionally killed or injured (incidental take). The USFWS is actively undertaking rule making procedures to define and regulate incidental take. The USFWS has issued a Director's Order to provide interim guidance for the regulation of incidental take. In the Order, the USFWS indicates that they would enforce incidental takes as a statutory take in accordance with case law presiding in the state where the incidental take occurs. In Texas presiding case law would allow or limit the enforcement of incidental take by the USFWS. Under the Order, the following types of conduct are not a priority for enforcement against incidental take:

- (1) A member of the general public conducting otherwise legal activities that incidentally take migratory birds;
- (2) A federal agency conducting activities in accordance with a signed memorandum of understanding with the Service developed under Executive Order 13186 for the conservation of migratory birds; or
- (3) A public- or private-sector entity conducting activities in accordance with applicable beneficial practices for avoiding and minimizing incidental take.

Activities in accordance with applicable beneficial practices for avoiding and minimizing incidental take can include conducting habitat removal outside of migratory bird nesting season or conducting nesting surveys of appropriate habitat to limit disturbance of nesting birds coinciding with habitat removal during nesting season.

3.0 Study Area Setting

3.1 Topographic Maps & Aerial Photography Review

Terracon reviewed the 2004, 2014, and 2022 United States Geological Surveys (USGS) Lyons, TX 7.5-minute quadrangle topographic maps to assess the suitability of the topography for development (Exhibits 2.0-2.2 in Appendix A).

The topographic map of the study area depicts one riverine north of the boundary. Based on the 10-foot contour intervals of the map, elevation across the site appears to be approximately 250 feet above mean sea level.

Terracon reviewed Texas Geographic Information Office (TXGIO) National Agriculture Imagery Program (NAIP) aerial photographs from 2004, 2014, and 2022 to determine history and characteristics of the study area and the vicinity. In the 2004 imagery, the study area is undeveloped and mostly wooded with portions of bare ground in the southeast and northeast. One riverine feature can be seen on the northern portion of the site, and few buildings are apparent with dense canopy cover. In the 2014 imagery, more buildings are apparent with

less canopy cover throughout, while the 2022 imagery depicts a similar amount of canopy cover from the 2004 imagery.

Based on the review, the study area is primarily dominated by woody vegetation, and it is evident that there have not been any major changes from the current condition within and around the study area from 2004 to present. The aerial photographs are included as Exhibits 5.0-5.2 in Appendix A.

3.2 Ecological Mapping System of Texas Review

Data from the TPWD Ecological Mapping Systems of Texas (EMST) database was used to estimate areas of major vegetation cover types within the study area. The TPWD has produced a 398 class, 10-meter spatial resolution land classification map for Texas. More than 14,000 ground data samples were collected in support of the mapping effort, and the vegetation database resulted in an accuracy of 74% to 90%.

According to TPWD, the study area is located in the East Central Texas Plains Region. The ecoregion is a transition zone between the east Texas pine forests and the Blackland prairies. Review of the United States Department of Agriculture Natural Resources Conservation Service Soil Survey Geographic Database soil data indicates the study area lies entirely within Ua: Umland fine sandy loam, frequently flooded soil series. The USDA Site Soil Map is provided as Exhibit 3.0 in Appendix A. The landcover types within the study area, according to the EMST, are Central Texas: Floodplain Hardwood Forest, Central Texas: Floodplain Herbaceous Vegetation, and Post Oak Savanna: Post Oak Motte and Woodland. The distribution of land cover types can be seen on Exhibit 4.0 in Appendix A.

- *Central Texas: Floodplain Hardwood Forest*

Dominant communities within this system range from floodplain forests to wet meadows to gravel/sand flats, all linked by underlying soils and the flooding regime. Canopy dominants may include pecan (*Carya illinoensis*), white ash (*Fraxinus americana*), water oak (*Quercus nigra*), cedar elm (*Ulmus crassifolia*), sugar hackberry (*Celtis laevigata*), American elm (*Ulmus americana*), plateau or coastal live oak (*Quercus fusiformis* or *Q. virginiana*), American sycamore (*Platanus occidentalis*), boxelder (*Acer negundo*), honey locust (*Gleditsia triacanthos*), bur oak (*Quercus macrocarpa*), red mulberry (*Morus rubra*), green ash (*Fraxinus pennsylvanica*), and western soapberry (*Sapindus saponaria* var. *drummondii*). Along river margins, species such as American sycamore, eastern cottonwood (*Populus deltoides*), and black willow (*Salix nigra*) dominate. Shrub species may include American beautyberry (*Callicarpa americana*), common buttonbush (*Cephalanthus occidentalis*), possumhaw (*Ilex decidua*), yaupon (*Ilex vomitoria*), gum bumelia (*Sideroxylon lanuginosum*), eastern persimmon (*Diospyros virginiana*), farkleberry (*Vaccinium arboreum*), eastern redcedar (*Juniperus virginiana*), roughleaf dogwood (*Cornus drummondii*), and rusty blackhaw (*Viburnum rufidulum*) but are generally fairly sparse. In the southern expressions of the system, other shrubs such as honey mesquite (*Prosopis*

glandulosa), huisache (*Acacia farnesiana*), Texas persimmon (*Diospyros texana*), and brasil (*Condalia hookeri*) may be encountered. Vines such as Alabama supplejack (*Berchemia scandens*), trumpet vine (*Campsis radicans*), grape (*Vitis* spp.), Virginia creeper (*Parthenocissus quinquefolia*), poison ivy (*Toxicodendron radicans*), saw greenbrier (*Smilax bona-nox*), and peppervine (*Ampelopsis arborea*) may be found. Non-native grasses that may dominate these sites include bermudagrass (*Cynodon dactylon*), King Ranch bluestem (*Bothriochloa ischaemum* var. *songarica*), and Johnsongrass (*Sorghum halepense*). Deciduous species dominate the canopy. Non-native trees such as Chinese tallow (*Triadica sebifera*) and Chinaberry (*Melia azedarach*) may also be present.

- **Central Texas: Floodplain Herbaceous Vegetation**

Floodplains that lack a significant overstory or shrub canopy but has herbaceous cover. Non-native grass species such as bermudagrass, King Ranch Bluestem (*Bothriochloa ischaemum* var. *songarica*), and Johnsongrass may dominate. Eastern gamagrass (*Tripsacum dactyloides*) and switchgrass (*Panicum virgatum*) are dominate throughout prairies on lowlands.

- **Post Oak Savanna: Post Oak Motte and Woodland**

Represents the deciduous woodland component of the system, dominated by post oak (*Quercus stellata*), with blackjack oak (*Quercus marilandica*) and/or plateau live oak (*Quercus fusiformis*). Black hickory (*Carya texana*) may be a significant component of the overstory. Other species such species as sugar hackberry, honey mesquite, water oak, eastern persimmon (*Diospyros virginiana*), eastern redcedar, winged elm (*Ulmus alata*), and cedar elm are often overstory components. The shrub layer includes species such as American beautyberry, possumhaw, yaupon, gum bumelia, saw greenbrier, coral-berry (*Symphoricarpos orbiculatus*), farkleberry and Hercules' club (*Zanthoxylum clava-herculis*). Herbaceous components are often represented primarily by little bluestem (*Schizachyrium scoparium*), Indiangrass (*Sorghastrum nutans*), big bluestem (*Andropogon gerardii*), brownseed paspalum (*Paspalum plicatulum*). Other grasses may include silver bluestem (*Bothriochloa laguroides* ssp. *torreyana*), Canada wildrye (*Elymus canadensis*), switchgrass, Florida paspalum (*Paspalum floridanum*), thin paspalum (*Paspalum setaceum*), tall dropseed (*Sporobolus compositus*), and purpletop (*Tridens flavus*).

Field Observations

Terracon performed a site investigation on September 11, 2024, to characterize existing conditions within the study area boundaries. Prior to the site investigation, Terracon reviewed available desktop resources and habitat related data (e.g., vegetation descriptions, soil descriptions, site photographs) to assist in identifying different habitat types.. A photolog is located in Appendix B where site photographs provide an indication of the physical characteristics observed during the site investigation. The study area is composed

predominately of an existing roadway and associated right-of-way (ROW) and located within a partially developed landscape. One riverine feature was located at the northern portion of the site, but no water was observed. Vegetation species that dominate the immediate vicinity of the study area include: purple top tridens (*Tridens flavus*), cuman ragweed (*Ambrosia psilostachya*), trumpet vine, cedar elm, silver beard grass (*Bothriochloa laguroides*), silver leaf nightshade (*Solanum elaeagnifolium*), black-eyed Susan (*Rudbeckia hirta*), poison ivy, peppervine, honey locust, eastern red cedar juniper, water oak, frog fruit (*Phyla nodiflora*), Bermuda grass, Carolina snail seed (*Cocculus carolinus*), mustang grape (*Vitis mustangensis*), Johnson grass, side oats grama (*Bouteloua curtipendula*) and sugarberry.

4.0 Database Review

4.1 IPaC Report

T&E species are listed on the USFWS IPaC system. An Official Species List dated September 6, 2024, was generated by IPaC and transmitted to Terracon on behalf of the Austin Ecological Services Field Office. The Official Species List generated for Burleson County, Texas, identifies a total of seven species as having the potential to occur within the study area and vicinity (reference USFWS IPaC Official Species List in Appendix B).

The study area consists of an existing ROW, therefore, does not contain suitable habitat for any federally or state-listed protected species. However, immediately adjacent to the study area, potentially suitable habitat is present for four federally-listed species. If construction extends outside of the current project boundaries (exiting ROW), protected species’ habitat may be impacted. Please refer to Section 5.0 for further discussion of these species.

Table 1 below includes the species listed by the USFWS in Burleson County Texas, federal status, a description of suitable habitat, an assessment of habitat presence based on the site investigation, and preliminary findings of effect from the proposed project. Preliminary effect determinations assume that protected species may be impacted if the project were to result in the direct removal of associated suitable habitat. Species-specific surveys and USFWS coordination or consultation is typically required to obtain official determinations of effect. The IPaC did not identify any critical habitats within the study area.

Table 1. USFWS IPaC Listed Species for Burleson County, Texas.

Species	USFWS Status	Habitat Description	Habitat Presence	Findings
Tricolored bat (<i>Perimyotis subflavus</i>)	Proposed Endangered	During the winter, often found in caves and abandoned mines; where caves are sparse, often found in road-associated culverts. During spring, summer, and fall, found in forested habitats where they roost in trees,	No; suitable habitat is not present within study area	No effect



		primarily among leaves of live or recently dead deciduous hardwood trees, but may also be found in Spanish moss, pine trees, and occasionally human structures. Forage along forest edges and over ponds and waterways.		
Piping plover (<i>Charadrius melodus</i>)	Threatened	Wintering migrant along the Texas Gulf Coast; beaches and bayside mud flats. Most abundant on algal flats in fall and spring but used exposed sand flats more often in winter.	No; suitable habitat is not present within study area	No effect
Rufa red knot (<i>Calidris canutus rufa</i>)	Threatened	Migrate northward through the U.S. Apr - Jun, southward Jul- Oct. Prefers shoreline of coast and bays, uses mudflats during rare inland encounters; Primarily inhabits seacoasts on tidal flats and beaches, herbaceous wetlands, and tidal flat/shore.	No; suitable habitat is not present within study area	No effect
Whooping crane (<i>Grus americana</i>)	Endangered	During migration uses a variety of habitats; however, wetland mosaics appear to be the most suitable. For feeding and roosting primarily use shallow, seasonally and semi-permanently flooded palustrine wetlands, and various cropland and emergent wetlands.	No; suitable habitat is not present within study area	No effect
Houston toad (<i>Anaxyrus houstonensis</i>)	Endangered	Terrestrial and aquatic: Primary terrestrial habitat is forests with deep sandy soils. Juveniles and adults are presumed to move through areas of less suitable soils using riparian corridors. Aquatic habitats can include any water body from a tire rut to a large lake.	No; suitable habitat is not present within study area	No effect
Monarch butterfly (<i>Danaus plexippus</i>)	Candidate	Habitat is a complex issue for this species. In general, breeding areas are virtually all patches of milkweed in North America and some other regions. The critical conservation feature for North American populations is the overwintering habitats, which are certain high-altitude Mexican conifer forests or coastal California conifer, or Eucalyptus groves as identified in literature.	No; absence of suitable habitat within or near the study area	No effect
Navasota Ladies-tresses (<i>Spiranthes parksii</i>)	Endangered	Openings in post oak woodlands in sandy loams along upland drainages or intermittent streams, often in areas with suitable hydrologic factors, such as a perched water table associated with the underlying claypan; flowering populations fluctuate widely from year to year, an individual plant does not flower every year; flowering late October-early November (-early December).	No; absence of suitable habitat within or near the study area	No effect

Source: USFWS IPaC Official Species List requested and received August 8, 2024.
Site investigation of study area August 1, 2024.

Sections 7 and 9 of Endangered Species Act.

4.2 TPWD Listed Species

The list of Rare, Threatened, and Endangered Species as well as “Species of Greatest Conservation Need” (SGCN) compiled by the TPWD for Burleson County, Texas includes 80 species (see *TPWD Annotated County List of Rare Species* in Appendix B). Of the 80 species, 6 are listed as state endangered and 10 are listed as state threatened. Table 2 below includes the federal and/or state listed species identified by TPWD for Burleson County. Only those species that were not already included in the IPaC are summarized below. Preliminary determinations of effect are provided for those species listed under the ESA. Findings of potential impact are provided for species which are only protected under TPW Code. A complete list of the rare, threatened, and endangered species compiled by the TPWD for Burleson County, Texas is included in Appendix B.

TPW Code does not designate protections for state-listed species’ habitat; therefore, state-listed species are typically only a development constraint if individuals of a species are identified onsite. During the site investigation, no federally- or state-listed species were observed; however, formal surveys to determine presence or probable absence were not conducted.

Table 2. TPWD List of Federally- and/or State-listed Species in Burleson County, Texas.

Species	Federal Status	State Status	Habitat Description	Habitat Present	Findings
Black rail (<i>Laterallus jamaicensis</i>)	T	T	The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of Salicornia	No; absence of suitable habitat within or near the study area	No impact
Interior least tern (<i>Sternula antillarum athalassos</i>)	DL	E	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	No; absence of suitable habitat within or near the study area	No impact



			breeding forages within a few hundred feet of colony.		
Least tern (<i>Sternula antillarum</i>)	DL	E	Sand beaches, flats, bays, inlets, lagoons, islands, river sandbars and flat gravel rooftops in urban areas.	No; absence of suitable habitat within or near the study area	No impact
Swallow-tailed kite (<i>Elanoides forficatus</i>)	-	T	The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees.	No; absence of suitable habitat within or near the study area	No impact
White-faced ibis (<i>Plegadis chichi</i>)	-	T	Marshes, swamps, ponds and rivers, mostly in freshwater habitats. Nests in marshes; in low tree, on the ground in bulrushes or reeds, or on a floating mat	No; absence of suitable habitat within or near the study area	No impact
Wood stork (<i>Mycteria americana</i>)	-	T	The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Prefers to nest in large tracts of baldcypress (<i>Taxodium distichum</i>) or red mangrove (<i>Rhizophora mangle</i>); 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.	No; absence of suitable habitat within or near the study area	No impact
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	T	-	In Texas, the populations of concern are found breeding in riparian areas in the Trans Pecos (know as part of the Western Distinct Population Segment).	No; absence of suitable habitat within or near the study area	No impact



			<p>It is the Western DPS that is on the U.S. ESA threatened list and includes the Texas counties Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, and Presidio. Riparian woodlands below 6,000' in elevation consisting of cottonwoods and willows are prime habitat. This species is a long-distant migrant that summers in Texas, but winters mainly in South America. Breeding birds of the Trans Pecos populations typically arrive on their breeding grounds possibly in late April but the peak arrival time is in May. Threats to preferred habitat include hydrologic changes that don't promote the regeneration of cottonwoods and willows, plus livestock browsing and trampling of sapling trees in sensitive riparian areas.</p>		
Chub shiner (<i>Notropis potteri</i>)	-	T	Brazos, Colorado, San Jacinto, and Trinity River basins. Flowing water with silt or sand substrate.	No; absence of suitable habitat within or near the study area	No impact
Smalleye shiner (<i>Notropis buccula</i>)	E	E	Endemic to the Brazos River drainage; presumed to have been introduced into the Colorado River. Historically found in lower Brazos River as far south as Hempstead, Texas but appears to now be restricted to upper Brazos River system upstream of Possum Kingdom Lake. Typically found in turbid waters of broad, sandy channels of main stream, over substrate consisting mostly of shifting sand.	No; absence of suitable habitat within or near the study area	No impact
Brazos heelsplitter (<i>Potamilus streckersoni</i>)	-	T	Reported from streams, but not far into the headwaters, to large rivers, and some reservoirs. In riverine systems occurs most often in nearshore habitats such as banks and backwater pools but occasionally in main-channel habitats such as riffles. Typically found in standing to slow-flowing water in soft substrates consisting of silt, mud or sand but occasionally in moderate flows with gravel and cobble substrates.	No; absence of suitable habitat within or near the study area	No impact
False spike (<i>Quincuncina mitchelli</i>)	E	E	Occurs in small streams to medium-size rivers in habitats such as riffles and runs with flowing water. Is often found	No; absence of suitable habitat	No impact

			in stable substrates of sand, gravel, and cobble.	within or near the study area	
Texas fawnsfoot (<i>Truncilla macrodon</i>)	T	T	Occurs in large rivers but may also be found in medium-sized streams. Is found in protected near shore areas such as banks and backwaters but also riffles and point bar habitats with low to moderate water velocities. Typically occurs in substrates of mud, sandy mud, gravel and cobble. Considered intolerant of reservoirs.	No; absence of suitable habitat within or near the study area	No impact
American alligator (<i>Alligator mississippiensis</i>)	SAT	-	Aquatic; springs, streams and caves with rocky or cobble beds. Surface populations occur in springs; certain cave-dwelling populations have been provisionally assigned to this species.	No; absence of suitable habitat within or near the study area	No impact
Texas horned lizard (<i>Phrynosoma cornutum</i>)	-	T	Terrestrial: Open habitats with sparse vegetation, including grass, prairie, 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. Occurs to 6,000 feet, but largely limited below the pinyon-juniper zone on mountains in the Big Bend area	No; absence of suitable habitat within or near the study area	No impact

Source: TPWD Last Revision August 22, 2024; Site visit/survey of study area September 6, 2024.
 LE: Listed endangered E: Endangered LT: Listed threatened
 T: Threatened PT: Proposed threatened

4.3 TPWD NDD Review

Terracon requested a review of the Texas Natural Diversity Database (NDD) for the Lyons, TX quadrangle in Burleson County covering the study area from the TPWD. The NDD maintains information on over 700 natural resource “Elements” including threatened or endangered species, native plant communities, and/or animal aggregations (e.g. rookeries). The NDD includes federal, and state listed and tracked Threatened, Endangered, and Rare species. The NDD contains Element Occurrence Record (EOR), and spatial data representing the geographic locations of an element observation.

Terracon reviewed the EOR data within a 2-mile radius surrounding the study area. The NDD data reviewed did not identify any EORs or source features for the study area or within the selected surrounding quadrangles. The TXNDD EOR exhibit is shown as Exhibit 6.0 in Appendix A.

The NDD states that,

Areas where Element Occurrence (EO) data and/or Source Feature data are absent should not be interpreted as an absence of Threatened, Endangered, and Rare species. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Data from the TXNDD do not provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features within your study area.

The EOR list and source feature list can be referenced in Appendix B.

Sensitive Areas

Terracon reviewed available databases from the USFWS IPaC and other government Geographic Information Systems (GIS) services to evaluate whether the study area is within identified sensitive habitats, wildlife areas, and refuges. Based on the available documentation, the proposed project is not located in an area identified as sensitive habitat, a wildlife area and/or a refuge. The nearest wildlife preserve area is the Granger Wildlife area located approximately 63 miles west of the study area in Granger, Texas. Due to the distance from a managed wilderness or wildlife area, this issue is not considered a constraint to development.

5.0 Findings and Conclusions

5.1 ESA Listed Species

Tricolored bats typically roost in trees of deciduous hardwoods and forage along tree lines and over ponds and waterways. Hardwood canopy cover is present immediately adjacent to the study area; therefore, if impacts to this habitat were to occur during construction the project may affect this species. However, it is assumed that impacts would be relegated to within the existing ROW and therefore impacts to tricolored bat are unlikely.

Houston toad rely on deep sandy soils associated with wetlands and upland canopy cover. According to the EMST data shown in Exhibit 3.0 in Appendix A, these soil types are present in areas immediately adjoining the study area. Therefore, the properties adjoining the study area may contain potentially suitable habitat for the Houston Toad. If impacts to this habitat were to occur during construction, the project may affect this species. However, it is assumed that impacts would be relegated to within the existing ROW and therefore impacts to Houston toad are unlikely.

Monarch butterfly breeding habitat is associated with milkweed presence. Species of milkweed in the genus *Asclepias* were not observed within the study area, however; wildflower species adjoining the study area could provide potential stopover habitat during migration. Therefore, the properties adjoining the study area may contain potentially suitable habitat for the

monarch butterfly. Consultation with USFWS would not be needed at this time as the species is currently a candidate for federal listing and not currently afforded protection under the ESA.

Navasota Ladies-tresses typically reside in sandy soils within post oak woodlands. According to Exhibit 3.0 in Appendix A, fine sandy loam soils and woodland vegetation are present on the properties adjoining the study area; therefore, the properties adjoining the study area may contain potentially suitable habitat for this species. If impacts to this habitat were to occur during construction, the project may affect this species. However, it is assumed that impacts would be relegated to within the existing ROW and therefore impacts to Navasota ladies-tresses are unlikely.

Migratory Bird Treaty Act (MBTA)

Under current guidance covering incidental takes under the MBTA, legal activities resulting in an incidental take while conducting activities in accordance with applicable beneficial practices for avoiding and minimizing incidental take would not be priority enforceable activities. In order to avoid incidental take enforcement actions, it is recommended that the clearing of habitat suitable for migratory birds be conducted outside of nesting season, generally March to September. The USFWS IPaC Official Species List does not identify any migratory bird species areas having the potential to occur within the study area. There may be migratory birds in the study area, but USFWS does not have survey data available to provide further direction. The immediate vicinity of the study area is composed of areas containing trees and other woody vegetation which provide suitable nesting habitat for migratory birds. If tree or woody vegetation clearing is scheduled to occur within the migratory bird nesting season, a nest survey to identify active nests and minimize the risk of 'take' as it pertains to the MBTA is recommended.

5.2 Bald and Golden Eagle Protection Act (BGEPA)

Bald Eagle breeding habitat includes areas close to bodies of water that provide primary food sources including fish, waterfowl, or seabirds. Nests are usually in tall trees, the species of which vary regionally, or on pinnacles or cliffs near water. Wintering bald eagles tend to associate with waterfowl concentrations or areas with abundant dead fish. They prefer to winter roost in large trees or sheltered sites within one mile of open water with fish. Bald eagles have carnivore and piscivore food habits and feed opportunistically on fish, injured waterfowl and seabirds, various mammals, and carrion. Inland breeding populations tend to diet primarily on fish (>70%) and mammals (>15%) such as rabbits and squirrels.

Golden eagles generally inhabit open and semi-open country such as prairies, sagebrush, arctic and alpine tundra, savannah or sparse woodland, and barren areas, especially in hilly or mountainous regions, in areas with sufficient mammalian prey base and near suitable nesting sites. It has been reported that in inland states they will avoid forests, large agricultural areas, and urban areas. Nests are mostly on rock ledges of cliffs but sometimes

in large trees. Golden eagle diet is carnivore-based, and they forage primarily on small-sized mammals.

Bald and golden eagle's typical habitat requirements include broad swaths of undeveloped land, large trees and/or cliffs for nesting habitat, and large waterbodies (navigable rivers, lakes, reservoirs, large ponds, etc.) for foraging/hunting activities. Cliffs and large waterbody habitats are primarily absent within the study area and immediate vicinity. Therefore, it is Terracon's opinion that development within the study area would not result in a take as it pertains to BGEPA.

5.3 State Listed Species

The Texas legislature enacted a state Endangered Species Act; subsequently the TPWD was authorized to generate a list of species threatened or endangered with state-wide extinction. Unlike the Federal Act, state laws make no provision for habitat protection or regulation of indirect "takes," but do outlaw killing or maiming individuals of listed species and regulates other aspects such as trade and transportation. Therefore, these species are typically only a development constraint if they are identified on-site and will be directly impacted.

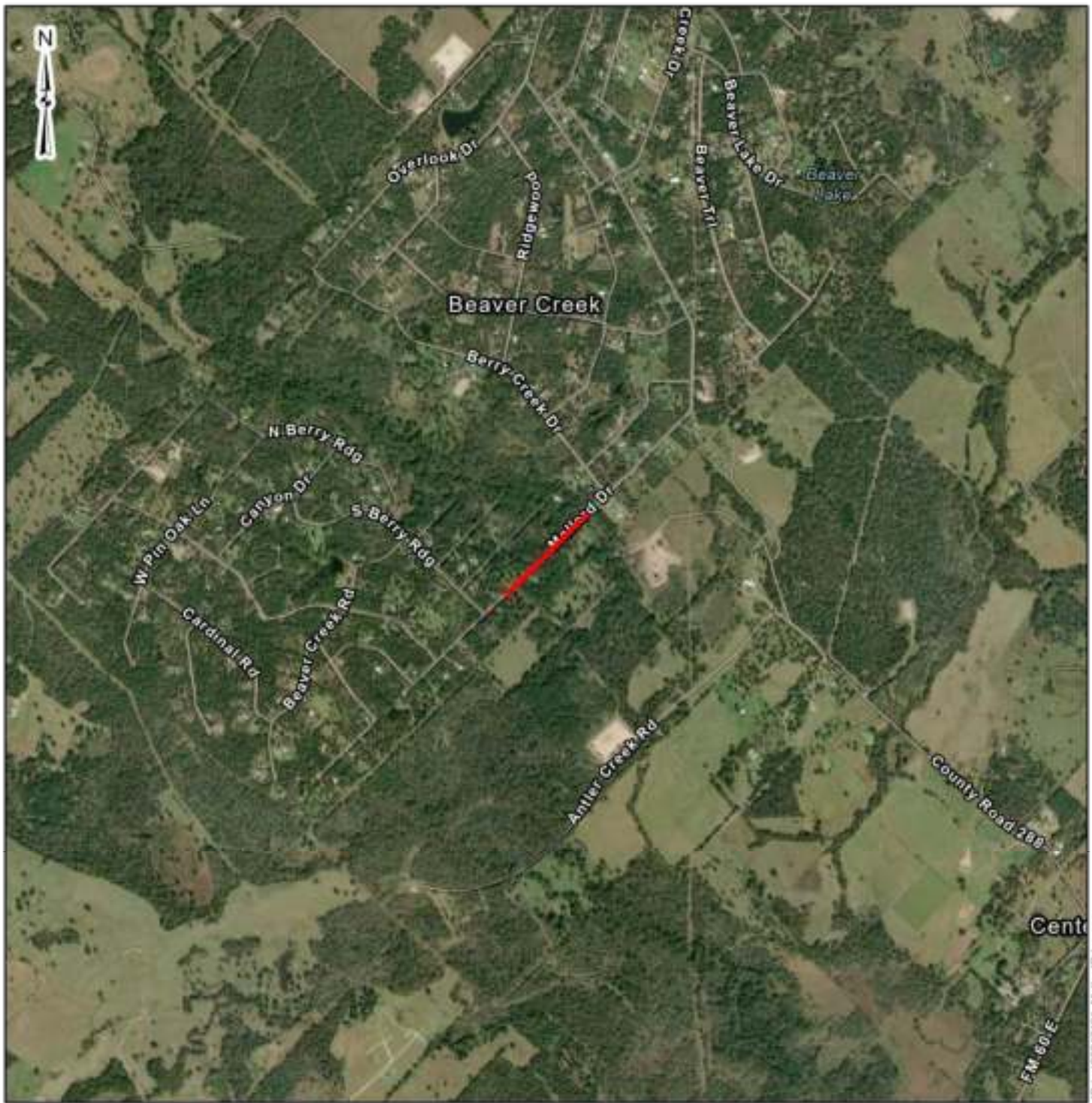
TPWD identifies 80 species that are either listed as Rare, Threatened, and Endangered Species for Burleson County, Texas (see *TPWD Annotated County List of Rare Species* in Appendix B). Of these species, 20 are listed as federally and/or state listed endangered or threatened. Habitat is not present for these species in the study area; therefore, impacts to these species are unlikely.

