

**COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
AND INTENT TO REQUEST RELEASE OF FUNDS
AND FINAL NOTICE & PUBLIC EXPLANATION OF
A PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD (FFRMS),
FLOODPLAIN AND WETLAND**

Date of Notice: November 18, 2025

Jasper County 121 N Austin Room 106 Jasper, TX 75951 Ph: 409/384-2612

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

To All Interested Parties Including: Federal Emergency Management Agency, Flood Mitigation Planning Texas Water Development Board, Texas Parks & Wildlife Department (TPWD), Regional Flood Management Association, Groups & Individuals of Jasper County, the Cities / communities of Jasper, Buna & Kirbyville in Jasper County, TX

REQUEST FOR RELEASE OF FUNDS

On or about December 4, 2025, Jasper County (County) will submit a request to the Texas General Land Office (TGLO) for the release of Community Development Block Grant funds under Community Development Block Grant Mitigation ("CDBG-MIT") appropriated under Supplemental Appropriations for Disaster Relief Requirements Act, 2018 Public Law 115-123 as amended, to undertake a project known as Goode Branch – Road & Drainage Improvements for Contract 22-085-018-D254 , B-18-DP-48-0002 HUD MIT/STATE

Project Purpose: Jasper County will address significant drainage issues identified north of the City of Jasper & continuing southerly to the south portion of the Buna Community. The project focus is to address drainage problems occurring regularly when weather events occur in the Buna & Jasper areas. The City residents suffer significantly from flooding. This project is intended to address this problem. All improvements shall take place within Jasper, Buna & Kirbyville areas of Jasper County, TX.

PROJECT DESCRIPTION

The project will provide road & drainage improvements from north of Jasper County to mitigate flooding in the Jasper, Kirbyville, & Buna areas along the Hwy 96 corridor. This project area is focused along Goode Branch in order to facilitate continued maintenance of the creek. Acquisition is included in this project in order to ensure ongoing maintenance. Clearance includes acquisition, administration, environmental and engineering activities.

Improving all existing drainage & drainage structures along Goode Branch Creek beginning at approximately 5,000 linear feet north of the intersection at SH 96 & FM 1004 (Start: 30.453308, -93.964889), moving south to the crossing at SH 96, & continuing along the existing drainage contours to FM 1004 (End: 30.443575, -93.971346). Total impact is approximately 4.65 acres.

Funding Information

Grant Number	HUD Program	Funding Amount
22-085-018-D254	CDBG- MIT	\$14,807,627.97

Estimated Total HUD Funded Amount: \$14,807,627.97

Estimated Total Project Cost (HUD & non-HUD funds) [24 CFR 58.32(d)]: \$ 1,757,712.17

Goode Branch Grant Amount: \$1,740,309.08

Goode Branch Local Match Amount: \$17,403.09

FINDING OF NO SIGNIFICANT IMPACT

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 Jasper County Courthouse, 121 N Austin Room 106, Jasper, TX 75951, 409/384-2612, email: mark.allen@co.jasper.tx.us where the ERR can be examined & is available for review & or copied weekdays from 8:00 AM – 5:00 PM CST. In addition, ERR can be accessed electronically at <https://www.dropbox.com/scl/fi/nq56rrov9pqhdpvbij7op/JasperCoGoodeBranchDrainageImprovementsERR22-085-018-D254.pdf?rlkey=0hn6egfaksj1bzeric14d01kx&dl=0>.

FINAL NOTICE & PUBLIC EXPLANATION OF PROPOSED ACTIVITY IN A FEDERAL FLOOD RISK MANAGEMENT STANDARD (FFRMS), FLOODPLAIN AND WETLAND

This is to give notice that Jasper County has conducted an evaluation as required by Executive Order Executive Orders 13690, 11988 & 11990, in accordance with HUD regulations at 24 CFR 55.20 in Subpart C Procedures for Making Determinations on Floodplain Management & Wetlands Protection. The activities are funded under Community Development Block Grant Mitigation (“CDBG-MIT”) program for Jasper County Contract 22-085-007-D235, Goode Branch – Road & Drainage Improvements. The project will provide road & drainage improvements from north of Jasper County to mitigate flooding in the Jasper, Kirbyville, & Buna areas along the Hwy 96 corridor at Goode Branch Creek in Buna, TX. The project focus is to address drainage problems occurring regularly when weather events occur in the Buna & Jasper areas. The City residents suffer significantly from flooding. This project is intended to address this problem.

