

## Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland

To: All interested Agencies, Groups and Individuals (FEMA, U.S. EPA Region 6, U.S. Army Corps of Engineers, and Harris County Flood Control District) and the Public at Large

This is to give notice that the City of Houston Housing and Community Development Department (City) under Part 58 has determined that the following proposed action under the Community Development Block Grant Disaster Recovery program is located in a floodplain and wetland. The City will be identifying and evaluating practicable alternatives to locating the action in the floodplain and wetland and the potential impacts from the proposed action, as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

The Briarwest Apartments will include new construction of a 120-unit multifamily complex on an undeveloped 5.39-acre property located in the 12900 block of Westheimer Road in Houston, Harris County, Texas. The complex will consist of one four-story multi-family structure, including a central courtyard with a pool and parking around the perimeter. Total impacts include 2.66 acres of the 100-year floodplain, 2.59 acres of the 500-year floodplain, and 0.95 acres of a wetland within an existing detention basin. According to a Wetland Determination report completed for the property, the emergent wetland is limited to within the fenced man-made detention basin and dominated by cattail and common rush. Based on the wetland's location within the floodplain and potential connection to downstream navigable waters, it is likely subject to permitting under Section 404 of the Clean Water Act. Natural and beneficial functions of the floodplain and wetland include floodwater storage and attenuation. There is minimal potential for historic or cultural resources due to a lack of historic sites in the vicinity and confirmation with the state historic preservation officer. No suitable habitat for federal or state-listed species is present on the property and since it is predominately an open field there is little timber or wildlife resources present.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains or wetlands 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 and/or wetland, 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 and wetlands 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 and/or wetlands, it must inform those who may be put at greater or continued risk.

This notice is required by Section 2(a)(4) of Executive Order 11988 for the Protection of Floodplains, and is implemented by HUD Regulations found at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. The 8-Step Decision Making Process includes public notices and the examination of practicable alternatives to building in the floodplain and wetland. Additional project information, including maps of floodplains and wetlands for the project area and its census tracts, is contained in the Environmental Review Record (ERR) on file at the Texas General Land Office, P.O. Box 12873, Austin, TX 78711-2873 and may be examined or copied weekdays 8am to 5pm.

Written comments should be sent to HCDD at 2100 Travis Street, 9th Floor, Houston, Texas 77002, Attention: Tom McCasland, HCDD Director. Comments may also be submitted via email to [Matthew.Jenkins@houstontx.gov](mailto:Matthew.Jenkins@houstontx.gov), [Julia.Thorp@houstontx.gov](mailto:Julia.Thorp@houstontx.gov), or [Samuel.Lilley@houstontx.gov](mailto:Samuel.Lilley@houstontx.gov). Telephone inquiries regarding this public comment process will be addressed at (832) 394-6018. The minimum 15 calendar day comment period will begin the day after the publication and end on the 16<sup>th</sup> day after the publication. Such comments should be received by HCDD on or before **November 4, 2019**.

City of Houston: Sylvester Turner, Mayor

HCDD: Tom McCasland, Director

**October 18, 2019**