6.0 General Comments

The Protected Species Habitat Assessment was performed in accordance with generally accepted practices of this profession undertaken in similar studies at the same time and in the same geographical area. A Protected Species Habitat Assessment, such as the one performed at this site, is of limited scope and is noninvasive. This report has been prepared in accordance with generally accepted scientific and engineering evaluation practices. No warranties, either express or implied, are intended or made.

APPENDIX A

Exhibits



 Approximate Project Boundary



DATA SOURCES:
 Baylor University, Texas Parks & Wildlife, CONANP, Esri,
 TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METV
 NASA, USGS, EPA, NPS, US Census Bureau, USDA,
 USFWS, Maxar

Project No.:
96247491
 Date:
Sep 2024
 Drawn By:
RC
 Reviewed By:
BZ



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Vicinity Map

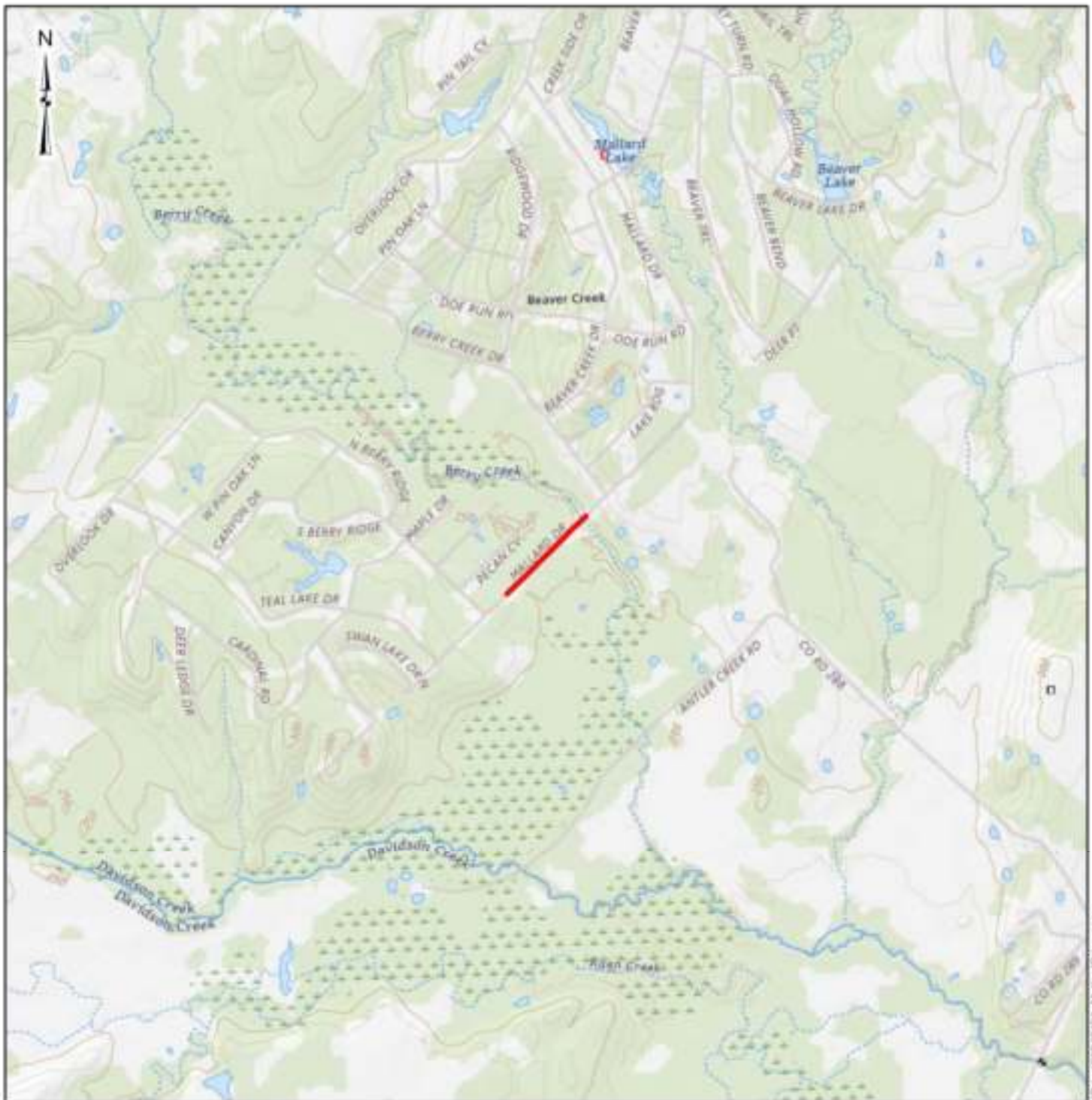
Mallard Drive Street and Drainage Improvements

Mallard Drive, Burleson County, Texas

Exhibit

1.0

N:\GIS\Projects\2024\09\24\96247491 - Mallard Drive\Map\0247491 - Mallard Drive.aprx



Approximate Project Boundary



DATA SOURCES:
 USGS The National Map: National Boundaries Dataset, SDEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road data; Natural Earth Data; U.S. Department of State HUI; NOAA National Centers for Environmental Information

Project No.:
98247491
 Date:
Sep 2024
 Drawn By:
RC
 Reviewed By:
RK



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2022 USGS Topographic Map
Mallard Drive Street and Drainage Improvements
 Mallard Drive, Burleson County, Texas

Exhibit
2.0

G:\GIS\Projects\2024\98247491 - Mallard Drive\98247491 - Mallard Drive.aprx



- ▭ Approximate Project Boundary
- ▭ Robco-Tanglewood complex, 1 to 5 percent slopes (RoB)
- ▭ Uhland fine sandy loam, frequently flooded (Ua)
- ▭ Zulch fine sandy loam, 1 to 3 percent slopes (ZuB)



DATA SOURCES:
Maxar, USDA NCRS Web Soil Survey

Project No.:	96247491
Date:	Sep 2024
Drawn By:	RC
Reviewed By:	RK



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USDA Site Soil Map

Mallard Drive Street and Drainage Improvements

Mallard Drive, Burleson County, Texas

Exhibit

3.0

N:\GIS\Projects\2024\09\20240917\01_MallardDrive\Map\024191_MallardDrive.aprx



- Approximate Project Boundary
- Central Texas: Floodplain Hardwood Forest
- Central Texas: Floodplain Herbaceous Vegetation
- Post Oak Savanna: Post Oak Motte and Woodland

DATA SOURCES:
 Maxar, Microsoft, Esri Community Maps Contributors,
 Baylor University, Texas Parks & Wildlife, ©
 OpenStreetMap, Microsoft, CONANP, Esri, TomTom,
 Garmin, SafeGraph, GeoTechnologies, Inc., METNUSA,
 USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Project No.:
98247491
 Date:
Sep 2024
 Drawn By:
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 Reviewed By:
RK



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EMST: East Central Texas Plains Region Map

Mallard Drive Street and Drainage Improvements

Mallard Drive, Burleson County, Texas

Exhibit

4.0

S:\GIS\Projects\2024\98247491 - Mallard Drive\98247491 - Mallard Drive.aprx



Approximate Project Boundary



DATA SOURCES:
 Maxar, Microsoft, Esri Community Maps Contributors,
 Baylor University, Texas Parks & Wildlife, ©
 OpenStreetMap, Microsoft, CONANP, Esri, TomTom,
 Garmin, SafeGraph, GeoTechnologies, Inc. METINASA,
 USGS, EPA, NPS, US Census Bureau, USDA, USFWS,
 TXGEO Data Hub

Project No.:
 96247491
 Date:
 Sep 2024
 Drawn By:
 RC
 Reviewed By:
 RK



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2004 Aerial Imagery

Mallard Drive Street and Drainage Improvements

Mallard Drive, Burleson County, Texas

Exhibit

5.0

N:\GIS\Projects\2024\96247491_MallardDrive\MapDocs\96247491_MallardDrive_Aerial



 Approximate Project Boundary



DATA SOURCES:
 Maxar, Microsoft, Esri Community Maps Contributors,
 Baylor University, Texas Parks & Wildlife, ©
 OpenStreetMap, Microsoft, CONANP, Esri, TomTom,
 Garmin, SafeGraph, GeoTechnologies, Inc. METINASA,
 USGS, EPA, NPS, US Census Bureau, USDA, USFWS,
 TXGEO Data Hub

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2014 Aerial Imagery

Mallard Drive Street and Drainage Improvements

Mallard Drive, Burleson County, Texas

Exhibit

5.1

N:\GIS\Projects\2024\09\20240911_MallardDrive\20240911_MallardDrive.aprx



Approximate Project Boundary



DATA SOURCES:
 Esri Community Maps Contributors, Baylor University,
 Texas Parks & Wildlife, © OpenStreetMap, Microsoft,
 CONANP, Esri, TomTom, Garmin, SafeGraph,
 GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US
 Census Bureau, USDA, USFWS, Maxar, TXGEO Data Hub

Project No.:
96247491
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Sep 2024
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2022 Aerial Imagery

Mallard Drive Street and Drainage Improvements

Mallard Drive, Burleson County, Texas

Exhibit

5.2

N:\GIS\Projects\2024\09\2024_09_24_191_MallardDrive\2024_09_24_191_MallardDrive.aprx

APPENDIX B

Supporting Documentation



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Austin Ecological Services Field Office

1505 Ferguson Lane

Austin, TX 78754-4501

Phone: (512) 937-7371

In Reply Refer To:

09/06/2024 18:11:45 UTC

Project Code: 2024-0140814

Project Name: Mallard Drive Street and Drainage Improvements Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Austin Ecological Services Field Office

1505 Ferguson Lane

Austin, TX 78754-4501

(512) 937-7371

PROJECT SUMMARY

Project Code: 2024-0140814
Project Name: Mallard Drive Street and Drainage Improvements Project
Project Type: Land Management Plans - NWR
Project Description: Street and Drainage Improvement T&E
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@30.4399135,-96.56091409558076,14z>



Counties: Burleson County, Texas

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [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.

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

AMPHIBIANS

NAME	STATUS
Houston Toad <i>Bufo houstonensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2206	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Navasota Ladies-tresses <i>Spiranthes parksii</i> No critical habitat has been designated for this species.	Endangered

NAME

STATUS

Species profile: <https://ecos.fws.gov/ecp/species/1570>

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Riley Kennedy
Address: 5307 Industrial Oaks Blvd
Address Line 2: Suite 160
City: Austin
State: TX
Zip: 78735
Email: riley.kennedy@terracon.com
Phone: 7132313662

BURLESON COUNTY

AMPHIBIANS

Houston toad *Anaxyrus houstonensis*

Terrestrial and aquatic: Primary terrestrial habitat is forests with deep sandy soils. Juveniles and adults are presumed to move through areas of less suitable soils using riparian corridors. Aquatic habitats can include any water body from a tire rut to a large lake.

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

southern crawfish frog *Lithobates areolatus areolatus*

Terrestrial and aquatic: The terrestrial habitat is primarily grassland and can vary from pasture to intact prairie; it can also include small prairies in the middle of large forested areas. Aquatic habitat is any body of water but preferred habitat is ephemeral wetlands.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4T4	State Rank: S3

Strecker's chorus frog *Pseudacris streckeri*

Terrestrial and aquatic: 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

Woodhouse's toad *Anaxyrus woodhousii*

Terrestrial and aquatic: A wide variety of terrestrial habitats are used by this species, including forests, grasslands, and barrier island sand dunes. Aquatic habitats are equally varied.

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

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: DL	State Status:	SGCN: N
Endemic: N	Global Rank: G5	State Rank: S3B,S3N

Bank Swallow *Riparia riparia*

Bank Swallows live in low areas along rivers, streams, ocean coasts, and reservoirs. Their territories usually include vertical cliffs or banks where they nest in colonies of 10 to 2,000 nests. Though in the past Bank Swallows were most commonly found around natural bluffs or eroding streamside banks, they now often nest in human-made sites, such as sand and gravel quarries or road cuts. They forage in open areas and avoid places with tree cover.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2B,S4N

DISCLAIMER

The information on this web application is provided "as is" without warranty as to the currentness, completeness, or accuracy of any specific data. The data provided are for planning, assessment, and informational purposes. Refer to the Frequently Asked Questions (FAQs) on the application website for further information.

BURLESON COUNTY

BIRDS

black rail *Laterallus jamaicensis*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of Salicornia

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

Brewer's Blackbird *Euphagus cyanocephalus*

Shrubby and bushy areas (especially near water), riparian woodland, aspen parklands, cultivated lands, marshes, and around human habitation; in migration and winter also in pastures and fields (AOU 1983).

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

chestnut-collared longspur *Calcarius ornatus*

Occurs in open shortgrass settings especially in patches with some bare ground. Also occurs in grain sorghum fields and Conservation Reserve Program lands

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

Common Grackle *Quiscalus quiscula*

Common Grackles do well in human landscapes, using scattered trees for nesting and open ground for foraging. Typical natural habitats include open woodland, forest edge, grassland, meadows, swamps, marshes, and palmetto hammocks. They are also very common near agricultural fields and feedlots, suburbs, city parks, cemeteries, pine plantations, and hedgerows. Unbroken tracts of forest are the only places where you are unlikely to find Common Grackles.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5B

Common Nighthawk *Chordeiles minor*

Common Nighthawks nest in both rural and urban habitats including coastal sand dunes and beaches, logged forest, recently burned forest, woodland clearings, prairies, plains, sagebrush, grasslands, open forests, and rock outcrops. They also nest on flat gravel rooftops, though less often as gravel roofs are being replaced by smooth, rubberized roofs that provide an unsuitable surface.

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

Franklin's gull *Leucophaeus pipixcan*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. This species is only a spring and fall migrant throughout Texas. It does not breed in or near Texas. Winter records are unusual consisting of one or a few individuals at a given site (especially along the Gulf coastline). During migration, these gulls fly during daylight hours but often come down to wetlands, lake shore, or islands to roost for the night.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2N

DISCLAIMER

The information on this web application is provided "as is" without warranty as to the currentness, completeness, or accuracy of any specific data. The data provided are for planning, assessment, and informational purposes. Refer to the Frequently Asked Questions (FAQs) on the application website for further information.

BURLESON COUNTY

BIRDS

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: DL

State Status: E

SGCN: N

Endemic: N

Global Rank: G4T3Q

State Rank: S1B

Least Tern

Sternula antillarum

Sand beaches, flats, bays, inlets, lagoons, islands, river sandbars and flat gravel rooftops in urban areas.

Federal Status: DL

State Status:

SGCN: Y

Endemic: N

Global Rank: G4

State Rank: S2B

Loggerhead Shrike

Lanius ludovicianus

Loggerhead Shrikes inhabit open country with short vegetation and well-spaced shrubs or low trees, particularly those with spines or thorns. They frequent agricultural fields, pastures, old orchards, riparian areas, desert scrublands, savannas, prairies, golf courses, and cemeteries. Loggerhead Shrikes are often seen along mowed roadsides with access to fence lines and utility poles.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4

State Rank: S4B

Mottled Duck

Anas fulvigula

Estuaries, ponds, lakes, secondary bays.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4

State Rank: S4B

Northern Bobwhite

Colinus virginianus

Inhabits a wide variety of vegetation types, particularly early successional stages. Occurs in croplands, grasslands, pastures, fallow fields, grass-brush rangelands, open pinelands, open mixed pine-hardwood forests, and habitat mosaics (Brennan 1999).

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4G5

State Rank: S4B

DISCLAIMER

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BURLESON COUNTY

BIRDS

piping plover

Charadrius melodus

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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: T

State Status: T

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S2N

rufa red knot

Calidris canutus rufa

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Habitat: Primarily seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore. Bolivar Flats in Galveston County, sandy beaches Mustang Island, few on outer coastal and barrier beaches, tidal mudflats and salt marshes.

Federal Status: T

State Status: T

SGCN: Y

Endemic: N

Global Rank: G4T2

State Rank: S2N

Sanderling

Calidris alba

Nonbreeding: primarily sandy beaches, less frequently on mud flats and shores of lakes or rivers (AOU 1983) also on exposed reefs (Pratt et al. 1987). Sleeps/loafs on upper beach or on salt pond dike.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S5

Snowy Plover

Charadrius nivosus

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. An optimal site characteristic would be large in size. The size of populations appear to be roughly proportional to the total area of suitable habitat used. Formerly an uncommon breeder in the Panhandle; potential migrant; winter along coast.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S3B

Sprague's pipit

Anthus spragueii

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Habitat during migration and in winter consists of pastures and weedy fields (AOU 1983), including grasslands with dense herbaceous vegetation or grassy agricultural fields.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G3G4

State Rank: S3N

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BURLESON COUNTY

BIRDS

swallow-tailed kite *Elanoides forficatus*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2B

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: N
Endemic: N	Global Rank: G4T4	State Rank: S2

white-faced ibis *Plegadis chihi*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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: N
Endemic: N	Global Rank: G5	State Rank: S4B

whooping crane *Grus americana*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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: E	State Status: E	SGCN: Y
Endemic: N	Global Rank: G1	State Rank: S1S2N

Willet *Tringa semipalmata*

Marshes, tidal mudflats, beaches, lake margins, mangroves, tidal channels, river mouths, coastal lagoons, sandy or rocky shores, and, less frequently, open grassland (AOU 1983, Stiles and Skutch 1989).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5B

Wilson's Warbler *Cardellina pusilla*

Wilson's warblers key in on forests and scrubby areas along streams to fatten up during migration. During the nonbreeding season they use many types of habitats from lowland thickets near streams to high-elevation cloud forests in Mexico and Central America.

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

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BURLESON COUNTY

BIRDS

wood stork *Mycteria americana*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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,S3N

Yellow Rail *Coturnicops noveboracensis*

BREEDING: Emergent wetlands, grass or sedge marshes and wet meadows in freshwater situations. Some breeding territories in these wet meadows contain firm footing and only a few remnant pools of water (Berkey 1991). These areas can range from damp to 38 cm (15 inches) of water but the average depth used for nesting is 8 to 15 cm (3 to 6 inches) (Savalaja 1981). **NON-BREEDING:** Grain fields in winter and when migrating. Winters in both freshwater and brackish marshes, as well as in dense, deep grass. During fall migration, will use many open habitats, from rice paddies to dry hayfields.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 State Rank: S3N

yellow-billed cuckoo *Coccyzus americanus*

In Texas, the populations of concern are found breeding in riparian areas in the Trans Pecos (know as part of the Western Distinct Population Segment). It is the Western DPS that is on the U.S. ESA threatened list and includes the Texas counties Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, and Presidio. Riparian woodlands below 6,000' in elevation consisting of cottonwoods and willows are prime habitat. This species is a long-distant migrant that summers in Texas, but winters mainly in South America. Breeding birds of the Trans Pecos populations typically arrive on their breeding grounds possibly in late April but the peak arrival time is in May. Threats to preferred habitat include hydrologic changes that don't promote the regeneration of cottonwoods and willows, plus livestock browsing and trampling of sapling trees in sensitive riparian areas.

Federal Status: T State Status: SGCN: Y
Endemic: N Global Rank: G5 State Rank: S4S5B

FISH

blackspot shiner *Notropis atrocaudalis*

Occurs from the lower Brazos River to the Sabine River drainage; Red River drainage. Small to moderate size tributary streams in runs and pools over all types of substrates.

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

chub shiner *Notropis potteri*

Brazos, Colorado, San Jacinto, and Trinity river basins. Flowing water with silt or sand substrate

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 State Rank: S2

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BURLESON COUNTY

FISH

Mississippi silvery minnow *Hybognathus nuchalis*

Found in eastern Texas streams, from the Brazos River eastward and northward to the Red River; found in moderate current; silty, muddy, or rocky substrate. In Texas, adults likely to inhabit smaller tributary streams.

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

silver chub *Macrhybopsis storeriana*

Red River and Brazos River basins. Mainly restricted to large, often silty rivers. Ranges over gravel to silt substrates but found more commonly over silt or mud bottom.

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

silverband shiner *Notropis shumardi*

In Texas, found from Red River to Lavaca River; Main channel with moderate to swift current velocities and moderate to deep depths; associated with turbid water over silt, sand, and gravel.

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

smalleye shiner *Notropis buccula*

Endemic to the Brazos River drainage; presumed to have been introduced into the Colorado River. Historically found in lower Brazos River as far south as Hempstead, Texas but appears to now be restricted to upper Brazos River system upstream of Possum Kingdom Lake. Typically found in turbid waters of broad, sandy channels of main stream, over substrate consisting mostly of shifting sand.

Federal Status: E	State Status: E	SGCN: Y
Endemic: Y	Global Rank: G2	State Rank: S1S2

spotted sucker *Minytrema melanops*

Found primarily in east Texas streams from the Red to the Brazos river basins. An isolated, disjunct population occurs in the Llano River near Junction downstream to about Mason; this may be an introduced population. Typically in clear creeks with firm substrates.

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

INSECTS

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

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BURLESON COUNTY

INSECTS

No accepted common name *Bombus variabilis*

Habitat description is not available at this time.

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

No accepted common name *Melanoplus alexanderi*

Primarily in open oak or pine/oak savannah type habitats with fine grain loamy sand to sandy loam soils.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S2?

MAMMALS

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: N Global Rank: G5 State Rank: S3

black-tailed prairie dog *Cynomys ludovicianus*

Dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 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: S2S3

eastern spotted skunk *Spilogale putorius*

Generalist; open fields prairies, croplands, fence rows, farmyards, forest edges & woodlands. Prefer wooded, brushy areas & tallgrass prairies. *S.p. ssp. interrupta* found in wooded areas and tallgrass prairies, preferring rocky canyons and outcrops when such sites are available.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 State Rank: S1S3

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BURLESON COUNTY

MAMMALS

hoary bat *Lasiurus cinereus*

Hoary bats are highly migratory, high-flying bats that have been noted throughout the state. Females are known to migrate to Mexico in the winter, males tend to remain further north and may stay in Texas year-round. Commonly associated with forests (foliage roosting species) but are found in unforested parts of the state and lowland deserts. Tend to be captured over water and large, open flyways.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S3

mountain lion *Puma concolor*

Generalist; found in a wide range of habitats statewide. Found most frequently in rugged mountains & riparian zones.

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

plains spotted skunk *Spilogale interrupta*

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

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S1S3

Seminole bat *Lasiurus seminolus*

Pine-oak and long-leaf pine in east Texas. Habitats include pine, mixed pine-hardwood, and hardwood forests of uplands and bottomlands, particularly pine-dominated forests, including mature pine and pine-hardwood corridors in managed pine forest landscapes (Menzel et al. 1998, 1999, 2000; Carter et al. 2004; Marks and Marks 2006; Perry and Thill 2007; Perry et al. 2007; Hein et al. 2008; Ammerman et al. 2012).

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

tricolored bat *Perimyotis subflavus*

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

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

MOLLUSKS

Balcones spike *Fusconaia iheringi*

Habitat not yet described.

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

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BURLESON COUNTY

MOLLUSKS

Brazos heelsplitter *Potamilus streckeri*

Reported from streams, but not far into the headwaters, to large rivers, and some reservoirs. In riverine systems occurs most often in nearshore habitats such as banks and backwater pools but occasionally in mainchannel habitats such as riffles. Typically found in standing to slow-flowing water in soft substrates consisting of silt, mud or sand but occasionally in moderate flows with gravel and cobble substrates (Randklev et al. 2014b,c; Tsakiris and Randklev 2016b; Smith et al. 2019) [Mussels of Texas 2020]

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

false spike *Fusconaia mitchelli*

Occurs in small streams to medium-size rivers in habitats such as riffles and runs with flowing water. Is often found in stable substrates of sand, gravel, and cobble (Howells 2010; Randklev et al. 2012; Sowards et al. 2013; Tsakiris and Randklev 2016). [Mussels of Texas 2019]

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

Mapleleaf *Quadrula quadrula*

Reported from streams to rivers, lakes, and reservoirs. In riverine habitats, it may be found in main-channel habitats such as riffles or runs in sand, gravel, and cobble substrates with moderate to swift currents. May also be found in nearshore habitats such as banks and backwaters to include pools in sand or mud substrates with little to no flow. (Williams et al. 2008; Howells 2016; Haag and Cicerello 2016).

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

Pimpleback *Cyclonaias pustulosa*

Occurs in small streams to large rivers in habitats including riffles and runs with flowing water, also found in nearshore habitats such as banks and backwaters or pools. Can occur in reservoirs but varies based by population. Is often found in substrates comprising of sand, gravel, and cobble but also mud and silt (Howells et al. 1996; Williams et al. 2008; Watters et al. 2009).

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

Pistolgrip *Tritogonia verrucosa*

Reported from streams to rivers, lakes, and reservoirs, but considered less tolerant of impoundment (Haag and Cicerello 2016). Can occur in a variety of habitat types but most often found in main channel habitats such as riffles and runs with moderate current and sand, gravel, or cobble substrates (Howells et al. 1996; Williams et al. 2008).

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S3S4

Tampico Pearlymussel *Cyrtonaias tampicoensis*

Reported from streams to rivers, reservoirs, and canals. In riverine habitats often found in nearshore habitats such as banks and backwaters, to include pools and oxbows, in mud or sand or among cobble and boulders with still to moderate currents (Howells et al. 1996).

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

Tapered Pondhorn *Unio merus declivis*

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BURLESON COUNTY

MOLLUSKS

It likely occurs in streams, rivers, oxbows, marshes, swamps, lakes, canals, ponds, and reservoirs in still to moderate currents in mud, sand, or gravel substrates. Also probably occurs in woody debris such as logjams and exposed roots of riparian trees (Williams et al. 2008).

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

Texas fawnsfoot *Truncilla macrodon*

Occurs in large rivers but may also be found in medium-sized streams. Is found in protected near shore areas such as banks and backwaters but also riffles and point bar habitats with low to moderate water velocities. Typically occurs in substrates of mud, sandy mud, gravel and cobble. Considered intolerant of reservoirs (Randklev et al. 2010; Howells 2010o; Randklev et al. 2014b,c; Randklev et al. 2017a,b). [Mussels of Texas 2019]

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

REPTILES

American alligator *Alligator mississippiensis*

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

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

eastern box turtle *Terrapene carolina*

Terrestrial: 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.

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

keeled earless lizard *Holbrookia propinqua*

Terrestrial: Habitats include coastal dunes, barrier islands, and other sandy areas (Axtell 1983). Although it occurs well inland, this species is most abundant on coastal dunes, where it seeks shelter in the burrows of small mammals or crabs (Bartlett and Bartlett 1999).