FFRMS Floodplain: The project is located in the FFRMS floodplain. The extent of the FFRMS floodplain has been determined using a freeboard value approach which included analyzing the 0.2% floodplain maps for Jasper County as well as USGS 7.5 minute TOPO maps. According to the Floodplain FEMA FIRM map panels 48241C0575D Effective 12/17/2010 and panel 48351C0575D, effective 11/16/2018, 100% of the project area (approximately 4.65 acres) is located within Zone A (1% annual chance flood hazard area). Due to the nature of the activities, the mitigation for the project is limited to ensuring the project is returned to the original contours & conditions to ensure ongoing flood controls.

Wetlands: Goode Branch creek is identified as a intermittent stream and encompasses .96 miles of area. A Portions of the project are identified as wetland. The following Table 1 describes the area of potential impacts. According to a wetland delineation conducted for the drainage improvement project, wetland avoidance is necessary throughout the project. Forested Wetlands A through F are adjacent to Goode Branch & have continuous surface connections to Goode Branch, hence are considered jurisdictional. The total acres located within these defined wetlands from the wetland delineation is approximately .40 acres.

Table 1. Delineated Aquatic Resources

Feature ID	Type	Length / Area	Ordinary High Water Mark (OHWM)		Geographic Coordinates (NAD83)
			Width (ft)	Depth (ft)	
Goode Branch	Intermittent Stream	5,069 (0.96 mi)	7.1	0.9	30.4479973 -93.9658503
Wetland A	Forested Wetland	0.08 ac	--	--	30.452778, -93.964710
Wetland B	Forested Wetland	0.01 ac	--	--	30.448201, -93.965784
Wetland C	Forested Wetland	0.16 ac	--	--	30.447371, -93.966079
Wetland D	Forested Wetland	0.10 ac	--	--	30.446757, -93.966549
Wetland E	Forested Wetland	0.04 ac	--	--	30.444997, -93.966999
Wetland F	Forested Wetland	0.01 ac	--	--	30.443995, -93.971034
Ditch 1	Man-Made Drainage Ditch	20 LF	--	--	30.445002, -93.969084
Ditch 2	Man-Made Drainage Ditch	20 LF	--	--	30.444938, -93.970158
Ditch 3	Man-Made Drainage Ditch	20 LF	--	--	30.443676, -93.971248

Goode Branch is considered a relatively permanent water (RPW) that carries intermittent flow & therefore should be considered jurisdictional. The National Wetlands Inventory (NWI) map depicts an intermittent stream & forested & emergent wetlands (PEM1Cx, PFO1A, PFO1Cx, PFO1/4A, R4SBC) across the project area. Ditches 1 through 3 are upland man-made drainage ditches that are considered non-relatively permanent waters (Non-RPWs) that carry ephemeral flow & therefore should be considered non-jurisdictional. Activities at delineated features include debris removal at Goode Branch where no permits is needed, temporary access for safe ingress/egress of equipment at Wetlands A through F where Nationwide Permit 33 (no preconstruction notice required) and reshaping and regrading outside the OHWM of Goode Branch where no permit is needed.

The type of beneficial values includes primarily rural residential wetland areas important for area flood controls. Intrinsic Values include archaeological, cultural, historic, natural, recreational, & scenic elements.

Jasper County has considered the following alternatives & mitigation measures to be taken to minimize adverse impacts & to restore & preserve natural & beneficial functions & intrinsic values of the existing wetland values which include primarily residential & commercial uses, as wetland areas are important for area flood controls

ALTERNATIVES:

No Action Alternative: Doing nothing was not selected as it does not preserve human health & the environment as the creek improvements reflect failing drainage conditions in the Buna area. This will negatively impact throughout areas of water from contributing drainage structures & cause continued impassable routes for local residents & emergency vehicles.

1) Making the flood & drainage improvements to the existing project areas is the most beneficial method to address the current drainage problems on roadways & at drainage structures.

