

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

**Project Information**

**Project Name:** City of Yoakum, Texas Capital Fund Downtown Revitalization Program

**Responsible Entity:** City of Yoakum, Texas

**Grant Recipient** (if different than Responsible Entity): Same

**State/Local Identifier:** TxCDBG Contract No. 7219312

**Preparer:** Carl Esser, Consultant Esser & Company Consulting LLC

**Certifying Officer Name and Title:** Anita R. Rodriguez, Mayor City of Yoakum

**Grant Recipient** (if different than Responsible Entity): SAME

**Consultant** (if applicable): Esser & Company Consulting LLC

**Direct Comments to:** Carl Esser, Consultant Esser & Company Consulting LLC

**Project Location: Sidewalk Activities**

<b>STREET</b>	<b>FROM</b>	<b>TO</b>
East side of May Street	25 l.f. North of Lott Street	100 l.f. South of Lott Street
West side of May Street	150 l.f. South of Lott Street	150 l.f. North of Lott Street
South side of Lott Street	Alleyway	22 l.f. East of May Street
North side of Lott Street	Alleyway	200 l.f. East of May Street

**Water Improvements**

<b>STREET</b>	<b>FROM</b>	<b>TO</b>
May Street	North side of Lott Street	South side of Lott Street

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

Sidewalk Activities The "minimum necessary" activities are to consist of approximately one thousand two hundred fifty linear feet (1,250 l.f.) of concrete sidewalk, eight hundred linear feet (800 l.f.) of concrete curb and gutter, drains, four (4) sidewalk ramps, and all associated appurtenances.

Water Improvements Additionally, contractor shall replace and install one hundred forty linear feet (140 l.f.) of six-inch (6”) water line, four (4) water meters, fire hydrant, and all associated appurtenances

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

The purpose of this Economic Development project is to provide infrastructure in the form of sidewalk and water improvements in the Downtown Revitalization area designated by the City of Yoakum. The City of Yoakum certifies that the activities carried out under this contract will meet the national objective of aiding in the prevention or elimination of slums or blight.

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

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
TxCDBG 7219312	MS/DRP Program Fund	\$350,000.00

**Estimated Total HUD Funded Amount: \$350,000.00**

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: **\$350,000.00**  
**TxCDBG Funds + \$70,000.00 Cash Match, City of Yoakum General Fund. Total proposed funding amount \$420,000.00**

**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.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project site is not located within an airport clear zone or potential accident zone. DOC: Maps of area airports
<b>Coastal Barrier Resources</b>  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"/>	Proposed project is not near the Coastal Zone. Source: Texas Map
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Flood insurance is not required for this project. Doc: 24 CRF 58.6, (3) Paragraph (a) of this section does not apply to Federal formula grants made to states.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Project will comply with standard dust suppression measures. The project area is not located in a nonattainment or near nonattainment area

<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Proposed project is not near the Coastal Zone.</p> <p>Source: Texas Map</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Project does not include converting a building for habitation, or make a vacant building habitable, rehabilitation or modernization to increase residential densities.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project is within the City Limits of Yoakum which is not known habitat for endangered, threatened, or rare species listed in DeWitt County due to human and domestic animal disturbance as well as vehicle traffic. Project will be in previously disturbed areas and within the boundary of City –Owned property in Yoakum.</p> <p>Source: Site observation of RE , USFWS Ecological Services List of species for DeWitt County, projects maps</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project area is not an area that is exposed to above ground explosives or flammable fuels.</p> <p>DOC: Site observation by RE, Enviromapper</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Project will not convert agricultural land to a non-agricultural use and will have no significant impact on agricultural land.</p> <p>Doc: Project area photographs and maps</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Proposed project is not in floodplain area.</p> <p>Source: FIRM and site observation</p>
<p><b>Historic Preservation</b></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>The proposed project is an action that will not affect any known local, state, or national historic architectural or archaeological resource presently listed or potentially eligible for listing.</p> <p>Source: Site observation by RE and correspondence from THC that No Historic Properties are Present or Affected by the proposed project and no identified historic properties, archeological sites or other cultural resources are present or affected. THC Tracking #202103857. Certified letters requesting Project</p>