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

prairie skink *Plestiodon septentrionalis*

The prairie skink can occur in any native grassland habitat across the Rolling Plains, Blackland Prairie, Post Oak Savanna and Pineywoods ecoregions.

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

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BURLESON COUNTY

REPTILES

slender glass lizard *Ophisaurus attenuatus*

Terrestrial: 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.

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

smooth softshell *Apalone mutica*

Aquatic: Large rivers and streams; in some areas also found in lakes and impoundments (Ernst and Barbour 1972). Usually in water with sandy or mud bottom and few aquatic plants. Often basks on sand bars and mudflats at edge of water. Eggs are laid in nests dug in high open sandbars and banks close to water, usually within 90 m of water (Fitch and Plummer 1975).

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

Texas horned lizard *Phrynosoma cornutum*

Terrestrial: Open habitats with sparse vegetation, including grass, prairie, 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. Occurs to 6000 feet, but largely limited below the pinyon-juniper zone on mountains in the Big Bend area.

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

western box turtle *Terrapene ornata*

Terrestrial: 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.

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

western chicken turtle *Deirochelys reticularia miaria*

Aquatic and terrestrial: This species uses aquatic habitats in the late winter, spring and early summer and then terrestrial habitats the remainder of the year. Preferred aquatic habitats seem to be highly vegetated shallow wetlands with gentle slopes. Specific terrestrial habitats are not well known.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5T5 State Rank: S2S3

PLANTS

branched gay-feather *Liatris cymosa*

Somewhat barren grassland openings in post oak woodlands on tight clayey, chalky, or gravelly soils, often over Catahoula Formation; flowering July-October

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

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BURLESON COUNTY

PLANTS

bristle nailwort *Paronychia setacea*

Flowering vascular plant endemic to eastern southcentral Texas, occurring in sandy soils

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

Mohlenbrock's sedge *Cyperus grayoides*

Deep sand and sandy loam in dry, almost barren openings in upland longleaf pine savannas, mixed pine-oak forests, and post oak woodlands; Occurs primarily in deep, periodically disturbed sandy soils in open areas maintained by factors such as wind, erosion, or fire. This species does not occur in shaded areas or in areas of high competition with other herbaceous species. Habitats include remnant sand prairies, sandy fields, sand blow outs, sandhill woodlands, pine barrens, and open barrens in which the slope is sufficient to produce sand erosion. May also occur in areas where the soils have been disturbed by logging or road construction; Perennial

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

Navasota ladies'-tresses *Spiranthes parksii*

Openings in post oak woodlands in sandy loams along upland drainages or intermittent streams, often in areas with suitable hydrologic factors, such as a perched water table associated with the underlying claypan; flowering populations fluctuate widely from year to year, an individual plant does not flower every year; flowering late October-early November (-early December)

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

panicled indigobush *Amorpha paniculata*

A stout shrub, 3 m (9 ft) tall that grows in acid seep forests, peat bogs, wet floodplain forests, and seasonal wetlands on the edge of Saline Prairies in East Texas. It is distinguished from other *Amorpha* species by its fuzzy leaflets with prominent raised veins underneath, and the flower panicles, which are 8 to 16 inches long and slender, held above the foliage. Perennial; Flowering May-August.

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

Parks' jointweed *Polygonella parksii*

Mostly found on deep, loose, whitish sand blowouts (unstable, deep, xeric, sandhill barrens) in Post Oak Savanna landscapes over the Carrizo and Sparta formations; also occurs in early successional grasslands, along right-of-ways, and on mechanically disturbed areas; flowering June-late October or September-November

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

Sayersville blue eyes *Nemophila sayersensis*

Open fields and woodland margins on deep loose nutrient-poor sand (Simpson, Helfgott and Neff 2001). Mar-May.

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

Texas cornsalad *Valerianella florifera*

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BURLESON COUNTY

PLANTS

Grasslands and early-successional openings in the post oak belt of east-central and northeast Texas; Sandy soils; Annual; Flowering March-April

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

Texas pinkroot *Spigelia texana*

Woodlands on loamy soils; Perennial; Flowering March-Nov; Fruiting April-Nov

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

Texas sandmint *Rhododon ciliatus*

Open sandy areas in the Post Oak Belt of east-central Texas; Annual; Flowering April-Aug; Fruiting May-Aug

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

Texas sunnybell *Schoenolirion wrightii*

Rocky barrens in the Post Oak region near College Station, with a few disjunct populations on the Catahoula Formation of southeast Texas; Perennial; Flowering March-April; Fruiting March

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

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Photo 1 View of RPP-1 located at the riverine on the northern portion of the site.



Photo 2 View of RPP-2 located at the northern portion of the site.



Photo 3 View of RPP-2 located at the northern portion of the site.



Photo 4 View of RPP-2 located at the northern portion of the site.



Photo 5 View of RPP-3 located at the southern portion of the site.



Photo 6 View of RPP-4 located at the southern portion of the site.



Photo 7 View of RPP-4 located at the southern portion of the site.



Photo 8 View of RPP-5 located at the southern portion of the site.



Photo 9 View of RPP-5 located at the southern portion of the site.



Photo 10 View of RPP-6 located at the southern portion of the site.

APPENDIX C

List of Preparers

LIST OF PREPARERS

- **Jeff Jenkerson** (Terracon Consultants, Inc.)
M.S. Wildlife Ecology
Years of Applicable Experience: 10
Responsible for: ***Quality Assurance/Quality Control***
- **Bridgette Zapalac** (Terracon Consultants, Inc.)
B.A. Bioenvironmental Science
Years of Applicable Experience: 6
Responsible for: ***Project Management and Report Authoring***
- **Ruben Castillo Jr.** (Terracon Consultants, Inc.)
B.A. Anthropology
Years of Applicable Experience: 7
Responsible for: ***GIS Exhibits***
- **Riley Kennedy** (Terracon Consultants, Inc.)
B.A. Environmental Studies
Years of Applicable Experience: 1
Responsible for: ***Field Data Collection and Report Authoring***

Mallard Road

USFWS

Species Name - Common (Scientific)	Species Group	Listing Status	General Habitat Description*	Habitat Present
Burlison Co - 24-065-057-E567-Street-Drainage				
Federally Listed (http://www.fws.gov/southwest/es/EndangeredSpecies_Main.html)				
Tricolored Bat (<i>Perimyotis subflavus</i>)	Mammal	Endangered	During the winter, tricolored bats are found in caves and mines, although in the southern United States, where caves are sparse, tricolored bats are often found roosting in road-associated culverts. During the spring, summer and fall, tricolored bats are found in forested habitats where they roost in trees, primarily among leaves.	None of the habitat described is in the project area.
Piping Plover (<i>Charadrius melodus</i>)	Birds	Threatened	Wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats	None of the habitat described is in the project area.
Red Knot (<i>Calidris canutus rufa</i>)	Birds	Threatened	Migrant of 1,500 miles or more twice annually. Requires stopover habitats rich in easily digested foods of small invertebrates with thin or no shells.	None of the habitat described is in the project area.
Whooping Crane Grus americana	Birds	Endangered	Whooping cranes winter on the Aransas National Wildlife Refuge's 22,500 acres of salt flats and marshes. The area's coastal prairie rolls gently here and is dotted with swales and ponds. They summer and nest in poorly drained wetlands in Canada's Northwest Territories at Wood Buffalo National Park.	None of the habitat described is in the project area.
Houston Toad Bufo houstonensis	Amphibians	Endangered	Rolling uplands covered with pine or oak forests and deep sandy soils.	None of the habitat described is in the project area.
Monarch Butterfly Danaus plexippus	Birds	Candidate	In the spring and summer, the monarch butterfly's habitat is open fields and meadows with milkweed. In winter it can be found on the coast of southern California and at high altitudes in central Mexico.	None of the habitat described is in the project area.
Navasota Ladies-tresses Spiranthes parksii	Flowering Plants	Endangered	Post oak woodlands in sandy loam soils, often over an impermeable clay layer, adjacent to drainages and seasonal streams	None of the habitat described is in the project area.
Migratory Birds	Birds	No migratory birds may occur at the subject property.		
Habitat Description from the TDPW County Species List and the USFWS IPAC.				



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Austin Ecological Services Field Office

1505 Ferguson Lane

Austin, TX 78754-4501

Phone: (512) 937-7371

In Reply Refer To:

07/16/2024 21:06:04 UTC

Project Code: 2024-0117185

Project Name: Burleson Co - 24-065-057-E567-Street-Drainage

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Austin Ecological Services Field Office

1505 Ferguson Lane

Austin, TX 78754-4501

(512) 937-7371

PROJECT SUMMARY

Project Code: 2024-0117185
Project Name: Burleson Co - 24-065-057-E567-Street-Drainage
Project Type: Disaster-related Grants
Project Description: All work will occur in Burleson County, Texas in the following locations:

Chestnut Dr. from Elm Dr. to 70' northwest of Wagon Trail
Mallard Rd. from Mallard Drive Bridge southwest 150' (30.44084, -96.55978)

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

Chestnut Dr. Street and Drainage Improvements
Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances.

Crushed Rock - 2,000 TON
Cement - 80 TON

Mallard Rd. Street and Drainage Improvements:
Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances.

10'x10' Box Culverts - 150 LF
Cement Stabilized Sand - 25 TON
Select Fill - 1,100 TON
Crushed Rock - 1,300 TON

Project will be completed within 18 months of start.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@30.515190099999998,-96.77668713846172,14z>



Counties: Burleson County, Texas

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [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.

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

AMPHIBIANS

NAME	STATUS
Houston Toad <i>Bufo houstonensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2206	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Navasota Ladies-tresses <i>Spiranthes parksii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1570	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Cave Consulting Inc
Name: Todd Cave
Address: 6060 N. Central Expressway
Address Line 2: 5th Floor
City: Dallas
State: TX
Zip: 75206
Email: todd@caveconsulting.com
Phone: 2144692483

TPWD

Last Update: 9/1/2023

BURLESON COUNTY

AMPHIBIANS

Houston toad

Anaxyrus houstonensis

Terrestrial and aquatic: Primary terrestrial habitat is forests with deep sandy soils. Juveniles and adults are presumed to move through areas of less suitable soils using riparian corridors. Aquatic habitats can include any water body from a tire rut to a large lake.

Federal Status: LE

State Status: E

SGCN: Y

Endemic: Y

Global Rank: G1

State Rank: S1

southern crawfish frog

Lithobates areolatus areolatus

Terrestrial and aquatic: The terrestrial habitat is primarily grassland and can vary from pasture to intact prairie; it can also include small prairies in the middle of large forested areas. Aquatic habitat is any body of water but preferred habitat is ephemeral wetlands.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4T4

State Rank: S3

Strecker's chorus frog

Pseudacris streckeri

Terrestrial and aquatic: 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

Woodhouse's toad

Anaxyrus woodhousii

Terrestrial and aquatic: A wide variety of terrestrial habitats are used by this species, including forests, grasslands, and barrier island sand dunes. Aquatic habitats are equally varied.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: SU

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:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S3B,S3N

black rail

Laterallus jamaicensis

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of Salicornia

Federal Status: T

State Status: T

SGCN: Y

Endemic: N

Global Rank: G3

State Rank: S2

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BURLESON COUNTY

BIRDS

chestnut-collared longspur *Calcarius ornatus*

Occurs in open shortgrass settings especially in patches with some bare ground. Also occurs in grain sorghum fields and Conservation Reserve Program lands

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

Franklin's gull *Leucophaeus pipixcan*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. This species is only a spring and fall migrant throughout Texas. It does not breed in or near Texas. Winter records are unusual consisting of one or a few individuals at a given site (especially along the Gulf coastline). During migration, these gulls fly during daylight hours but often come down to wetlands, lake shore, or islands to roost for the night.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2N

piping plover *Charadrius melodus*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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

rufa red knot *Calidris canutus rufa*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Habitat: Primarily seacoasts on tidal flats and beaches, herbaceous wetland, and Tidal flat/shore. Bolivar Flats in Galveston County, sandy beaches Mustang Island, few on outer coastal and barrier beaches, tidal mudflats and salt marshes.

Federal Status: LT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4T2	State Rank: S2N

Sprague's pipit *Anthus spragueii*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Habitat during migration and in winter consists of pastures and weedy fields (AOU 1983), including grasslands with dense herbaceous vegetation or grassy agricultural fields.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S3N

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BURLESON COUNTY

BIRDS

swallow-tailed kite *Elanoides forficatus*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. Lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2B

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*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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: S1S2N

wood stork *Mycteria americana*

The county distribution for this species includes geographic areas that the species may use during migration. Time of year should be factored into evaluations to determine potential presence of this species in a specific county. 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

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BURLESON COUNTY

FISH

blackspot shiner

Notropis atrocaudalis

Occurs from the lower Brazos River to the Sabine River drainage; Red River drainage. Small to moderate size tributary streams in runs and pools over all types of substrates.

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

chub shiner

Notropis potteri

Brazos, Colorado, San Jacinto, and Trinity river basins. Flowing water with silt or sand substrate

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S2

Mississippi silvery minnow

Hybognathus nuchalis

Found in eastern Texas streams, from the Brazos River eastward and northward to the Red River; found in moderate current; silty, muddy, or rocky substrate. In Texas, adults likely to inhabit smaller tributary streams.

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

silver chub

Macrhybopsis storeriana

Red River and Brazos River basins. Mainly restricted to large, often silty rivers. Ranges over gravel to silt substrates but found more commonly over silt or mud bottom.

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

silverband shiner

Notropis shumardi

In Texas, found from Red River to Lavaca River; Main channel with moderate to swift current velocities and moderate to deep depths; associated with turbid water over silt, sand, and gravel.

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

smalleye shiner

Notropis buccula

Endemic to the Brazos River drainage; presumed to have been introduced into the Colorado River. Historically found in lower Brazos River as far south as Hempstead, Texas but appears to now be restricted to upper Brazos River system upstream of Possum Kingdom Lake. Typically found in turbid waters of broad, sandy channels of main stream, over substrate consisting mostly of shifting sand.

Federal Status: LE	State Status: E	SGCN: Y
Endemic: Y	Global Rank: G2	State Rank: S1S2

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BURLESON COUNTY

INSECTS

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

No accepted common name *Bombus variabilis*

Habitat description is not available at this time.

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

No accepted common name *Melanoplus alexanderi*

Primarily in open oak or pine/oak savannah type habitats with fine grain loamy sand to sandy loam soils.

Federal Status: State Status: SGCN: Y
Endemic: Y Global Rank: G1G2 State Rank: S2?

MAMMALS

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: N Global Rank: G5 State Rank: S3

black-tailed prairie dog *Cynomys ludovicianus*

Dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 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: S2S3

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BURLESON COUNTY

MAMMALS

eastern red bat

Lasiurus borealis

Red bats are migratory bats that are common across Texas. They are most common in the eastern and central parts of the state, due to their requirement of forests for foliage roosting. West Texas specimens are associated with forested areas (cottonwoods). Also common along the coastline. These bats are highly mobile, seasonally migratory, and practice a type of "wandering migration". Associations with specific habitat is difficult unless specific migratory stopover sites or wintering grounds are found. Likely associated with any forested area in East, Central, and North Texas but can occur statewide.

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

eastern spotted skunk

Spilogale putorius

Generalist; open fields prairies, croplands, fence rows, farmyards, forest edges & woodlands. Prefer wooded, brushy areas & tallgrass prairies. S.p. ssp. interrupta found in wooded areas and tallgrass prairies, preferring rocky canyons and outcrops when such sites are available.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G4 State Rank: S1S3

hoary bat

Lasiurus cinereus

Hoary bats are highly migratory, high-flying bats that have been noted throughout the state. Females are known to migrate to Mexico in the winter, males tend to remain further north and may stay in Texas year-round. Commonly associated with forests (foliage roosting species) but are found in unforested parts of the state and lowland deserts. Tend to be captured over water and large, open flyways.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G3G4 State Rank: S3

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

mountain lion

Puma concolor

Generalist; found in a wide range of habitats statewide. Found most frequently in rugged mountains & riparian zones.

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

muskrat

Ondatra zibethicus

Found in fresh or brackish marshes, lakes, ponds, swamps, and other bodies of slow-moving water. Most abundant in areas with cattail. Dens in bank burrow or conical house of vegetation in shallow vegetated water. It is primarily found in the Rio Grande near El Paso and in SE Texas in the Houston area.

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

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BURLESON COUNTY

MAMMALS

northern yellow bat *Lasiurus intermedius*

Occurs mainly along the Gulf Coast but inland specimens are not uncommon. Prefers roosting in spanish moss and in the hanging fronds of palm trees. Common where this vegetation occurs. Found near water and forages over grassy, open areas. Males usually roost solitarily, whereas females roost in groups of several individuals.

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

swamp rabbit *Sylvilagus aquaticus*

Primarily found in lowland areas near water including: cypress bogs and marshes, floodplains, creeks and rivers.

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: G3G4	State Rank: S2

MOLLUSKS

Brazos heelsplitter *Potamilus streckeri*

Reported from streams, but not far into the headwaters, to large rivers, and some reservoirs. In riverine systems occurs most often in nearshore habitats such as banks and backwater pools but occasionally in mainchannel habitats such as riffles. Typically found in standing to slow-flowing water in soft substrates consisting of silt, mud or sand but occasionally in moderate flows with gravel and cobble substrates (Randklev et al. 2014b,c; Tsakiris and Randklev 2016b; Smith et al. 2019) [Mussels of Texas 2020]

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

false spike *Fusconaia mitchelli*

Occurs in small streams to medium-size rivers in habitats such as riffles and runs with flowing water. Is often found in stable substrates of sand, gravel, and cobble (Howells 2010; Randklev et al. 2012; Sowards et al. 2013; Tsakiris and Randklev 2016). [Mussels of Texas 2019]

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

Texas fawnsfoot *Truncilla macrodon*

Occurs in large rivers but may also be found in medium-sized streams. Is found in protected near shore areas such as banks and backwaters but also riffles and point bar habitats with low to moderate water velocities. Typically occurs in substrates of mud, sandy mud, gravel and cobble. Considered intolerant of reservoirs (Randklev et al. 2010; Howells 2010o; Randklev et al. 2014b,c; Randklev et al. 2017a,b). [Mussels of Texas 2019]

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

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BURLESON COUNTY

REPTILES

eastern box turtle *Terrapene carolina*

Terrestrial: 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.

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

prairie skink *Plestiodon septentrionalis*

The prairie skink can occur in any native grassland habitat across the Rolling Plains, Blackland Prairie, Post Oak Savanna and Pineywoods ecoregions.

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

slender glass lizard *Ophisaurus attenuatus*

Terrestrial: 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.

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

smooth softshell *Apalone mutica*

Aquatic: Large rivers and streams; in some areas also found in lakes and impoundments (Ernst and Barbour 1972). Usually in water with sandy or mud bottom and few aquatic plants. Often basks on sand bars and mudflats at edge of water. Eggs are laid in nests dug in high open sandbars and banks close to water, usually within 90 m of water (Fitch and Plummer 1975).

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

Texas horned lizard *Phrynosoma cornutum*

Terrestrial: Open habitats with sparse vegetation, including grass, prairie, 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. Occurs to 6000 feet, but largely limited below the pinyon-juniper zone on mountains in the Big Bend area.

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

timber (canebrake) rattlesnake *Crotalus horridus*

Terrestrial: Swamps, floodplains, upland pine and deciduous woodland, riparian zones, abandoned farmland. Limestone bluffs, sandy soil or black clay. Prefers dense ground cover, i.e. grapevines, palmetto.

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

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BURLESON COUNTY

REPTILES

western box turtle *Terrapene ornata*

Terrestrial: 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.

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

western chicken turtle *Deirochelys reticularia miaria*

Aquatic and terrestrial: This species uses aquatic habitats in the late winter, spring and early summer and then terrestrial habitats the remainder of the year. Preferred aquatic habitats seem to be highly vegetated shallow wetlands with gentle slopes. Specific terrestrial habitats are not well known.

Federal Status: State Status: SGCN: Y
Endemic: N Global Rank: G5T5 State Rank: S2S3

PLANTS

branched gay-feather *Liatis cymosa*

Somewhat barren grassland openings in post oak woodlands on tight clayey, chalky, or gravelly soils, often over Catahoula Formation; flowering July-October

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

bristle nailwort *Paronychia setacea*

Flowering vascular plant endemic to eastern southcentral Texas, occurring in sandy soils

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

Mohlenbrock's sedge *Cyperus grayioides*

Deep sand and sandy loam in dry, almost barren openings in upland longleaf pine savannas, mixed pine-oak forests, and post oak woodlands; Occurs primarily in deep, periodically disturbed sandy soils in open areas maintained by factors such as wind, erosion, or fire. This species does not occur in shaded areas or in areas of high competition with other herbaceous species. Habitats include remnant sand prairies, sandy fields, sand blow outs, sandhill woodlands, pine barrens, and open barrens in which the slope is sufficient to produce sand erosion. May also occur in areas where the soils have been disturbed by logging or road construction; Perennial

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

Navasota ladies'-tresses *Spiranthes parksii*

Openings in post oak woodlands in sandy loams along upland drainages or intermittent streams, often in areas with suitable hydrologic factors, such as a perched water table associated with the underlying claypan; flowering populations fluctuate widely from year to year, an individual plant does not flower every year; flowering late October-early November (-early December)

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

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BURLESON COUNTY

PLANTS

panicked indigobush *Amorpha paniculata*

A stout shrub, 3 m (9 ft) tall that grows in acid seep forests, peat bogs, wet floodplain forests, and seasonal wetlands on the edge of Saline Prairies in East Texas. It is distinguished from other *Amorpha* species by its fuzzy leaflets with prominent raised veins underneath, and the flower panicles, which are 8 to 16 inches long and slender, held above the foliage. Perennial; Flowering May-August.

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

Parks' jointweed *Polygonella parksii*

Mostly found on deep, loose, whitish sand blowouts (unstable, deep, xeric, sandhill barrens) in Post Oak Savanna landscapes over the Carrizo and Sparta formations; also occurs in early successional grasslands, along right-of-ways, and on mechanically disturbed areas; flowering June-late October or September-November

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

Sayersville blue eyes *Nemophila sayersensis*

Open fields and woodland margins on deep loose nutrient-poor sand (Simpson, Helfgott and Neff 2001). Mar-May.

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

Texas cornsalad *Valerianella florifera*

Grasslands and early-successional openings in the post oak belt of east-central and northeast Texas; Sandy soils; Annual; Flowering March-April

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

Texas pinkroot *Spigelia texana*

Woodlands on loamy soils; Perennial; Flowering March-Nov; Fruiting April-Nov

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

Texas sandmint *Rhododon ciliatus*

Open sandy areas in the Post Oak Belt of east-central Texas; Annual; Flowering April-Aug; Fruiting May-Aug

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

Texas sunnybell *Schoenolirion wrightii*

Rocky barrens in the Post Oak region near College Station, with a few disjunct populations on the Catahoula Formation of southeast Texas; Perennial; Flowering March-April; Fruiting March

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

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BURLESON COUNTY

PLANTS

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

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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.

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.

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.

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 proposed HUD-assisted project does not include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries) and does not include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion.

Are formal compliance steps or mitigation required?

Yes

No



Todd Cave <todd@caveconsulting.com>

Floodway Memo

4 messages

Warner, Kelly S <Kelly.S.Warner@hud.gov>
To: "todd@caveconsulting.com" <todd@caveconsulting.com>

Thu, Aug 15, 2019 at 11:58 AM

Hi Todd,

It was good to see you again at TDA's training. We talked briefly about the floodway situation that David touched on in his presentation and I wanted to follow up with a copy of the memo (attached). Let me know if you have any questions and I hope this helps!

Sincerely,

Kelly Warner

Field Environmental Officer, Region VI

U.S. Department of Housing and Urban Development

Office of Environment and Energy


[801 Cherry St., Unit#45, Suite 2500](#)

Fort Worth, Texas 76102

[\(817\) 978-5622](#)

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167K

Todd Cave <todd@caveconsulting.com>
To: "Warner, Kelly S" <Kelly.S.Warner@hud.gov>

Fri, Aug 16, 2019 at 9:07 AM

Kelly,

It was great visiting with you again!

I will look this memo over and let you know if I have any questions.

On another note, the subject of Explosive Facilities came up after you left. As I have understood it, acceptable distance comes into play when you are dealing with projects that involve habitable structures or places where people congregate. So, for example, upgrading a lift station or replacing sewer line would not be subject to the acceptable distance requirement.

However, at the TDA training, it was mentioned that any project which involved "workers" would be subject to this rule due to OSHA safety requirements. This is the first I have heard of this and I do not believe NEPA speaks to OSHA.

Do you have any guidance on this? It would be much appreciated!

Thanks!

Todd Cave, Founding Partner - (COO)
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office: (214) 469-2483
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[Quoted text hidden]

Warner, Kelly S <Kelly.S.Warner@hud.gov>
To: Todd Cave <todd@caveconsulting.com>
Cc: "Myers, Laura L" <Laura.L.Myers@hud.gov>

Fri, Aug 16, 2019 at 9:56 AM

Hi Todd,

Your understanding is correct. The HUD reg under Part 51 Subpart C refers to HUD-assisted projects "intended for residential, institutional, recreational, commercial, or industrial use." Installation or rehab of the lift station wouldn't trigger the ASD requirements for workers. However, just wanted to mention that if a generator with an associated above-ground fuel source is being installed at the lift station, then you would need to do the ASD for any residences/facilities in the area.

I've cc'd Laura Myers on this email since she is the FEO assigned to TDA and may have additional guidance to offer.

Hope this helps!

[Quoted text hidden]

Todd Cave <todd@caveconsulting.com>
To: "Warner, Kelly S" <Kelly.S.Warner@hud.gov>
Cc: "Myers, Laura L" <Laura.L.Myers@hud.gov>

Fri, Aug 16, 2019 at 9:58 AM

Thank you for the clarification.

Have a great day / weekend!

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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:

Review of the project description indicated street and drainage improvements within existing rights-of-way (or right-of way to be acquired) and on developed land.

→ 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

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.*

- 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 does not include activities that could convert agricultural land to non-agricultural land.

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:

8-STEP PROCESS - FLOODPLAIN

Project Name: Burleson Co - 24-065-057-E567-Street-Drainage

Responsible Entity: Burleson County

State/Local Identifier: 24-065-057-E567 / B-18-DP-48-0002

Project Location:

All work will occur in Burleson County, Texas in the following locations:

- Chestnut Dr. from Elm Dr. to 70' northwest of Wagon Trail
- Mallard Rd. from Mallard Drive Bridge southwest 150' (30.44084, -96.55978)

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

Flood and Drainage Improvements

Chestnut Dr. Street and Drainage Improvements

Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances.

Mallard Rd. Street and Drainage Improvements:

Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances.

Step 1: Determine whether the action is located in a floodplain.

Exemptions to Part 55:

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

- *Exempt activities and actions that are Categorically Excluded Not Subject to 50.4 or 58.5*
- *Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited*
- *Receivership or foreclosure and related actions*
- *Policy-level actions not involving site-based work*
- *Issuance of non-project-based housing vouchers*
- *A minor amendment to a previously approved action*

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

Critical Actions:

Critical action means any activity for which even a slight chance of flooding would be too great because such flooding might result in loss of life, injury to persons, or damage to property.