2) Adding other contributing water control structures & other drainage contributors was considered, however, it was determined the selected improvements were more cost effective & feasible for Goode Branch.

3) Moving the project outside the 100-year floodplain or away from any wetland areas was considered, however, the county planning conducted during this review, indicates the proposed construction activities are the best fit solution for improving drainage in the areas. Other areas outside these areas would not appreciably improve flooding conditions.

This project location is a part of a larger effort planned for Jasper County. Improving the locations will help to create a unified approach to reduce flooding to move the water further downstream.

PROPOSED MITIGATION AND BEST MANAGEMENT PRACTICES (BMPs):

Wetland: The following mitigation is provided to the Engineer for direction to construction contractors

1. Appropriate soil erosion & sediment controls (sediment fence, hay bales, rock riprap vegetation mats, etc.) must be used & maintained in effective operating conditions during construction, & all exposed soils must be permanently stabilized at the earliest practicable date.
 - a. Permittees are encouraged to perform work within waters of the U.S. during periods of low-flow or no-flow.
 - b. No work will be conducted below the ordinary high-water mark.
 - c. The project will incorporate sediment, erosion, & seed/ mulch stabilization materials that avoid entrapment & entanglement hazards to snakes & other wildlife species & will avoid invasive species as stabilization materials.
2. Debris will be removed by hand or by using equipment (e.g. backhoe). All debris will be removed from Goode Branch Creek & disposed of properly.
3. Staked & flagged OHWM has occurred prior to construction. In areas of adjacent wetlands, no channel reshaping will take place. The boundaries of adjacent wetlands have been flagged for avoidance.
 - a. As necessary, additional wetland protection measures will be taken (i.e. barriers) to ensure wetlands remain protected.
 - b. Contractors will then follow with the installation of erosion controls (e.g. sediment fence) above the staked OHWM. Vegetation clearing & channel reshaping activities will follow, keeping all disturbance outside the boundaries of WOTUS.
4. Construction equipment and/or vehicles will not be staged, parked, refueled or turned around in areas of WOTUS, including wetlands.

- a. Additionally, debris will not be temporarily stockpiled in areas of WOTUS, including wetlands.
- b. Debris removal does not involve placing any fill or dredged material in WOTUS, & this method is considered a non-jurisdictional activity & does not require a Section 404 permit.
5. All debris/materials removed from Goode Branch Creek shall be hauled off-site & legally disposed of in an upland location outside the 100-year floodplain.
6. Bank stabilization in the form of rock rip rap will be used at locations represented on Sheets 6-7 of engineering documentation. Non-reporting Nationwide Permit (NWP) 13 for Bank Stabilization will be used at each location.
7. Adjacent wetlands & tributaries will be avoided as much as possible by this project.
 - a. However, it may be necessary to cross potential WOTUS for safe ingress & egress of equipment.
 - b. If crossing potential WOTUS cannot be avoided, a non-reporting NWP 33 for Temporary Construction, Access, & Dewatering can be used for such crossings. Board matting can be used to cross wet ground conditions but must be removed upon completion of the project & restored to pre-existing conditions. Temporary bridges can be used to span side tributaries. The use of board mats or bridges is considered temporary & must not be in place longer than 90 days. Mulching across wetlands will also be avoided as much as possible.
 - c. If necessary, a lane may be mulched across a wetland but must be the minimum width necessary for equipment. Mulch chips cannot be at a quantity that will change the base elevation of the wetlands. Therefore, if large vegetation must be mulched, it will be cut & dug out to an upland location before mulching. (Mulching in this fashion is considered a non-regulated activity & does not require a Section 404 permit. Bulldozers cannot be used & no stumps can be removed under this method.)
8. Contractor will avoid disturbance of wetlands & streams as much as possible. If avoidance is not possible, the environmental firm will make recommendations on how to minimize impacts to wetlands & streams while remaining in compliance with environmental regulations.

Floodplain/FFRMS: The proposed project will be under the guidance of using Best Management Practices during construction by implementing silt fencing to prevent erosion & restoring the disrupted soils to its natural contours & appearance & to preserve the surrounding terrain in the floodplain. Construction will include appropriate grades to ensure proper drainage & be advised to keep within the compliance of State & local floodplain protection procedures.