		Review were sent to the Native American Tribes listed in the Tribal Directory Assessment Information on the HUD website. One reply was received from the Coushatta Tribe of Louisiana no negative impact anticipated.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project does not involve noise sensitive uses. Temporary increase in ambient noise level during construction of the project but upon completion the project will not generate additional noise.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project is not located in a Sole Source Aquifer area. No Sole Source Aquifer will be affected. Doc: Edwards Aquifer Viewer Map
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project is not located in a wetland. Doc: Site observation by RE, USFWS Wetlands Inventory Map, and project area photographs
<b>Wild and Scenic Rivers</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project area is over 100 miles from the designated Wild & Scenic River area of the Rio Grande Source: Maps of Texas
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project will not adversely impact any disadvantaged population. There will be no relocation of area residents or change in zoning of project area

**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
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Project is compatible with the current land use. Project will not change/alter the existing land use. Doc: Observation by RE
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	There is no evidence of slope erosion or unstable slope conditions near the project site. The project area shows no sign of high water table or other unusual conditions and the proposed project will not affect or be affected by the slight slope conditions. There is no visible evidence of soil problems on the project site or indication of cross lot runoff, swales, drainage flows, filled ground or active rills and gullies on the proposed site.  Doc: Project area photos, the project specifications are prepared by an Engineer taking into account soil conditions, suitability, water runoff, and drainage.
Hazards and Nuisances including Site Safety and Noise	2	The proposed project will not be affected by natural hazards, built hazards, or nuisances. Site has not been used as a dump, sanitary landfill or mine waste disposal area.  Source: Site observation by RE, project area photographs, & EPA EnviroMapper.
Energy Consumption	2	This is not a project that would impact energy consumption. Project will be designed as such to take into account adequate LED lighting, and water conservation systems.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	No change in employment or income patterns will be attributed to this project.
Demographic Character Changes, Displacement	2	The proposed project will not significantly alter the demographic characteristics of the City, the residential, commercial, or industrial uses. The proposed project will not destroy or harm any community institution. Doc: Project area photos and project performance

		statement.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	There will be no impact to educational facilities in the City of Yoakum. The Yoakum ISD has Pre K and Kindergarten, Primary 1 <sup>st</sup> & 2 <sup>nd</sup> Grade, Intermediate and High School.
Commercial Facilities	2	No commercial facilities will be affected by this project. The proposed project will not adversely impact or displace any existing retail or commercial services. There are no large retail areas or large food stores in the project area.
Health Care and Social Services	2	This project will have no impact of local health care or social services. Health Care Facilities in the City of Yoakum include Stephens Healthcare of Yoakum, Advanced Home Health Care Services and Yoakum Family Practice. These facilities provide medical care, women's health, immunizations, laboratory, family planning, and pharmacy services. The closest hospital is Yoakum Community Hospital.
Solid Waste Disposal / Recycling	2	Proposed project will not impact the areas solid waste once completed. The City of Yoakum currently provides Solid Waste Services within the project area. General Contractor will be required to remove all solid waste generated by construction. There will be no change in scope.
Waste Water / Sanitary Sewers	2	This is a small project that will have little impact on the City of Yoakum's Waste Water Sanitary Sewer System.
Water Supply	2	The proposed project will have no impact of the City of Yoakum's water supply.
Public Safety - Police, Fire and Emergency Medical	2	There will be no change in the population or demographics due to the proposed project. This project will not increase the need for additional police fire and/or emergency medical service. The proposed project area is served by the City of Yoakum Police Department.
Parks, Open Space and Recreation	2	The proposed project areas are rural with an abundance of open space. Chisolm Trail Memorial Park is located in Gonzales, Texas. Parks within the City of Yoakum include the City's Golf Course, Centennial Park, and a HUB City RV Park. .
Transportation and Accessibility	2	Project will not impact the City of Yoakum's transportation or traffic in the area. There will be no change in demographics due to proposed project. Rural public transportation services called RTRANSIT is provided in the City of Yoakum and DeWitt County.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The proposed project site is no near bluffs or cliffs or near public or private scenic areas. Doc: Project area photographs and site observation by RE
Vegetation, Wildlife	2	Project area has previously been disturbed. Proposed project will not damage or destroy trees. Project will not create environmental conditions that might threaten the survival of existing vegetation, or changes in the native plant community habitats. Source: Site observation by RE and project area photographs
Other Factors	2	None