Critical actions include activities that create, maintain, or extend the useful life of those structures or facilities that:

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

Because a portion of the project meets one (1) of the criteria (*roadways providing sole egress from flood-prone areas*), that portion of the project is considered a critical action:

How FFRMS was determined:

The FFRMS is determined by utilizing a tiered approach:

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

Climate-Informed Science Approach (CISA)

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

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

FEMA 0.2PFA (500-year floodplain)

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

According to FEMA floodplain map #48051C0125C (Effective Date 1/6/11), portions of the project will occur within Zone A (100-year floodplain). Since 100-year floodplains are considered FFRMS floodplains, **the 8-step process is required.**

- Area of Disturbance: 4.75 acres

In addition, since Mallard Road is considered a “roadway providing sole egress from a flood-prone area”, it is also considered a critical action.

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

- Effective Maps - 29
- Preliminary Maps - 0
- Pending Maps - 0

Upon completion of this review, it was determined that there was no additional data which would change the FFRMS determination.

Because the 500-year floodplain was not shown on the FEMA map, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, Freeboard Value Approach (FVA), was therefore considered.

Freeboard Value Approach (FVA):

FVA defines the FFRMS floodplain as the elevation and flood hazard area that results from:

- 1. Adding two (2) feet to the base flood elevation (BFE) for non-critical actions or*
- 2. Adding three (3) feet to the BFE for critical actions.*

This approach is used for noncritical actions if neither CISA data nor FEMA-mapped 0.2-percent-annual-chance floodplain data is available or actionable. For critical actions, the higher of 0.2PFA or FVA must be used.

Since the FEMA maps did not provide a Base Floodplain Elevation (BFE), the FEMA Floodplain Elevation Mapper was utilized. Upon review, it was determined that the BFE for the two (2) project locations were as follows:

- Chestnut: 404.95 feet.
- Mallard Road: 254.1 feet

Since Chestnut is not a Critical Action, the FFRMS floodplain is BFE + 2 feet: **406.95** feet and since Mallard Road is a Critical Action, the FFRMS floodplain is BFE + 3 feet: **257.1** feet

Step 2: *Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.*

There are designated floodplains associated with the proposed project sites. An early floodplain notice was published regarding the project, affording the opportunity for public input. No comments were received.

Publication Date: 12/12/24

Step 3: Identify and evaluate practicable alternatives.

The City project site selection criteria are:

- (a) The project cannot cause current residents to become displaced;
- (b) The project must be within the City in order for grant proceeds to be used;
- (c) The project must address infrastructure which was damaged due to recent flooding.

The City considered several alternative sites and actions:

1. **Do work only outside the floodplain.** It is not possible to complete work without disturbing the floodplain.
2. **Obtain a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR).** - The County also considered applying for a LOMA Map Amendment or Letter of Map Revision but it was determined that this site would not be a good candidate for such action and the time required to request such action could not be justified.
3. **Other infrastructure considered.** - Other infrastructure projects were also considered within the County Jurisdictional limits. However, the County concluded that this project was the highest priority of any eligible projects.
4. **No Action or Alternative Actions that Serve the Same Purpose.** - A no-action alternative was considered but the storm drainage system is currently not functioning properly which could pose a health hazard to the community.

Step 4: Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.

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

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 Requirements:

CFR 55.20 (e)(1):

For actions in the FFRMS floodplain, the required elevation described in this section must be documented on an Elevation Certificate or a Floodproofing Certificate in the Environmental Review Record prior to construction, or by such other means as HUD may from time to time direct, provided that notwithstanding any language to the contrary, the minimum elevation or floodproofing requirement for new construction or substantial improvement actions shall be the elevation of the FFRMS floodplain as defined in this section.

Non-Critical Actions

CFR 55.7(d)(1):

- The FFRMS floodplain includes those areas that result from adding an additional two feet to the base flood elevation based on best available information.

Critical Actions

CFR 55.7(d)(2):

- The FFRMS floodplain includes those areas that result from adding an additional three feet to the base flood elevation based on best available information.

Applicable Projects

According to the HUD Exchange on Floodplain Management (Complying with 24 CFR Part 55 (2)), if a project involves new construction or substantial improvement, elevation requirements apply.

Substantial Improvement:

A substantial improvement is any repair, reconstruction, modernization or improvement of a structure, including one of the following:

1. The cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred
2. That results in an increase of more than 20 percent in the number of dwelling units in a residential project or in the average peak number of customers and employees likely to be on-site at any one time for a commercial or industrial project

Certain types of projects are specifically not considered substantial improvement under Part 55.

- Any project solely for the improvement of a structure to comply with existing state or local health, sanitary or safety code specifications that is solely necessary to assure safe living conditions
- Any alteration of a structure listed on the National Register of Historical Places or on a State Inventory of Historic Places
- Structural repairs, reconstruction, or improvements not meeting the definition for substantial improvement are considered "minor improvements."

Because the project is not a non-residential structure, elevation requirements do not apply.

Mitigation Measures:

1. Preserving Property: Project designs should, to the best extent possible, incorporate measures to reduce the risk of damage to the new infrastructure via a flood.
2. Preserving Natural Values and Minimizing Impacts: After construction is completed, the disturbed area will need to be immediately re-vegetated with native grasses. Only native plants are to be used in the floodplain, and on the site.
3. Deposition and excavation of materials will need to be performed in such a manner that erosion and sedimentation will be controlled.
4. Precautions will need to be taken in the handling of fuels or other hazardous materials to prevent discharge or spillage resulting in lower groundwater quality.
5. Erosion control measures such as hay bales or silt screen barriers will need to be implemented and maintained during construction as required.
6. The project engineer will need to incorporate best management practices into the specifications and plans.

Step 6: *Reevaluate the Alternatives.*

1. **Do work only outside the floodplains.** Completing the project without disturbing any floodplain is not possible. (Not Viable)
2. **Obtain a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR).** - It was determined that neither a LOMA nor a LOMR was likely nor practical for the project area. (Not Viable)
3. **Other infrastructure considered.** - After considering other potential projects in the County, it was determined that of the eligible projects, this project was of the highest priority. (Not Viable)
4. **No Action or Alternative Actions that Serve the Same Purpose.** - The current storm drainage system in the project area is inadequate and must be addressed to prevent public health hazards. (Not Viable)

Step 7: *Determination of No Practicable Alternative*

It is our determination that there are no practical alternatives for locating the project in the floodplain:

A final notice was posted detailing the reasons why the 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.

Posting Date: 1/7/25

Step 8: *Implement the Proposed Action*

The County will ensure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. The City will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.



→ How can I...

News and Announcements

Jan 2025

Final Notice and Public Explanation of a Proposed Activity in a FFRMS Floodplain

01/07/2025

To: All interested Agencies, Groups and Individuals

This is to give notice that Burleson 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. The activity is funded under the HUD CDBG Disaster Recovery Program under **Burleson Co - 24-065-057-E567-Street-Drainage, #24-065-057-E567 / B-18-DP-48-0002.**

For more information please review the following documents:

[Burleson Co-MIT- 24-065-057-E567-Street-Drainage - flood2.pdf](#)

[Translated copy of Copy of Burleson Co-MIT- 24-065-057-E567-Street-Drainage - flood2.pdf](#)

[Burleson Co - 24-065-057-E567-Street-Drainage-8-step-flood - Google Docs.pdf](#)



CONNECT WITH US

Burleson County
100 West Buck St.
Caldwell, TX 77836
PHONE: (979) 567-2333
Email: contact@burlesoncounty.org
Mon - Fri: 8am - 5:00pm
Sat - Sun: Closed

OUR MISSION

Burleson County is dedicated to providing services to the public in an efficient, responsible and professional manner. Services will be delivered in a caring, humane environment.

Burleson County is dedicated to providing a work environment where we respect the dignity, and recognize the merit of each individual employee.

Burleson County is committed to a policy of open government.

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Final Notice and Public Explanation of a Proposed Activity in a FFRMS Floodplain

To: All interested Agencies, Groups and Individuals

This is to give notice that **Burleson 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. The activity is funded under the HUD CDBG Disaster Recovery Program under **Burleson Co - 24-065-057-Street-Drainage, #24-065-057-E567 / B-18-DP-48-0002.**

Project Location:

All work will occur in Burleson County, Texas in the following locations:

- Chestnut Dr. from Elm Dr. to 70' northwest of Wagon Trail
- Mallard Rd. from Mallard Drive Bridge southwest 150' (30.44084, -96.55978)

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

Chestnut Dr. Street and Drainage Improvements
Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances.

Mallard Rd. Street and Drainage Improvements:
Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances.

FLOODPLAIN

Exemptions to Part 55:

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

- Exempt activities and actions that are Categorical Exclusions Not Subject to 50.4 or 58.5
- Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited
- Receivership or foreclosure and related actions
- Policy-level actions not involving site-based work
- Issuance of non-project-based housing vouchers
- A minor amendment to a previously approved action

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

Critical Actions:

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

- Produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials

- Provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events (e.g., community stormwater management infrastructure, water treatment plants, data storage centers, generating



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

Because a portion of the project meets one (1) of the criteria (*roadways providing sole egress from flood-prone areas*), that portion of the project is considered a critical action:

How FFRMS was determined:

The FFRMS is determined by utilizing a tiered approach:

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

Climate-Informed Science Approach (CISA)

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

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

FEMA 0.2PFA (500-year floodplain)

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

According to FEMA floodplain map #48051C0125C (Effective Date 1/6/11), portions of the project will occur within Zone A (100-year floodplain). Since 100-year floodplains are considered FFRMS floodplains, **the 8-step process is required.**

- Area of Disturbance: 4.75 acres

In addition, since Mallard Road is considered a “roadway providing sole egress from a flood-prone area”, it is also considered a critical action.

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

- Effective Maps - 29
- Preliminary Maps - 0
- Pending Maps - 0

Upon completion of this review, it was determined that there was no additional data which would change the FFRMS determination.



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Because the 500-year floodplain was not shown on the FEMA map, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, Freeboard Value Approach (FVA), was therefore considered.

Freeboard Value Approach (FVA):

FVA defines the FFRMS floodplain as the elevation and flood hazard area that results from:

- 1. Adding two (2) feet to the base flood elevation (BFE) **for non-critical actions** or
- 2. Adding three (3) feet to the BFE **for critical actions.**

*This approach is used for noncritical actions if neither CISA data nor FEMA-mapped 0.2-percent-annual-chance floodplain data is available or actionable. **For critical actions, the higher of 0.2PFA or FVA must be used.***

Since the FEMA maps did not provide a Base Floodplain Elevation (BFE), the FEMA Floodplain Elevation Mapper was utilized. Upon review, it was determined that the BFE for the two (2) project locations were as follows:

- Chestnut: 404.95 feet.
- Mallard Road: 254.1 feet

Since Chestnut is not a Critical Action, the FFRMS floodplain is BFE + 2 feet: **406.95 feet** and since Mallard Road is a Critical Action, the FFRMS floodplain is BFE + 3 feet: **257.1 feet**

Natural Values of the Floodplain:

The natural resources of the floodplain include water, biological, and societal resources. The proposed project will have minimal impacts to the floodplain because there will be minimal disturbance to the floodplain.

Burleson 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. Do work only outside the floodplains. Completing the project without disturbing any floodplain is not possible. (Not Viable)
- 2. Obtain a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR). - It was determined that neither a LOMA nor a LOMR was likely nor practical for the project area. (Not Viable)
- 3. Other infrastructure considered. - After considering other potential projects in the County, it was determined that of the eligible projects, this project was of the highest priority. (Not Viable)
- 4. No Action or Alternative Actions that Serve the Same Purpose. - The current storm drainage system in the project area is inadequate and must be addressed to prevent public health hazards. (Not Viable)

Mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:



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Mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

1. Preserving Property: Project designs should, to the best extent possible, incorporate measures to reduce the risk of damage to the new infrastructure via a flood.
2. Preserving Natural Values and Minimizing Impacts: After construction is completed, the disturbed area will need to be immediately re-vegetated with native grasses. Only native plants are to be used in the floodplain, and on the site.
3. Deposition and excavation of materials will need to be performed in such a manner that erosion and sedimentation will be controlled.
4. Precautions will need to be taken in the handling of fuels or other hazardous materials to prevent discharge or spillage resulting in lower groundwater quality.
5. Erosion control measures such as hay bales or silt screen barriers will need to be implemented and maintained during construction as required.
6. The project engineer will need to incorporate best management practices into the specifications and plans.

Date of any final or conditional LOMR's or LOMA's from FEMA: None requested.

Burleson County will ensure applicable state and local floodplain protection procedures are followed. Burleson 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.

Written comments must be received by Burleson County at the following address on or before **January 15, 2025**, a minimum 7 calendar day comment period will begin the day after the publication and end on the 8th day after the publication: **Burleson County, 100 West Buck St., Caldwell, TX 77836**. A full description of the project may also be reviewed from 9:00 am to 5:00 pm from the previously mentioned address. Comments may also be submitted via email at todd@texasenvironmentals.com.

Date: January 7, 2025



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Mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

1. Preserving Property: Project designs should, to the best extent possible, incorporate measures to reduce the risk of damage to the new infrastructure via a flood.
2. Preserving Natural Values and Minimizing Impacts: After construction is completed, the disturbed area will need to be immediately re-vegetated with native grasses. Only native plants are to be used in the floodplain, and on the site.
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Date: January 7, 2025



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vidas, lesiones a personas o daños a la propiedad. Las acciones críticas incluyen actividades que crean, mantienen o extienden la vida útil de aquellas estructuras o instalaciones que:

- Producir, usar o almacenar materiales altamente volátiles, inflamables, explosivos, tóxicos o reactivos con el agua.
- Proporcionar registros o servicios públicos o de emergencia esenciales e irremplazables que puedan perderse o dejar de funcionar durante inundaciones y tormentas (por ejemplo, infraestructura comunitaria de gestión de aguas pluviales, plantas de tratamiento de agua, centros de almacenamiento de datos, plantas generadoras, líneas principales de servicios públicos, centros de operaciones de emergencia, incluidos los de incendios y comisarias de policía y carreteras que proporcionan la única salida a zonas propensas a inundaciones)
- Es probable que contengan ocupantes que tal vez no tengan suficiente movilidad para evitar la pérdida de vidas o lesiones durante inundaciones o tormentas, por ejemplo, personas que residen en hospitales, residencias de ancianos, residencias de convalecientes, centros de atención intermedia, centros de alojamiento y atención y servicios de jubilación. centros; la vivienda para una vida independiente para las personas mayores no se considera una acción crítica

Porque una parte del proyecto cumple con uno (1) de los criterios (*camino que proporcionan la única salida de áreas propensas a inundaciones*), esa parte del proyecto se considera una acción crítica:

Cómo se determinó FFRMS:

El FFRMS se determina utilizando un enfoque escalonado:

- Enfoque científico informado sobre el clima (CISA) - **Método preferido**
- Enfoque de llanura aluvial con probabilidad anual del 0,2 por ciento (0,2 PFA)
- Enfoque del valor de francobordo (FVA)

Enfoque científico informado sobre el clima (CISA)

- Los datos federales CISA deben ser iguales o mayores que la elevación base de inundación (BFE) para poder utilizarse.

Según la Herramienta Federal de Apoyo al Estándar de Inundaciones (FFSST), no hay datos CISA disponibles para las áreas del proyecto. Tal como, este enfoque no pudo proporcionar una determinación sobre si el proyecto estaba en la llanura aluvial del FFRMS. Por lo tanto, se consideró el siguiente enfoque escalonado, 0,2PFA (método de llanura aluvial de 500 años).

FEMA 0.2PFA (llanura aluvial de 500 años)

- Los mapas de FEMA deben mostrar una llanura aluvial de 500 años para poder ser utilizados.
- Las acciones críticas requieren que se utilicen tanto el 0,2PFA como el enfoque del valor de francobordo (FVA) para determinar qué elevación es mayor, el 0,2PFA o el FVA.

Según el mapa de llanura aluvial de FEMA #48051C0125C (fecha de entrada en vigor 6/1/11), partes del proyecto se llevarán a cabo dentro de la Zona A (llanura aluvial de 100 años). Dado que las llanuras aluviales de 100 años se consideran llanuras aluviales FFRMS, **Se requiere el proceso de 8 pasos.**

- Área de perturbación: 4,75 acres

Además, dado que Mallard Road se considera una "calzada que proporciona la única salida desde un área propensa a inundaciones", también se considera una acción crítica.



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Además, dado que Mallard Road se considera una “calzada que proporciona la única salida desde un área propensa a inundaciones”, también se considera una acción crítica.

Para garantizar que se consideraran todos los datos apropiados de llanuras aluviales de FEMA y se utilizara la fuente de datos más estricta para los datos de inundaciones comparables, se revisaron todos los FIRMS disponibles, preliminares y pendientes:

- Mapas efectivos - 29
- Mapas preliminares - 0
- Mapas pendientes - 0

Al finalizar esta revisión, se determinó que no había datos adicionales que pudieran cambiar la determinación de FFRMS.

Debido a que la llanura aluvial de 500 años no se muestra en el mapa de FEMA, este enfoque no pudo proporcionar una determinación sobre si el proyecto estaba en la llanura aluvial del FFRMS. Por lo tanto, se consideró el siguiente enfoque escalonado, el enfoque de valor de francobordo (FVA).

Enfoque del valor de francobordo (FVA):

La FVA define la llanura aluvial del FFRMS como la elevación y el área de peligro de inundación que resulta de:

- 1. Agregar dos (2) pies a la elevación base de inundación (BFE) para acciones no críticas o*
- 2. Agregar tres (3) pies al BFE para acciones críticas.*

Este enfoque se utiliza para acciones no críticas si ni los datos de CISA ni los datos de llanuras aluviales con una probabilidad anual del 0.2 por ciento mapeados por FEMA están disponibles o son procesables. Para acciones críticas, se debe utilizar el mayor de 0,2 PFA o FVA.

Dado que los mapas de FEMA no proporcionaron una elevación base de la llanura aluvial (BFE), se utilizó el Mapeador de elevación de la llanura aluvial de FEMA. Tras la revisión, se determinó que el BFE para las dos (2) ubicaciones del proyecto era el siguiente:

- Castaño: 404,95 pies.
- Carretera Mallard: 254,1 pies

Dado que Chestnut no es una acción crítica, la llanura aluvial FFRMS es BFE + 2 pies: **406.95** pies y dado que Mallard Road es una acción crítica, la llanura aluvial FFRMS es BFE + 3 pies: **257,1 pies**

Valores naturales de la llanura aluvial:

Los recursos naturales de la llanura aluvial incluyen recursos hídricos, biológicos y sociales. El proyecto propuesto tendrá impactos mínimos en la llanura aluvial porque habrá una perturbación mínima en la llanura aluvial.

Condado de Burleson ha considerado las siguientes alternativas y medidas de mitigación a tomar para minimizar los impactos adversos y restaurar y preservar los valores naturales y beneficiosos:

1. Trabaje sólo fuera de las llanuras aluviales. No es posible completar el proyecto sin alterar ninguna llanura aluvial. (No viable)
2. Obtenga una Carta de Enmienda de Mapa (LOMA) o una Carta de Revisión de Mapa



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1. Trabaje sólo fuera de las llanuras aluviales. No es posible completar el proyecto sin alterar ninguna llanura aluvial. (No viable)
2. Obtenga una Carta de Enmienda de Mapa (LOMA) o una Carta de Revisión de Mapa (LOMR). - Se determinó que ni una LOMA ni una LOMR eran probables ni prácticas para el área del proyecto. (No viable)
3. Otras infraestructuras consideradas. - Después de considerar otros proyectos potenciales en el Condado, se determinó que de los proyectos elegibles, este era el de mayor prioridad. (No viable)
4. Ninguna acción o acciones alternativas que sirvan el mismo propósito. - El actual sistema de drenaje pluvial en el área del proyecto es inadecuado y debe abordarse para prevenir riesgos para la salud pública. (No viable)

METROMedidas de mitigación que se deben tomar para minimizar los impactos adversos y restaurar y preservar los valores naturales y beneficiosos:

1. Preservación de la propiedad: Los diseños de los proyectos deben, en la mejor medida posible, incorporar medidas para reducir el riesgo de daños a la nueva infraestructura a través de una inundación.
2. Preservar los valores naturales y minimizar los impactos: una vez finalizada la construcción, será necesario revegetar inmediatamente el área perturbada con pastos nativos. Sólo se deben utilizar plantas nativas en la llanura aluvial y en el sitio.
3. La deposición y excavación de materiales deberá realizarse de tal manera que se controle la erosión y la sedimentación.
4. Será necesario tomar precauciones en el manejo de combustibles u otros materiales peligrosos para evitar descargas o derrames que resulten en una menor calidad del agua subterránea.
5. Será necesario implementar y mantener durante la construcción medidas de control de la erosión, como fardos de heno o barreras de pantalla de sedimento, según sea necesario.
6. El ingeniero del proyecto deberá incorporar las mejores prácticas de gestión en las especificaciones y planes.

Dfecha de cualquier LOMR o LOMA final o condicional de FEMA: Ninguno solicitado.

El condado de Burleson se asegurará de que se apliquen Se siguen los procedimientos estatales y locales de protección de llanuras aluviales.d. El condado de Burleson tiene reevaluó las alternativas a la construcción en la llanura aluvial y ha determinado que no tiene ninguna alternativa viable. Los archivos ambientales que documentan el cumplimiento de los pasos 3 a 6 de la Orden Ejecutiva 11988 están disponibles para inspección, revisión y copia del público previa solicitud en los horarios y lugares delineados en el último párrafo de este aviso para la recepción de comentarios.

Hay tres propósitos principales para este aviso. En primer lugar, se debe dar a las personas que puedan verse afectadas por las actividades en las llanuras aluviales y a aquellos que tengan interés en la protección del medio ambiente natural la oportunidad de expresar sus preocupaciones y proporcionar información sobre estas áreas. En segundo lugar, un programa adecuado de avisos públicos puede ser una importante herramienta educativa pública. La difusión de información y la solicitud de comentarios públicos sobre las llanuras aluviales

pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de justicia, cuando el gobierno federal determine que participará en acciones que se lleven a cabo en

preocupaciones y proporcionar información sobre estas áreas. En segundo lugar, un programa adecuado de avisos públicos puede ser una importante herramienta educativa pública. La difusión de información y la solicitud de comentarios públicos sobre las llanuras aluviales

pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de justicia, cuando el gobierno federal determine que participará en acciones que se lleven a cabo en la llanura aluvial, debe informar a quienes puedan correr un riesgo mayor o continuo.

Los comentarios escritos deben ser recibidos por Condado de Burleson en la siguiente dirección en o antes **15 de enero de 2025**, un período mínimo de comentarios de 7 días calendario comenzará el día después de la publicación y finalizará el día 8th día después de la publicación: **Condado de Burleson, 100 West Buck St., Caldwell, Texas 77836**. También se podrá revisar una descripción completa del proyecto de 9:00 am a 5:00 pm desde la dirección mencionada anteriormente. Los comentarios también pueden enviarse por correo electrónico a todd@ambientales de texas.con.

Fecha: 7 de enero de 2025



1



2



3



4



5

Final Notice and Public Review of a Proposed Activity in a FFRMS Floodplain

DEC 12 2024

Project Location: All work will occur in Burleson County, Texas in the following locations:

- Chemist Dr. from Elm Dr. to 70' southwest of Wagon Trail
- Malard Rd. from Malard Drive Bridge southwest 150' (CA 44084, 06.55978)

Description of the Proposed Project (24 CFR 58.12 & 58.32, 40 CFR 119.21): Flood and Drainage Improvements

Chemist Dr. Street and Drainage Improvements: Subrecipient shall stabilize subsgrade, install crushed rock and drainage ditches, and complete associated appurtenances. (2,000 TON) Cement - 80 TON/LOADS

Malard Rd. Street and Drainage Improvements: Subrecipient shall elevate the road, install box culverts, guard rails, and road stabilizers, and complete associated appurtenances. (10'x30' Box Culverts - 170 LF, Cement Stabilized Road - 25 TON, Steel P.I. - 1,100 TON, Gravel - 1,300 TON)

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

- Emergency activities and actions that are Categorically Excluded Not Subject to 50.4 or 50.5
- Restoration or preservation of floodplains, acquisition of floodplain property provided the use is used for flood control or open space but only if structures are elevated and improvements are specifically limited
- Recreation or historic preservation and related actions
- Policy-level actions not involving any hazard work
- Emission of non-impact-based bearing capacities
- A minor amendment to a previously approved action

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

See County Clerk for full document *

Burleson County Sheriff's Office
Caldwell, Texas

Case Number: 240011904
Date: 11/18/2024

On the 18th Day of November, 2024
Person Reporting Entry:

Name: Irvin Martinez
Address: 2130 CR 310, Caldwell, Texas
Phone Number: Click here to enter text.

Date Entry Reported to Sheriff: 11/18/2024

Location of Entry When Found: 2130 CR 310

Location of Entry While Impounded: Caldwell Livestock Commission (279 County Road 105, Caldwell, TX)

Description of Entry:

- Species: Unknown
- Breed: Unknown
- Gender: Male
- Country: Mexico
- Age: 10-12
- Size/Weight: 750-2000 pounds
- Breed / Ear Tags / Identifying Characteristics: None

See County Clerk for full document *

Disaster Declaration

WHEREAS, the National Drought Mitigation Center, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration have formed the United States Drought Monitor (USDM); and

WHEREAS, the USDM monitors drought conditions across the United States and as of October 12, 2024 has classified 100% of Burleson County being in moderate drought conditions; and

WHEREAS, the Koeberl-Dryden Drought Index (KDDI), maintained by Texas A&M Agrilife Research and Texas A&M Forest Service, is an index that is used to determine fire potential and the current KDDI indicates an estimated KDDI overall average value of 729 for Burleson County or a value of 0-800 as of October 14, 2024; and

WHEREAS, Burleson County is now within the highest range KDDI and is at risk of increased wildfire occurrence; and

WHEREAS, Burleson County has, and is continuing, to experience wildfires across the County and such fires have the potential of endangering lives and damaging property on a large scale; and

WHEREAS, Burleson County issued a burn ban order for the entire county; and

WHEREAS, on October 14, 2024 Texas Governor Greg Abbott, issued a Disaster Declaration for 143 counties in Texas due to elevated fire weather conditions, which included Burleson County; and

WHEREAS, the Texas Government Code Chapter 418 gives the county judge the power to declare a local disaster within the county "if the threat of disaster is imminent"; and

WHEREAS, the magnitude of the potential damage and the rapidity with which such a fire could escalate to major proportions constitute an investment threat of disaster; and

WHEREAS, declaration of such disaster authorizes the imposition of controls on activities which lead to increase the likelihood of fire; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, a declaration issued under Section 418.108 of the Texas Government Code may include a prohibition or restriction on the sale or use of all fireworks within the county; and

WHEREAS, a local disaster declaration expires seven days after its issuance, unless the commissioners court consents to its renewal or continuation; and

See County Clerk for full document *



Final Notice and Public Explanation of a Proposed Activity in a FFRMS Floodplain

To: All interested Agencies, Groups and Individuals

This is to give notice that Burleson County has conducted an evaluation as required by Executive Order 11983, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. The activity is funded under the HUD-ETDR Disaster Recovery Program under Burleson Co - 24-065-057-E567-Street-Drainage, #24-065-057-E567 / B-18-DP-48-0002.

Project Location: All work will occur in Burleson County, Texas in the following locations:

- Chemist Dr. from Elm Dr. to 70' southwest of Wagon Trail
- Malard Rd. from Malard Drive Bridge southwest 150' (CA 44084, 06.55978)

Description of the Proposed Project (24 CFR 58.12 & 58.32, 40 CFR 119.21): Flood and Drainage Improvements

Chemist Dr. Street and Drainage Improvements: Subrecipient shall stabilize subsgrade, install crushed rock and drainage ditches, and complete associated appurtenances.