Explosive and Flammable Hazards: A Gas Transmission Pipeline is located running parallel to the Goode Branch Creek Project Location. Precautions should be taken to identify the actual location of the pipeline, prior to construction activities to avoid impact.

Contamination and Toxics: It is recommended for contractors to be aware that a Leaking Petroleum Tank spill had occurred before the tanks were removed from the ground at the existing Westbrook Food & Fuel – Buna – approximately 75' – 100' from the engineering segment identified as SL-52 to SL-54 (Engineering – STA: 22+50.00). While determined by TCEQ as Goode Branch is not a receptor, it is recommended to examine the area prior to construction (as well as during construction) & if observation of an odor or ground stain occurs (of benzene or other potential contaminants) in that particular area, stop construction & notify the engineer, county, & TGLO for further direction.

Threatened & Endangered Species: Judicious use & placement of sediment control fence to exclude wildlife from the construction area. Where possible include no-till drilling, hydromulching and/or hydroseeding rather than erosion control blankets or mats to reduce risk to wildlife. According to information provided by USFWS & TPWD regarding species habitats, the best times for construction are August 1 to January 31.

Federal Law: Migratory Bird Treaty Act: Review site for nests prior to construction to avoid disturbance from a minimum zone of 100 meters surrounding any raptor nest February 1 through July 15 or minimum zone of 25' for other bird nests from March 1 to June 30. If any nests are discovered in vegetation or bare ground of occupied nests, avoid disturbance until the eggs have hatched & the young have fledged. Construction may continue on other areas of the site.

State Law: Parks and Wildlife Code

1. Review site prior to & during construction will occur to ensure no wildlife species are located within the construction area & action will be taken to avoid impact if found. Notify TPWD if endangered species are found or if further assistance is necessary to clear & area. In general, the species will be permitted to leave the sight without disturbance. Where possible, construction will avoid clearing during the height of nesting season & in general will avoid wildlife impact.

2. Environmental documentation will be provided to contractors to ensure an understanding of the mitigation necessary to prevent impact to wildlife in the construction areas.
3. Specific site mitigation is provided to contractors for species potential area presence.

Tricolored Bat *Perimyotis subflavus* Proposed endangered

- Schedule all tree or structure removal during the hibernation period (generally November 1 to March 31, depending on location & temperature), when bats are in hibernacula (caves, mines) rather than roosting in trees or buildings
- Limit the amount of suitable roosting habitat (dead & dying trees, large living trees with exfoliating bark or cavities) that is cleared. Protect sensitive areas with temporary fencing to ensure contractors stay within approved clearing limits.

Alligator Snapping Turtle *Macrochelys temminckii* Proposed threatened

A review of the area prior to construction for the following species is recommended & site specific mitigation is provided. TPWD recommends avoiding terrestrial construction activities (construction above the OHWM) during the breeding & nesting season of this species (May 1 through June 30). AST breed in spring & early summer & then the eggs incubate through the spring & summer months.

For projects restricted to areas above the OHWM, TPWD recommends that an easily visible barrier be erected to define the project area & to alert project personnel to NOT enter the bank/ channel areas where AST could be present & at risk of injury. TPWD suggests a barrier intended for personnel management be established using typical orange construction fencing.

- During construction: trucks & equipment should use existing bridge or culvert structures to cross creeks, & equipment staging areas should be located in previously disturbed areas outside of riparian corridors. Temporary bridges can be used to span side tributaries. The use of board mats or bridges is considered temporary & must not be in place longer than 90 days.
- Minimize clearing of mature trees in the riparian zone. Canopy cover provides shade to the waterway, allowing for thermoregulation of alligator snapping turtle. Also, natural debris (leaves, sticks, logs) provides nutrient input which supports aquatic food webs.
- Avoid impacts to logs, cutbanks, rootballs, or other similar structures as AST use these for shelter. If impacts are unavoidable, TPWD recommends replacing the in-water structure within the waterway to the maximum extent feasible. Replaced structures should be situated in a manner consistent with pre-construction conditions (e.g., diameter of logs, distance from the riverbank). If these preferred features (cutbanks, pools, natural bottoms) are destroyed during construction, TPWD recommends the re-establishment of these features within the channel postconstruction.

