

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT  
AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR  
FLOODPLAIN

8/3/22

City of Yoakum, 808 Hwy 77A South, Yoakum, TX 77995 (361) 293-6321

This Notice shall satisfy the above-cited three separate but related procedural notification requirements to be undertaken by the City of Yoakum

To: All interested Agencies, Groups, and Individuals

REQUEST FOR RELEASE OF FUNDS

On or about 8/19/22, the City of Yoakum (City) will submit a request to the Texas General Land Office for the release of Community Development Block Grant Mitigation (CDBG-MIT) under Section 104(f) of Title 1 of the Housing and Community Development Act of 1974 as amended, to undertake the project known as 2020 GLO MIT City of Yoakum Electrical System Improvements, GLO Contract #22-085-36-D280 to upgrade/enlarge existing overhead lines for increased demand/loading and replacement of old/damaged equipment. Description: Replace primary conductors, air brake switches, service drops, capacitor banks, disconnects/cutouts, wood poles, and complete all associated appurtenances. There are numerous project locations within city limits. Location in Zone A of 100-Year Floodplain: Hwy 77A @ Old Shiner Road, Yoakum, Lavaca County, TX. GLO MIT Grant Funds \$8,143,545.20; City of Yoakum General Fund to be used toward construction costs \$82,258.00; Estimated Total Project Cost \$8,225,803.20.

FINDING OF NO SIGNIFICANT IMPACT

The City 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). The ERR will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to the City of Yoakum at the address above, or by email to [tbowe@cityofyoakum.org](mailto:tbowe@cityofyoakum.org). The ERR can also be accessed online at the following website <https://www.cityofyoakum.org/>.

FINAL NOTICE AND PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FLOODPLAIN

This is to give notice that the City, under Part 58, 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 pole replacements at Hwy 77A @ Old Shiner Road, will total approximately 0.0003-acres in Zone A of the 100-Year Floodplain.

There are no adverse effects anticipated as the project locations are already geographically located within the floodplain, and the topography of the sites will not be changed. HUD's 8-Step decision-making process of §55.20 to comply with 24 CFR Part 55 was completed. The City of Yoakum has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: Different locations/activities: There will be two poles replaced at the intersection of Hwy 77A and Old Shiner Road, which are in Zone A of the 100-Year Floodplain. Doing work outside of the floodplain would not satisfy the need to replace these aged and damaged poles. There are no alternatives to work in the floodplain. Taking No Action would incur no construction costs and would cause no construction-related environmental impact but would be unable to address the issues with the electrical needs of the city.

The City 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 as outlined in the paragraph of FINDING OF NO SIGNIFICANT IMPACT.

## PUBLIC COMMENTS

Any individual, group, or agency may submit written comments/objections on the ERR to the City of Yoakum. All comments received by 8/18/22 will be considered by the City prior to authorizing submission of a request for release of funds. Comments must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the City of Yoakum at [bowe@cityofyoakum.org](mailto:bowe@cityofyoakum.org) or by mail to the City of Yoakum, 808 Hwy 77A South, Yoakum, TX 77995, Attn: Mayor's Office. (361) 293-6321. Comments should specify which Notice they are addressing. Potential objectors should contact the City of Yoakum via email to verify the actual last day of the objection period.

## ENVIRONMENTAL CERTIFICATION

The City certifies to the Texas General Land Office that Carl O'Neill, in his capacity as Mayor, 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 the City of Yoakum to use Program funds.

## OBJECTIONS TO RELEASE OF FUNDS

GLO will accept objections to its release of funds and the City of Yoakum's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Yoakum; (b) The City of Yoakum 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 (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, Community Development and Revitalization, P.O. Box 12873, Austin, TX 78711-2873, or [cdr@recovery.texas.gov](mailto:cdr@recovery.texas.gov). Potential objectors should contact the GLO at (512) 475-5000 to verify the actual last day of the objection period.

Carl L. O'Neill, Mayor

**CERTIFICATION:** I certify that the above and foregoing notice was posted on the glass window adjacent to the front door of City Hall, facing the outside, and on the City of Yoakum website ([www.cityofyoakum.org](http://www.cityofyoakum.org)), on Monday, August 1, 2022 at 4:45 PM o'clock.



/s/  
Theresa A. Bowe, City Clerk