Malard Rd. Street and Drainage Improvements: Subrecipient shall elevate the road, install box culverts, guard rails, and road stabilizers, and complete associated appurtenances.

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

- Emergency activities and actions that are Categorically Excluded Not Subject to 50.4 or 50.5
- Restoration or preservation of floodplains, acquisition of floodplain property provided the use is used for flood control or open space but only if structures are elevated and improvements are specifically limited
- Recreation or historic preservation and related actions
- Policy-level actions not involving any hazard work
- Emission of non-impact-based bearing capacities
- A minor amendment to a previously approved action

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

Critical Actions: Critical actions are activities for which there is a slight chance of flooding would be less great because such flooding might result in loss of life, injury to persons, or damage to property. Critical actions include activities that create, maintain, or extend the useful life of these structures or facilities that:

- Produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials

* See County Clerk for full document *

CITATION - LETTERS TESTAMENTARY
No. 4215

STATE OF TEXAS
COUNTY OF BURLESON

TO ALL PERSONS INTERESTED IN THE ESTATE OF LEROY CLARENCE KAZMIR, Deceased, COUNTY COURT OF Burleson, Texas.

CYNTHIA KAZMIR (M) is the COUNTY COURT of Burleson County, Texas on the 27th day of December, 2024, an application for probate of the Last Will and Testament of said LEROY CLARENCE KAZMIR, Deceased, and for Letters Testamentary (to and for) accompanying said application.

Said application will be heard and acted on by said Court on at 10:00 o'clock A.M. on the 27th day of January, 2025, at the place in or near said Courtroom where public notices customarily are posted, for not less than ten (10) days before the return day thereof, exclusive of the day of posting and return the original copy of this citation to the clerk sitting in a writing room through the time when and the place when be posted such copy.

The officers executing this citation shall post the copy of this citation at the Courtroom door of the county in which this proceeding is pending, on at the place in or near said Courtroom where public notices customarily are posted, for not less than ten (10) days before the return day thereof, exclusive of the day of posting and return the original copy of this citation to the clerk sitting in a writing room through the time when and the place when be posted such copy.

ISSUED AND GIVEN UNDER MY HAND AND SEAL OF SAID COURT at office in Caldwell, Texas, this 2nd day of January, 2025.

ANNA L. SCHLACK, COUNTY CLERK
BURLESON COUNTY, TEXAS

SEAL

CONSTABLE'S RETURN

Came to hand on the 27th day of JANUARY A.D. 2025, at 6:00 PM, and remained on the 27th day of JANUARY A.D. 2025, by posting a copy of the within citation for not more than the day of posting, before the return day herein, at the County Courtroom door of Burleson County, Texas, or at the place in or near the said courthouse where public notices customarily are posted.

FILED
JAN 07 2025

See County Clerk for full document *

Aviso temprano y revisión pública de una propuesta de actividad en un FFRMS Línea de inundación

DEC 12 2024

Para: Todas las agencias, grupos e individuos interesados.

Esto es para dar aviso de que Condado de Burleson ha determinado que la siguiente acción es sujeta a la Subsección de Aviso Final del Departamento Comunitario - Programa de Recuperación de Desastres administrado por la Oficina General de Tierras de Texas (Departamento de Vivienda de EE. UU. y Urban Development's Community Development Block Grant Mortgage (CDBG-MTG) y Burleson Co - 24-065-057-E567-Drainage-Details, #24-065-057-E567 / B-18-DP-48-0002, se encuentra en una línea aluvial FFRMS y Condado de Burleson identificar y evaluar acciones prioritarias para abordar la acción en la zona de inundación y los impactos normalizados en la línea aluvial de la acción propuesta, según la regla Orden Ejecutiva 11983, en su totalidad con las regulaciones de HUD en 24 CFR 55.20 Subpart C Procedimientos para hacer determinaciones sobre la protección de líneas de inundación.

Ubicación del proyecto: Todo el trabajo se realizará en el condado de Burleson, Texas, en las siguientes ubicaciones:

- Chemist Dr. desde Elm Dr. hasta 70' al suroeste de Wagon Trail
- Calle Malard, desde el puente Malard Drive al suroeste 150' (CA 44084, 06.55978)

Descripción del proyecto propuesto (24 CFR 58.12 y 58.32, 40 CFR 119.21): Mejoras en inundación y drenaje

Mejoras en la calle Chemist Dr. y en el drenaje: El subreceptor estabilizará la subgrasa, instalará roca triturada y zanjas de drenaje, y completará accesorios asociados. Roca triturada: 2,000 TONELADAS, Cemento: 80 TONELADAS

Calle Malard, Mejoras a calles y drenaje: El subreceptor elevará el camino, instalará alcantarillas tipo caja, barandillas y estabilizadores de carreteras, y accesorios asociados completos. Alcantarillas tipo caja de 10'x30' - 170 LF, Armas Estabilizadas con Cemento - 25 TONELADAS, Soluciones Molino - 1,100 TONELADAS, Roca triturada - 1,300 TONELADAS

Línea de inundación Exempciones a la Parte 55: Las acciones enumeradas en el 24 CFR 55.12 revisado que están exentas de los requisitos de gestión de líneas aluviales de la Parte 55 incluyen:

- Actividades y acciones exentas que están completamente excluidas y no sujetas a 50.4 o 50.5
- Restauración o preservación de líneas aluviales, adquisición de propiedades en líneas aluviales siempre que el uso se utilice para control de inundaciones o espacios abiertos, pero solo si las estructuras se limpian y las mejoras se limitan específicamente
- Conducta de recreación o preservación histórica y acciones similares
- Acciones a nivel de política que no involucren trabajo in situ
- Emisión de volas de capacidad no basada en proyectos
- Una enmienda menor a una acción previamente aprobada

El proyecto está sujeto a la Parte 55 porque no cumple con los criterios para ninguna de las exenciones.

Acciones críticas: Acción crítica significa cualquier actividad para la cual existe una mínima posibilidad de inundación seria de inundación, grande porque podría resultar en pérdida de vidas.

Comite al Secretario del condado para obtener el documento completo

See County Clerk for full document *

Aviso final y explicación pública de una actividad propuesta en una línea aluvial FFRMS

Para: Todas las agencias, grupos e individuos

Esto es para dar aviso de que Condado de Burleson ha realizado una evaluación según lo requerido por el Ejecutivo Orden 11983, en conformidad con las regulaciones del HUD en 24 CFR 55.20 Subpart C Procedimientos para hacer determinaciones sobre líneas aluviales. Gasto. La actividad está financiada por el Programa de recuperación de desastres CDBG de HUD bajo Burleson Co - 24-065-057-E567-Drainage-Details, #24-065-057-E567 / B-18-DP-48-0002.

Ubicación del proyecto: Todo el trabajo se realizará en el condado de Burleson, Texas, en las siguientes ubicaciones:

- Chemist Dr. desde Elm Dr. hasta 70' al suroeste de Wagon Trail
- Calle Malard, desde el puente Malard Drive al suroeste 150' (CA 44084, 06.55978)

Descripción del proyecto propuesto (24 CFR 58.12 y 58.32, 40 CFR 119.21): Mejoras en inundación y drenaje

Mejoras en la calle Chemist Dr. y en el drenaje: El subreceptor estabilizará la subgrasa, instalará roca triturada y zanjas de drenaje, y completará accesorios asociados.

Calle Malard, Mejoras a calles y drenaje: El subreceptor elevará el camino, instalará alcantarillas tipo caja, barandillas y estabilizadores de carreteras, y accesorios asociados completos.

Línea de inundación Exempciones a la Parte 55: Las acciones enumeradas en el 24 CFR 55.12 revisado que están exentas de los requisitos de gestión de líneas aluviales de la Parte 55 incluyen:

- Actividades y acciones exentas que están completamente excluidas y no sujetas a 50.4 o 50.5
- Restauración o preservación de líneas aluviales, adquisición de propiedades en líneas aluviales siempre que el uso se utilice para control de inundaciones o espacios abiertos, pero solo si las estructuras se limpian y las mejoras se limitan específicamente
- Conducta de recreación o preservación histórica y acciones similares
- Acciones a nivel de política que no involucren trabajo in situ
- Emisión de volas de capacidad no basada en proyectos
- Una enmienda menor a una acción previamente aprobada

El proyecto está sujeto a la Parte 55 porque no cumple con los criterios para ninguna de las exenciones.

Acciones críticas: Acción crítica significa cualquier actividad para la cual existe una mínima posibilidad de inundación seria de inundación, grande porque podría resultar en pérdida de vidas.

Comite al Secretario del condado para obtener el documento completo

See County Clerk for full document *

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

8-STEP PROCESS - FLOODPLAIN

Project Name: Burleson Co - 24-065-057-E567-Street-Drainage
Responsible Entity: Burleson County
State/Local Identifier: 24-065-057-E567 / B-18-DP-48-0002

Project Location: All work will occur in Burleson County, Texas in the following locations:

- Chemist Dr. from Elm Dr. to 70' southwest of Wagon Trail
- Malard Rd. from Malard Drive Bridge southwest 150' (CA 44084, 06.55978)

Description of the Proposed Project (24 CFR 58.12 & 58.32, 40 CFR 119.21): Flood and Drainage Improvements

Chemist Dr. Street and Drainage Improvements: Subrecipient shall stabilize subsgrade, install crushed rock and drainage ditches, and complete associated appurtenances.

Malard Rd. Street and Drainage Improvements: Subrecipient shall elevate the road, install box culverts, guard rails, and road stabilizers, and complete associated appurtenances.

FILED
JAN 07 2025

See County Clerk for full document *



EXIT

A large bulletin board with multiple sections containing various notices and documents.



AFFIDAVIT OF POSTING

I, Keith Schroeder, being duly sworn on my oath that I am the County Judge of Burleson County attest that the attached Public Notice was posted as follows:

Notice Name:

Burleson Co-MIT- 24-065-057-E567-Street-Drainage

Final Notice and Public Explanation of a Proposed Activity in a FFRMS Floodplain

Location:

- City Hall
- City Website

Posting:

Dates: January 7, 2025 - January 15, 2025

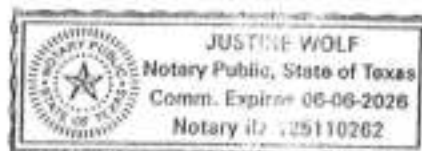


Signed

Subscribed and sworn to before me this 17th day of January A.D., 2025



Notary Public





Todd Cave <todd@caveconsulting.com>

Technical Assistance Requested - Burleson Co-MIT- 24-065-057-E567-Street-Drainage - Burleson County

4 messages

Todd Cave <todd@texasenvironmentals.com>

Wed, Jan 8, 2025 at 3:14 PM

To: Gabriela Alvarez <gabriela.alvarez.glo@recovery.texas.gov>

Bcc: Todd Cave <todd@caveconsulting.com>

Gabriela,

The County posted the 2nd notice on both their website and at the Courthouse. I noticed that the [posting at the Courthouse](#) only had the first page of the 9 page notice (including the Spanish Translation) and added a note that the full notice was available at the County Clerk's office.

Can you please tell me if this is acceptable?

Thanks?

Todd Cave, President

(214) 307-4161

texasenvironmentals.com



Gabriela Alvarez <gabriela.alvarez.glo@recovery.texas.gov>

Thu, Jan 9, 2025 at 3:01 PM

To: Todd Cave <todd@texasenvironmentals.com>

Cc: GLO Environmental <env.reviews@recovery.texas.gov>

Hi Todd,

I hope the new year is treating you well 😊

Do you know if the county posted the whole notice on their website? Or was it just the listing that would take them to the whole notice once the link was clicked on?

Thank you,



Gabriela Alvarez

Environmental Protection Specialist | Environmental Oversight

Community Development & Revitalization

Texas General Land Office, Commissioner Dawn Buckingham, M.D.

glo.texas.gov/disaster-recovery

***Reminder that all HUD 7015.15 RROF and Environmental Certification requests must be submitted through TIGR. Requests for technical assistance should be sent to env.reviews@recovery.texas.gov. For resource-specific environmental guidance, please refer to [GLO CDR Environmental Toolkit](#).**

New Website Coming: On Dec. 12th, the GLO will launch a new website with enhanced accessibility and navigation features. The new navigation will result in many previous links no longer functioning. The link to the current recovery website (recovery.texas.gov) will redirect to the new site within the glo.texas.gov website. We appreciate your partnership and patience as we improve access to information about our disaster recovery and mitigation grants and processes.

From: Todd Cave <todd@texasenvironmentals.com>

Sent: Wednesday, January 8, 2025 2:14 PM

To: Gabriela Alvarez <gabriela.alvarez.glo@recovery.texas.gov>

Subject: [EXTERNAL] Technical Assistance Requested - Burleson Co-MIT- 24-065-057-E567-Street-Drainage - Burleson County

Gabriela,

The County posted the 2nd notice on both their website and at the Courthouse. I noticed that the posting at the Courthouse only had the first page of the 9 page notice (including the Spanish Translation) and added a note that the full notice was available at the County Clerk's office.

Can you please tell me if this is acceptable?

Thanks?

Todd Cave, President

(214) 307-4161

texasenvironmentals.com

[Redacted]

[Redacted]

Todd Cave <todd@texasenvironmentals.com>
To: Gabriela Alvarez <gabriela.alvarez.glo@recovery.texas.gov>
Cc: GLO Environmental <env.reviews@recovery.texas.gov>

Mon, Jan 13, 2025 at 2:19 PM

Gabriela,

The posted a link to a PDF on their [website](#):

Todd Cave, President
(214) 307-4161
texasenvironmentals.com



[Quoted text hidden]

Gabriela Alvarez <gabriela.alvarez.glo@recovery.texas.gov>
To: Todd Cave <todd@texasenvironmentals.com>
Cc: GLO Environmental <env.reviews@recovery.texas.gov>

Tue, Jan 14, 2025 at 4:30 PM

Hey Todd,

With the information you provided, I believe that'd be an acceptable final notice publication.

Thank you,



Gabriela Alvarez

Environmental Protection Specialist | Environmental Oversight

Community Development & Revitalization

Texas General Land Office, Commissioner Dawn Buckingham, M.D.

glo.texas.gov/disaster-recovery

***Reminder that all HUD 7015.15 RROF and Environmental Certification requests must be submitted through TIGR. Requests for technical assistance should be sent to env.reviews@recovery.texas.gov. For resource-specific environmental guidance, please refer to [GLO CDR Environmental Toolkit](#).**

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From: Todd Cave <todd@texasenvironmentals.com>

Sent: Monday, January 13, 2025 1:20 PM

To: Gabriela Alvarez <gabriela.alvarez.glo@recovery.texas.gov>

Cc: GLO Environmental <env.reviews@recovery.texas.gov>

Subject: Re: [EXTERNAL] Technical Assistance Requested - Burleson Co-MIT- 24-065-057-E567-Street-Drainage - Burleson County

Gabriela,

The posted a link to a PDF on their [website](#):

Todd Cave, President

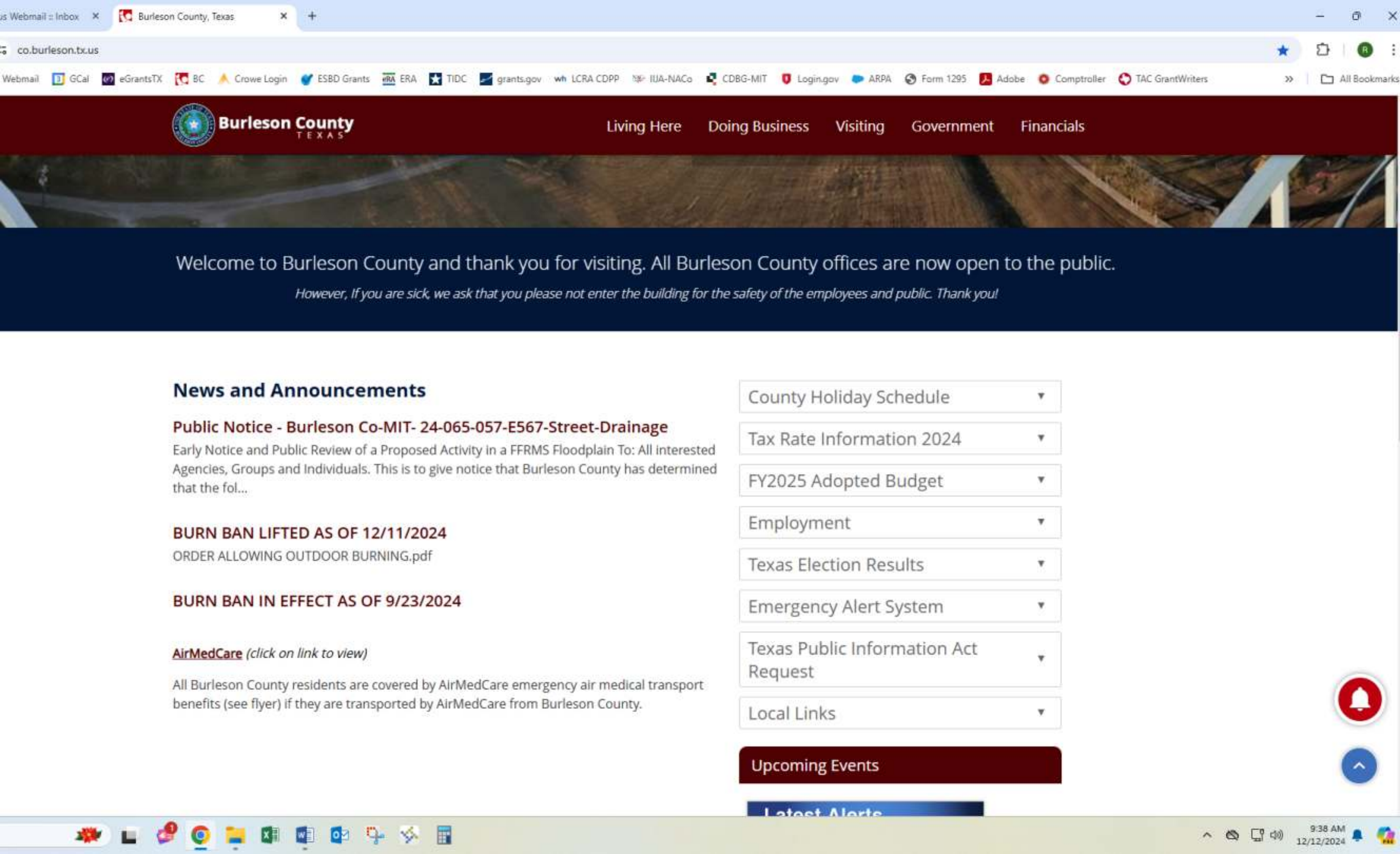
(214) 307-4161

texasenvironmentals.com

[Redacted]

[Quoted text hidden]

[Quoted text hidden]



Welcome to Burleson County and thank you for visiting. All Burleson County offices are now open to the public.

However, if you are sick, we ask that you please not enter the building for the safety of the employees and public. Thank you!

News and Announcements

Public Notice - Burleson Co-MIT- 24-065-057-E567-Street-Drainage

Early Notice and Public Review of a Proposed Activity in a FFRMS Floodplain To: All interested Agencies, Groups and Individuals. This is to give notice that Burleson County has determined that the fol...

BURN BAN LIFTED AS OF 12/11/2024

ORDER ALLOWING OUTDOOR BURNING.pdf

BURN BAN IN EFFECT AS OF 9/23/2024

AirMedCare (click on link to view)

All Burleson County residents are covered by AirMedCare emergency air medical transport benefits (see flyer) if they are transported by AirMedCare from Burleson County.

County Holiday Schedule ▾

Tax Rate Information 2024 ▾

FY2025 Adopted Budget ▾

Employment ▾

Texas Election Results ▾

Emergency Alert System ▾

Texas Public Information Act Request ▾

Local Links ▾

Upcoming Events

Latest Alerts





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

To: All interested Agencies, Groups and Individuals.

This is to give notice that **Burleson County** has determined that the following proposed action under the Community Development Block Grant - Disaster Recovery Program administered by the Texas General Land Office – U.S. Department of Housing and Urban Development’s Community Development Block Grant Mitigation (CDBG-MIT) and **Burleson Co - 24-065-057-E567-Street-Drainage, #24-065-057-E567 / B-18-DP-48-0002**, is located in a FFRMS floodplain and **Burleson 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 Protection of Floodplains.

Project Location:

All work will occur in Burleson County, Texas in the following locations:

- Chestnut Dr. from Elm Dr. to 70’ northwest of Wagon Trail
- Mallard Rd. from Mallard Drive Bridge southwest 150’ (30.44084, -96.55978)

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

Flood and Drainage Improvements

Chestnut Dr. Street and Drainage Improvements

Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances. Crushed Rock - 2,000 TON; Cement - 80 TON

Mallard Rd. Street and Drainage Improvements:

Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances. 10’x10’ Box Culverts - 150 LF; Cement Stabilized Sand - 25 TON; Select Fill - 1,100 TON; Crushed Rock - 1,300 TON

FLOODPLAIN

Exemptions to Part 55:

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

- *Exempt activities and actions that are Categorical Excluded Not Subject to 50.4 or 58.5*
- *Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited*
- *Receivership or foreclosure and related actions*
- *Policy-level actions not involving site-based work*
- *Issuance of non-project-based housing vouchers*
- *A minor amendment to a previously approved action*

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

Critical Actions:



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

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

Because a portion of the project meets one (1) of the criteria (*roadways providing sole egress from flood-prone areas*), that portion of the project is considered a critical action:

How FFRMS was determined:

The FFRMS is determined by utilizing a tiered approach:

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

Climate-Informed Science Approach (CISA)

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

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

FEMA 0.2PFA (500-year floodplain)

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

According to FEMA floodplain map #48051C0125C (Effective Date 1/6/11), portions of the project will occur within Zone A (100-year floodplain). Since 100-year floodplains are considered FFRMS floodplains, **the 8-step process is required.**

- Area of Disturbance: 4.75 acres

In addition, since Mallard Road is considered a “roadway providing sole egress from a flood-



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prone area”, it is also considered a critical action.

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

- Effective Maps - 29
- Preliminary Maps - 0
- Pending Maps - 0

Upon completion of this review, it was determined that there was no additional data which would change the FFRMS determination.

Because the 500-year floodplain was not shown on the FEMA map, this approach could not provide a determination as to whether the project was in the FFRMS floodplain. The next tiered approach, Freeboard Value Approach (FVA), was therefore considered.

Freeboard Value Approach (FVA):

FVA defines the FFRMS floodplain as the elevation and flood hazard area that results from:

1. *Adding two (2) feet to the base flood elevation (BFE) for non-critical actions or*
2. *Adding three (3) feet to the BFE for critical actions.*

This approach is used for noncritical actions if neither CISA data nor FEMA-mapped 0.2-percent-annual-chance floodplain data is available or actionable. For critical actions, the higher of 0.2PFA or FVA must be used.

Since the FEMA maps did not provide a Base Floodplain Elevation (BFE), the FEMA Floodplain Elevation Mapper was utilized. Upon review, it was determined that the BFE for the two (2) project locations were as follows:

- Chestnut: 404.95 feet.
- Mallard Road: 254.1 feet

Since Chestnut is not a Critical Action, the FFRMS floodplain is BFE + 2 feet: **406.95 feet** and since Mallard Road is a Critical Action, the FFRMS floodplain is BFE + 3 feet: **257.1 feet**

Natural and beneficial values potentially adversely affected by the activity:

1. Preventing loss of life and property as a result of flooding is the highest priority. Another flood could damage the new infrastructure.
2. In addition to concerns for life and property, the County has considered the natural values of the floodplain. The natural resources of the floodplain include water, biological, and societal resources. The proposed project will have minimal impacts to the floodplain because there will be minimal disturbance to the floodplain.
3. According to a Threatened and Endangered Species Assessment, review of the TPWD County Species List and consultation with the USFWS and TPWD, it was concluded that the construction of the facilities will have no quantifiable impact on plant and animal life. Only native plants are to be used in the floodplain and on the site.
4. Societal resources should also be considered during the design process. The designs are



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meant to complement the natural features of the area and to offer an aesthetically pleasing structure. The site will not have an effect on agricultural lands.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by **Burleson County** at the following address on or before **December 30, 2024, Burleson County, 100 West Buck St., Caldwell, TX 77836**. A full description of the project may also be reviewed from **9:00 AM to 5:00 PM**. at the address above. Comments may also be submitted via email at **todd@texasenvironmentals.com**.

Publication Date: December 12, 2024



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Aviso temprano y revisión pública de una propuesta Actividad en un FRMS Llanura de inundación

Para: Todas las agencias, grupos e individuos interesados.

Esto es para dar aviso de que **Condado de Burleson** ha determinado que la siguiente acción propuesta bajo la Subvención en Bloque para el Desarrollo Comunitario - Programa de Recuperación de Desastres administrado por la Oficina General de Tierras de Texas - Departamento de Vivienda de EE. UU. y Urban Development's Community Development Block Grant Mitigación (CDBG-MIT) y **Burleson Co - 24-065-057-E567-Drenaje-de-calle, #24-065-057-E567 / B-18-DP-48-0002**, se encuentra en una llanura aluvial FFRMS y **Condado de Burleson** identificará y evaluará alternativas practicables para ubicar la acción en la zona de inundación plano y los impactos potenciales en la llanura aluvial de la acción propuesta, según lo exige Orden Ejecutiva 11988, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subparte C Procedimientos para tomar determinaciones sobre la protección de Llanura de inundación.

Ubicación del proyecto:

Todo el trabajo se realizará en el condado de Burleson, Texas, en las siguientes ubicaciones:

- Chestnut Dr. desde Elm Dr. hasta 70' al noroeste de Wagon Trail
- Calle Mallard. desde el puente Mallard Drive al suroeste 150' (30.44084, -96.55978)

Descripción del proyecto propuesto [24 CFR 50.12 y 58.32; 40 CFR 1508.25]:

Mejoras en inundaciones y drenajes

Mejoras en la calle Chestnut Dr. y en el drenaje

El subreceptor estabilizará la subrasante, instalará roca triturada y zanjas de drenaje, y completará accesorios asociados. Roca triturada: 2.000 TONELADAS; Cemento - 80 TONELADAS

Calle Mallard. Mejoras a calles y drenajes:

El subreceptor elevará el camino; instalar alcantarillas tipo caja, barandillas y estabilizadores de carreteras; y accesorios asociados completos. Alcantarillas tipo caja de 10'x10' - 150 LF; Arena Estabilizada Con Cemento - 25 TONELADAS; Seleccione Relleno - 1100 TONELADAS; Roca triturada - 1.300 TONELADAS

Llanura de inundación

Exenciones a la Parte 55:

Las acciones enumeradas en el 24 CFR 55.12 revisado que están exentas de los requisitos de gestión de llanuras aluviales de la Parte 55 incluyen:

- *Actividades y acciones exentas que están categóricamente excluidas y no sujetas a 50.4 o 58.5*
- *Restauración o preservación de llanuras aluviales, adquisición de propiedades en llanuras aluviales siempre que el sitio se utilice para control de inundaciones o espacios abiertos, pero solo si las estructuras se limpian y las mejoras se limitan específicamente*
- *Sindicatura o ejecución hipotecaria y acciones conexas*
- *Acciones a nivel de políticas que no involucran trabajo in situ*
- *Emisión de vales de vivienda no basados en proyectos*



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- Una enmienda menor a una acción previamente aprobada.