Aquatic Resources: A review of the area prior to construction for the following species is recommended & site-specific mitigation is provided.

- Texas Parks & Wildlife Code (PWC) section 1.011 grants to Texas Parks & Wildlife (TPWD) the authority to regulate & conserve aquatic animal life of public waters. Title 31, chapter 57, subchapter B, section 57.157 of the Texas Administrative Code (TAC) regulates take of mussels & clams, & section 12.301 of the PWC identifies liability for wildlife taken in violation of PWC or a regulation adopted under PWC.
- avoidance of sensitive habitats, implementing best management practices (BMPs) to prevent indirect harm, & relocation of mussels as a last resort. For invasive mussels, the focus is on decontamination protocols.
- Maintain construction above the OHWM.
- If present, use BMPs such as sediment controls, equipment management, water management such as avoiding low flow impacts caused by construction.

Historical & Cultural 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 History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.
- 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.

General Mitigation and Best Management Practices (BMPs)

- locate utilities & potential underground gas lines prior to construction;
- use scheduling to prevent impact to community traffic conditions;
- Use BMPs & adjust schedule to ensure appropriate access to parks or recreation areas & to identify where utility lines & other lines are located prior to construction.
- Acquisition – The County will keep these mitigation measures available for construction and future maintenance of the Goode Branch.

Jasper County has reevaluated alternatives to building in floodplains & wetlands & has determined that it has no practicable alternative to constructing where FFRMS floodplains & wetlands exist. This is because the area of construction is functionally dependent upon these improvements. Environmental files documenting compliance with Executive Orders 13690, 11990 & 11988, are available for public inspection, review & copying upon request at Jasper County Courthouse, 121 N Austin Rm 106, Jasper, TX 75951, 409/384-2612 Attention: Mark Allen, County Judge from 8:00 am to 5:00 pm CST. Comments may also be submitted via email at mark.allen@co.jasper.tx.us.

There are three primary purposes for this notice. First, people who may be affected by activities in an FFRMS floodplain & Wetland & those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns & provide information about these areas. Commenters are encouraged to offer alternative sites outside of the FFRMS, floodplains & Wetland, alternative methods to serve the same project purpose, & methods to minimize & mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information & request for public comment about FFRMS, floodplains & Wetlands can facilitate & enhance Federal efforts to reduce the risks & impacts associated with the occupancy & modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in Wetland areas, it must inform those who may be put at greater or continued risk.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR DOCUMENT to the County. All comments received by December 3, 2025, will be considered by Jasper County prior to authorizing submission of a request for release of funds. Comments may be submitted to Jasper County Courthouse, 121 N Austin Rm 106, Jasper, TX 75951, 409/384-2612 Attention: Mark Allen, County Judge. A full description of the project may also be reviewed from 8:00 am to 5:00 pm CST at Jasper County Courthouse, 121 N Austin Rm 106, Jasper, TX 75951, 409/384-2612. Comments may also be submitted via email at mark.allen@co.jasper.tx.us. Comments should specify which Notice they are addressing.

Written comments regarding the Final FFRMS floodplains & Wetland Notice must be received by County at the following address on or before December 3, 2025. Comments can be submitted to Jasper County Courthouse, 121 N Austin Rm 106, Jasper, TX 75951, 409/384-2612 Attention: Mark Allen, County Judge. A full description of the project may also be reviewed from 8:00 am to 5:00 pm CST at Jasper County Courthouse, 121 N Austin Rm 106, Jasper, TX 75951, 409/384-2612. Comments may also be submitted via email at mark.allen@co.jasper.tx.us.

ENVIRONMENTAL CERTIFICATION

Jasper County certifies to TGLO that Mark Allen, in his capacity as 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 & that these responsibilities have been satisfied. TGLO approval of the certification satisfies its responsibilities under NEPA & related laws & authorities & allows County to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TGLO will accept objections to its release of funds & the County certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of Jasper County; (b) County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) County 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 TGLO; 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

& submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) & shall be addressed to Heather Lagrone, Texas General Land Office, PO Box 12873, Austin, TX 78711-2873, via email at env.reviews@recovery.texas.gov . Potential objectors should contact TGLO to verify the actual last day of the objection period.

Mark Allen, Judge
Jasper County