**Additional Studies Performed:** City of Yoakum TxCDBG Contract No. 7216510

**Field Inspection** (Date and completed by):

8/14/2019 Chuck Dart Economic Development Director City of Yoakum  
8/30/2019 Michael Bennett, City of Yoakum, Public Works Director  
2/26/2020 Kevin Coleman, City Manager & TDA staff member  
9/17/2020 Project Engineers TRC

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

Mr. Mark Wolfe, SHPO  
Ms. Lauren Norman-Brown THPO, Tonkawa Tribe of Oklahoma  
Mr. Gary McAdams THPO Wichita & Affiliated Tribes  
Ms. Martina Minthorn, THPO Comanche Nation, Oklahoma  
Mr. Bobby Komardley, Chairman Apache Tribe of Oklahoma  
Mr. Bryant Celestine, TPHO Alabama-Coushatta Tribe of Texas  
Mr. Andrea A. Hunter, Director & TPHO Osage Nation  
Ms. Linda Langley, TPHO Coushatta Tribe of Louisiana

**List of Permits Obtained:**

None were required at time of review.

**Public Outreach** [24 CFR 50.23 & 58.43]:

09/01/2020



Published Notice of a Public Hearing in regards to the submission of a TxCDBG Community Development Fund Grant Application.

Published Public Notice giving notice of the city's intent to submit a TxCDBG application for Senior Citizen Center and application was available for review.

Notice of Finding of No Significant Impact and notice of intent to request release of funds will be posted at 2 places, the City of Yoakum City Hall 808 Hwy 77A South/PO Box 738, Yoakum, TX 77995 and the City of Yoakum official website. Both English and Spanish Translation.

**Cumulative Impact Analysis [24 CFR 58.32]:**

This proposed project will not significantly impact the quality of the human environment.

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

The City of Yoakum has many infrastructure needs. The Sidewalk Activities and Water Improvements were prioritized during the Public Hearing process for this TxCDBG application. Other sites were also considered within the designated downtown district. These sites were prioritized due to the need to eliminate the slum and blight conditions within the downtown district. A no action alternative was considered and rejected because of the need to eliminate the existing Slum and Blight conditions.

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

No Action would leave the downtown area with slum and blight conditions, thus not providing for Economic Development opportunities with the Downtown District.

**Summary of Findings and Conclusions:**

- Project area is not in a floodplain or wetland
- Project area is not within the CMZ or near a Wild & Scenic River
- Project area has no farmland
- Project area will not affect any Sole Source Aquifer
- Project area is no in a nonattainment area
- Project is not one of a noise sensitive use.
- The project will not result in a significant impact on the quality of the human environment

**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
None	None

**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: January 5, 2021

Name/Title/Organization: Carl Esser, Consultant Esser & Company Consulting LLC

Certifying Officer Signature: \_\_\_\_\_ Date: January 5, 2021

Name/Title: Anita R. Rodriguez, Mayor City of Yoakum

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).

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), on Tuesday, January 5, 2021 at 4:55 PM o'clock.

\_\_\_\_\_  
 Theresa A. Bowe, City Clerk

Agenda removed from window on \_\_\_\_\_ at \_\_\_\_\_ o'clock.

By: \_\_\_\_\_  
 Theresa A. Bowe, City Clerk