El proyecto está sujeto a la Parte 55 porque no cumple con los criterios para ninguna de las exenciones.

Acciones críticas:

Acción crítica significa cualquier actividad para la cual incluso una mínima posibilidad de inundación sería demasiado grande porque dicha inundación podría resultar en pérdida de vidas, lesiones a personas o daños a la propiedad. Las acciones críticas incluyen actividades que crean, mantienen o extienden la vida útil de aquellas estructuras o instalaciones que:

- Producir, usar o almacenar materiales altamente volátiles, inflamables, explosivos, tóxicos o reactivos con el agua.
- Proporcionar registros o servicios públicos o de emergencia esenciales e irremplazables que puedan perderse o dejar de funcionar durante inundaciones y tormentas (por ejemplo, infraestructura comunitaria de gestión de aguas pluviales, plantas de tratamiento de agua, centros de almacenamiento de datos, plantas generadoras, líneas principales de servicios públicos, centros de operaciones de emergencia, incluidos los de incendios y comisarías de policía y carreteras que proporcionan la única salida a zonas propensas a inundaciones)
- Es probable que contengan ocupantes que tal vez no tengan suficiente movilidad para evitar la pérdida de vidas o lesiones durante inundaciones o tormentas, por ejemplo, personas que residen en hospitales, residencias de ancianos, residencias de convalecientes, centros de atención intermedia, centros de alojamiento y atención y servicios de jubilación. centros; la vivienda para una vida independiente para las personas mayores no se considera una acción crítica

Porque una parte del proyecto cumple con uno (1) de los criterios (*camino que proporcionan la única salida de áreas propensas a inundaciones*), esa parte del proyecto se considera una acción crítica:

Cómo se determinó FFRMS:

El FFRMS se determina utilizando un enfoque escalonado:

- Enfoque científico informado sobre el clima (CISA) - **Método preferido**
- Enfoque de llanura aluvial con probabilidad anual del 0,2 por ciento (0,2 PFA)
- Enfoque del valor de francobordo (FVA)

Enfoque científico informado sobre el clima (CISA)

- Los datos federales CISA deben ser iguales o mayores que la elevación base de inundación (BFE) para poder usarse.

Según la Herramienta Federal de Apoyo al Estándar de Inundaciones (FFSST), no hay datos CISA disponibles para las áreas del proyecto. Tal como, este enfoque no pudo proporcionar una determinación sobre si el proyecto estaba en la llanura aluvial del FFRMS. Por lo tanto, se consideró el siguiente enfoque escalonado, 0,2PFA (método de llanura aluvial de 500 años).

FEMA 0.2PFA (llanura aluvial de 500 años)

- Los mapas de FEMA deben mostrar una llanura aluvial de 500 años para poder ser



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utilizados.

- Las acciones críticas requieren que se utilicen tanto el 0,2PFA como el enfoque del valor de francobordo (FVA) para determinar qué elevación es mayor, el 0,2PFA o el FVA.

Según el mapa de llanura aluvial de FEMA #48051C0125C (fecha de entrada en vigor 6/1/11), partes del proyecto se llevarán a cabo dentro de la Zona A (llanura aluvial de 100 años). Dado que las llanuras aluviales de 100 años se consideran llanuras aluviales FFRMS, **Se requiere el proceso de 8 pasos.**

- Área de perturbación: 4,75 acres

Además, dado que Mallard Road se considera una “calzada que proporciona la única salida desde un área propensa a inundaciones”, también se considera una acción crítica.

Para garantizar que se consideraran todos los datos apropiados de llanuras aluviales de FEMA y se utilizara la fuente de datos más estricta para los datos de inundaciones comparables, se revisaron todos los FIRMS disponibles, preliminares y pendientes:

- Mapas efectivos - 29
- Mapas preliminares - 0
- Mapas pendientes - 0

Al finalizar esta revisión, se determinó que no había datos adicionales que pudieran cambiar la determinación de FFRMS.

Debido a que la llanura aluvial de 500 años no se muestra en el mapa de FEMA, este enfoque no pudo proporcionar una determinación sobre si el proyecto estaba en la llanura aluvial del FFRMS. Por lo tanto, se consideró el siguiente enfoque escalonado, el enfoque de valor de francobordo (FVA).

Enfoque del valor de francobordo (FVA):

La FVA define la llanura aluvial del FFRMS como la elevación y el área de peligro de inundación que resulta de:

1. Agregar dos (2) pies a la elevación base de inundación (BFE) **para acciones no críticas** o
2. Agregar tres (3) pies al BFE **para acciones críticas.**

*Este enfoque se utiliza para acciones no críticas si ni los datos de CISA ni los datos de llanuras aluviales con una probabilidad anual del 0.2 por ciento mapeados por FEMA están disponibles o son procesables. **Para acciones críticas, se debe utilizar el mayor de 0,2 PFA o FVA.***

Dado que los mapas de FEMA no proporcionaron una elevación base de la llanura aluvial (BFE), se utilizó el Mapeador de elevación de la llanura aluvial de FEMA. Tras la revisión, se determinó que el BFE para las dos (2) ubicaciones del proyecto era el siguiente:

- Castaño: 404,95 pies.
- Carretera Mallard: 254,1 pies



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Dado que Chestnut no es una acción crítica, la llanura aluvial FFRMS es BFE + 2 pies: **406.95** pies y dado que Mallard Road es una acción crítica, la llanura aluvial FFRMS es BFE + 3 pies: **257,1 pies**

Valores naturales y beneficiosos potencialmente afectados negativamente por la actividad:

1. PAGLa máxima prioridad es prevenir la pérdida de vidas y bienes como resultado de las inundaciones. Otra inundación podría dañar la nueva infraestructura.
2. Además de las preocupaciones por la vida y la propiedad, el condado ha considerado los valores naturales de la llanura aluvial. Los recursos naturales de la llanura aluvial incluyen recursos hídricos, biológicos y sociales. El proyecto propuesto tendrá impactos mínimos en la llanura aluvial porque habrá una perturbación mínima en la llanura aluvial.
3. Según una Evaluación de especies amenazadas y en peligro de extinción, una revisión de la Lista de especies del condado de TPWD y una consulta con el USFWS y el TPWD, se concluyó que la construcción de las instalaciones no tendrá un impacto cuantificable en la vida vegetal y animal. En la llanura aluvial y en el lugar sólo se utilizarán plantas autóctonas.
4. Los recursos sociales también deben considerarse durante el proceso de diseño. Los diseños están destinados a complementar las características naturales del área y ofrecer una estructura estéticamente agradable. El sitio no afectará las tierras agrícolas.

Hay tres propósitos principales para este aviso. Primero, las personas que pueden verse afectadas por las actividades en las llanuras aluviales, y aquellos que tengan interés en la protección del medio ambiente natural deberían tener la oportunidad de expresar sus preocupaciones y proporcionar información sobre estas áreas. Se anima a los comentaristas a ofrecer sitios alternativos fuera de la llanura aluvial, métodos alternativos para cumplir el mismo propósito del proyecto y métodos para minimizar y mitigar los impactos. En segundo lugar, un programa adecuado de avisos públicos puede ser una importante herramienta educativa pública. La difusión de información y la solicitud de comentarios públicos sobre llanuras aluviales puede facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de justicia, cuando el gobierno federal determina que participará en acciones que se llevan a cabo en llanuras aluviales, debe informarm aquellos que pueden correr un riesgo mayor o continuo.

Los comentarios escritos deben ser recibidos por **Condado de Burleson** en la siguiente dirección en o antes **30 de diciembre, 2024, condado de burleson, 100 West Buck St., Caldwell, Texas 77836**. También se puede revisar una descripción completa del proyecto desde **9:00 a. m. a 5:00 p. m.** en la dirección anterior. Los comentarios también pueden enviarse por correo electrónico a **todd@ambientales de texas.con**.

Fecha de publicación: Diciembre 12, 2024



Notice of Foreclosure Sale

TRUST:

July 17, 2019

Mike E. Smith, a single person

Aaron K. Flenker

Citizens State Bank

Document recorded in the Official Records of Burleson County, Texas.

SECTION ONE:

That certain 11.540 acres, in the Daniel Perry Survey, Abstract 98, Burleson County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.

SECTION TWO:

That certain 11.00 acres, in the Daniel Perry Survey, Abstract 98, Burleson County, Texas, being more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes pertinent.

TOGETHER WITH a non-exclusive Right-of-Way and Easement for purposes of ingress, egress and regress over and across that certain tract or parcel of land as described in Exhibit "B" attached hereto and made a part hereof for all purposes pertinent.

Adjustable-Rate Note ("Note") in the original principal amount of \$125,600.00, secured by Mike E. Smith, a single person ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Wednesday, January 7, 2025

The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time, the earliest time at which the Foreclosure Sale will begin is 10:00 a.m.

Burleson County Courthouse
100 West Buck Street
Caldwell, Texas 77836

The Foreclosure Sale will be conducted as a public auction and the property will be sold to the highest bidder for cash, except that Citizens State Bank's bid may be by check against the indebtedness secured by the Deed of Trust.

Payment of the Note and in the performance of the obligations of the Deed of Trust, Citizens State Bank, the owner and holder of the Note, has sold the Property.

Whether both real and personal property. Formal notice is hereby given that the Foreclosure Sale will be conducted against both the real property and any personal property in accordance with Citizens State Bank's rights and remedies provided in Article 9.604(a) of the Texas Business and Commerce Code.

That on and at the Date, Time, and Place for the Foreclosure Sale the Foreclosure Sale will be conducted in accordance with the Terms of Sale and applicable Texas law.

Notwithstanding the Foreclosure Sale, notice of the date of any rescheduled sale of the Property will be posted and filed in accordance with the requirements of the Texas Property Code.

The Foreclosure Sale is made expressly subject to any title matters set forth in the Deed of Trust and is not intended to be affected by any title matters that may be affecting the Property, if any, to the extent that they remain in force and effect at the time of the Foreclosure Sale. For the avoidance of doubt, the Foreclosure Sale is made subject to any title matters that have been released of public record from the Deed of Trust by Citizens State Bank. Prospective bidders are strongly encouraged to review the title records to determine the nature and extent of such matters, if any.

Under the Texas Property Code, the Property will be sold "AS IS," without any warranties (if any) provided for under the Deed of Trust, and the purchaser shall conduct an independent investigation of the nature and extent of such matters, if any.

As a member of the armed forces of the United States, if you are on active military duty, including active-military duty as a member of the National Guard of another state or as a member of the United States Coast Guard, please send written notice of the nature and extent of this notice immediately.

Aaron K. Flenker
Notary Public, State of Texas

Allison Hargrove
Notary Public, State of Texas

Application for Letters of Administration
Determination of Heirship

of: **STUART WILLIAM LAW, Deceased, Cause No. 6203**, in and for the County of Burleson, Texas, on the 24th day of November, 2024.

At the expiration of ten days from the date of posting this citation that the Burleson County Courthouse 100 W. Buck St., Ste. 203, Caldwell, Texas 77836, this case is cited to appear before this Honorable Court by application should they desire to do so. To ensure its application should they desire to do so. To ensure its application should they desire to do so.

At any call of the docket on or after the at 10:00 A.M., on the first Monday next after the expiration of ten (10) days from the date of posting this citation, the same being the 16th DAY OF DECEMBER, 2024 @ 1:30 P.M. at the County Courthouse in Caldwell, Texas.

SEAL OF THE COURT OF BURLESON COUNTY, TEXAS

ANNA L. SCHIELACK, County Clerk, Burleson County, Texas
100 W. Buck Street Ste. 203, Caldwell, Texas 77836

By Deputy: *Sharon Burgess*
SHARON BURGESS

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

To: All interested Agencies, Groups and Individuals.

This is to give notice that Burleson County has determined that the following proposed action under the Community Development Block Grant - Disaster Recovery Program administered by the Texas General Land Office - U.S. Department of Housing and Urban Development's Community Development Block Grant Mitigation (CDBG-MIT) and Burleson Co - 24-065-057-E567-Street-Drainage, #24-065-057-E567 / B-18-DP-48-0002, is located in a FFRMS Floodplain and Burleson 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 Protection of Floodplains.

Project Location:
All work will occur in Burleson County, Texas in the following locations:

- Chestnut Dr. from Elm Dr. to 70' northwest of Wagon Trail
- Mallard Rd. from Mallard Drive Bridge southwest 150' (30.44084, -96.55978)

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

Chestnut Dr. Street and Drainage Improvements:
Subrecipient shall stabilize subgrade, install crushed rock and drainage ditches, and complete associated appurtenances. Crushed Rock - 2,000 TON; Cement - 80 TON

Mallard Rd. Street and Drainage Improvements:
Subrecipient shall elevate the road; install box culverts, guard rails, and road stabilizers; and complete associated appurtenances. 10'x10' Box Culverts - 150 LF; Cement Stabilized Sand - 25 TON; Select Fill - 1,100 TON; Crushed Rock - 1,300 TON

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

- Exempt activities and actions that are Categorically Excluded Not Subject to 50.4 or 58.3
- Restoration or preservation of floodplains, acquisition of floodplains property provided the site is used for flood control or open space but only if structures are cleared and improvements are specifically limited
- Receivership or foreclosure and related actions
- Policy-level actions not involving site-based work
- Issuance of non-project-based housing vouchers
- A minor amendment to a previously approved action

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

See County Clerk for full document



See County Clerk for full document

Aviso temprano y revisión pública de una propuesta Actividad en un FRMS Llanura de inundación

Para: Todas las agencias, grupos e individuos interesados.

Esto es para dar aviso de que Condado de Burleson ha determinado que la siguiente acción propuesta bajo la Subvención en Bloque para el Desarrollo Comunitario - Programa de Recuperación de Desastres administrado por la Oficina General de Tierras de Texas - Departamento de Vivienda de EE. UU. y Urban Development's Community Development Block Grant Mitigation (CDBG-MIT) y Burleson Co - 24-065-057-E567-Drenaje-de-calle, #24-065-057-E567 / B-18-DP-48-0002, se encuentra en una llanura aluvial FFRMS y Condado de Burleson identificará y evaluará alternativas practicable para ubicar la acción en la zona de inundación y los impactos potenciales en la llanura aluvial de la acción propuesta, según lo exige Orden Ejecutiva 11988, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subpart C. Procedimientos para tomar determinaciones sobre la protección de Llanura de inundación.

Ubicación del proyecto:
Todo el trabajo se realizará en el condado de Burleson, Texas, en las siguientes ubicaciones:

- Chestnut Dr. desde Elm Dr. hasta 70' al noroeste de Wagon Trail
- Calle Mallard. desde el puente Mallard Drive al suroeste 150' (30.44084, -96.55978)

Descripción del proyecto propuesto [24 CFR 50.12 y 58.32; 40 CFR 1508.25]:
Mejoras en inundaciones y drenajes

Mejoras en la calle Chestnut Dr. y en el drenaje
El subreceptor estabilizará la subrasante, instalará roca triturada y zanjas de drenaje, y completará accesorios asociados. Roca triturada: 2.000 TONELADAS; Cemento - 80 TONELADAS

Calle Mallard. Mejoras a calles y drenajes:
El subreceptor elevará el camino; instalará alcantarillas tipo caja, barandillas y estabilizadores de carreteras; y accesorios asociados completos. Alcantarillas tipo caja de 10'x10' - 150 LF; Arena Estabilizada Con Cemento - 25 TONELADAS; Selección Relleno - 1100 TONELADAS; Roca triturada - 1.300 TONELADAS

Llanura de inundación Exenciones a la Parte 55:
Las acciones enumeradas en el 24 CFR 55.12 revisado que están exentas de los requisitos de gestión de llanuras aluviales de la Parte 55 incluyen:

- Actividades y acciones exentas que están categoricamente excluidas y no sujetas a 50.4 o 58.3
- Restauración o preservación de llanuras aluviales, adquisición de propiedades en llanuras aluviales siempre que el sitio se utilice para control de inundaciones o espacios abiertos, pero solo si las estructuras se limpian y las mejoras se limitan específicamente
- Sinistralidad o ejecución hipotecaria y acciones conexas
- Acciones a nivel de políticas que no involucren trabajo in situ
- Emisión de vales de vivienda no basados en proyectos

See County Clerk for full document.

Consulte al Secretario del condado para obtener el documento completa

Burleson County Sheriff's Office
Caldwell, Texas

Gene Hermes
Sheriff

1334 Highway 21 East
Caldwell, Texas 77836
(979) 567-4343
FAX (979) 567-0615

NOTICE OF IMPOUNDMENT OF ESTRAY

Case Number: 2400011994
Date: 11/18/2024

On the 08th Day of November, 2024
Person Reporting Estray

Name: Ernest Martinez
Address: 2350 CR 310, Caldwell, Texas
Phone Number: Click here to enter text.

Date Estray Reported to Sheriff: 11/08/2024

Location of Estray When Found:
2350 CR 310

Location of Estray While Impounded
Caldwell Livestock Commission (270 County Road 107, Caldwell, TX)

Description of Estray:
Species: Unknown
Breed: Unknown
Gender(s): Male
Color(s): Brown
Age(s): Unknown
Size/Weight: 750-2000 pounds
Brand / Ear Tags / Identifying Characteristics:
None

Gene Hermes
Sheriff of Burleson County, Texas
Designed of Burleson County Sheriff

NOTICE OF MEETING
GROUNDWATER MANAGEMENT AREA 12
December 13, 2024 - 10:00 a.m.

Notice is hereby given that the groundwater conservation districts (GCDs) located wholly or in part within Groundwater Management Area (GMA) 12, as designated by the Texas Water Development Board, Post Oak Savannah Groundwater Conservation District (GCD), Fayette County GCD, Lost Pines Texas GCD, and Brazos Valley GCD, will hold a **Joint Planning meeting at 10:00 a.m. on Friday, December 13, 2024**, in the Post Oak Savannah GCD Offices, located at 310 East Ave. C (Highway 79).

In compliance with the Open Meetings Act, the District Offices are open, however, members are invited to attend virtually and listen, observe, or actively participate during the public comment portion of the meeting from their computer, tablet or smartphone at:
<https://meet.goto.com/POSGGD/gma12>
You may also dial in for audio only using your phone at:
United States: +1 (408) 850-3123
Access Code: 225-961-245

The subjects to be discussed or considered, or upon which any formal action may be taken, are listed below. Items may or may not be taken in the same order as shown on this meeting notice.

- Invocation
- Pledge of Allegiance
- Call meeting to order and establish quorum
- Welcome and introductions
- Public Comment on agenda items
- Minutes of September 20, 2024 GMA 12 Meeting
- Correspondence between members of GMA 12 and producers within the boundary of GMA 12, and between members of GMA 12 and adjoining GMAs
- Evaluation and discussion of past and future pumping files and scenarios using the Sparta Wilcox Groundwater Availability Model (GAM) and results, including predicted water level budgets
- Discussion and possible action regarding existing DFCs, alternate DFC methods and parameters, and review of previously discussed programs and methodology for determining and calculating DFCs and possible use of variances
- Discussion of requirements of Chapter 36.108 in adopting DFCs during present round of budgets
 - other environmental impacts, including impacts on spring flow and other interrelated groundwater and surface water;
 - socioeconomic impacts reasonably expected to occur;
 - the impact on the interest and rights in private property, including ownership and management area landowners and their lessees and assigns in groundwater as required by 36.002;
- Review and discussion on open GMA 12 action items list
- Discussion and review of efforts and costs associated with development of Explanatory Statement for GMA 12
- Discussion and possible action of Interlocal Agreement for sharing of responsibilities and work performed by each GCD in joint planning
- Workshop on Brazos River Groundwater-Surface Water Interactions of December 9, 2024
- Public Comment on non-agenda items
- Update from Texas Water Development Board
- Agenda items and Date for next meeting
- Adjourn

Signed this 26th day of November 2024.
Gary Westbrook
Gary Westbrook, General Manager
Post Oak Savannah GCD, 310 E. Ave. C, Milano, TX
Phone: 512-455-9900 Email: gwestbrook@posgcd.org

**Questions, requests for additional information, or comments concerning the subjects listed above should be directed to the person posting this notice.

CITATION - LETTER TESTAMENTARY
No. 6208

STATE OF TEXAS
COUNTY OF BURLESON

TO ALL PERSONS INTERESTED IN THE ESTATE OF VANESSA ZINN, Deceased, COUNTY OF Burleson, Texas.

JESSICA ZINN filed in the COUNTY COURT of Burleson County, Texas on the 15th day of November, 2024, an application for probate of the Last Will and Testament of said VANESSA ZINN, Deceased, and for Letters Testamentary (the said Will accompanying said application).

Said application will be heard and acted on by said Court on at 10:00 o'clock A.M. on the first Monday next after the expiration of ten (10) days from the date of posting this citation, the same being the 16th DAY OF DECEMBER, 2024 @ 1:30 P.M. at the County Courthouse in Caldwell, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court in said above mentioned time and place by filing a written answer contesting such application should they desire to do so.

The officer executing this citation shall post the copy of this citation at the Courthouse door of the county in which this proceeding is pending, or at the place in or near said Courthouse where public notices customarily are posted, for not less than ten (10) days before the return day thereof, exclusive of the date of posting and return the original copy of this citation to the clerk stating in a written return thereon the time where and the place where he posted such copy.

ISSUED AND GIVEN UNDER MY HAND AND SEAL OF SAID COURT at office in Caldwell, Texas, this 19th day of November, 2024.

ANNA L. SCHIELACK, COUNTY CLERK
BURLESON COUNTY, TEXAS
Sharon Burgess
SHARON BURGESS, DEPUTY

AFFIDAVIT OF POSTING

I, Keith Schroeder, being duly sworn on my oath that I am the County Judge
of Burleson County and that the attached Public Notice was posted as follows:

Notice Name:

Burleson Co-MIT- 24-065-057-E567-Street-Drainage

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

Location:

- City Hall
- City Website

Posting:

Dates: December 12, 2024 - December 30, 2024

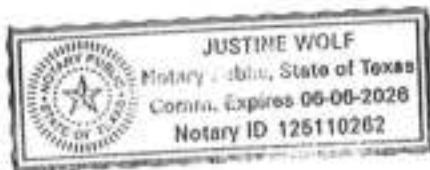


Signed

Subscribed and sworn to before me this 17th day of January A.D., 2025

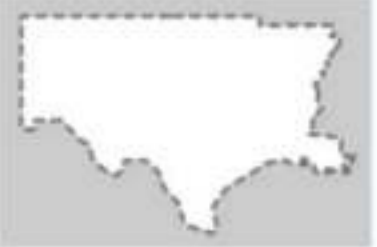


Notary Public



[Report](#) [Legend](#)

FEMA Region 6

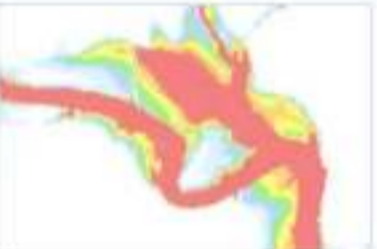


FEMA Region 6

Comments: FEMA Region 6 includes Arkansas, Louisiana, New Mexico, Oklahoma, and Texas. [More info](#)

[Click here to select a different area.](#)


Flood Depth (1%)



- ≤ 1 foot
- > 1 to 2 feet
- > 2 to 3 feet
- > 3 to 4 feet
- > 4 to 5 feet
- > 5 feet

Comments: Depicts estimated water depths above land surface during a 1% annual chance storm event (a storm that has a 1/100 chance of occurring in any calendar year). [Glossary of terms](#)

2D BLE Elevations



— 2-dimensional Base Level Engineering elevation contour

Comments: Either cross-section or elevation contour

[Quick Start](#) [Change Area](#)
[Glossary](#) [About](#)

Notifications Hover tips Dark mode

Data Base Map

Base Level Engineering

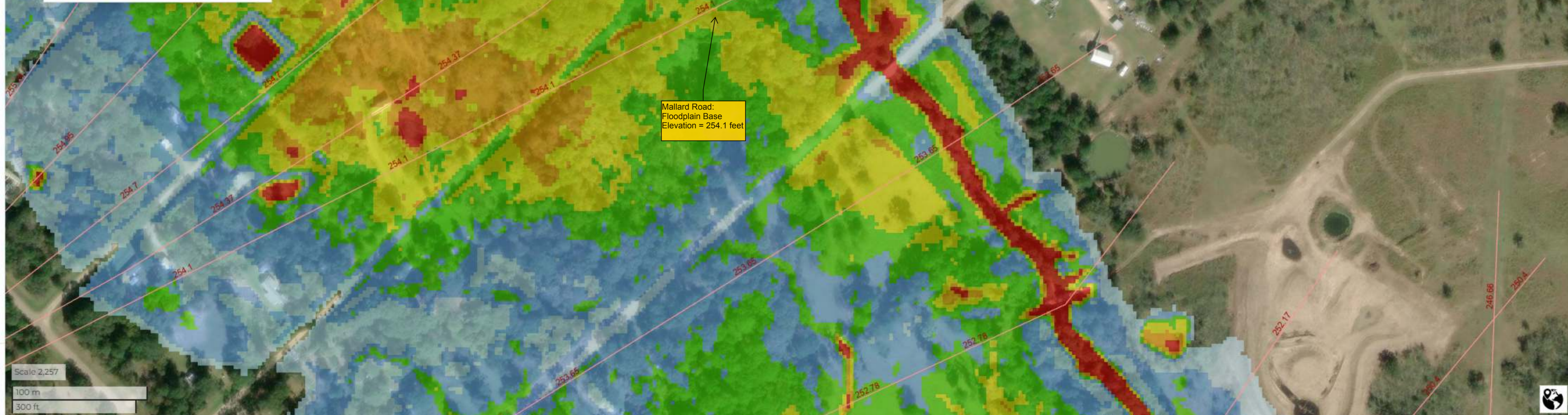
- Flood extent (1% and 0.2%)
- Flood extent (10%)
- Flood depth (1%)
- Flood depth (0.2%)
- 2D BLE elevations
- 1D BLE cross-sections
- Stream center lines
- Levees

Data Availability (BLE)

Detailed Studies (FIRM)

Boundaries

[Clear Map](#) [Close](#)



2 Map View

[Report](#) [Legend](#) 14

Create a Flood Risk Report
[More info](#)

Find a place

Enter an address or place of interest in the above search box. A popup will appear at the chosen location and you can create a report when BLE data are available there.

OR

[Map Click](#)

Zoom in to your area of interest. Click this button and then the map. A popup will appear and you can create a report when BLE data are available there.

[My Location](#)

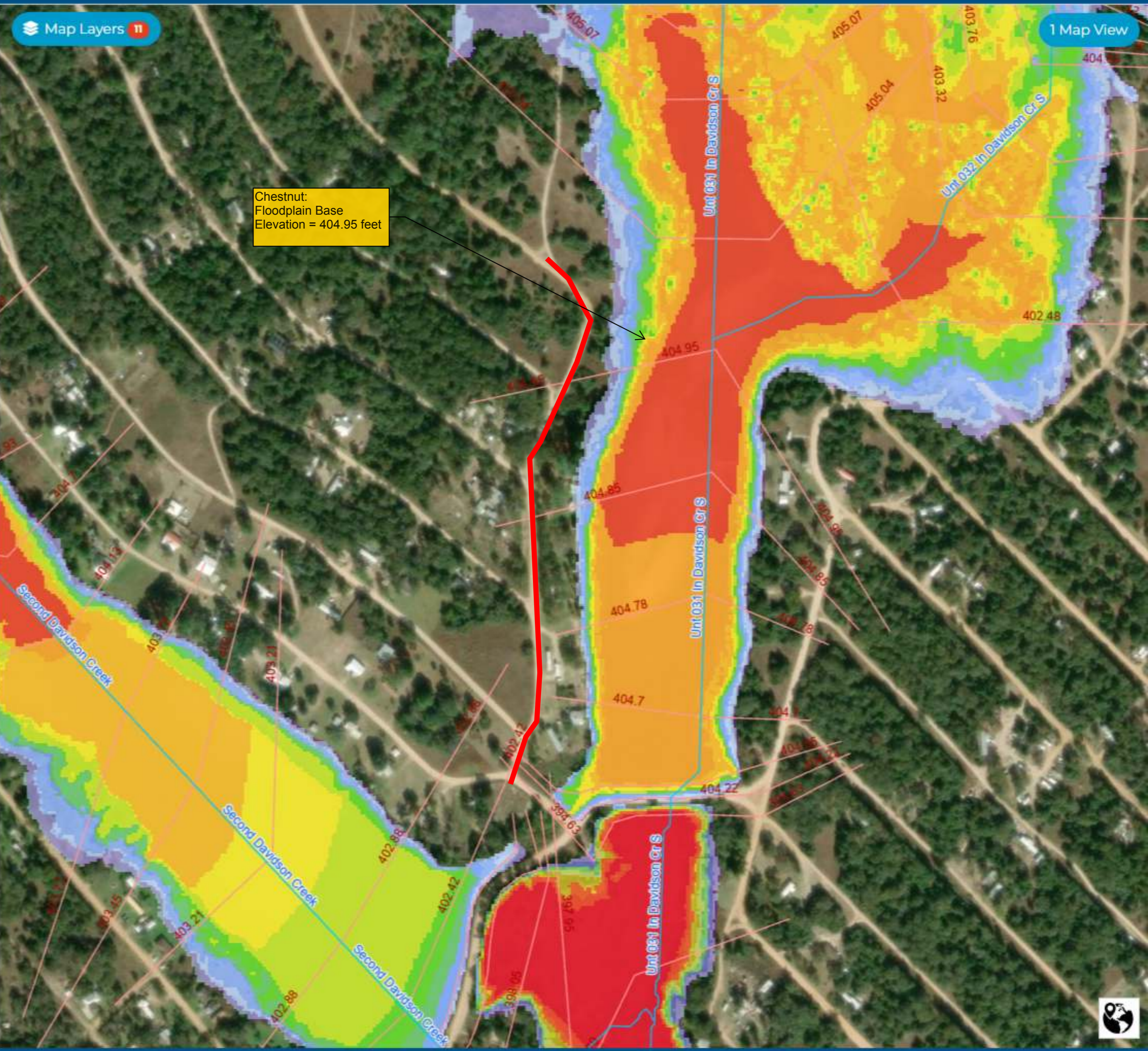
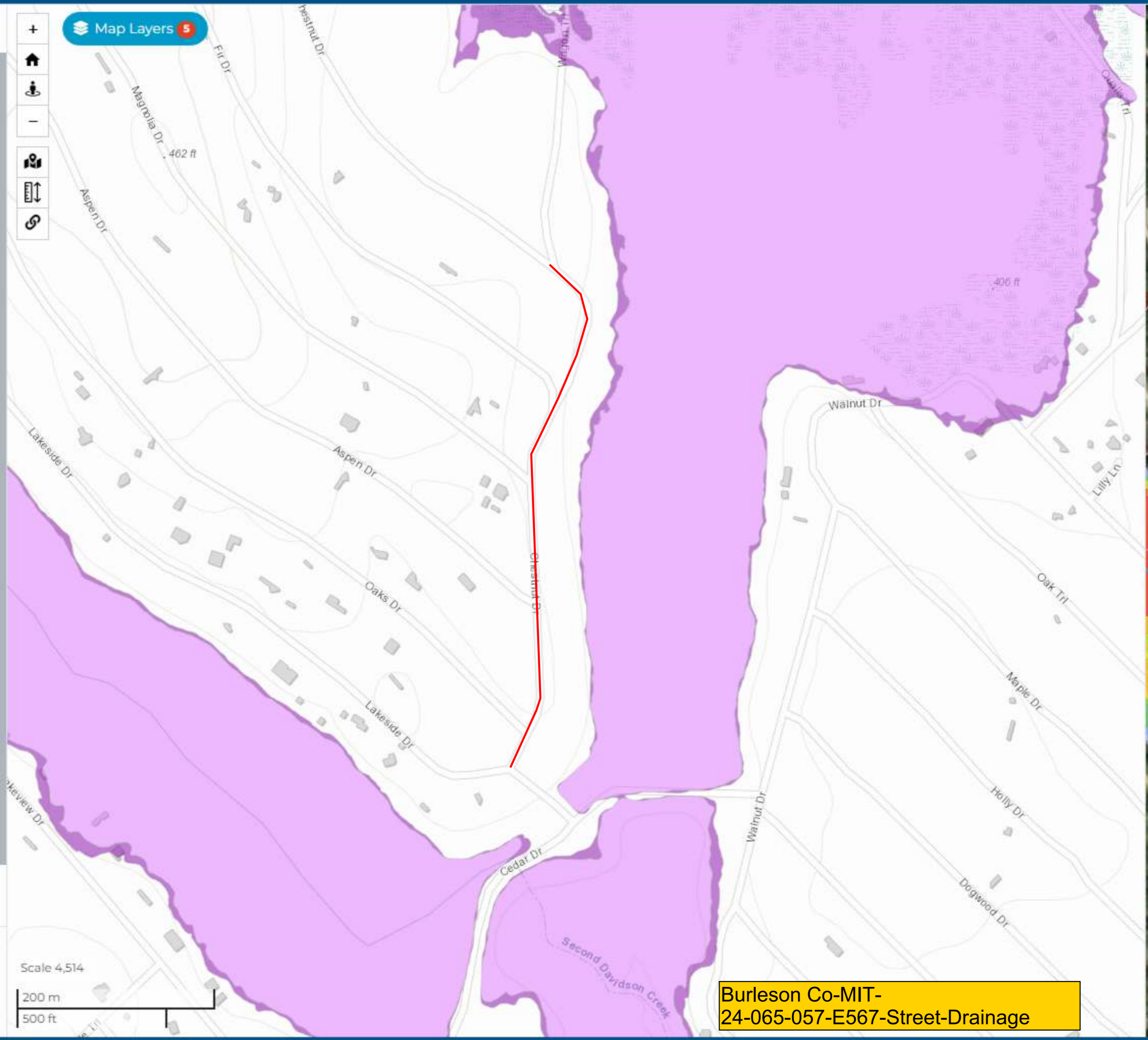
Click on the center of the roof of your home or the most upstream point of your structure.

OR

[Quick Start](#) [Change Area](#)

[Glossary](#) [About](#)

Notifications Hover tips Dark mode



FEMA Flood Map Service Center: Search All Products

Navigation

Search

Choose one of the three search options below and optionally enter a posting date range.

Jurisdiction	Jurisdiction Name	Product ID
State	Jurisdiction Name or FEMA ID	Product ID
-- Select --	BURLESON COUNTY UNINCO <i>(Ex. Fairfax County-wide or 51059C)</i>	 <i>(Ex. Panel Number, LOMC Case Number)</i>

> Filter By Posting Date Range *(Optional)*

Search Results for BURLESON COUNTY UNINCORPORATED AREAS

Click [subscribe](#) to receive email notifications when products are updated.

Click to [download a listing](#) of all products.

If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a [map specialist](#).

Please Note: Searching All Products by county displays all products for all communities within the county. You can refine your search results by specifying your specific jurisdiction location using the drop-down menus above.

Expand All

Effective Products (29)
 ▾ FIRM Panels (23)

Please note: Searches often result in many map files listed under a given section. You can determine the Product ID for the individual map panel needed by looking at the Map Index file. The index map files have "IND" within the Product ID and appear at the start of the list. These index files show an overview of a jurisdiction and how it is subdivided into map panels with the Product ID for each panel shown.

Show entries

Showing 1 to 23 of 23 entries

Previous Next

Product ID	Effective Date	LOMC	Size	Download	View
48051CIND0A	01/06/2011		1MB		
48051C0025C	01/06/2011		1MB		
48051C0050C	01/06/2011		1MB		
48051C0075C	01/06/2011		1MB		
48051C0100C	01/06/2011		1MB		
48051C0125C	01/06/2011		1MB		
48051C0140C	01/06/2011		1MB		
48051C0145C	01/06/2011		1MB		
48051C0150C	01/06/2011		1MB		
48051C0175C	01/06/2011		2MB		
48051C0200C	01/06/2011		4MB		
48051C0225C	01/06/2011		1MB		
48051C0250C	01/06/2011		1MB		
48051C0275C	01/06/2011		1MB		
48051C0300C	01/06/2011		1MB		
48051C0325C	01/06/2011		1MB		
48051C0350C	01/06/2011		3MB		
48051C0375C	01/06/2011		4MB		
48051C0400C	01/06/2011		1MB		
48051C0425C	01/06/2011		1MB		
48051C0450C	01/06/2011		1MB		
48051C0475C	01/06/2011		1MB		
48051C0500C	01/06/2011		1MB		

- FIS Reports (1)
- LOMC (3)
- NFHL Data-State (1)
- NFHL Data-County (1)
- Preliminary Products (0)
- Pending Product (0)
- Historic Products (34)
- Flood Risk Products (0)

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National Flood Hazard Layer FIRMMette



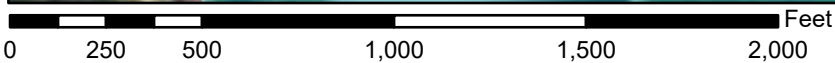
96°46'54"W 30°31'11"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|-----------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard <i>Zone D</i> |
| | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance
17.5 Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |
| | | The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location. |



1:6,000

96°46'17"W 30°30'40"N

Basemap Imagery Source: USGS National Map 2023

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

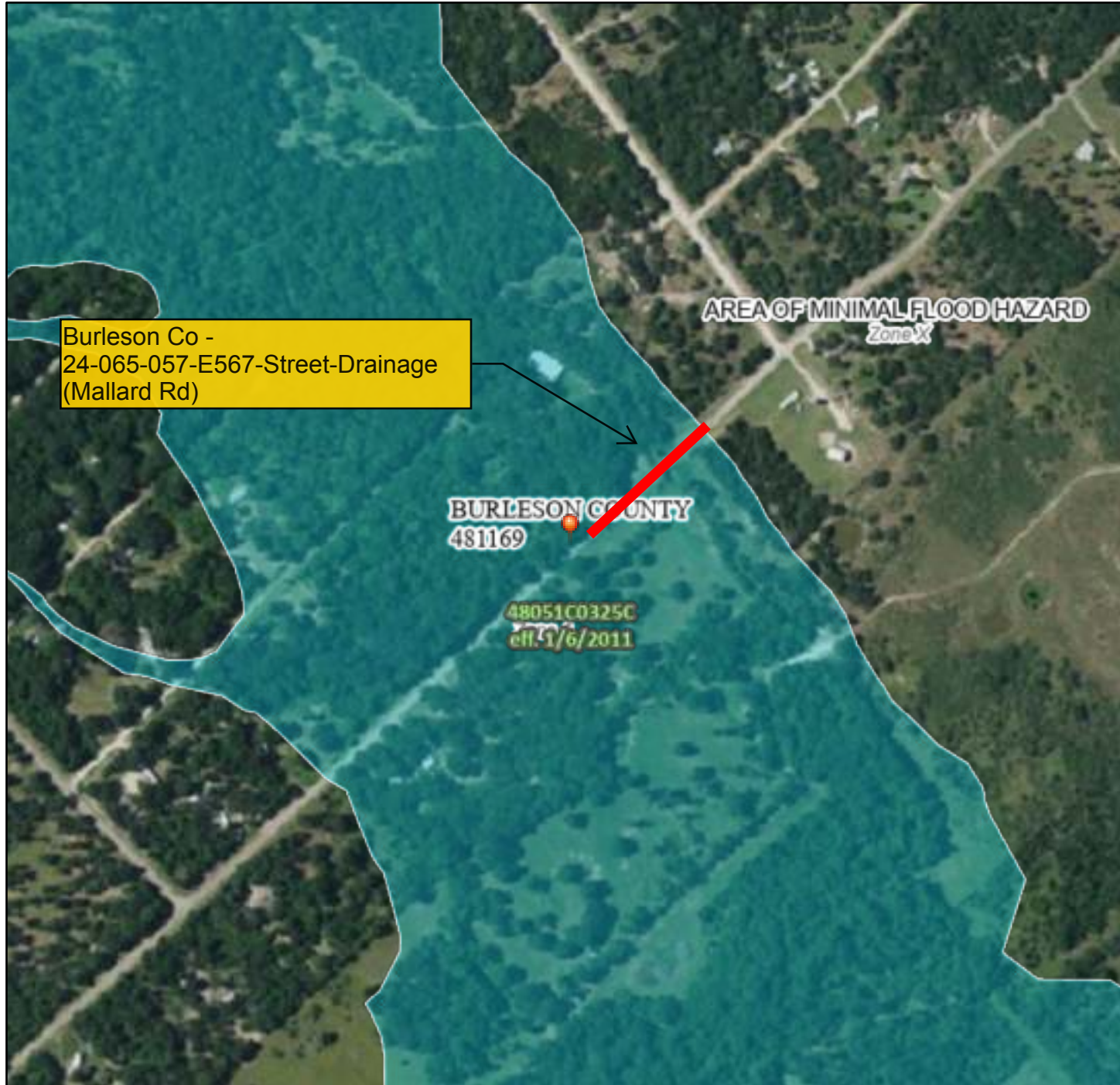
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/2/2024 at 11:30 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMette



96°33'57"W 30°26'41"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

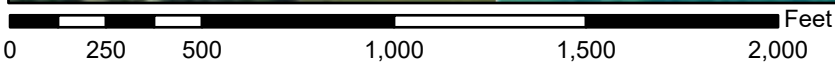
SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		8 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **7/2/2024 at 11:39 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



1:6,000

96°33'19"W 30°26'10"N

Basemap Imagery Source: USGS National Map 2023



Summary

Based on the submitted footprint, there is no data to support a FFRMS floodplain determination.

Proposed Action Details

Latitude and Longitude (centroid of polygon): [30°30'55.44"N 96°46'35.04"W](#)

Service criticality: [Non-critical](#) Service Life: [Through 2050](#)

Nonexistent or Inadequate Federal Flood Standard Support Tool Data

In situations where the Federal Flood Standard Support Tool has no data, or the user has reason to question the Federal Flood Standard Support Tool data, users may need to rely on other resources, including flood hazard data from other federal sources or from state, tribal, or local government sources to identify the FFRMS floodplain.

No Alternative Data Sources: If there is no alternative data source, users may need to engage in location-specific engineering analysis of the flood risk. If an action is in the FFRMS floodplain and locating it there is the only practicable alternative, then the services of a professional engineer, architect, or other licensed design professional may be needed to determine how to minimize the impacts of flood and make the action resilient (e.g., elevation, floodproofing and/or nature-based solutions), especially when dealing with critical actions.

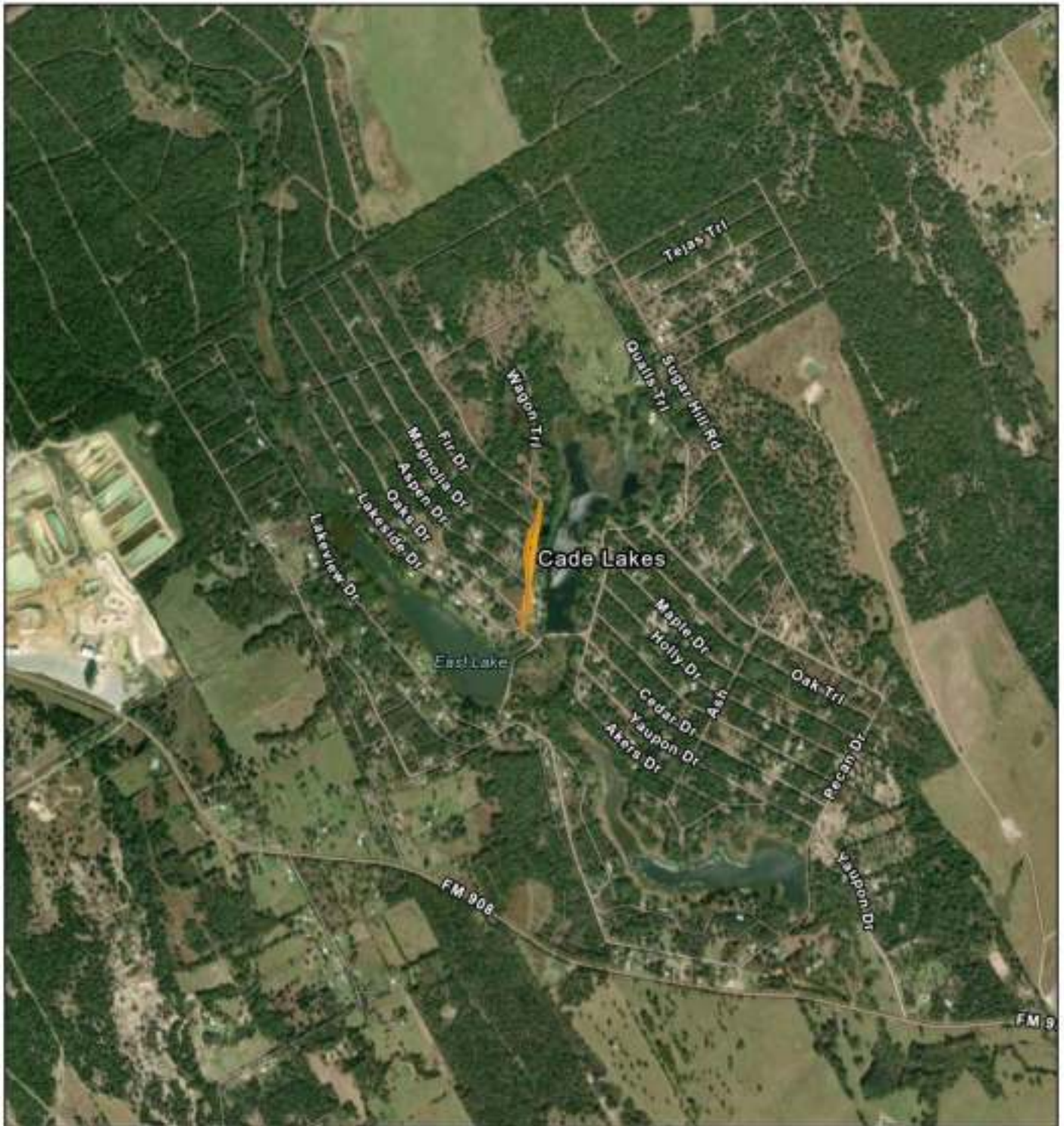
Where FEMA flood maps indicate “area not included,” there may be background data available. Finding that data would require research in the Map Service Center and the assistance of a FEMA Regional Floodplain Management & Insurance (FM&I) Division’s FFRMS Specialist.

Assistance

To contact the FEMA Regional Floodplain Management & Insurance FFRMS Point of Contact for assistance, first find the appropriate FEMA Regional office given the location of the proposed project. Then visit the [“Contact Us” link at FEMA.gov](#) to contact that Regional Office’s Floodplain Management & Insurance Branch or e-mail FEMA at FEMA-FFRMS-SUPPORT-REQUEST@fema.dhs.gov.

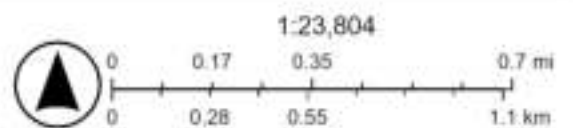


Project Location



July 2, 2024

Project Location



Earthstar Geographics, Inc., Baylor University, Texas Parks & Wildlife, CONANP, East, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



Summary

Based on the submitted footprint, there is no data to support a FFRMS floodplain determination.

Proposed Action Details

Latitude and Longitude (centroid of polygon): [30°26'25.08"N 96°33'37.8"W](#)

Service criticality: [Non-critical](#) Service Life: [Through 2050](#)

Nonexistent or Inadequate Federal Flood Standard Support Tool Data

In situations where the Federal Flood Standard Support Tool has no data, or the user has reason to question the Federal Flood Standard Support Tool data, users may need to rely on other resources, including flood hazard data from other federal sources or from state, tribal, or local government sources to identify the FFRMS floodplain.

No Alternative Data Sources: If there is no alternative data source, users may need to engage in location-specific engineering analysis of the flood risk. If an action is in the FFRMS floodplain and locating it there is the only practicable alternative, then the services of a professional engineer, architect, or other licensed design professional may be needed to determine how to minimize the impacts of flood and make the action resilient (e.g., elevation, floodproofing and/or nature-based solutions), especially when dealing with critical actions.

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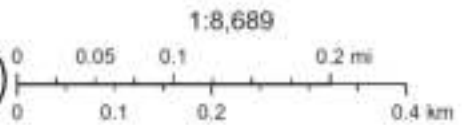


Project Location



July 18, 2024

Project Location



rd, Est Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANR, Est, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

Historical Preservation

Texas Historical Commission



Todd Cave <todd@caveconsulting.com>

Burleson Co - 24-065-057-E567-Street-Drainage

1 message

noreply@thc.state.tx.us <noreply@thc.state.tx.us>
To: todd@caveconsulting.com, reviews@thc.state.tx.us

Tue, Aug 13, 2024 at 1:36 PM

**Re:** Project Review under Section 106 of the National Historic Preservation Act
THC Tracking #202412327**Date:** 08/13/2024

Burleson Co - 24-065-057-E567-Street-Drainage

Mallard Rd and Chestnut

Other City, TX

Description: Street and drainage improvements

Dear Todd Cave:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act.

The review staff, led by Justin Kockritz and Jeff Durst, has completed its review and has made the following determinations based on the information submitted for review:

Above-Ground Resources

- No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments

- No historic properties affected. However, if cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: justin.kockritz@thc.texas.gov, Jeff.Durst@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit <http://thc.texas.gov/etrac-system>.

Sincerely,

A handwritten signature in black ink, appearing to be 'BP', written in a cursive style.

for Bradford Patterson
Chief Deputy State Historic Preservation Officer

Please do not respond to this email.



Todd Cave <todd@caveconsulting.com>

Project Review Submission

1 message

NoResponse@thc.state.tx.us <NoResponse@thc.state.tx.us>
To: todd@caveconsulting.com

Tue, Jul 16, 2024 at 2:37 PM

Thank you for submitting project: Burleson Co - 24-065-057-E567-Street-Drainage

Tracking Number: 202412327

Due Date: 8/15/2024 1:37:50 PM (30 days)

TEXAS HISTORICAL COMMISSION

Check Reviews

REQUEST FOR SHPO CONSULTATION:

* indicates required field

Submit

Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas

Abstracts

Project Information

Shapefiles

Project Name* Burleson Co - 24-065-057-E567-Street- ?

Project County* Burleson ?

Project Address* Mallard Rd and Chestnut ?

Other Counties ?

Project City* Other City ?

Program* HUD Infrastructure ?

Project Zip

Review Type* Section 106/Antiquities Code Consultation ?

Permit # ?

Does the project or a project component contain or occur within a waterway or water body, such as the ocean and/or bays, rivers, lakes, bayous, or navigation channels?

***Brief Project Description:** Please provide a short explanation of the project. (200 characters or less)

Street and drainage improvements

Federal & State Involvement*

This project involves approval, funding, permit or license from a federal agency.

Federal Agency*	Federal Program, Funding or Permit Type
HUD	
Federal Contact Person	Federal Contact Email
Notes	

This project involves state or local public property.

Type of State or Local Agency*	Owner
County	Burleson County
Select Agency	
State or Local Contact Person	State or Local Contact Email
Notes	

Neither of the above is true; this is for private due diligence only and the response will not suffice for regulatory review.

Attachments:

AN ATTACHMENT IS REQUIRED! YOU CAN ATTACH MULTIPLE FILES TO THIS ONE FORM!!!

Please attach relevant project documentation. The file size limit is 60MB. Accepted File Types: doc, docx, pdf, png, txt, rtf, jpg, xlsx, zip

Choose Files No file chosen

- x Burleson Co - 24-065-057-E567-Street-Drainage - project description - Google Docs.pdf
- x Burleson CO_ERR Onsite visit_excuted.pdf
- x Burleson Co 24 065 057 E567 Google My Maps.pdf
- x Burleson Co 24 065 057 E567 Google My Maps-2.pdf
- x Atlas.pdf

Submit

Interested Tribes

Keith Schroeder
County Judge
Burlison County
cc_judge@burlisumcounty.org



100 West Buck St., Suite 406
Caldwell, Texas 77836
Phone: (979) 567-2333
Fax: (979) 567-2672

July 22, 2024

Mr. Ricky Sylestine
Chairman
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, TX 77351

Re: Burlison Co - 24-065-057-1567-Street-Drainage

Dear Mr. Sylestine,

Burlison County is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Burlison County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Burlison County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties 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 affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the County that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timelines, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

A Project Description, Aerial Map and THIC Atlas have been enclosed for your reference.

More information on the Section 106 review process is available at <http://www.oregon.gov/oregonpd/for/environmental-review/historic-preservation/>. HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.oregonpd.info/resources/2448/notice-epd-12-006-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
PO Box 140715
Dallas, TX 75214
todd@texasenvironmentals.com
(214) 307-4161

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

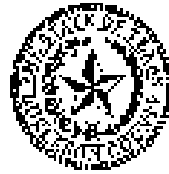
We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Keith Schroeder
Burleson County Judge

Keith Schneider
County Judge
Burleson County
co_judge@burlesoncounty.org



100 West Brack St., Suite 306
Caldwell, Texas 77836
Phone: (979) 567-2343
Fax: (979) 567-2372

July 22, 2024

Mr. Matthew Tasee
Chairman
Apache Tribe of Oklahoma
P.O. Box 1330
Anadarko, Oklahoma 73005

Re: Burleson Co - 24-065-057-3367-Street-Drainage

Dear Mr. Tasee,

Burleson County is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Burleson County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Burleson County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties 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 affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the County that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

A Project Description Aerial Map and UHC Atlas have been enclosed for your reference.

More information on the Section 106 review process is available at <http://www.oncprd.info/environmental-review/historic-preservation/>. HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.oncprd.info/resource/244#/notice-cpr-12-016-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
PO Box 140715
Dallas, TX 75214
todd@texasenvironmentals.com
(214) 307-4161

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Keith Schroeder
Burleson County Judge

COMANCHE NATION

Burleson County
Attn: Mr. Todd Cave
P.O. Box 140715
Texas 75214

August 27, 2024

Re: Burleson Co. – 24-065-057-E567

Dear Mr. Cave:

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of ***“No Properties”*** have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 492-1153) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana , Technician
#6 SW “D” Avenue, Suite C
Lawton, OK. 73502

Keith Schroeder
County Judge
Burleson County
co_judge@burlesoncounty.org



100 West Buck St., Suite 306
Caldwell, Texas 77836
Phone: (979) 567-2333
Fax: (979) 567-2372

July 22, 2024

Mr. Mark Woomniavovah
Comanche Nation, Oklahoma
584 NW Bingo Road
Lawton, OK 73507

Re: Burleson Co - 24-065-057-E567-Street-Drainage

Dear Mr. Woomniavovah,

Burleson County is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Burleson County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Burleson County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties 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 affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the County that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timelines, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

A Project Description Aerial Map and THIC Atlas have been enclosed for your reference.

More information on the Section 106 review process is available at <http://www.oncpd.info/environmental-review/historic-preservation/>. HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.oncpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
PO Box 140715
Dallas, TX 75214
todd@texasenvironmentals.com
(214) 307-4161

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Keith Schroeder
Burleson County Judge

Keith Schneider
County Judge
Burlison County
co_judge@burlisoncounty.org



100 West Buck St., Suite 306
Caléwell, Texas 77836
Phone: (979) 567-2313
Fax: (979) 567-2372

July 22, 2024

Mr. Jonathan Cernek
Chairman
Coushatta Tribe of Louisiana
1940 C.C. Bel Road
Eaton, LA 70532

Re: Burlison Co - 24-065-057-E567-Street-Drainage

Dear Mr. Cernek,

Burlison County is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD), Under HUD regulation 24 CFR 58.4, Burlison County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Burlison County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 500. We would like to invite you to be a consulting party in this review to help identify historic properties 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 affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the County that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 10 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

A Project Description Aerial Map and TTRC Atlas have been enclosed for your reference.

More information on the Section 106 review process is available at <https://www.onecpd.info/environmental-review/historic-preservation/>. HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpl-12-006-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
PO Box 140715
Dallas, TX 75214
todd@texasenvironmentals.com
(214) 307-4161

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

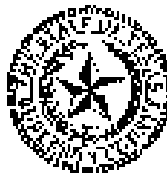
We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Keith Schroeder
Burleson County Judge

Keith Schroeder
County Judge
Burlison County
co_judge@burlisoncounty.org



100 West Buck St., Suite 306
Caldweli, Texas 77836
Phone: (979) 567-2333
Fax: (979) 567-2377

July 24, 2024

The Honorable Russell Martin
President
Tockawa Tribe of Indians of Oklahoma
1 Rush Buffalo Knoc
Tockawa, Oklahoma 74653

Re: Burlison Co. 24-065 057 E567 Street Drainage

Dear President Martin,

Burlison County is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, Burlison County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Burlison County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties 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 affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the County that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timelines, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

A Project Description Aerial Map and TTRC Atlas have been enclosed for your reference.

More information on the Section 106 review process is available at <https://www.oncepd.info/environmental-review/historic-preservation/>. HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.oncepd.info/resources/2448/notice-epd-12-006-tribal-consultation-under-24-cfr-part-58>.

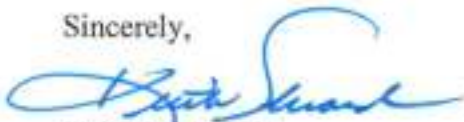
We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
PO Box 140715
Dallas, TX 75214
todd@texasenvironmentals.com
(214) 307-4161

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Keith Schroeder
Burleson County Judge

Keith Schroedel
County Judge
Burlason County
co_judge@burlasoncounty.org



100 West Buck St., Suite 306
Caldwell, Texas 77836
Phone: (979) 867-2333
Fax: (979) 867-2372

July 22, 2024

The Honorable Terri Parton
President
Wichita and Affiliated Tribes
(Wichita, Kucchi, Waco & Tawakonie), Oklahoma
P.O. Box 729
Anadarko, Oklahoma 73005

Re: Burlason Co - 24-065-057-R567-Street-Drainage

Dear President Parton,

Burlason County is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD) Under HUD regulation 24 CFR 58.4. Burlason County has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

Burlason County will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties 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 affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the County that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

A Project Description Aerial Map and T11C Atlas have been enclosed for your reference.

More information on the Section 106 review process is available at <http://www.oneepd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.oneepd.info/resource/2448/mulice-epd-12-006-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
PO Box 140715
Dallas, TX 75214
todd@texasenvironmentals.com
(214) 307-4161

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Keith Schroeder
Burleson County Judge

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 Insurance: \$0.50

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Postage: \$0.50
 Insurance: \$0.50

Postmaster: [Signature]

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Postage: \$0.50
 Insurance: \$0.50

Postmaster: [Signature]

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 Insurance: \$0.50

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Postage and Fees: \$1.00

Postage: \$0.50
 Insurance: \$0.50

Postmaster: [Signature]



Tribal Directory Assessment Information



Contact Information for Tribes with Interests in Burleson County, Texas

Tribal Name			County Name			
Alabama-Coushatta Tribe of Texas			Burleson			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Ricky Sylestine	Chairperson	571 State Park Road 56, Livingston, TX - 77351	(936) 563-1100	(936) 563-1139	tcrsylestine@actribe.org	http://www.alabama-coushatta.com/
Ricky Sylestine	Chairman	571 State Park Road 56, Livingston, TX - 77351	(936) 563-1100	(936) 563-1139	tcrsylestine@actribe.org	http://www.alabama-coushatta.com/
Bryant Celestine	THPO	571 State Park Road 56, Livingston, TX - 77351	(936) 563-1181	(936) 563-4170	celestine.bryant@actribe.org	http://www.alabama-coushatta.com/
Apache Tribe of Oklahoma			Burleson			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Matthew Tselee	Chairman	PO Box 1330, Anadarko, OK - 73005	(405) 247-9493	(405) 247-2763	matthew.tselee@apachetribe.org	http://www.apachetribe.org/
Comanche Nation, Oklahoma			Burleson			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Martina Minthorn	THPO	6 Sw, Lawton, OK - 73502	580-595-9618	580-595-9733	martina.minthorn@comanchenation.com	www.comanchenation.com
Mark Woommavovah	Chairman	584 Nw Bingo Road, Lawton, OK - 73507	(580) 492-4988	(580) 492-3796	mark.woommavovah@comanchenation.com	www.comanchenation.com
Coushatta Tribe of Louisiana			Burleson			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Jonathan Cernek	Chairman	1940 C.C. Bel Road, Elton, LA - 70532	(337) 584-1401	(337) 584-1507	mbell@coushatta.org	http://koasatiheritage.org/
Kristian Poncho	THPO	P.O. Box 10, Elton, LA - 70532	337-275-1350		kponcho@coushatta.org	http://koasatiheritage.org/

-		Tonkawa Tribe of Indians of Oklahoma			Burleson		
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL	
Russell Martin	President	1 Rush Buffalo Road, Tonkawa, OK - 74653-4449	(580) 628-2561	(580) 628-3375	rmartin@tonkawatribe.com	http://www.tonkawatribe.com/	
Lauren Norman-Brown	THPO	1 Rush Buffalo Road, Tonkawa, OK - 74653	(580) 628-7027	(580) 628-7027	lbrown@tonkawatribe.com	http://www.tonkawatribe.com/	

-		Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma			Burleson		
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL	
Terri Parton	President	1 1/4 Mile North Of Anadarko On Highway 281, Anadarko, OK - 73005	(405) 247-2425	(405) 247-2430	terri.parton@wichitatribe.com	http://www.wichitatribe.com/	
Gary McAdams	THPO	Wichita And Affiliated Tribes Po Box 729, Anadarko, OK - 73005	(405) 247-8695 ext. 200	405-247-2430	gary.mcadams@wichitatribe.com	http://www.wichitatribe.com/	

1 - 6 of 6 results

« < 1 > » 10 ▾

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.*

- X** None of the above

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

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.*

¹ A 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.

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:

→ 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.

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

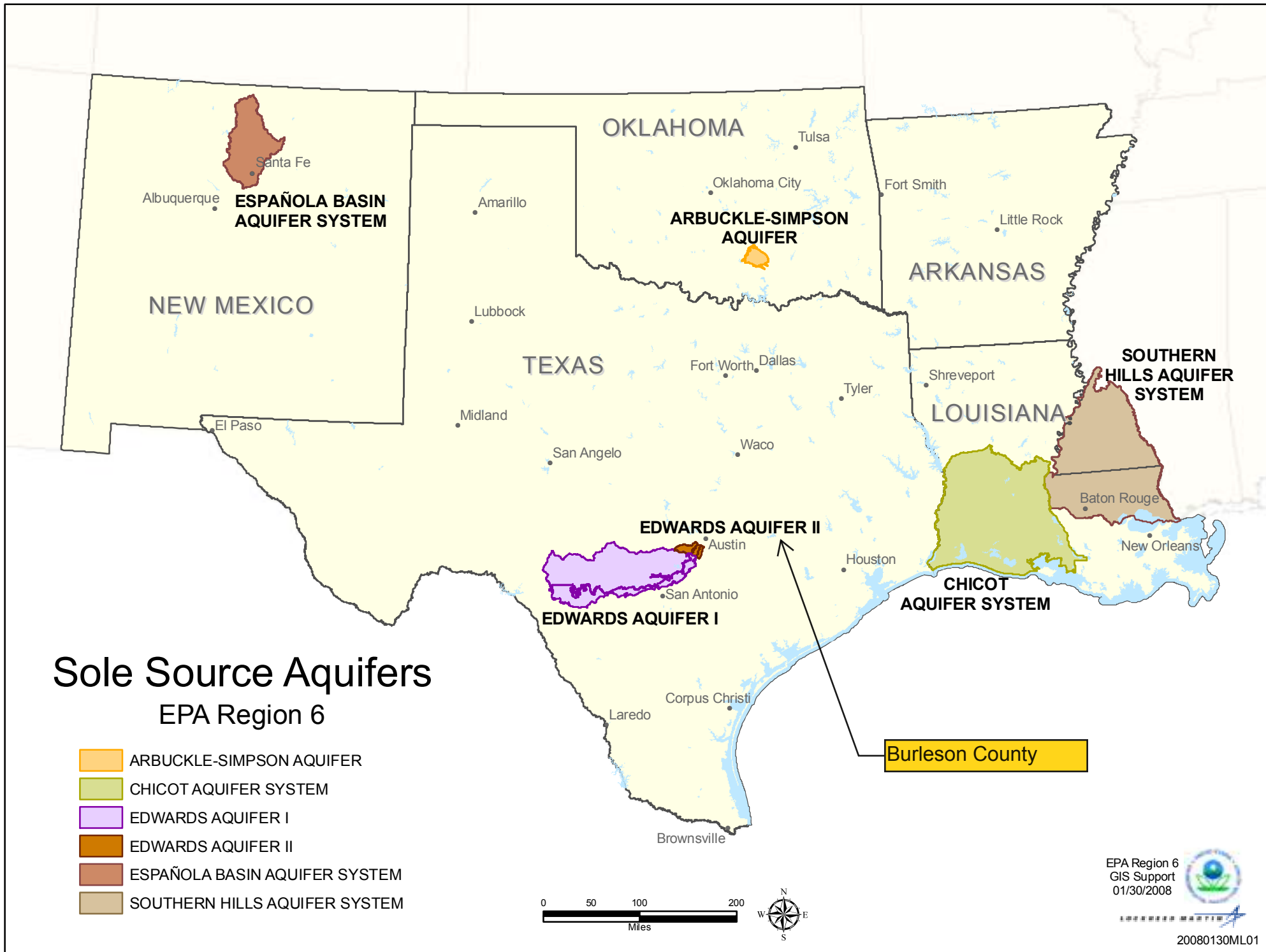
The project does not involve a noise sensitive use such as a residential structure, school, hospital, nursing home, library, etc

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers



Wetlands Protection

BASEMAPS >

MAP LAYERS >

- Wetlands
- Riparian
- Riparian Mapping Areas
- Data Source
 - Source Type
 - Image Scale
 - Image Year
- Areas of Interest
- FWS Managed Lands



+ Measure

-

🕒

🏠

Burleson Co -
24-065-057-E567-Street-Drainage
(Chestnut)

LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Riparian

- Forested/Shrub
- Herbaceous

1:4,514
30.519 | -96.771



BASEMAPS >

MAP LAYERS >

- Wetlands
- Riparian
- Riparian Mapping Areas
- Data Source
 - Source Type
 - Image Scale
 - Image Year
- Areas of Interest
- FWS Managed Lands



LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Riparian

- Forested/Shrub
- Herbaceous

1:4,514
30.443 | -96.554



Wild and Scenic Rivers



Find a River

State ^

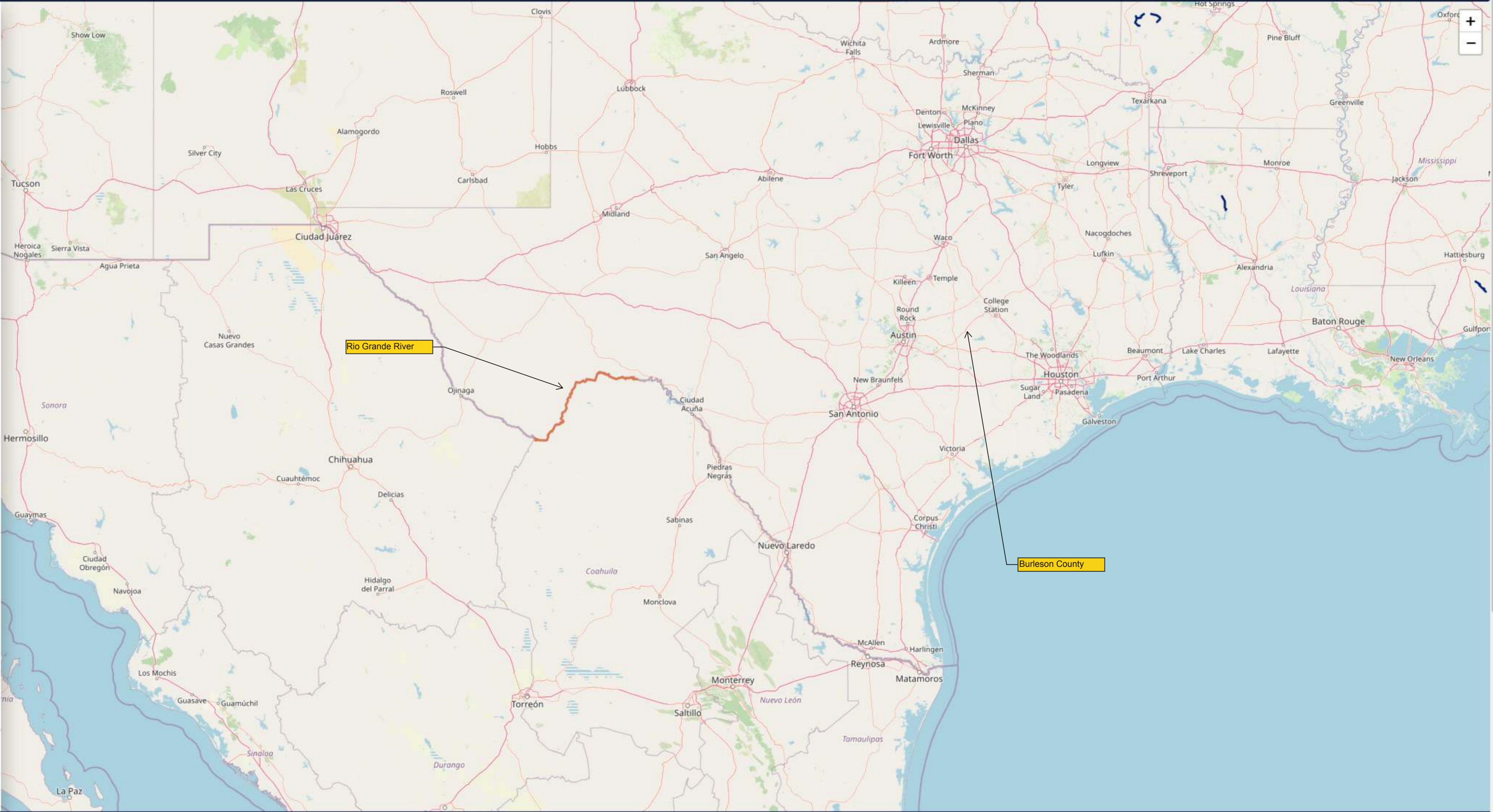
State
Texas

Classification ▾

Outstandingly Remarkable Values ▾

Results

Rio Grande



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.

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

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.

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
- Any additional requirements specific to your region

No adverse environmental impacts were identified in any other compliance review portion of this project's total environmental review.

Are formal compliance steps or mitigation required?

Yes

No



Location: User-specified point center at 30.515389, -96.776500
 Ring (buffer): 1.0-miles radius
 Description: Burleson Co - 24-065-057-E567-Street-Drainage

Summary of ACS Estimates		2018 - 2022
Population		437
Population Density (per sq. mile)		223
People of Color Population		57
% People of Color Population		13%
Households		170
Housing Units		215
Housing Units Built Before 1950		0
Per Capita Income		29,148
Land Area (sq. miles) (Source: SF1)		1.96
% Land Area		99%
Water Area (sq. miles) (Source: SF1)		0.02
% Water Area		1%

	2018 - 2022 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	437	100%	368
Population Reporting One Race	437	100%	505
White	404	92%	362
Black	33	8%	83
American Indian	0	0%	15
Asian	0	0%	15
Pacific Islander	0	0%	15
Some Other Race	0	0%	15
Population Reporting Two or More Races	0	0%	15
Total Hispanic Population	23	5%	93
Total Non-Hispanic Population	414		
White Alone	380	87%	372
Black Alone	33	8%	83
American Indian Alone	0	0%	15
Non-Hispanic Asian Alone	0	0%	15
Pacific Islander Alone	0	0%	15
Other Race Alone	0	0%	15
Two or More Races Alone	0	0%	15
Population by Sex			
Male	229	52%	208
Female	208	48%	175
Population by Age			
Age 0-4	40	9%	76
Age 0-17	96	22%	125
Age 18+	341	78%	209
Age 65+	81	18%	93

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) 2018 - 2022



Location: User-specified point center at 30.515389, -96.776500
 Ring (buffer): 1.0-miles radius
 Description: Burluson Co - 24-065-057-E567-Street-Drainage

	2018 - 2022 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	324	100%	239
Less than 9th Grade	3	1%	42
9th - 12th Grade, No Diploma	38	12%	77
High School Graduate	127	39%	108
Some College, No Degree	60	18%	89
Associate Degree	33	10%	76
Bachelor's Degree or more	63	20%	86
Population Age 5+ Years by Ability to Speak English			
Total	397	100%	313
Speak only English	368	93%	295
Non-English at Home ¹⁺²⁺³⁺⁴	29	7%	89
¹ Speak English "very well"	29	7%	89
² Speak English "well"	0	0%	52
³ Speak English "not well"	0	0%	52
⁴ Speak English "not at all"	0	0%	52
³⁺⁴ Speak English "less than well"	0	0%	73
²⁺³⁺⁴ Speak English "less than very well"	0	0%	90
Limited English Speaking Households*			
Total	0	0%	30
Speak Spanish	0	0%	15
Speak Other Indo-European Languages	0	0%	15
Speak Asian-Pacific Island Languages	0	0%	15
Speak Other Languages	0	0%	15
Households by Household Income			
Household Income Base	170	100%	117
< \$15,000	30	18%	82
\$15,000 - \$25,000	3	2%	19
\$25,000 - \$50,000	19	11%	57
\$50,000 - \$75,000	30	18%	65
\$75,000 +	88	52%	113
Occupied Housing Units by Tenure			
Total	170	100%	117
Owner Occupied	164	96%	115
Renter Occupied	7	4%	21
Employed Population Age 16+ Years			
Total	341	100%	243
In Labor Force	170	50%	167
Civilian Unemployed in Labor Force	14	8%	48
Not In Labor Force	171	50%	162

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of anyrace.

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: User-specified point center at 30.515389, -96.776500

Ring (buffer): 1.0-miles radius

Description: Burleson Co - 24-065-057-E567-Street-Drainage

	2018 - 2022 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	N/A	N/A	N/A
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French, Haitian, or Cajun	N/A	N/A	N/A
German or other West Germanic	N/A	N/A	N/A
Russian, Polish, or Other Slavic	N/A	N/A	N/A
Other Indo-European	N/A	N/A	N/A
Korean	N/A	N/A	N/A
Chinese (including Mandarin, Cantonese)	N/A	N/A	N/A
Vietnamese	N/A	N/A	N/A
Tagalog (including Filipino)	N/A	N/A	N/A
Other Asian and Pacific Island	N/A	N/A	N/A
Arabic	N/A	N/A	N/A
Other and Unspecified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

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) 2018 - 2022.
 *Population by Language Spoken at Home is available at the census tract summary level and up.



EJSCREEN Census 2010 Summary Report



Location: User-specified point center at 30.515389, -96.776500
 Ring (buffer): 1.0-miles radius
 Description: Burseson Co - 24-065-057-E567-Street-Drainage

Summary	Census 2010
Population	434
Population Density (per sq. mile)	278
People of Color Population	109
% People of Color Population	25%
Households	164
Housing Units	222
Land Area (sq. miles)	1.56
% Land Area	99%
Water Area (sq. miles)	0.02
% Water Area	1%

Population by Race	Number	Percent
Total	434	---
Population Reporting One Race	427	98%
White	361	83%
Black	19	4%
American Indian	3	1%
Asian	1	0%
Pacific Islander	0	0%
Some Other Race	43	10%
Population Reporting Two or More Races	7	2%
Total Hispanic Population	84	19%
Total Non-Hispanic Population	350	81%
White Alone	325	75%
Black Alone	19	4%
American Indian Alone	1	0%
Non-Hispanic Asian Alone	1	0%
Pacific Islander Alone	0	0%
Other Race Alone	0	0%
Two or More Races Alone	4	1%

Population by Sex	Number	Percent
Male	216	50%
Female	218	50%

Population by Age	Number	Percent
Age 0-4	29	7%
Age 0-17	110	25%
Age 18+	324	75%
Age 65+	67	15%

Households by Tenure	Number	Percent
Total	164	
Owner Occupied	143	88%
Renter Occupied	20	12%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, Census 2010 Summary File 1.



Location: User-specified point center at 30.441030, -96.559069
 Ring (buffer): 1.0-miles radius
 Description: Burleson Co - 24-065-057-E567-Street-Drainage

Summary of ACS Estimates		2018 - 2022
Population		743
Population Density (per sq. mile)		226
People of Color Population		223
% People of Color Population		30%
Households		340
Housing Units		402
Housing Units Built Before 1950		62
Per Capita Income		30,674
Land Area (sq. miles) (Source: SF1)		3.30
% Land Area		99%
Water Area (sq. miles) (Source: SF1)		0.04
% Water Area		1%

	2018 - 2022 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	743	100%	460
Population Reporting One Race	674	91%	598
White	584	78%	377
Black	82	11%	149
American Indian	0	0%	15
Asian	0	0%	15
Pacific Islander	0	0%	15
Some Other Race	8	1%	27
Population Reporting Two or More Races	70	9%	201
Total Hispanic Population	137	18%	254
Total Non-Hispanic Population	606		
White Alone	521	70%	344
Black Alone	82	11%	149
American Indian Alone	0	0%	15
Non-Hispanic Asian Alone	0	0%	15
Pacific Islander Alone	0	0%	15
Other Race Alone	0	0%	15
Two or More Races Alone	3	0%	15
Population by Sex			
Male	381	51%	246
Female	362	49%	247
Population by Age			
Age 0-4	44	6%	78
Age 0-17	135	18%	117
Age 18+	609	82%	315
Age 65+	126	17%	104

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) 2018 - 2022



Location: User-specified point center at 30.441030, -96.559069

Ring (buffer): 1.0-miles radius

Description: Burluson Co - 24-065-057-E567-Street-Drainage

	2018 - 2022 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	541	100%	346
Less than 9th Grade	24	4%	60
9th - 12th Grade, No Diploma	83	15%	141
High School Graduate	198	37%	155
Some College, No Degree	123	23%	154
Associate Degree	22	4%	51
Bachelor's Degree or more	91	17%	109
Population Age 5+ Years by Ability to Speak English			
Total	699	100%	416
Speak only English	583	83%	333
Non-English at Home ¹⁺²⁺³⁺⁴	116	17%	203
¹ Speak English "very well"	91	13%	182
² Speak English "well"	10	1%	57
³ Speak English "not well"	0	0%	52
⁴ Speak English "not at all"	16	2%	70
³⁺⁴ Speak English "less than well"	16	2%	87
²⁺³⁺⁴ Speak English "less than very well"	25	4%	104
Limited English Speaking Households*			
Total	0	0%	30
Speak Spanish	0	0%	15
Speak Other Indo-European Languages	0	0%	15
Speak Asian-Pacific Island Languages	0	0%	15
Speak Other Languages	0	0%	15
Households by Household Income			
Household Income Base	340	100%	194
< \$15,000	11	3%	24
\$15,000 - \$25,000	8	2%	21
\$25,000 - \$50,000	118	35%	138
\$50,000 - \$75,000	24	7%	36
\$75,000 +	178	53%	177
Occupied Housing Units by Tenure			
Total	340	100%	194
Owner Occupied	294	86%	173
Renter Occupied	46	14%	105
Employed Population Age 16+ Years			
Total	627	100%	370
In Labor Force	374	60%	295
Civilian Unemployed in Labor Force	19	5%	41
Not In Labor Force	253	40%	183

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of anyrace.

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: User-specified point center at 30.441030, -96.559069

Ring (buffer): 1.0-miles radius

Description: Burleson Co - 24-065-057-E567-Street-Drainage

	2018 - 2022 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	N/A	N/A	N/A
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French, Haitian, or Cajun	N/A	N/A	N/A
German or other West Germanic	N/A	N/A	N/A
Russian, Polish, or Other Slavic	N/A	N/A	N/A
Other Indo-European	N/A	N/A	N/A
Korean	N/A	N/A	N/A
Chinese (including Mandarin, Cantonese)	N/A	N/A	N/A
Vietnamese	N/A	N/A	N/A
Tagalog (including Filipino)	N/A	N/A	N/A
Other Asian and Pacific Island	N/A	N/A	N/A
Arabic	N/A	N/A	N/A
Other and Unspecified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

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) 2018 - 2022.
 *Population by Language Spoken at Home is available at the census tract summary level and up.



Location: User-specified point center at 30.441030, -96.559069
 Ring (buffer): 1.0-miles radius
 Description: Burlleson Co - 24-065-057-E567-Street-Drainage

Summary	Census 2010
Population	651
Population Density (per sq. mile)	100
People of Color Population	250
% People of Color Population	38%
Households	256
Housing Units	311
Land Area (sq. miles)	6.49
% Land Area	98%
Water Area (sq. miles)	0.12
% Water Area	2%

Population by Race	Number	Percent
Total	651	---
Population Reporting One Race	640	98%
White	469	72%
Black	112	17%
American Indian	10	2%
Asian	1	0%
Pacific Islander	0	0%
Some Other Race	48	7%
Population Reporting Two or More Races	11	2%
Total Hispanic Population	129	20%
Total Non-Hispanic Population	522	80%
White Alone	401	62%
Black Alone	111	17%
American Indian Alone	4	1%
Non-Hispanic Asian Alone	0	0%
Pacific Islander Alone	0	0%
Other Race Alone	0	0%
Two or More Races Alone	6	1%

Population by Sex	Number	Percent
Male	324	50%
Female	327	50%

Population by Age	Number	Percent
Age 0-4	45	7%
Age 0-17	165	25%
Age 18+	486	75%
Age 65+	92	14%

Households by Tenure	Number	Percent
Total	256	
Owner Occupied	209	82%
Renter Occupied	47	18%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, Census 2010 Summary File 1.

Environmental Assessment Factors

Earthquakes

Figure 3.

National Seismic Hazard Map

Adapted from http://earthquake.usgs.gov/research/hazmaps/products_data/48_States/index.php

